United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, FIRST SESSION

Vol. 149 WASHINGTON, MONDAY, DECEMBER 8, 2003 No. 175

# Senate

The Senate was not in session today. Its next meeting will be held on Tuesday, December 9, 2003, at 10 a.m.

# House of Representatives

MONDAY, DECEMBER 8, 2003

The House met at 9:30 a.m. and was called to order by the Speaker pro tempore (Mr. BOOZMAN).

## DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
*December 8, 2003.*

I hereby appoint the Honorable JOHN BOOZMAN to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
*Speaker of the House of Represenatives.*

## MESSAGE FROM THE SENATE

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

S. 99. An act for the relief of Jaya Gulab Tolani and Hitesh Gulab Tolani.

S. 103. An act for the relief of Lindita Idrizi Heath.

**NOTICE**

If the 108th Congress, 1st Session, adjourns sine die on or before December 9, 2003, a final issue of the Congressional Record for the 108th Congress, 1st Session, will be published on Monday, December 15, 2003, in order to permit Members to revise and extend their remarks.

All material for insertion must be signed by the Member and delivered to the respective offices of the Official Reporters of Debates (Room HT–60 or S–410A of the Capitol), Monday through Friday, between the hours of 10:00 a.m. and 3:00 p.m. through Friday, December 12, 2003. The final issue will be dated Monday, December 15, 2003, and will be delivered on Tuesday, December 16, 2003.

None of the material printed in the final issue of the Congressional Record may contain subject matter, or relate to any event that occurred after the sine die date.

Senators' statements should also be submitted electronically, either on a disk to accompany the signed statement, or by e-mail to the Official Reporters of Debates at ''Record@Sec.Senate.gov''.

Members of the House of Representatives' statements may also be submitted electronically by e-mail, to accompany the signed statement, and formatted according to the instructions for the Extensions of Remarks template at http://clerkhouse.house.gov/forms. The Official Reporters will transmit to GPO the template formatted electronic file only after receipt of, and authentication with, the hard copy, and signed manuscript. Deliver statements to the Official Reporters in Room HT–60 of the Capitol.

Members of Congress desiring to purchase reprints of material submitted for inclusion in the Congressional Record may do so by contacting the Office of Congressional Publishing Services, at the Government Printing Office, on 512–0224, between the hours of 8:00 a.m. and 4:00 p.m. daily.

By order of the Joint Committee on Printing.

ROBERT W. NEY, *Chairman.*

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.
Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

S. 460. An act to amend the Immigration and Nationality Act to authorize appropriations for fiscal years 2004 through 2010 to carry out the State Criminal Alien Assistance Program.

S. 541. An act for the relief of Ilko Vasilev Ivanov, Anelia Marinova Peneva, Marina Ilkova Ivanova, and Julia Ilkova Ivanova.

S. 573. An act to amend the Public Health Service Act to promote organ donation, and for other purposes.

S. 648. An act to amend the Public Health Service Act with respect to health professions programs regarding the practice of pharmacy.

S. 848. An act for the relief of Daniel King Cairo.

S. 854. An act to authorize a comprehensive program of support for victims of torture, and for other purposes.

S. 1130. An act for the relief of Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Bibiana Arreola, and Cindy Jael Arreola.

S. 1402. An act to authorize appropriations for activities under the Federal railroad safety laws for fiscal years 2004 through 2008, and for other purposes.

S. 1683. An act to provide for a report on the parity of pay and benefits among Federal law enforcement officers and to establish an exchange program between Federal law enforcement employees and State and local law enforcement employees.

S. 1881. An act to amend the Federal Food, Drug, and Cosmetic Act to make technical corrections relating to the amendments made by the Medical Device User Fee and Modernization Act of 2002, and for other purposes.

S. 1920. An act to extend for 6 months the period for which chapter 12 of title 11 of the United States Code is reenacted.

The message also announced that the Senate has agreed to the House amendment with an amendment.

S. 877. An act to regulate interstate commerce by imposing limitations and penalties on the transmission of unsolicited commercial electronic mail via the Internet.

## MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

## PLENTY IS WRONG WITH THE WAL-MART PICTURE

Mr. BLUMENAUER. Mr. Speaker, a drama is taking place about the future, not just of America's economy, but the global marketplace. A metaphor for this drama is the role that Wal-Mart, the world's largest retailer, plays. Since its founding by Sam Walton in 1962, it has grown to be larger than the economies of 170 nations.

By rigorous cost containment and careful attention to detail, it has forced suppliers to be competitive and more effective. It has given Americans lower prices, and some experts even say has held down inflation. What could be wrong with this picture? Well, plenty.

First of all, there are the costs to communities. It appears that communities lose far more jobs with Wal-Mart than they gain. Depending upon that community and whether or not those jobs lost are unionized, the jobs that they do get are $2 to $10 an hour less than those destroyed. Much of the opposition is to the impact that Wal-Mart has on the fabric of the communities it operates in, often at the outskirts of town, drawing away from the vitality of the main street where businesses, slowly, are strangled.

The impact can even be devastating for its suppliers, as detailed in a cover story in this month's Fast Company magazine, discussing the impact on Huffy Bikes and Vlasic Pickles, where companies end up being squeezed and often cannibalizing themselves. Finally, there are grave questions about the treatment of workers in the factories around the world that supply Wal-Mart.

There appears to be a corrosive impact on Wal-Mart itself: It is not just anti-union, but blatantly so, firing workers who are sympathetic to unions. There is illegal coercion of their own employees who may be interested in unions, and illegal roadblocks to people who would organize.

Last June in the Wall Street Journal, there was a story about Wal-Mart firing workers earning $9.50/hour just because they were at the upper end of Wal-Mart's already low pay scale.

There is strong evidence that the corporate culture that knows every detail of its supply chain refuses to correct abuses that have been widely reported in its own operation.

Last year in Oregon, a jury found that company managers had coerced hundreds of employees to work overtime without compensation, as Wal-Mart managers were tampering with time cards, and forcing employees to work off the clock. This appears not to be an isolated example. Already Wal-Mart has settled overtime suits in Colorado and New Mexico, and there are more than 40 other cases pending across the country.

Equally as distressing was the raid this fall of 61 Wal-Mart stores where it appears they were contracting with companies to clean their stores who systematically used illegal immigrants. These employees were cheated out of overtime by these companies that often failed to pay their taxes. A systemic pattern by a company known for insisting on detailed, private financial information from its suppliers, but unable or unwilling to make sure that its own contractors follow the law. This raises huge questions about their 10,000 overseas contractors and subcontractors, about whether or not Wal-Mart has complied with its own vague code of conduct, especially since Wal-Mart is the only major retailer that refuses to allow independent auditing of its factories overseas.

Mr. Speaker, it is time for Wal-Mart to open up to independent monitoring abroad, to stop cheating its employees at home, and to become a force to lift standards, to make our world a better place.

To help them, Congress ought to start now investigating the practices of America's largest retailer, particularly as it relates to labor and employment. Communities should help Wal-Mart by not cutting corners and cutting their own throats in competition for another store, and instead establish reasonable land use and planning regulations for Wal-Mart developments.

Most important, consumers should begin to consider whether the lowest price is worth any cost: to the poor of the world, to suppliers here at home, to the health of our main streets, and the abuse of Wal-Mart workers, and Americans denied basic organizing rights. There is a Wal-Mart Day of Action planned next month for January 14. This will give us all an opportunity to consider whether the lowest price, regardless of its cost, is worth it.

## HONORING JUDGE HERBERT CHOY

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from California (Mr. COX) is recognized during morning hour debates for 5 minutes.

Mr. COX. Mr. Speaker, today, in San Francisco, the Ninth Circuit Court of Appeals is going to honor one of its most distinguished judges by hanging his portrait in historic Courtroom One in the courthouse on 7th Street in San Francisco. That jurist is Herbert Y.C. Choy. I am very privileged to have worked for him in my first job upon graduation from law school as his law clerk.

Today, some 31 generations of Choy law clerks will honor him, along with Chief Judge Mary Schroeder of the Ninth Circuit Court of Appeals; Richard Clifton, the successor to Judge Choy in the Ninth Circuit courthouse in Honolulu; and also one of his law clerks, John McCuckin, who is now executive vice president of Union Bank, and many, many others from around the country who honor and treasure and respect Judge Choy and his wife, Helen.

Judge Choy is the first Asian American ever appointed to the Federal bench. He is the first Asian American not only on an article 3 court, but on any court. He is the first Korean American to be appointed to the Federal bench, and he is the first Hawaiian ever to be appointed to serve representing the State of Hawaii on the Ninth Circuit Court of Appeals.

Judge Choy is the son of immigrants who came to Hawaii, came to the United States from Korea, as part of a great wave to work on Hawaii's sugar plantations. The Hawaiians of Korean

ancestry are celebrating their centennial of that great immigration wave this year. As someone who was part of the immigration experience, Judge Choy always paid particular attention, he said, to immigration cases to make sure they were decided fairly, and on the Ninth Circuit Court of Appeals, immigration cases are a significant portion of the total caseload.

When he graduated from the University of Hawaii, Judge Choy blazed another trail. He went back East to Boston to attend Harvard Law School where he distinguished himself as a scholar. When he graduated in 1941, as a Hawaiian on the East Coast of the United States of America, he was horrified, as were all Americans, when 6 months later, an anniversary that we recognized last week, on December 7, 1941 saw the attack on Pearl Harbor. Judge Choy, who had just graduated from law school, joined the United States Army, and served this country with distinction. He joined the Judge Advocate General Corps, prefiguring his work in private practice, beginning in 1946 at the end of World War II, as a lawyer. He became the Nation's first Korean American attorney, and practiced with the firm of Fong & Miho, later known as Fong, Miho, Choy & Robertson. Hiriam Robertson, a distinguished Member of this Congress, was his law partner.

He went on to serve Hawaii as attorney general, beginning in 1957, and he was nominated by the President of the United States in 1971, elevated to the Federal bench, to the United States Court of Appeals, the largest and busiest of the Nation's appellate courts.

When he became the first Asian American on the Federal bench, it was not remarked upon in that way. Rather, people recognized that this was a first of another sort, this was one of the most remarkable people from any background nominated to the Federal bench, and as his law clerk and as so many of his law clerks gathering to honor him can attest, he was unique, and remains unique, in his capacity to inspire others through a quiet dignity, through leadership, scholarship that is not intimidating, but compassionate. He is scrupulously honest. I have known honest people in my life who have been examples for me, certainly my own parents, but never have I seen someone who is so scrupulously honest as Judge Choy.

Mr. Speaker, we honor today a man whose life in the United States of America symbolizes the importance of the rule of law and that vital pillar of our American republic depends upon people of character. There is no finer example of honesty, integrity, impartiality, and equality before the law than this man, Judge Choy, whom we honor today here in this Congress and in the courthouse in San Francisco. To Judge Choy, to his wife, Helen, and all of the Federal family, as he is want to call them, congratulations. This is a wonderful occasion to honor a wonderful man.

## CONGRESS BORROWS TO FUND PROJECTS

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from Oregon (Mr. DEFAZIO) is recognized during morning hour debates for 5 minutes.

Mr. DEFAZIO. Mr. Speaker, today Congress will take up one of the largest single aggregate spending bills in the history of our Nation. There are billions more for foreign aide, there are many questionable projects and priorities; but what is most glaring about this legislation is what is not in it.

The interesting thing is that much of the money that funds the agencies and the projects under this bill will be borrowed. And Americans, working Americans, for the next 30 years, will be paying that bill. But there is one glaring oversight, one thing that is left out where we would not have had to borrow money, and that is to take care of the long-term unemployed here in the United States of America.

□ 0945

Why would we not have to borrow money to take care of them? Because there is $20 billion in the unemployment trust fund, taxes that were paid in by employers and employees, that were set aside to take care of Americans in a time of need when they have lost their job and they cannot find another job through no fault of their own. $20 billion is there. So out of the hundreds of billions of dollars in this bill that will be borrowed and spent elsewhere, including foreign aid, we could have taken care of the unemployed in the United States at no additional cost.

So why is it that they have been omitted for the second year in a row? Last year we notified the Republican leadership and the President that unemployment is a problem outside the Beltway of Washington, D.C. People are exhausting their benefits and they need help. That fell on deaf ears here in the House. The Republican leaders refused to bring forward legislation to help the long-term unemployed. Finally, sometime between Christmas and New Year's, when these people were receiving notices that their benefits would no longer be coming, Merry Christmas, the President woke up and asked the Congress when it reconvened in January to extend benefits further.

Unfortunately, the leaders, again, here in the Congress, the Republican leaders, chose to bury deep in that reauthorization of extended unemployment benefits something called a look-back provision. What it says is if half the people in your State are unemployed today, you can get extended benefits. But if a year from today, you still only have half the people in your State unemployed, those benefits will expire. The look-back provision says your unemployment has to get worse before we will extend benefits again. Oregon and many other States are falling into this trap now. Our economy has not gotten significantly better. There are still many thousands of Oregonians unemployed who cannot find work. Many of them fall into this category of long-term unemployed. Thousands of them are going to see their benefits expire this month and tens of thousands more over the next couple of months. But because of this so-called look-back provision, they are no longer eligible to get unemployment benefits.

This is just extraordinary that this Congress would again think about leaving town for the Christmas and New Year's holidays and into the next year without authorizing extended unemployment benefits for tens of thousands of Oregonians and other Americans at no additional cost to taxpayers, just spending down those reserves in the unemployment trust fund.

But Congress, the Republican leaders, do not want to do that because that would make the obscene deficit look just a tiny bit bigger. We would not have to borrow that money to pay those benefits; but it would make their $300 billion or $500 billion, however you want to calculate it, if you calculate the fact that they are borrowing and spending every penny that is flowing into Social Security this year, no more lockbox around here, that money will be spent and borrowed and spent and borrowed and spent. But if you exclude that, we are in the $300 billion range, the largest deficit in the history of the United States and spending down the unemployment trust fund would, on paper, make it look bigger; but it would not be anything that would be borrowing to obligate future generations of Americans, unlike the hundreds of billions of other spending in this bill.

So Congress wants to do one thing for this country and one thing for some of the people who have the most merit and are hurting through no fault of their own in this so-called jobless recovery, people whose jobs have been exported, in the case of my district to Canada, Mexico and China, under the trade policies of this administration and, yes, the past administration, which I opposed. These people want to work. They are productive people. They are hardworking people. They are willing to work. They just cannot find a job in the jobless recovery. So let us just give them a little bit of help in the interim so they do not lose their home, so they can feed their kids, so they can keep the lights on.

Do not go home, Congress, until you extend unemployment benefits for all Americans.

## HOUSE CONTINUES LATE-NIGHT VOTING TRADITION IN PASSING MEDICARE BILL

The SPEAKER pro tempore (Mr. BOOZMAN). Pursuant to the order of the House of January 7, 2003, the gentleman from Ohio (Mr. BROWN) is recognized during morning hour debates for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, this is the people's House, conducting the public's business openly, or at least it used to be the people's House. At 2:54 a.m. on a Friday in March, the House cut veterans benefits by three votes. At 2:39 a.m. on a Friday in April, House Republicans slashed education and health benefits by five votes. At 1:56 a.m. on a Friday in May, the House passed the Leave No Millionaire Behind tax cut bill by a handful of votes. At 2:33 a.m. on a Friday in June, the House GOP passed a Medicare privatization and prescription drug bill by one vote. At 12:57 a.m. on a Friday in July, the House eviscerated Head Start by one vote. And then after returning from summer recess at 12:12 a.m. on a Friday in October, the House voted $87 billion for Iraq. Always in the middle of the night, always after the press had passed their deadlines, always after the American people had turned off the news and gone to bed.

With that track record, Mr. Speaker, we should not be terribly surprised that when the House passed legislation privatizing Medicare and forcing the most sweeping changes to Medicare in its 38-year history, we should not be terribly surprised that this Republican House of Representatives passed that bill at 5:55 in the early morning, Saturday morning, hours. The Republican leadership delivered this 1,100-page Medicare bill to House Members on Friday morning at 1:46 a.m. We voted on it 25 hours later.

But I do not really blame my Republican colleagues. If I had produced this bill, I would not want to give people much time to look at it either. When Republican leaders sit down behind closed doors with the insurance industry and with the drug industry and write a bill to privatize Medicare, of course they do not want the public to know much about it.

This bill is not a prescription drug bill. We could have agreed bipartisanly to deliver a $400 billion drug benefit to our Nation's seniors. This bill is a Medicare privatization bill, written by the drug industry, written by the insurance industry, for the drug industry and for the insurance industry. This bill forces seniors to join an HMO or pay more for the coverage they have now. And we know how HMOs have treated seniors in county after county after county in this country. This bill creates a $20 billion, that is with a B, $20 billion slush fund for HMOs and stacks the deck so resolutely against the core Medicare program that privatization is inevitable. This bill jeopardizes employer-sponsored retiree coverage for the 12 million-plus seniors who have this coverage. Several million seniors who now have prescription drug coverage as retirees are going to lose that coverage when their employers drop it. That is a certainty.

This bill leaves such huge coverage gaps in coverage that the average senior will run out of drug benefits by August each year, but will be required to pay premiums through December. So they will not get a benefit in July, but they will pay the $35, $45, $50, $60 premium. They will not get a benefit in August, but they will be paying the $35, $45, $50, $60 premium. They will not get a benefit in September, but they will pay the premium. They will not get the benefit in October, but they will pay the premium. That is what the Republican privatization Medicare bill is all about, written by the drug companies for the drug companies, written by the insurance industry for the insurance industry.

Mr. Speaker, most of these damaging provisions do not go into effect until after the 2004 elections, but this is the people's House. We should conduct our business openly. We should be honest with people whom we serve. We should throw the drug companies and insurance companies out of our offices so they are not writing this privatization legislation. The American people deserve better.

## MEDICARE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2003, the gentleman from New Jersey (Mr. PALLONE) is recognized during morning hour debates for 5 minutes.

Mr. PALLONE. Mr. Speaker, I want to follow up on what my colleague from Ohio said with regard to this Medicare bill that was passed in the middle of the night after the board was held open for 3 hours, even though most Members had voted. I want to say I was back in my district, of course, during the last 2 weeks during the Thanksgiving recess, and my constituents in New Jersey and throughout the State are outraged over this Medicare bill. They see it as nothing more than an effort to privatize Medicare, to change the traditional Medicare program and not to provide them with any kind of meaningful drug benefit. But what is the most amazing, Mr. Speaker, is what we have learned in the 2 weeks since that vote was taken, what we have learned about the arm-twisting that took place to try to influence Members on the Republican side to vote for the bill as opposed to against the bill, and what we have learned about provisions in the bill that many Members were not even aware of that make the legislation even worse.

I just wanted to talk about those two things this morning. First of all, there is now an investigation by the Justice Department into the bribery, alleged bribery or undue influence that was placed on Congressman SMITH in an effort by the Republican leadership to get him to change his vote against the Medicare bill and in favor of the bill. He ended up voting against the bill, refused to switch; but supposedly he was told that if he did not switch that $100,000 would not be available from the Republican campaign war chest for his son who was running as a successor for him to Congress. He was told that there would not be support for his son running as a Member of Congress if he did not change his vote.

Statements were made to that effect on the floor of the House of Representatives that suggest that somehow votes are for sale by the Republican Party on the House floor, here in the House of Representatives in these halls, in this Congress that we so dearly value. Bribery, allegations of bribery, and now the Justice Department is investigating it, in an effort to try to twist arms and get Republicans who wanted to vote against this bill because they knew that was the right thing to do and they were trying to convince them to vote the other way.

In addition, those of you who may have read the New York Times yesterday, front-page article talking about how the bill does not allow for seniors to buy MediGap coverage, I knew that this bill was bad and there are a lot of bad provisions in this bill and my colleague from Ohio has pointed out many of them; but many of us were not aware of the fact that the bill precluded MediGap insurance.

Do you know why it precludes MediGap insurance? Because it does not want seniors who are in traditional Medicare, the Republican leadership, the President, the Republican President, do not want seniors who are in traditional Medicare to be able to supplement and buy MediGap insurance. Why would that be? That is because they do not want them in traditional Medicare. They want to force them to go into an HMO to get their drug benefit or force them to buy some kind of drug-only policy which is going to be tremendously prohibitive. So seniors who traditionally have purchased MediGap coverage, supplemental insurance to cover the things that are not provided for in Medicare, are now going to be told, you cannot do that anymore. Imagine, you are a senior citizen, you do not want to join an HMO, you are very concerned about the cost of a drug-only policy which may not even be available in your area, but you cannot supplement your traditional Medicare by buying a MediGap policy, perhaps, that would provide for a nice drug benefit or would make it easier for you in the long run not to expend a lot of money out of pocket. They are now precluding you from doing this.

It is amazing to me. The Republicans talk about choice, that the reason that they wanted to privatize Medicare and do what they are doing with this bill is because they wanted seniors to have choices; but in effect, what they have done is limit seniors' choices. If seniors cannot even buy supplemental MediGap coverage, what kind of choice is that? No choice of a doctor because in order to get the drug benefit you have to join an HMO; but even if you want to supplement your insurance in traditional Medicare, you cannot do it anymore. They are not going to allow Medigap policies anymore.

It is amazing to me when you look at this legislation what went on. A middle-of-the-night vote, twisting arms, bribing Members of Congress, it looks like, allegations are being made at this point, and no choices at all because you are forced essentially into an HMO. And for what? A Medicare prescription drug benefit that is almost completely useless because, as we have said before, you would have to spend so much money out of pocket, probably over $4,000 out of pocket in order to get $5,000 worth of coverage.

We do not even know what the premium is going to be. The premium for the drug benefit could be $85, $100 a month for all we know. And you are going to have a $275 deductible or perhaps a higher deductible. You are only going to get coverage up to something like $2,000 or so and after that you are going to have to pay out of pocket even though you are continuing to pay the premiums, up to $5,000. It does not even go into effect until 2006. No cost containment whatsoever. It is just amazing. We have got to continue to point out the bad aspects of this bill.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 11 a.m. today.

Accordingly (at 10 a.m.), the House stood in recess until 11 a.m.

□ 1100

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. THORNBERRY) at 11 a.m.

## PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

In this season of expectation and winter surprises, the words of the prophet Baruch cut through the ages and blanket the earth:

''My people, take off your robe of mourning and lament; put on the splendor of glory from God forever: Wrapped in the cloak of justice from God, show forth the glory of the Lord's eternal name: For God will show all the earth your splendor.''

Lord our God, be with the Congress of the United States today. May its work prove to all, You guide Your people always and are present to their deepest needs. By the lasting effects of decisions made here, Your splendor, as our judge, will be revealed.

For You, the Lord, will lead this Nation in joy and fulfillment. By the light of Your glory, You will befriend us with mercy and justice now and forever. Amen.

## THE JOURNAL

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

Mr. CHABOT 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.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3633

Mr. LAHOOD. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 3633.

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

There was no objection.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
*Washington, DC, November 26, 2003.*

Hon. J. DENNIS HASTERT,
*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 26, 2003 at 10:22 a.m.:

That the Senate passed without amendment H.R. 1437.

That the Senate passed without amendment H.R. 1813.

That the Senate passed without amendment H.R. 3287.

That the Senate passed without amendment H.R. 3348.

That the Senate passed without amendment H.J. Res. 80.

That the Senate agreed to House amendment to S. 459.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
*Clerk.*

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule 1, Speaker pro tempore THORNBERRY signed the following enrolled bills and joint resolution on Monday, December 1, 2003:

H.R. 1437, to improve the United States Code;

H.R. 1813, to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign centers and programs for the treatment of victims of torture, and for other purposes;

H.R. 2622, to amend the Fair Credit Reporting Act, to prevent identity theft, improve resolution of consumer disputes, improve the accuracy of consumer records, make improvements in the use of, and consumer access to, credit information, and for other purposes;

H.R. 3287, to award Congressional Gold Medals posthumously on behalf of Reverend Joseph A. DeLaine, Harry and Eliza Briggs, and Levi Pearson in recognition of their contributions to the Nation as pioneers in the effort to desegregate public schools that led directly to the landmark desegregation case of Brown et al. v. The Board of Education of Topeka et al;

H.R. 3348, to reauthorize the ban on undetectable firearms;

H.J. Res. 80, appointing the day for the convening of the second session of the One Hundred Eighth Congress;

S. 459, to ensure that a public safety officer who suffers a fatal heart attack or stroke while on duty shall be presumed to have died in the line of duty for purposes of public safety officer survivor benefits;

and the following enrolled bill and joint resolution on Wednesday, December 3, 2003:

H.R. 2297, to amend title 38, United States Code, to improve benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes;

H.J. Res. 63, to approve the Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Federated States of Micronesia, and the Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Republic of the Marshall Islands, and to appropriate funds to carry out the amended compacts;

and the Speaker signed the following enrolled bill on Saturday, December 6, 2003:

H.R. 1, to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare program, to modernize the Medicare program, to amend the Internal Revenue Code of 1986 to allow a deduction to individuals for amounts contributed to health savings security accounts and health savings accounts, to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements, and for other purposes.

## CONGRATULATING THE ELDER FOOTBALL TEAM

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

Mr. CHABOT. Mr. Speaker, on the blustery evening of November 29, 2003, the Elder High School football team won their second consecutive Ohio

State championship under the guidance of Coach Doug Ramsey, becoming just the fourth school ever to win back-to-back Division I championships.

While last year's championship run was epitomized by hard-fought, closely-contested victories, this year's Panther team dominated the playoffs, except for the very close one-point win over a very tough Coleraw High School team. The dynamic leadership of quarterback Rob Florian and the sensational running of Bradley Glatthaar spearheaded the offense, while Elder's swarming defense held opposing teams to just seven points in four of the five playoff games. As always, thousands of Elder faithful traveled across the State, braving the cold, to support the Panthers throughout the playoffs.

Mr. Speaker, the hard work and sacrifice of the young men at Elder have brought pride and honor to Price Hill and to our entire community. Football fans throughout the Cincinnati area congratulate the Panthers and share in their celebration. Way to go, Elder Panthers. And from a LaSalle Lancer, it might be a tough thing to do, but we are real proud of you, Elder. God bless you.

## CALLING UPON RETAILERS TO REMOVE VIOLENT AND DEGRADING VIDEO GAMES FROM STORE SHELVES

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

Mr. DEUTSCH. Mr. Speaker, I rise today to bring to this Chamber's attention a disturbing trend in video game entertainment: Grand Theft Auto: Vice City, a video game made by Rockstar Games, Inc., contains violent and discriminatory messages, urging the player to ''kill the Haitians'' and ''kill the Cubans.''

As an elected official who represents an ever-expanding population of Haitian Americans and Cuban Americans, I am deeply disturbed by the inflammatory and anti-immigration message contained in this video game. These messages run counter to the very principles on which this Nation was founded: as a haven for all of those who seek freedom and equality.

I stand before the House today calling on my colleagues to join me, along with many elected officials, to urge retailers to remove this divisive product from their shelves and Internet Web sites immediately.

The Haitian and Cuban communities in America represent a core of law-abiding, hard-working model citizenry that embrace family and community. They are valuable segments of our society who, as others before them, seek to live the American dream.

It is shocking and disheartening to know that games with such dehumanizing messages against these groups are routinely sold to children across the Nation. This sort of insensitivity and degradation cannot be tolerated.

I urge my colleagues to join me in calling upon retailers to remove this game.

## ACKNOWLEDGING ADMIRABLE CALIFORNIANS

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

Mrs. BLACKBURN. Mr. Speaker, today I rise to congratulate Governor Schwarzénegger on his efforts to ''clean house'' in California. Since he took office last month, he has been implementing many reforms to California's economic and security problems. He has rescinded a $4 billion car tax, called for a constitutional amendment to limit State spending, and worked with the legislature to repeal the law that allows illegal aliens to obtain driver's license. Instead of hiding his head in the sand as his predecessor did, he has shown the courage to balance the State's budget without raising taxes and to protect the security of the State.

I would also like to speak on another admirable Californian, Judge Janice Brown. Judge Brown is the daughter of a sharecropper who has beat the odds to become one of the finest judges in America. Critics claim she is an extreme conservative who is outside of America's mainstream, but they are the ones who are outside the mainstream. These critics have intentionally disregarded her judicial opinions that have upheld due process rights for criminal defendants and consumer protection for Californians. This body must stand with Californians, like Governor Schwarzenegger and Judge Brown, who are working to make a difference.

## MISSED OPPORTUNITIES

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

Mr. EMANUEL. Mr. Speaker, today, as the President signs the Medicare Reform Act dealing with prescription drugs, although this is going to be hailed around in Washington as a great day, we missed an opportunity to save our seniors dramatically on the cost of prescription drugs.

We could have included a provision that allowed prescription drugs to be purchased in Canada or Europe where prices are 40 to 50 percent cheaper, saving for seniors, on average, a good deal of money, as well as taxpayers a good deal of money. We could have included a provision to allow a Sam's Club-like bulk negotiating which the Veterans' Administration does for veterans, and we could have done that for Medicare, for 41 million Americans, to reduce prices. Either way, either of these issues, either through open markets and market access, allowing competition to bring prices down and give consumers choice, or allowing bulk price negotiations, which is what happens if you have a Sam's Club. In either manner, we in the government prevented that from happening and are forcing our seniors into higher prices and forcing our taxpayers to play inflated prices.

We have an obligation to the taxpayers to give them the best and most affordable prices for their taxpayer money, and we took a pass today on that legislation.

## INFAMOUS DAYS IN OUR NATION'S HISTORY

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

Mr. PITTS. Mr. Speaker, yesterday was the anniversary of the attack on Pearl Harbor. That day, President Franklin Delano Roosevelt said, was ''a day that will live in infamy.'' More than 2,400 Americans died that day, 1,100 were wounded, and that day changed America forever.

But despite being attacked on our own soil, the American people responded with courage and resolution.

This same courage showed its face on September 11, 2001. That same resolution continues to drive us in the war on global terrorism today.

As President Bush said this weekend honoring Pearl Harbor, ''America's liberty is sustained by the courage of the American people. Every generation of Americans has answered the call to protect the blessings of freedom and democracy. With the help of our friends and allies, the brave men and women of our Armed Forces are now engaged in a global war on terrorism. And as in the aftermath of the terrible attack on Pearl Harbor, our Nation will stay the course, and we will prevail.''

## UNEMPLOYMENT INSURANCE

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

Ms. SOLIS. Mr. Speaker, here we go again. Last year, President Bush and the Republican Congress refused to extend unemployment insurance before it expired, leaving millions out in the cold. This year, they are, again, showing little interest in providing relief to those searching for jobs. To me, that is wrong.

Despite modest gains in the economy, the job market remains abysmal. Over 1.1 million Californians remain out of work, looking for jobs. Long-term unemployment last month was the highest in 20 years, with over 20 percent of those without jobs looking for work for more than 6 months.

This is especially true in my district where unemployment rates remain very high. In East Los Angeles, the area that I represent, the unemployment rate is well over 10.7 percent, and

in the year 2001 it was 8.3, so it has gone up. In the city that I live in, in El Monte, it was at 6.7 in the year 2001. Now, it is at 8.7. It has not gone down.

While the President hails the recent uptick in the economic figures, he fails to mention the unemployment among Latinos and other minorities which continues to rise.

Let us leave no family behind and provide unemployment insurance benefits for all.

## SOUTH CAROLINA POLICY COUNCIL

(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, last week, the visionary Grover Norquist, President of Americans for Tax Reform, honored the South Carolina Policy Council with the rare and prestigious Dragon Slayer Award. President Edward T. McMullen, Jr., received a symbolic sword for the Council's efforts in fighting tax increases in South Carolina.

Since 1986, the South Carolina Policy Council has educated South Carolina's legislature and citizens about State and local public policy based on the traditional values of individual liberty and responsibility, free enterprise, and limited government.

In addition to President McMullen, I would like to give a special thanks to the dedicated staff of Administrative Assistant Marion Harsey, Vice President for Development India Hazzard; Vice President for Public Affairs Ashley Landess; Vice President for Policy Gerry Dickenson; Chairman of the Board Jake Rasor; and the courageous analyst Hal Eberle.

The Palmetto State is truly blessed to have such talented people working on public policy, and I ask all of my colleagues to join me in thanking the South Carolina Policy Council for their vital service.

In conclusion, God bless our troops, September 11, and the current December 7.

## MILLIONS OF AMERICANS WITHOUT WORK THIS HOLIDAY SEASON

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

Mr. GREEN of Texas. Mr. Speaker, I rise today on behalf of the American worker. As we wrap up our work for the year, 8.7 million Americans are without jobs this holiday season.

The administration keeps promising economic growth will bring job growth. Yet, even on the heels of an impressive third quarter of economic growth, the job market has not taken off.

□ 1115

The Labor Department reports that only 57,000 jobs were added to the economy last month, a figure that represents only one-third of economists' prior expectations.

We all know there are deeper economic problems contributing to the loss of American jobs. Our trade policies have produced record-level trade deficits and have only encouraged American companies to send good-paying jobs overseas where they take advantage of cheap labor.

However, as we sit here with 1 day left in the session, we need to do what we can today to help better the lives of the American workers. We all know that the administration talks about cutting taxes and putting money in our pockets, but typically the American working class gets very little of this extra money. What I want to know is if the administration is so intent on putting money in our pockets, why they are eliminating the overtime provisions that are in this omnibus bill we are talking about today. Why will they not extend the unemployment benefits? These are policies that give America's workers more money every single pay period. And if there is ever a need for extra cash, it is during the holiday season.

## THE ALIEN ACCOUNTABILITY ACT

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

Mr. ISSA. Mr. Speaker, I rise to make my colleagues aware of H.R. 3651, a bill I dropped just today at the end of 3 years of service in the House. It is titled the Alien Accountability Act. I can only apologize to the House that I was not able to bring it to the House sooner.

It deals with the 8½ million people who are here in America outside our laws. It deals in a post-September 11 era with a challenge that America has been trying to face to know who is here, why they are here, and whether or not they threaten Americans, all Americans.

This is not a partisan issue. I call on my colleagues to join me in supporting the Alien Accountability Act to once and for all bring to the awareness of civil authorities the 8½ million people that are here, according to our census, outside the law and find a way to register these people and to bring about some equitable conclusion to what has been a failed system of illegal immigration.

## CELEBRATING BANKERS LIFE AND CASUALTY COMPANY 125TH ANNIVERSARY

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

Mr. DAVIS of Illinois. Mr. Speaker, I rise to congratulate Bankers Life and Casualty Company on their 125th anniversary, which will occur on June 17, 2004. Established in 1879, Bankers Life and Casualty Company is one of the most esteemed insurance companies in the United States. Headquartered in Chicago, it is the oldest health and life insurance company in the city and is currently the largest tenant in the world-famous Merchandise Mart. Through Bankers' dedicated work over more than a century, thousands of Chicagoland employees have helped millions of people across the country achieve their vision of living happy, active, and financially secure lives.

I congratulate them for 125 years of service to the residents of America.

## INCREASED EARMARKS IN THE OMNIBUS BILL

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

Mr. FLAKE. Mr. Speaker, I rise today to talk about the omnibus bill that we will be passing later today, and I rise with great reluctance to criticize the bill. This Republican Congress has increased the number of earmarks in bills by about four-fold in just the past couple of years. This is no way to do business.

We speak a great deal and at great length in this House about rooting out waste, fraud, and abuse in the Federal agencies in the way we spend money with the Federal Government. I would suggest that we look no further than the earmarks that we propose in this bill and other spending bills to root out waste, fraud, and abuse.

Most of these earmarks simply benefit one Member, one project. It is typically referred to as pork-barrel spending. We as Republicans have decried this practice for years, and now we seem to have embraced it.

Mr. Speaker, I think we need to turn a different direction and realize that if we want fiscal restraint, if we want to return to balanced budgets, then we have to do something about this kind of spending.

## REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2673, CONSOLIDATED APPROPRIATIONS ACT, 2004

Mr. LINDER, from the Committee on Rules, submitted a privileged report (Rept. No. 108–402) on the resolution (H. Res. 473) waiving points of order against the conference report to accompany the bill (H.R. 2673) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes, which was referred to the House Calendar and ordered to be printed.

WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 465 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 465

*Resolved,* That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported on or before the legislative day of January 31, 2004, providing for consideration or disposition of any of the following measures:

(1) A bill or joint resolution making continuing appropriations for the fiscal year 2004, any amendment thereto, or any conference report thereon.

(2) A bill or joint resolution making general appropriations for the fiscal year ending September 30, 2004, any amendment thereto, or any conference report thereon.

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

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, H. Res. 465 is a rule that waives clause 6(a) of rule XIII with respect to same-day consideration against certain resolutions reported from the Committee on Rules. Specifically, this rule waives the requirement for two-thirds majority vote by the House to consider a rule on the same-day that it has been reported by the Committee on Rules.

This rule's waiver applies to any special rule reported by the Committee on Rules on or before the legislative day of January 31, 2004, providing for the consideration of disposition of any of the following:

First, a bill or joint resolution making further continuing appropriations for the fiscal year 2004, or any amendment thereto, or any conference report thereon; or, second, a bill or joint resolution making general appropriations for the fiscal year ending September 30, 2004, any amendment thereto, or any conference report thereon.

Mr. Speaker, the Committee on Rules reported this same-day rule on November 21 in order to provide some flexibility to the House leadership in terms of bringing the consolidated appropriations bill to the floor. On November 25, the text of the conference report on H.R. 2673, the Consolidated Appropriations Act of 2004, was printed in the CONGRESSIONAL RECORD for review by House Members. While the rule before the House today permits consideration of a number of appropriations options, the purpose of processing of this rule today is to expedite the consideration of the remaining fiscal year 2004 appropriations bills in the House. Once this rule is adopted, the House will be able to consider a consolidated appropriations rule and the underlying conference report without delay.

This consolidated bill includes the Foreign Operations bill, the Transportation-Treasury bill, the Agriculture bill, the VA–HUD bill, the Commerce-Justice bill, the District of Columbia bill, and the Labor-HHS bill. I commend the hard work of the gentleman from Florida (Mr. YOUNG) and the Committee on Appropriations for their efforts in crafting this important funding bill. As I stated, the provisions of the consolidated appropriations bill were printed in the CONGRESSIONAL RECORD almost 2 weeks ago, and the passage of the same-day rule will provide for prompt consideration of these important funding bills this afternoon.

Mr. Speaker, I urge my colleagues to join me in supporting the passage of this rule.

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

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

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

Ms. SLAUGHTER. Mr. Speaker, Christmas has come early for President Bush and his high-dollar friends, but for millions of American families, it looks like the Grinch will be stealing Christmas. The media has widely reported that the President won victory after victory in negotiations over the details of this omnibus appropriations bill. But any Presidential victory comes at a very high cost.

America's working families and those struggling to stay afloat in the swift currents of unemployment will be stuck with the tab. The unemployment rate was essentially unchanged from October to November and almost 9 million Americans still cannot find work, including 6.2 percent of the New Yorkers who were unemployed.

Across the Nation, the number of Americans filing for the first time for unemployment benefits is up. New claims for unemployment have risen in 47 States and territories. One economist described last Friday's unemployment report as ''getting just the Christmas present you want but two sizes too small.'' The President assured the country that his massive tax cuts would create 300,000 jobs a month. But unfortunately for the millions of men and women looking for work, only 57,000 new jobs were created in November. That is the ''two sizes too small.'' The real effects of the administration's tax giveaways were more money to the wealthiest and a staggering Federal deficit.

Only a few days before the Christmas holiday and the beginning of a new year, unemployment benefits for thousands and thousands of Americans will run out. After December 20, thousands more will no longer be eligible for an extension of benefits. Today is our last opportunity before that happens to extend the unemployment benefits, to throw a small life preserver to those still caught in the swift currents of steady unemployment flowing through our murky economy.

Just this morning in the Committee on Rules hearing, the chairman of the Committee on Appropriations agreed that unemployment benefits should be extended. We are spending $87 billion on Iraq, $150 billion this year, and we should be able to extend the unemployment benefits, especially considering that there is a surplus of unemployment funds.

We need to fight with all our might to protect American jobs, particularly the manufacturing jobs. Since January 2001, the United States has lost 2.4 million manufacturing jobs. We should be exporting American products, not our jobs. The Manufacturing Extension Partnership, MEP, is a nationwide network of centers devoted to providing small and medium size manufacturers with assistance, information, and access to business experts. We should be promoting this program, but instead this bill slashes the budget by 63 percent. It is absurd that we are considering cutting this valuable program while thousands of manufacturing jobs are lost every day. MEP has proven its value in boosting productivity in sales and employment. Slashing this program will cost small manufacturers almost $2 billion in sales and cost 28,000 workers their employment.

Despite the strong opposition of both elected bodies of Congress, President Bush was successful in killing legislative protections against limitations on overtime pay. Relaxing the overtime pay rules makes it easier for companies to force workers to put in more than 40 hours a week without additional pay. And under the broad rules proposed by this administration, many nurses will be ineligible for overtime pay, and even manual laborers would be classified as executives, which would end their eligibility for overtime pay.

These new regulations could make at least 8 million workers ineligible for the overtime, the money with which many pay their bills and take care of their families. Millions of them rely on that just to scrape by each month. And protecting the worker's right to overtime pay is such an important issue that people from across my district are asking me to oppose this entire bill because it does not include overtime pay protection.

I need to add that the overtime pay protection passed handsomely both Houses of Congress, and we instructed our conferees to keep it in the bill; but mysteriously it disappeared. A man from Tonawanda said last week to us no worker should lose his overtime pay since it is essential to their lives.

This massive bill is yet another example of the disturbing disregard for

women's health. The President's authority to enforce his global gag rule remains unchallenged. Under the Mexico City Policy, the United States Government uses family-planning dollars to impose itself between women and their doctors. The U.S. muzzles health care workers. Clinics are prohibited from mentioning or counseling women about abortion. Doctors and nurses are forced to forfeit the right to provide complete, accurate medical information and advice to their patients.

Mr. Speaker, for the first time in half a century, the Republican Party controls both Houses of Congress and the executive, despite an authoritarian leadership style, inefficiency, and squabbling have produced a job that is less than half complete. The current fiscal year began over 2 months ago, and only three of the 13 measures that pay for functioning of the Federal Government were law by October 1 of fiscal year 2004. And right now only 6 of the 13 bills are law.

With this special rule, we will end the first session of the 108th Congress in a single day of hurried legislative activity.

□ 1130

Rather than wisely investing the body's time in deliberating the details of each of the seven remaining bills, we will spend 1 hour debating the merits of this massive conglomerate report. When substantive debate among Members is silenced, the millions of Americans that we represent are silenced and disenfranchised. Particularly, that is what happens, when one party of the House is excluded from all deliberations. This is not an attribute of a deliberative democracy.

Mr. Speaker, I hope that during the coming second session that comity and genuine bipartisan collaboration will replace arm-twisting and exclusion. I hope that character, decency, virtue, and respect are more than words on a page. I hope that we all will embrace the right of all Members elected here to fully participate in a truly deliberative process and of all the people to be fully represented in their national legislature. A natural result of the decline of deliberative democracy is the decline in the quality of our laws and the decline of public support for them and the decline of the standard of living in the United States. I urge my colleagues to vote against the previous question.

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

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

Ms. SLAUGHTER. Mr. Speaker, I yield 4½ minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I rise in opposition to this martial law rule. This rule will allow us to consider a seriously flawed omnibus appropriations bill and nothing else.

After today, the House will not come back to work for legislative business until January 20. The time between now and January 20 that Congress will be out of session might not seen seem that important to some, but for hundreds of thousands of Americans it will be a terrible time indeed; that is because their Federal unemployment assistance is due to expire.

Mr. Speaker, even with the modest job gains made over the past few months, the U.S. economy has 2.4 million fewer jobs today compared to 2½ years ago. There are more than 2 million workers who have been unemployed for more than 6 months; and to make a bad situation worse, over 400,000 jobless American will not be eligible for unemployment compensation after the first of the year.

Americans continue to be unemployed at alarmingly high rates. Just last week, we saw job numbers that fell well below expectations. And the percentage of Americans exhausting their unemployment benefits without finding a job has reached its highest level on record.

Mr. Speaker, jobless Americans need help and they need it now. But while unemployed Americans continue to struggle to find work, this Republican-controlled Congress is preparing to leave town for the year. Like last year, Members of Congress will be free to go home to their families and constituents. Like last year, Members will have a nice holiday. And just like last year, the Republican-controlled Congress is letting unemployment insurance expire during the Christmas season. For hundreds of thousands of Americans, this Republican Congress will be their Grinch who stole Christmas. And I have little hope that Congress's heart will grow any time soon; that is, unless we act today.

The facts are clear. It is clear we will not be back in session until late January; and it is clear that during that time, hundreds of thousands of jobless Americans will lose their unemployment insurance. We should not turn our backs on these people and their families in our rush to adjourn.

Now, I am sure that there is a bipartisan consensus to extend unemployment benefits. I am sure that if we brought up a bill to do that, a majority would support it; and if not, we could just hold the vote open for 3 hours or 4 hours until a majority appeared. That seems to be the new precedent around here. But the leadership does not want it. And in today's House of Representatives, what the leadership wants, the leadership gets. To heck with democracy.

Unemployed Americans deserve better than this.

Mr. Speaker, since this may be our last opportunity to speak this year, let me conclude with a few words about the process that has dominated during this session.

I have worked in this House for 20 years, both as a staffer and as a Member. Never have I seen so much disregard for the rules, the traditions, and the well-being of this House. We have seen huge pieces of legislation come to this floor for consideration without allowing Members the time to read what they are voting on. We have seen conference reports appear without a conference committee ever having met. We have seen conference committees that meet, but shut Democrats out. We have seen conference reports come to the floor, like the one that we are going to deal with today, that undo the work of the both the full House and Senate. These bills drop provisions that were supported by both bodies and add things that we never voted on. And we have seen rollcall votes held open for hours and hours until the leadership gets the result they want by any means necessary.

I am honored to hold the seat on the Committee on Rules that my old boss, Joe Moakley, had; and it saddens me that the Committee on Rules has become a place not to manage debate, but to stifle it. It has been used as a weapon against Members of both parties. I have been approached many times by Republican colleagues expressing their sympathy and their outrage with the action of their Republican leadership, and I appreciate their kind words. But I say to my friends on the other side, I do not need your sympathy. I need your vote.

Until Members on the other side stand up to their leadership, stand up for democracy in this House, stand up for the precedents and the traditions of this body, things will get worse, not better. This House is broken. And I urge my colleagues to think long and hard during this holiday season about how we can fix it.

Vote no on the previous question.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Speaker, I rise in opposition to the martial law rule.

In Oregon, the recession much earlier than the rest of the country. My State has had the dubious distinction of having the highest rate of unemployment in the country for much of the last 3 years. During that time, Oregon has lost 57,000 jobs, a lot of jobs from a State like mine.

Unemployment benefits are intended as a safety net to carry people from one job to the next. They do not provide 100 percent of a person's previous salary, and they require sacrifice to make it work, but the benefits are absolutely vital for families to make ends meet. And not only do those benefits provide a level of security to families, unemployment benefits are also a stimulus to our local economies. When you take spending power from people, businesses hurt. Each dollar spent on unemployment benefits results in boosting the economy by $1.73. But unless Congress takes action today, almost 40,000 Oregonians will lose their unemployment benefits in the first half

of next year. Benefits that are needed to pay their rent, pay their mortgage, pay for food, pay utility bills.

Eleven thousand Oregonians exhausted their benefits last month and that number is going to continue to grow unless Congress acts today. The Federal Government Unemployment Trust Funds have a balance of roughly $20 billion, more than enough to continue and improve the extended benefits program. These funds were paid into that unemployment compensation system just for the purpose of helping dislocated workers during difficult economic times. This is money that is there. This is the only thing that money can be used for. It does not add to the debt. This is something we need to do.

I urge my colleagues in joining me to defeat the previous question on the martial law rule for the omnibus spending bill so we can bring up an unemployment extension bill.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 3½ minutes to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Speaker, this is not a happy moment. This is not a happy moment. We are forced to come up here and ask that the previous question be defeated so that we can give to people who are unemployed, who need unemployment comp, who are looking for work, an additional 13 weeks. And all we get from the Republican side is reserving the balance of their time.

There are 9 million unemployed in this country; and here is what is going to happen: December 20, if you are laid off, or I should say if you are drawing benefits, you can continue to receive your extended benefits. But, if you exhaust your benefits on December 21, you are out in the cold. That is the holiday message from the majority in this House. It is unconscionable. All kinds of excuses.

The gentleman from Texas (Mr. DELAY) has said, Every indicator is better than in 1993. But the job picture is entirely worse. Job creation is entirely, dramatically less.

Then I heard: Leave it to the Senate. They are not going to act.

Where are my colleagues from Michigan on the Republican side? Because of a bipartisan action in Lansing, people who needed it could draw up to 65 weeks; and now, someone laid off on December 21, or I should say who is exhausting their benefits, is out in the cold. Not one more week.

We should not have to be coming here, Mr. Speaker. Times are tough. I talked to building trade leaders an hour ago. Unemployment is going up in the building trades in Michigan and in lots of other places, and there is nothing but a cold shoulder from the leadership of this House. And I say to the Speaker, whom it is now being said about, that he can patrol this floor and get the votes, where is your leadership?

We should not have to be here today, the gentleman from New York (Mr. RANGEL), myself and others. This should be a bipartisan effort, and I hope in the next 24, no, it is not 24, it is 5 or 6 hours, that you, on the Republican side, will keep faith with the American people, those who are working and those who are not working through no fault of their own. Do not reserve your time. Come here with a bill.

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

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

Mr. DEFAZIO. Mr. Speaker, unemployed Americans are about to get their annual Christmas gift from the Republican majority, and that is the end of their unemployment benefits.

This is not the first time this happened. Last year, Congress went home without extending unemployment benefits for those who, through no fault of their own, cannot find a job and have exhausted their benefits.

Now they say, well, we just cannot afford it. They can afford hundreds of billions of dollars of other things in this bill, foreign aid other things, much of it borrowed, but they cannot find the money for unemployed Americans. Well, that is actually a lie because there is $20 billion in the unemployment trust fund.

They do not even have to borrow the money to help unemployed Americans like they are going to borrow to help many of the special interests. All they have to do is agree to spend some of the taxes paid and on deposit to help unemployed Americans, paid by workers, paid by employers. That is why that money is there.

Every week, 400 Oregonians exhaust their benefits in this jobless recovery. Nationwide, tens of thousands of Americans are losing their unemployment benefits. They cannot find work through no fault of their own. They want to work. They want to work, but they cannot find a job. Their job has exported to China or to Mexico or from my district, some of them even to Canada. They cannot find a decent paying job. And now what is the Republican majority going to do? They are going to go home without extending unemployment benefits for these people. Many will lose the benefits Christmas week or New Year's week or in the month following. They may not be able to make the payments on their house. They are not going to be able to help their kids get the things they need to go to school, to feed their family, to pay their electric bills. These are basics.

We cannot find that money. We have the money. It is sitting in the bank. All we have to do is agree to spend it.

We have to stop pretending that everything is good with the economy, that America's just booming ahead again. We have what is called ''a jobless recovery'' in this country, and those are real people who do not have jobs. They are real people in my district. And Congress could do something real for them today. It is just choosing not to. It will help the special interests but not working Americans.

□ 1145

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. RANGEL).

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

Mr. RANGEL. My colleagues, I do not know why the majority is reserving their time. Some pretty rough accusations have been made against them as a party. It would just seem to me that there should be enough sensitivity if not to respond to us then at least to respond to those 9 million people who are without work and without hope for the future.

I can understand the majority in trying to eliminate all taxes for corporations and the rich. I can understand them trying to dismantle the Social Security System and the Medicare system. These are things they have dedicated themselves to doing and can be described as being Republican and Democratic positions. But how can someone out of work be the victim of partisanship? How can they determine whether they are Republican or Democrat? How can they benefit when a kid has to be withdrawn from school because of their parents' failure to pay their tuition, or their mortgage is forced to be foreclosed on?

It seems to me that at this time of the year we can at least join ranks to take care of those people who want to work each and every day. If we can spend $1 billion a week rebuilding Baghdad, we should at least give some token of appreciation for those people who have worked hard to build this Nation, to make her as strong as she is by giving to them out of their own trust funds that this Congress established to protect them; that we have the compassion, no, not the compassion, we have the responsibility to respond to their needs.

Sometimes I am so proud to be a Member of this body, but it is becoming increasingly more difficult to go to town hall meetings and to not ask why we tolerate the Republicans doing these things. Why does this institution, this great institution that we inherited, allow such pain and suffering to go to the least among us? It is wrong.

We should vote ''no'' on the previous question, and I hope we hear sometime this morning from the majority.

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

Ms. SLAUGHTER. Mr. Speaker, 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. Speaker, I too am in opposition to this martial law rule because it fails to bring attention to the hardworking families that are struggling every day in this Nation to meet their needs and to take care of their children. The economy is letting them down. The economy continues to suffer. The job market is weak. These families are why we must absolutely extend the unemployment benefits and why we must do it now. Not later, but now.

Mr. Speaker, families must have the means to be healthy, they must be safe when their jobs are no longer secure, and that is why we must extend these unemployment benefits before we adjourn Congress this year, before we leave here for our holidays. We are highly paid. We are employed. Yet we are going to leave and enjoy our holidays, and it will be absolutely irresponsible if we do not extend the unemployment benefits.

If it is not irresponsible, Mr. Speaker, it is certainly hardhearted, because we need 26 weeks' more extension for those who have already lost their jobs or who are going to lose their jobs or for those who have unemployment benefits that have lapsed. If we do not give unemployed workers the help they need today, an estimated 500,000 or 900,000, over half a million of the Nation's jobless, will be without benefits by the time we return from our holidays in January; holidays that we have been able to enjoy because we are highly paid and we are employed, until at least November of every other year.

Why are we not taking care of those who do not have the benefits that we have? I urge my colleagues to join me in supporting the extension of benefits and vote against the martial law rule.

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

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

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

Mr. ANDREWS. Mr. Speaker, I thank the gentlewoman for yielding me this time. In 1971, when I was 14 years old, in the spring of that year, one day my father came home from work from the shipyard at which he had worked for nearly 40 years and he brought home with him that day a layoff notice from the shipyard because we were no longer making enough money building the ships. That was a summer where he applied for a lot of jobs. He had to make, as I recall, a weekly visit to the unemployment office to pick up his check; and his benefits ran out in the fall of 1971.

I was not quite old enough to understand what that meant, but I was old enough to remember the stress and anxiety my mother and father felt that fall; and I was also old enough to remember that somehow or another there was some good news that came that fall because the unemployment checks that my dad was picking up once a week were going to keep going for a while, to get us through the holiday season that year in 1971. He hung in there. He eventually got a part-time job and worked every day for the rest of his life, until he died in 1985 at the age of 75 years old. Government reached out and helped us that holiday season 32 years ago.

Mr. Speaker, I know there are 1.3 million American families who feel today like we felt that day 32 years ago, not knowing whether the money was going to be there for us to have any kind of holiday at all, much less the money to pay our rent for the next month, to pay for our heat for the next month to survive on into the next year.

There was money around here to pay for a solar heating experiment for a Hooters restaurant down South, there was plenty of money, necessary money in my opinion, to rebuild the wreckage of postwar Baghdad, there is certainly enough money for the 1.3 million American families who have already exhausted their unemployment benefits.

Defeat the previous question. Let us bring this issue to the floor.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 2½ minutes to the gentleman from Washington State (Mr. MCDERMOTT).

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

Mr. MCDERMOTT. Well, Merry Christmas, Mr. Speaker. We are here, and we are going to have a party down at the White House tonight, and everybody is going to be full of happiness and gemitlichkeit, but the workers of this country are not going to get anything done by the Republican legislature.

The leadership of the Republican Congress is ignoring the need to extend benefits this year, just like they did last year. We will be back in January; and there will be all this clamor about, oh, we have to do something about unemployment. We know it now. We not only need to extend these benefits, but we need to fix a quirk in the law that keeps people in Washington State from even getting it if we would extend it.

Now, the administration likes to trumpet, oh, the stock market is up and there are a few jobs here and there, but this economic recovery is a mile wide and an inch deep. Two out of every three people will not find a job. That is the statistic out of the Department of Labor in the Bush administration. We know there are no jobs out there. We say, well, try harder. Go work harder. Walk around.

Mr. Speaker, no matter how dedicated you are, how willing you are to accept a job, if there is no chance, it sounds to me like, you know, it is like being on the Titanic and looking down to see how many life boats there are and saying, well, I guess I am not getting into one, but I guess maybe the ship will make it.

Washington State remains one of the hardest hit States in the Nation, despite being a diverse economy that is a model and a microcosm of America. Too many people are falling through the cracks, and the leadership of the Republican Party does not care. They want martial law in here in this Congress. They would be willing to put martial law out on the streets if the unemployed in this country rose up.

For every person we know who is unemployed, there are many more who have been given up, dropped out of sight and out of reach. Washington citizens from all walks of life look to us for leadership, look to us for a helping hand in time of hardship. They deserve it, and for the good of America we cannot turn our backs on our own people.

Now, we can go have that party down at the White House, and there will be bands playing and violins, and lots of drinks and good food; but it is sort of like Old England. It is Scrooge's business. Let us have a party, but we will not worry about the people out on the streets.

Vote against the previous question and make this leadership bring up unemployment.

Ms. SLAUGHTER. Mr. Speaker, I yield myself the balance of my time.

We are about to adjourn sine die and close the first session of the 108th Congress with no more legislative business until January 20th of next year. And just like last year at this time, we are again callously turning our backs on millions of unemployed Americans whose Federal unemployment benefits are set to expire shortly after Christmas.

It is very interesting how the Republican leadership can find billions of dollars to make their rich friends even richer, but cannot find it in their hearts to help jobless workers through this rough time with money that is already there for them. They can find $87 billion to fund the war in Iraq, but nothing for those here without jobs.

Mr. Speaker, I am going to call for a ''no'' vote to defeat the previous question on this rule so we can try to do something to help the unemployed American workers. If the previous question is defeated, I will offer an amendment so we can immediately take up legislation to extend the expiring Federal unemployment benefits. And I want to state again: the money is there. It does not have to be borrowed. It has been paid in. It simply requires Federal action to allow the States to expend it.

Mr. Speaker, this legislation will continue the extended unemployment benefits program for the first 6 months of next year. The bill would also increase to 26 weeks the amount of benefits provided under that program, which is up from 13 weeks. This would provide new help to the 1.4 million workers who have already exhausted

their extended benefits and have yet to find work.

This measure is identical to the text of H.R. 3244, the Rangel-Cardin unemployment extension, and also contains the text of H.R. 3554, authored by the gentleman from Washington (Mr. MCDERMOTT), which would fix a flaw in the current law that prevents those States with exceptionally high long-term unemployment rates from continuing to receive extra benefits.

There is so much talk today about our economy and claims that things are looking good. However, new jobs are not forthcoming at this time and do not appear to be coming anytime soon. Americans continue to be unemployed at alarmingly high rates. The percentage of Americans exhausting their unemployment benefits without finding a job has reached the highest level on record. More than 2 million workers have been unemployed for more than 6 months. Jobs are disappearing every day with no relief in sight. These Americans need relief, and they need it immediately.

If we do not fix this today, over 400,000 jobless Americans will not be eligible for unemployment compensation after the first of the year. More than 2 million more will lose the benefits in the first 6 months of next year. And, Mr. Speaker, the House will probably adjourn sine die today or later this week, so this is the only opportunity we have to help unemployed Americans this year. Let us not abandon them today.

I want to emphasize that voting against the previous question will not stop the omnibus appropriations conference report from coming to the floor today.

Voting ''no'' on the previous question will still allow that bill to be considered. But a ''no'' vote will allow the House to vote on legislation that will help our Nation's unemployed workers.

However, a ''yes'' vote on the previous question you will stop any opportunity for this House to extend desperately needed unemployment assistance to hundreds of thousands of our constituents and their families. Do you really want to go home and tell these people that you failed to do your job and failed to help them in their time of need?

Make no mistake, this vote will give the House the opportunity to vote today to extend Federal unemployment benefits and to give relief to those hardest hit by our Nation's grim employment situation. I urge a ''no'' vote on the previous question.

Mr. Speaker, I ask unanimous consent that the text of the amendment be printed in the RECORD immediately before the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am here today to echo the sentiment of my Democratic colleagues about where our priorities are. As Congress comes to a close for 2003, I want to emphasize the needs of the middle class, of the unemployed and of the families struggling to make ends meet.

I am here to vote ''no'' on the Previous Question on both the Martial Law Rule and the Rule for the Omnibus Appropriations bill. I am doing this to allow the House to consider legislation that would continue to extend unemployment benefits through the first six months of next year.

By voting no, we can consider H.R. 3568, a bill that would also increase to 26 weeks the amount of benefits provided under that program—up from 13 weeks—and help the 1.4 million workers who have already exhausted their extended benefits.

Already this year, the Bush Administration has cut education spending, giving the rich more tax breaks, and taken away the child tax credit for the middle class. We need to be taking steps to change this selfish economic policy and focus on creating jobs and incentives to employ more people and assist those during the transition.

Right now we know that job creation will need to be far greater, more sustained and more robust to start to undo the damage of the recession created by the Bush Administration. Already, President Bush is on track to have the worst job creation record of any modern President. With a current unemployment rate of 5.9 percent, it is a 44 percent increase than the rate when President Bush took office in January 2001. This means 2.7 million more Americans are without a job because of our irresponsible economic practices.

Extending unemployment benefits is one of the first steps to correcting the administration's poor economic planning. Economists have estimated that each dollar of unemployment benefits leads to $1.75 in economic growth.

Last year, the Republicans went home for the holidays and left 800,000 jobless Americans fearing for their terminated benefits. This year, we have two million Americans out of work for over six months, and benefits will expire for 90,000 workers every week unless we do something about this now.

This is something we must do for our constituents who are struggling to make ends meet because of circumstances that are out of their control. From my own district in Houston, I have received over 150 pleading requests to not adjourn without passing the unemployment benefit extension. This Administration needs to come up with economic policies that will create jobs, and in the interim they must provide support to unemployed workers by immediately extending Federal unemployment benefits. We need to take better care of our working families and make this a priority.

□ 1200

The text of the material previously referred to by Ms. SLAUGHTER is as follows:

PREVIOUS QUESTION FOR H. RES. 465—RULE ON WAIVING 2/3RDS FOR OMNIBUS/C/R AND/OR APPROPRIATIONS MEASURES

At the end of the resolution add the following new section:

SEC. 2. Immediately after disposition of this resolution, it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3568) to provide extended unemployment benefits to displaced workers, and to make other improvements in the unemployment insurance system. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the Chairman and ranking Minority Member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

Mr. LINDER. Mr. Speaker, I urge Members to support the previous question and the rule, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. THORNBERRY). The question is on ordering the previous question.

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

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

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

The Sergeant at Arms will notify absent Members.

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

The vote was taken by electronic device, and there were—yeas 211, nays 179, not voting 44, as follows:

[Roll No. 672]

YEAS—211

| | | |
|---|---|---|
| Akin | Ehlers | Kline |
| Baker | Emerson | Knollenberg |
| Ballenger | English | Kolbe |
| Barrett (SC) | Everett | LaHood |
| Bartlett (MD) | Feeney | Latham |
| Barton (TX) | Flake | LaTourette |
| Bass | Foley | Leach |
| Beauprez | Forbes | Lewis (CA) |
| Bereuter | Fossella | Lewis (KY) |
| Biggert | Franks (AZ) | Linder |
| Bilirakis | Frelinghuysen | LoBiondo |
| Bishop (UT) | Garrett (NJ) | Lucas (OK) |
| Blackburn | Gerlach | Manzullo |
| Blunt | Gibbons | McCotter |
| Boehlert | Gilchrest | McCrery |
| Boehner | Gillmor | McHugh |
| Bonilla | Gingrey | McInnis |
| Bonner | Goode | McKeon |
| Bono | Gordon | Mica |
| Boozman | Goss | Miller (MI) |
| Bradley (NH) | Granger | Miller, Gary |
| Brady (TX) | Graves | Moran (KS) |
| Brown (SC) | Green (WI) | Murphy |
| Brown-Waite, Ginny | Greenwood | Musgrave |
| Burgess | Gutknecht | Myrick |
| Burns | Harris | Nethercutt |
| Buyer | Hart | Neugebauer |
| Calvert | Hastings (WA) | Ney |
| Camp | Hayes | Northup |
| Cannon | Hayworth | Norwood |
| Capito | Hefley | Nunes |
| Carter | Hensarling | Nussle |
| Castle | Herger | Osborne |
| Chabot | Hobson | Ose |
| Chocola | Hoekstra | Otter |
| Coble | Hostettler | Oxley |
| Cole | Houghton | Paul |
| Collins | Hulshof | Pearce |
| Cox | Hunter | Pence |
| Crane | Hyde | Peterson (PA) |
| Crenshaw | Isakson | Petri |
| Culberson | Issa | Pickering |
| Cunningham | Istook | Pitts |
| Davis, Jo Ann | Jenkins | Platts |
| Davis, Tom | Johnson (IL) | Pombo |
| DeLay | Johnson, Sam | Porter |
| DeMint | Jones (NC) | Portman |
| Diaz-Balart, L. | Keller | Pryce (OH) |
| Diaz-Balart, M. | Kelly | Putnam |
| Doolittle | Kennedy (MN) | Quinn |
| Dreier | King (IA) | Radanovich |
| Duncan | King (NY) | Ramstad |
| Dunn | Kingston | Rehberg |
| | Kirk | Renzi |

Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (FL)

NAYS—179

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Carson (IN)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dooley (CA)
Doyle
Edwards
Emanuel
Eshoo
Etheridge
Evans
Farr
Ford
Frank (MA)
Frost
Gonzalez
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hill
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Larsen (WA)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Majette
Maloney
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Mollohan
Moore
Moran (VA)
Murtha
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Watson
Watt
Weiner
Woolsey
Wu
Wynn

NOT VOTING—44

Aderholt
Bachus
Burr
Burton (IN)
Cantor
Capuano
Cardin
Cardoza
Carson (OK)
Cubin
Deal (GA)
Doggett
Engel
Fattah
Ferguson
Filner
Fletcher
Gallegly
Gephardt
Goodlatte
Hastings (FL)
Hinchey
Janklow
Johnson (CT)
Johnson, E. B.
Lantos
Larson (CT)
Lynch
Markey
Meehan
Miller (FL)
Miller, George
Nadler
Rangel
Regula
Royce
Rush
Scott (GA)
Sessions
Tierney
Waters
Waxman
Wexler
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. THORNBERRY)(during the vote). Members are reminded that 2 minutes remain in this vote.

□ 1221

Messrs. WYNN, PASCRELL and CRAMER changed their vote from ''yea'' to ''nay.''

Mr. BARTLETT of Maryland changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. FERGUSON. Mr. Speaker, on rollcall No. 672, I was unavoidably detained. Had I been present, I would have voted ''yea.''

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 672, due to urgent constituent support commitments in my congressional district, I missed the vote. Had I been present, I would have voted ''nay.''

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on rollcall No. 672, I missed due to unavoidable circumstances. Had I been present, I would have voted ''nay.''

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 212, noes 182, not voting 40, as follows:

[Roll No. 673]

AYES—212

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

NOES—182

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardoza
Carson (IN)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dooley (CA)
Doyle
Edwards
Emanuel
Eshoo
Etheridge
Evans
Farr
Fattah
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Harman
Hill
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Larsen (WA)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Majette
Maloney
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Mollohan
Moore
Moran (VA)
Murtha
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Watson
Watt
Weiner
Woolsey
Wu
Wynn

NOT VOTING—40

Bachus
Burr
Burton (IN)
Buyer
Camp
Cantor
Cardin
Carson (OK)
Cubin

Deal (GA)
Doggett
Emerson
Engel
Filner
Fletcher
Gallegly
Gephardt
Goodlatte
Hastings (FL)
Herger
Hinchey
Janklow
Johnson (CT)
Johnson, E. B.
Lantos
Larson (CT)
Lynch
Markey
Meehan
Miller, George
Nadler
Rangel
Regula
Rush
Scott (GA)
Tierney
Waters
Waxman
Wexler
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are reminded that 2 minutes remain in this vote.

□ 1230

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 673, due to urgent constituent support commitments in my congressional district, I missed the vote. Had I been present, I would have voted "no."

## PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, I would like to submit this statement for the RECORD and regret that I was unavoidably detained on Monday, December 8, 2003, during rollcall vote Nos. 672 and 673 on H. Res. 493, a resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules. Had I been present, I would have voted "nay" on rollcall vote No. 672 and "nay" on rollcall vote No. 673.

## PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, earlier today I was unavoidably detained and missed two recorded votes on the House floor.

I ask unanimous consent that my statement appear in the RECORD that had I not been unavoidably detained earlier this morning, I would have voted "no" on rollcall vote No. 672 (Previous Question) and "no" on rollcall vote No. 673 (Passage of Martial Law Rule).

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Williams, one of his secretaries.

## HONORING CONGRESSMAN JOE SKEEN

(Mrs. WILSON of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. WILSON of New Mexico. Mr. Speaker, it is my sad duty to inform my colleagues and Members of this House that last evening Congressman Joe Skeen of New Mexico passed away from complications associated with Parkinson's disease. His funeral will be held on Thursday, December 12, at 2 p.m. in Roswell, New Mexico. I know that many Members of this House were close personal friends of Joe, enjoyed his company and his sense of humor and his deep commitment to this country. After the final business of today, there will be a 1-hour special order on the House floor to allow Members to honor their friend.

Mr. HOYER. Mr. Speaker, will the gentlewoman yield?

Mrs. WILSON of New Mexico. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, I thank the gentlewoman for rising and for yielding as well. I had not heard of Joe's passing.

When I came to the Congress of the United States in 1981, my office was two doors from Joe Skeen's. As we all do, we had the opportunity to walk down the fifth floor corridor of the Longworth building to vote and we talk and get to know one another. And Suzanne, his chief of staff, and I became good friends, and Joe became an extraordinarily good friend. Joe chaired a subcommittee of the Committee on Appropriations.

Mr. Speaker, Joe Skeen was one of those Members who added greatly to the comity of this body. He had deep convictions, but he also had a deep respect for those with whom he served. Joe Skeen will be missed by New Mexico, by his family, but he will also be missed by this House and by the American people. At a time when the relations between the parties is not what really it ought to be in this House, and perhaps in this country, Joe Skeen was one of those who demonstrated that differences on policy did not need to be accompanied by enmity between the Members of this House. He will be sorely missed. And I thank the gentlewoman for giving me this opportunity to say how loved Joe Skeen was by all who knew him.

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

Mrs. WILSON of New Mexico. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Speaker, I would just like to make a comment. I served with Joe Skeen on the Interior Subcommittee of the Committee on Appropriations. He was our chairman, did an outstanding job. We worked together on a very bipartisan basis. And even though he was struggling somewhat, he was there every day, worked hard, did a great job on the Interior bill. Every member of the committee on both sides of the aisle, all the staff, loved Joe Skeen because he was such a decent warm human being, and he will be missed. But his work will be remembered, and he did a lot of great things for our country as chairman of the Interior Subcommittee of the Committee on Appropriations. We will miss Joe Skeen.

Mr. UDALL of New Mexico. Mr. Speaker, will the gentlewoman yield?

Mrs. WILSON of New Mexico. I yield to the gentleman from New Mexico.

MR. UDALL of New Mexico. Mr. Speaker, the tenor here of the Members, I think, is very appropriate to the man that Joe Skeen was. And I had the opportunity, as the gentlewoman knows, to serve with him here for the 5 years that he was here, and I always felt that he was a good friend. He was very serious about New Mexico. And whenever I had any question about New Mexico issues or any other issues, for that matter, he was somebody that I could go to the other side of the aisle and sit down with and talk with and visit with. So it is with great sadness, I think, that all New Mexicans feel his passing away. And I think all Members of Congress that have served here with him know that he was of the old school. He cared very much about bipartisanship. He cared about this institution. He was somebody that, I think many years hence, we will remember him and regret his passing.

So I thank the gentlewoman for yielding and look forward to participating with her later in the day in the special order.

Mrs. WILSON of New Mexico. Mr. Speaker, I thank my colleague from New Mexico for his comments. Again, there will be an opportunity for Members to remember Joe and his contributions to this House and to this Nation later on this afternoon.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1078

Mr. WELDON of Florida. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1078.

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

There was no objection.

## WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2673, CONSOLIDATED APPROPRIATIONS ACT, 2004

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 473 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 473

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2673) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself

such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, House Resolution 473 is a rule waiving all points of order against the conference report to accompany H.R. 2673, the Consolidated Appropriations Act, 2004, and against its consideration. The rule provides that the conference report shall be considered as read.

The Consolidated Appropriations Act for fiscal year 2004 fully complies with the fiscal parameters of the budget resolution and contains $328.1 billion in discretionary spending and $820 billion in total spending including mandatory funds.

Mr. Speaker, the bill also includes an across-the-board reduction of .59 percent in all programs, projects and activities, except for Defense and Military Construction funds.

The Committee on Appropriations is to be commended for moving with dispatch to make this conference report available so that the House can complete its work on funding measures before the conclusion of the First Session. Accordingly, Mr. Speaker I urge my colleagues to support both the rule and the underlying conference report.

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

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

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

Mr. FROST. Mr. Speaker, for months the Republicans who control the Federal Government have held hostage some of the foremost priorities of the American people. Key national needs like education, veterans' health care, law enforcement have all been relegated to the back burner while Republican leaders fought amongst themselves over how best to privatize Medicare and reward big drug companies.

But today, my Republican friends undoubtedly will come down to the floor and proclaim that this giant $820 billion spending bill finishes their work for the year. In response, millions of Americans still struggling through the aftermath of the last Republican recession will respond ''What about us?''

It is a fair question, Mr. Speaker. What about the 2.4 million American jobs that have been lost since the Republican Party first took over the government 3 years ago? What about the 90,000 Americans who will lose their unemployment insurance eligibility just 3 days after Christmas or the 2.1 million unemployed workers who will lose access to extended insurance over the first 6 months of next year?

In my home State of Texas, over 130,000 people will lose unemployment insurance if this Republican Congress does not act to help them, according to the Joint Economic Committee's analysis of the data from the Labor Department. Republican leaders often try to spin away statistics like this, but the truth is the Bush Presidency has seen this Nation suffer through the longest job slump since the Great Depression, and the picture is still grim for millions of Americans trying to find good jobs to support their families.

While the number of jobs in America has shrunk by 2.4 million, the working-age population in America has grown by 4.5 million. As a result, America's ''jobs deficit'' has shot up to 6.9 million on the Republican watch. That has put American workers in a huge hole and left three unemployed workers for every one job that becomes available.

Despite these facts, Mr. Speaker, Republican leaders are, once again, planning to adjourn for the holidays without extending unemployment insurance, just like they did last year. Mr. Speaker, there is no reason to treat the American people with such callousness. It would be only fair to provide them with the help that they need before Congress goes home for the holidays. Even the gentleman from Florida (Mr. YOUNG), chairman of the Committee on Appropriations, supports doing it, as he said this morning in the Committee on Rules. After all, the Republican Congress has already done huge favors for their biggest supporters. Over the last 3 years, they have squandered trillions of dollars on tax breaks for the wealthiest few, driving the national deficit above $500 billion on an annual basis and raising the debt tax on all Americans. And today, President Bush will sign the Republican ''wither-on-the-vine'' Medicare bill. This monstrosity spends billions to subsidize HMOs and drug companies, but it actually reduces seniors' choices and it makes it illegal for them to reduce the huge out-of-pocket cost that the Republican bill does not cover. It will not let retirees cover these drug costs with the employer-provided drug coverage that they already have, even though the Republican bill may only cover selected medicines, regardless of what their doctor says they need. And it will not let seniors buy Medigap policies to cover their $3,600 in out-of-pocket expenses either.

Mr. Speaker, that is an outrage, and it comes on top of a $12 billion slush fund for HMOs and $139 billion in windfall profits for big drug companies. So why, Mr. Speaker, will Republicans not spend just a tiny fraction of that to help Americans still suffering from the latest Republican recession? Why will they not use their legislation on the floor today, an $820 billion collection of several different spending bills, to provide desperately-needed relief over the holidays to Americans who still cannot find a job?

□ 1245

After all, the omnibus spending bill provides plenty of assistance to others. For the big drug companies, Republican leaders have dropped drug reimportation language passed by the House and Senate, meaning that drug prices will still be astronomically higher for America's seniors than for people in other countries.

For some of the Bush administration's biggest corporate backers, Republicans have dropped overtime protection for workers, meaning that millions of Americans will get paid less, even as they are forced to work more. And they are spending $13 million on vouchers to subsidize private schools for a few, taking desperately needed resources from the public schools that serve all American children.

Despite all this, Mr. Speaker, there are still many worthwhile parts to this massive spending bill. For instance, Democrats and veterans groups have finally forced Republicans to increase funding for veterans medical care that would still fall short of what they need. And to help communities protect children against abduction, this bill includes $24 million for the national Amber Alert Program that I first introduced earlier this year. It also includes vital resources to address important transportation issues in north Texas.

So why can this Republican Congress not do just one more good deed before the holidays? Mr. Speaker, why not help the 1.4 million workers who cannot find work, who have already exhausted their extended benefits and have yet to find work?

Republican leaders may not care about helping them, but that does not have to stop this Congress from doing the right thing. If Republican Members will join Democrats in opposing the important parliamentary vote known as the previous question, then we can amend the rule and pass commonsense assistance for Americans still unable to find work in this jobless recovery. Otherwise, while Republicans are enjoying their vacations, hundreds of thousands of jobless Americans will spend the holidays preparing to lose the unemployment insurance they need to support their families.

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

Mr. HASTINGS of Washington. Mr. Speaker, I reserve my time.

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

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

Mr. Speaker, this morning's news talks about the elections in Russia. At the same time it speaks about elections, it talks about the steady erosion of democratic freedoms embodied in these elections, and it says there is mounting national and international criticism of those elections because of the denial of democracy as defined by free societies, which is because of the heavy hand of the Putin majority.

We are blind if we do not see analogous denials of democracy American-style wrapped up in this omnibus bill. Is it democracy when, for the first time, we hold open votes unconscionably long, pressure Members, it has been alleged illegally, with threats or

bribes until you win what the vote shows you had already lost? We have done that at least a half a dozen times, ranging from 25 minutes to 3 hours.

Is it democracy when you reverse the votes of the House, as we have done on the overtime provision?

Is it democracy when we have one-party conferences, locking out the other party?

Is it democracy when there are in this bill, a major bill, provisions for which there have been no votes at all? Like the D.C. voucher provision, there was no vote in the Senate because they had no votes. The ultimate abuse is they removed the few routine accountability provisions that by voice vote did get in the bill for D.C. vouchers. One was that teachers have to have a college degree.

Is it democracy when you lard the bill with Republican pork, defunding the No Child Left Behind bill while your own school districts are screaming because they have had to cut their own school funding?

I must say, if we pass this bill, it will be an appropriate way to end this session, because this entire session has been a monument, as this bill is, to the denial of democracy.

In this session, Mr. Speaker, we have crossed the line. We have crossed the line between the kind of contentiousness that has gone on for 200 years in this House to one-party rule in the people's House. The way to begin to remedy this, and we must remedy this now, we must not carry this procedure, this way of conducting business, into the next year; the way to remedy this outrage is to vote against this bill.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve my time.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

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

Mr. Speaker, today the leadership of this House breathes life back into the spirit of Ebeneezer Scrooge and for the second year in a row ignores the plight of America's unemployed during the holiday season. The majority's failure to extend emergency unemployment benefits for the long-term unemployed is not only unconscionable; it is cold-hearted.

In May, President Bush said, ''My economic plan is summed up in one word: jobs.'' But the truth is, even after 4 straight months of anemic job growth, President Bush is on course to become the first President since Herbert Hoover to preside over a net jobs loss during his 4-year term.

Yes, the economy added 57,000 jobs in November, but here is what they do not say: the economy has to create 150,000 jobs a month just to keep pace with the new folks coming into the employment arena. Overall, there are 8.7 million unemployed Americans today; and nearly one-fourth of them, Mr. Speaker, some 2 million people, have been jobless for more than 26 weeks.

Mr. Speaker, that is the highest percentage of long-term unemployment since July of 1983, 20 years ago; and there are about 4.2 million other workers who want a job, but are not even counted among the unemployed.

The reality is this: if the President and Congressional Republicans refuse to extend Federal temporary unemployment benefits, which are scheduled to be phased out beginning December 21, an estimated 80,000 to 90,000 jobless workers who exhaust their State benefits every week will be completely cut off. That is 80,000 to 90,000 people per week.

That is not only callous; it is unnecessary. We have the funding to extend these benefits. That is right, there is $20 billion in the Federal fund dedicated to unemployment benefits, which is financed by unemployment taxes deducted from workers' paychecks.

Mr. Speaker, I know the President and our Republican colleagues would like nothing more than to pronounce our economy healed and to unfurl the banner reading ''Mission Accomplished,'' but it is plain that millions of Americans continue to be hurt. The least we can do is reach out a helping hand.

Mr. Speaker, we did this last year, and we left 800,000 people on December 31, 2002, falling off the unemployment roles. With the money in the pot to help them, why do we leave this day without addressing this problem? There is no explanation, Mr. Speaker. I predict to you that the President will, 2 weeks from now, say, oh, my goodness, we should have done that.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished ranking member for yielding me time.

I wish that we would donate our time and dedicate ourselves to the wishes of the American people.

Hubert Humphrey said that this Constitution was organized to create a more perfect Union, and the challenge of creating a more perfect Union is a continued agitation and criticism, not because we are disloyal to this country and to the American people, but because we care about a more perfect Union.

In the backdrop of a 4-hour vote before we left for the Thanksgiving work recess, I come to the floor of the House now. We have an omnibus appropriations bill that has barely been before the Members of Congress for any kind of review. For 4 hours a vote was left open, in complete disregard for the rules of this House and what the Madison Papers and our Founding Fathers wanted to establish, a Republic and also a democracy.

Today we come with a martial law that allows us on one day to just put on the floor of the House a huge and large and massive interpretation of the appropriations for 2004. And then we have a situation where issues that clearly the American people are against, such as eliminating overtime opportunities for working men and women are sneaked into the appropriations bill, and then where thousands of petitions from around the country were brought to this government about not allowing large media conglomerates to buy up stations to the disregard of the first amendment. And lo and behold, there is a sneak provision in here that allows that to happen.

Then, of course, there is a provision that affects many seniors who were implementing lower-cost drugs by drug reimportation. Clearly those drugs were safe, because seniors have been doing it for a very long time. That has been sneaked into the bill, meaning that we have eliminated that opportunity so that seniors can again suffer. They suffer first with a Medicare bill that is going to implode and not be in business until 2006 and cost thousands of Texans to lose their benefits, and they will suffer.

Then if we talk about international efforts, I was in Ethiopia this past summer, and one of the things they were begging for is, they appreciated the famine relief, but they wanted to be able to be taught to fish. If you teach someone to fish they may not be hungry tomorrow, but if you give them a fish today, they may be hungry tomorrow. It takes very low dollars for what we call food security, teaching them agricultural skills and new technology.

Then, of course, I have been concerned with the Columbia 7 tragedy, that NASA focus its concepts on safety. In all of the NASA budget, I do not know if there is a line item that boosts the resources for making sure that NASA pays attention to safety issues.

We could have done this, Mr. Speaker, if we had deliberated on this appropriations bill. If we did not have the martial law, if we paid attention to the rules of the House, we might be able to do this. But, unfortunately, it seems we cannot.

So I ask my colleagues to vote against this rule so we can get back to work on behalf of the American people.

Mr. Speaker, I rise today in opposition to the rule on H.R. 2673, the Omnibus appropriations Conference report. While the Omnibus includes a significant amount for agriculture appropriations, the omnibus fails to include the House provisions to prohibit the FDA from spending funds to prevent individuals and pharmacists from importing FDA-approved prescription drugs. In addition, this portion of the bill delays for two years the mandatory country-of-origin labeling for all produce, meat or meat products except for farm-raised fish and wild fish.

In addition, the omnibus permanently limits the ability of the FCC to grant licenses for a commercial TV broadcast station if the granting of that license would result in such party having an aggregate national audience reach exceeding 39 percent (the House and Senate bills barred the FCC from increasing the share of the national market one broadcasting company can own, which currently is 35 percent.

The omnibus also includes provisions that prohibit the implementation of a background check system that does not include a requirement to destroy gun purchase records within 24 hours.

I am rather disturbed Mr. Speaker, by the portion appropriating $139.8 billion for the Department of Labor, Health and Human Services, Education, and related agencies. While I am pleased that there is money for Texas Southern University, a predominantly black university in my district for their minority engineering program within the college of Science and Technology, I was rather disturbed that the Democratic members were shut out from receiving individual earmarks for their districts because they voted against the bill when it came to the House floor. This not only goes against fundamental fairness Mr. Speaker, but when you penalize individual members by not giving them much needed money for their districts, you hurt their constituents. This is bad for this institution, and bad for the country. The omnibus also falls $7.8 billion short of the No Child Left Behind Authorization levels and provides $55.7 billion for the Education Department ($12.4 billion for the Title I program.

The omnibus fails to include the House and Senate adopted provisions to block the Department of Labor from issuing rules that would take away the rights of some white-collar workers to overtime pay.

The omnibus also fails to include House provisions that would have limited the Administration's ability to outsource some federal jobs and includes only some limitations to programs funded by the Transportation-Treasury bill.

I urge members to vote against this rule.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, last night while I was enjoying sumptuous airline fare on the red-eye to come out here to vote on this, the lady sitting next to me was reading a book called ''Nickel and Dimed.'' It is a book about people who are struggling; who are employed, but who are struggling to keep their souls and their families together in today's economically challenged times. And nobody, nobody who has read this book would vote for this rule.

The reason is that we can quote all the rosy statistics that we can, but the fact of the matter is if we leave this floor and go out to the food banks in our districts, in every district in America, the food banks are jammed, the lines are long, people are still having problems feeding their children.

As I was talking to a business owner the other day in Seattle, he says, I hear these statistics, but I do not see the customers. The fact of the matter is, we still have people in pain, and this rule keeps them in that economically devastated condition.

There are two reasons it does this: one, it guts the effort we had on a bipartisan basis in the Senate and at least a little bit here on this floor when, in a democratic process, we voted with the majority to stop the President of the United States from stealing people's time with their families by gutting overtime protection.

Over 8 million Americans are going to lose the right to overtime, and, more importantly, lose the right to control their own time with their families if this rule passes. That is wrong. It is a violation of the democratic spirit for us to vote to stop the President from taking family time away from their families, with people going into a dark room and stripping that protection out. It is wrong, and we should fix it right here.

□ 1300

But second is the unemployment. We have heard that we have had some modestly encouraging news, that there has been some jobs created in the recent past, and that is great. But the fact of the matter is, there have been 2.4 million jobs lost during this administration's tenure. And the way I figure it, if we look at the jobs that have been created, we have only got about 2.3 million jobs to go to get our nose above dead even.

Now, the majority's approach to this is we sort of have the U.S. economy with 2.4 million jobs lost kind of down in a deep well. The majority is starting to look at that American worker down in that deep well, and we have winched them up about 6 inches off the floor and said, you are on your own now. We have a long ways to go before we can say that we are out of the woods economically.

This bill does not cut the mustard. This bill gives Scrooge a bad name. At least he had an epiphany.

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

Mr. MORAN of Virginia. Mr. Speaker, I would like to bring the body's attention to another provision in this omnibus appropriations bill. I know there are several that are objectionable, and this one may not get any further discussion, but I think it merits it.

There is a provision in this bill that says that all of the records of firearm purchases have to be destroyed within 24 hours.

Now, we know that there have been more than 3,500 firearms purchased by people who should not have purchased them, and that the FBI has been able to retrieve those guns because the records are currently kept for 90 days. They retrieve them if the person that purchased it is a fugitive, is a felon, has a history of serious mental illness, is an illegal alien, any number of reasons that they should not be purchasing guns, lawfully, in the United States. So 3,500 guns have been retrieved because we have kept the records available for 90 days. Now, they have to be destroyed within 24 hours.

Now, the National Rifle Association thinks this is a good thing, but our law enforcement organizations do not. FBI agents will tell us this is very serious, what this bill would do. In fact, the al Qaeda training manual cites the fact that you can go in and buy a gun in the United States, and as long as you have not been a convicted felon in the past, you can buy that and the records will be destroyed. And, in fact, as the Washington Post said in an article last week, that is true, that if a person gets hold of a gun, their records have to be destroyed as a result of this bill. If they are denied, then the records can be pursued. But if they lawfully purchased it, the records are destroyed, which means that we are deliberately tying the hands of law enforcement agencies.

Now, is it not appropriate that we be able to consult the list of violent gang members and terrorists when they try to buy a gun? Absolutely, is the answer. Yet, this bill says, within 24 hours, even if it is a holiday, a weekend, even if it is in some rural area where they do not have the resources to check what they need to be able to check, it has to be destroyed within 24 hours.

Mr. Speaker, we are going to look back and find this provision as one of the most dangerous that this House has passed, and the most irresponsible and irrational. We should not be doing this. It was another one of these things snuck into the conference report. I strongly urge Members, unless we can take this out, this bill should not be supported in its present form.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. Mr. Speaker, I thank the gentleman for yielding me this time. I rise in reluctant opposition to this rule and to this bill.

We, in the House, have specific rules against approving spending that is not approved in either a House or Senate version and then comes to the floor in a bill like this, yet we routinely waive the rules and waive all points of order against this kind of spending. This is to our shame. I am ashamed that we are doing this today. This bill has about, at last count I believe about 7,000 earmarks within it for particular spending items. Under Republican control, we have gone, I believe, in 1994 from about 2,000 earmarks per year to over 10,000, and that is not the way that we ought to conduct business. I think that it is going to come back to bite us. It well ought to.

With that, I think that we ought to oppose this rule because it goes against procedures that we have established in the House, and we ought to vote against the bill as well.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, I thank the gentleman from Texas for yielding me this time. I would hope that we will defeat the previous question so that we can bring up the unemployment compensation extension.

Last year, Congress left town without extending unemployment benefits, but at least we came back and did it retroactively.

Now, some are saying that our unemployment is not as bad or not bad enough for us to extend the Federal unemployment benefits. They are saying it is time for the extended benefit program to end.

But let us look at the facts. Never before has Congress allowed the termination of this program when the unemployment rate is higher than when the program started; at least up until now. Congress has never terminated the program with the unemployment benefits when the economy still has 2.4 million fewer jobs today than when the recession began. Congress has never stopped the extension of the program where the long-term unemployment rates have tripled. Yet, there has been no offer to give any help. Congress has never allowed the extended benefit program to expire when the exhaustion rate for regular unemployment benefits is the highest since we have been keeping these records. Yet, we are talking about leaving town without extending unemployment benefits. Congress has never refused to extend unemployment benefits when there is $20 billion in the Federal Unemployment Trust Account, enough money to pay for extended benefits without going into debt, yet we are talking about leaving town today without extending the Federal unemployment benefits.

The Washington Post got it right when it compared this to the last recession. It said, ''But in 1993, employment had grown for 22 of the 23 previous months, and the overall number of jobs was above the prerecession level. This time around, employment has grown for only 4 months in a row, following 6 straight months of job losses. Overall, the number of jobs is down 2.4 million since the current downturn started in early 2001.''

Mr. Speaker, it would be wrong for us to leave town without helping those people who do not have jobs through no fault of their own. Unemployment compensation is not a luxury. We need to do it now.

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

Mr. Speaker, this is probably the House's final work day this year, but Republican leaders are, once again, callously turning their backs on the millions of unemployed Americans whose Federal unemployment insurance will expire just days after Christmas. The Republican leadership has found billions of dollars to extend tax breaks for corporations, but they keep refusing to help the jobless Americans who are still suffering from the last Republican recession.

To give Republicans one last chance to do the right thing, I will oppose the previous question on this rule so that we can immediately take up legislation to extend the expiring Federal unemployment benefits.

This commonsense legislation would continue the extended unemployment benefits program through the first 6 months of next year. It would increase to 26 weeks the amounts of benefits provided under the program, up from 13 weeks. It would provide new help to the 1.4 million workers who have already exhausted their extended benefits and have yet to find work.

Mr. Speaker, this legislation is identical to the text of H.R. 3244, the Rangel-Cardin unemployment extension, and it also contains the text of H.R. 3554 by the gentleman from Washington (Mr. MCDERMOTT) which would fix a flaw in the current law that prevents those States with exceptionally high, long-term unemployment rates from continuing to receive the help their citizens need.

Mr. Speaker, Americans still face a difficult jobs market. Since President Bush took office, the economy has lost 2.4 million jobs. That is the worst jobs record for a President since Herbert Hoover and the Great Depression. The percentage of Americans exhausting their unemployment benefits without finding a job has reached its highest level on record. These Americans need relief and they need it immediately. If we do not extend unemployment benefits, then more than 2 million workers will lose benefits in the first 6 months of next year, including over 130,000 in my State of Texas alone.

I want to stress that this vote is not intended to stop the omnibus conference report from consideration in the House. Voting ''no'' on the previous question will still allow that bill to move forward today. But a ''no'' vote will allow the House to vote on legislation to help provide some much-needed relief to our Nation's unemployed workers, particularly during this holiday season. However, if Members vote ''yes'' on the previous question, they will kill any chance for extending unemployment assistance that is so desperately needed by millions of our constituents and their families.

Let us be clear. This vote will give the House the opportunity to vote today on extended Federal unemployment benefits and on giving relief to those hardest hit to the President's dismal economic record. I urge a ''no'' vote on the previous question.

Mr. Speaker, I ask unanimous consent that the text of the amendment be printed in the RECORD immediately before the vote on the previous question.

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

There was no objection.

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

Mr. HASTINGS of Washington. Mr. Speaker, I yield myself such time as I may consume.

This is a rule that provides for the consideration of the consolidated spending bill. It is something that we must do in this Congress to fund the government. That is what this rule is all about. I urge support of that.

Mr. KUCINICH. Mr. Speaker, I rise today to urge my colleagues to vote ''no'' on the previous question so that this Congress can extend unemployment benefits to the millions of Americans who cannot find work in an economy with almost three unemployed workers for every job opening.

Because of previous inaction, it is now ''zero hour'' for American families who are set to exhaust their State unemployment benefits. If we do not extend the Federal unemployment insurance program today, roughly half a million people who would have been eligible for the Federal extension program will not be receiving a paycheck or an unemployment check in January.

These workers form the ranks of America's 2 million long-term unemployed workers. They have been out of work for at least half a year and they comprise almost a quarter of the unemployed, a larger share of those out of work than at any time since July 1983. A recent survey by the National Employment Law Project noted that over half of the long-term unemployed had cut back on food purchases for their families, borrowed money to pay basic bills, and postponed necessary medical treatment.

We can held these families today. The economic situation in this country has simply not improved enough to justify the end to the Federal unemployment extension program. Already, three of every four Federal unemployment recipients exhaust their benefits without finding a job.

We must not punish millions of American families simply for losing their jobs at the wrong time of year, in the wrong month of the Congressional calendar. Vote ''no'' on the previous question.

Ms. MILLENDER-MCDONALD. Mr. Speaker, I rise to speak today to object to consideration of the Omnibus Appropriations bill. I am specifically concerned with provisions in this legislation that would result in the removal of overtime pay protection for many American workers.

A few months ago, this House voted to instruct conferees to remove unfair provisions on overtime pay. Despite the will of a majority of Members, those provisions still remain in this bill. This does not reflect the true position of the House of Representatives.

Mr. Speaker, I am speaking on what has been called ''the Harkin amendment.'' This amendment to the FY2004 Labor-HHS appropriations bill would have prohibited the Department of Labor from issuing regulations that would disqualify overtime protection to workers protected under current law.

The opponents of overtime pay protection would require employees to work more than 40 hours weekly without being paid time and a half for their work. The Department of Labor claims that only 644,000 current workers will lose overtime pay benefits under the provisions of this legislation.

In sharp contrast, the Economic Policy Institute reports that over eight million eligible workers are earning overtime, and will be adversely affected by these regulations. This figure includes 5.5 million workers paid hourly and 2.5 million salaried employees. We all know that we live in a time of scarce resources and few job opportunities. Therefore, this drastic pay cut, especially during the holiday season, is fundamentally unfair and wrong for American workers.

Over 1.4 million Americans are also faced with the expiration of their unemployment benefits at the end of this month. We cannot in good conscience go home to celebrate the holidays with our families while unemployed Americans face a grim future and a bleak holiday season.

Mr. Speaker, I urge the Members of this body to take action today that will give hope to American workers, and protect the wages they earn and extend the benefits they deserve.

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

PREVIOUS QUESTION FOR H. RES. 473, RULE FOR CONFERENCE REPORT ON H.R. 2673, AGRICULTURE/OMNIBUS APPROPRIATIONS FY04

At the end of the resolution add the following new section:

SEC. 2. ''Immediately after disposition of the conference report on H.R. 2673, it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 3568) to provide extended unemployment benefits to displaced workers, and to make other improvements in the unemployment insurance system. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bills to final passage without intervening motion except: 1) one hour of debate equally divided and controlled by the Chairman and ranking Minority Member of the Committee on the Ways and Means; and 2) one motion to recommit with or without instructions.

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

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

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

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

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

The Sergeant at Arms will notify absent Members.

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

The vote was taken by electronic device, and there were—yeas 214, nays 189, not voting 31, as follows:

[Roll No. 674]

YEAS—214

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

NAYS—189

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Case
Clay
Clyburn
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
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
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Mollohan
Moore
Moran (VA)
Murtha
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
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
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Weiner
Woolsey
Wu
Wynn

NOT VOTING—31

Burr
Burton (IN)
Carson (OK)
Conyers
Cubin
Doggett
Filner
Fletcher
Gallegly
Gephardt
Hayes
Houghton
Janklow
John
Kucinich
Lantos
Lynch
Meehan
Miller, George
Nadler
Pelosi
Portman
Regula
Rush
Sanders
Sullivan
Sweeney
Taylor (NC)
Waxman
Wexler
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1334

Mr. WYNN changed his vote from ''yea'' to ''nay.''

Mr. SAXTON changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. HAYES. Mr. Speaker, on rollcall No. 674, I was unavoidably detained. Had I been present, I would have voted ''yea.''

Mr. SWEENEY. Mr. Speaker, on rollcall No. 674, I was unavoidably detained. Had I been present, I would have voted ''yea.''

Mr. PORTMAN. Mr. Speaker, on December 8, 2003, I was unavoidably detained at a meeting and missed the vote on rollcall No. 674, Ordering Previous Question on H. Res. 473, the Rule to accompany H.R. 2673, the Fiscal Year 2004 Agriculture Appropriations Act.

Had I been present, I would have voted ''yea.''

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 674, due to urgent constituent support commitments in my Congressional District, I missed the vote. Had I been present, I would have voted ''no.''

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

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

RECORDED VOTE

Mr. FROST. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 216, noes 189, not voting 29, as follows:

[Roll No. 675]

AYES—216

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

NOES—189

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Flake
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Mollohan
Moran (VA)
Murtha
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
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
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Weiner
Woolsey
Wu
Wynn

NOT VOTING—29

Akin
Burr
Burton (IN)
Carson (OK)
Cubin
Doggett
Feeney
Filner
Fletcher
Gallegly
Gephardt
Houghton
Janklow
John
Lantos
Lynch
Meehan
Meeks (NY)
Miller, George
Moore
Nadler
Northup
Pelosi
Rush
Sanders
Taylor (NC)
Waxman
Wexler
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1343

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 675, due to urgent constituent support commitments in my congressional district, I missed the vote. Had I been present, I would have voted "no."

## GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference agreement accompanying H.R. 2673, and that I may include tabular and extraneous material.

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

There was no objection.

## CONFERENCE REPORT ON H.R. 2673, CONSOLIDATED APPROPRIATIONS ACT, 2004

Mr. YOUNG of Florida. Mr. Speaker, pursuant to House Resolution 473, I call up the conference report on the bill (H.R. 2673) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 473, the conference report is considered read.

(For conference report and statement, see proceedings of the House of November 25, 2003, Book II, at page H 12323.)

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

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

□ 1345

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

I call attention to the fact that this conference report was filed on November 25, nearly 2 weeks ago, so that every Member has had 2 weeks, if they wanted to, to review this bill to see what was in it and to see what was not in it.

Something that I always enjoy reporting to the House and reminding the House of, and they probably get tired of hearing me say it, is that we passed all of our bills in the House, all of our appropriation bills, before the August recess, except for two; and those last two we passed on September 9, the first week back after the August district work period. So the House has done its job. It has done a good job. What we are doing here today is we are passing an omnibus appropriation bill that includes seven bills that we have already passed in the House. I say that again: these seven bills that are in this package already passed the House once. So this is now the omnibus bill; this is the conference report on that omnibus bill.

I will not take a lot of time to say what the seven bills are that are included because I think everyone knows what those final seven bills are. But I want to say that there are some important items that need to be passed now, today, and not in January or February. Because if we were to operate under a continuing resolution until late January or sometime in February, there are some important funding issues that would not be resolved.

For example, the $2.9 billion increase in medical care for veterans is a very important issue, and one that the House agreed to strongly. That increase will not take any effect whatsoever until such time as this bill passes. A CR will not provide for that 2.9 additional billions of dollars for veterans health care.

The same factor applies for education money. The same increase would not be available under a CR that is available under this bill.

For the FBI, counterterrorism and embassy security and other security issues of these types, the increased money that we made available for security in those areas would not be available under a CR. And the list goes on. The list is lengthy.

So, Mr. Speaker, it is important that we pass this bill today, and I hope that we pass it with large numbers, large enough so that our friends at the other end of the Capitol understand that we are serious about this government of ours functioning; that we are serious about the issues that we brought to the attention of the Congress and that we intend to see them implemented.

Now, Mr. Speaker, if there is anybody who wants to find something at fault, something to complain about in this bill, they can do it, because there are seven bills. I am sure there will be something there each of us may not like. But I tell my colleagues that it is the best product that we could provide for, considering the fact that we were negotiating with Republicans and Democrats in the House, we were negotiating with the Senate Republicans and Democrats, we were negotiating with the leadership, and we were negotiating with the White House. I think all in all we have come to a pretty good conclusion considering the fact that we were able to bring most of those issues together and to bring a bill that we believe we can pass with a great number today.

Mr. Speaker, I am pleased to bring to the House the conference report on the Consolidated Appropriations bill for fiscal year 2004.

Included in this bill are the following appropriations bills: Agriculture; Commerce, Justice, State and Judiciary; District of Columbia; Foreign Operations; Labor, Education and Health and Human Services; Transportation and Treasury; and Veterans Affairs and Housing and Urban Development.

So as you can see, this bill is a tremendously important bill. I'm sure it will not please everyone in all respects but it does address many important needs of this country.

I believe we have done an extraordinary job in holding spending to appropriate levels—the bill totals $328.1 billion in discretionary funding. It is a fiscally responsible bill that complies with the fiscal parameters prescribed by the President limiting total discretionary spending to $786 billion or approximately 3 percent increase over last year's comparable levels. Additional spending has been offset by a $1.8 billion rescission from any unobligated balances in the Department of Defense, as well as from P.L. 107–38 and P.L. 107–117, the $40 billion post 9/11 supplemental, exempting from cuts any relief funds for New York, Washington, D.C. area, and rural Pennsylvania. It also includes an across the board reduction of .59 percent to all programs, projects and activities exempting Defense and Military Construction funds.

I would like to highlight a few items that I believe are of interest to many Members:

Veterans Medical Care is increased by $2.9 billion over last year, the largest onetime increase ever.

D.C. School Choice—$40 million is provided to expand school choice in the District of Columbia, including $13 million to improve public education, $13 million to expand charter schools, and $14 million to provide opportunity scholarships for students in the District of Columbia.

Special Education Grants are funded at $10.1 billion, $1.2 billion more than last year, and over three times the amount provided in 1995.

Election Reform—Provides an additional $1 billion for programs under the Help America Vote Act.

International HIV/AIDS Assistance—Provides $2.4 billion in international assistance for HIV/AID, TB and Malaria, the highest level in history.

Millennium Challenge Account—Provides $1 billion for the Millennium Challenge Corporation.

Highway Spending—Total highway spending amounts to $33.8 billion, an increase of $4.5 billion over the President's request and $6.1 billion over the FY03 guaranteed amount.

Convention Security—$50 million is provided for security expenses at the national party conventions in Boston and New York City.

Embassy Security—$200 million is provided for worldwide embassy security upgrades.

FBI—$513 million in increases are provided for the FBI to fight terrorism.

NIH—the bill continues our commitment to the NIH by providing an increase of $1 billion over last year.

National Service Corporation is funded at $584 million, $200 million above last year.

Faith- and Community-Based Initiatives are increased including the Compassion Capital Fund at $48 million and Mentoring Children of Prisoners at $50 million.

Social Security—Provides a 6.1 percent increase to the Social Security Administration to improve service delivery of Social Security benefits and accelerate the time it takes to process disability claims.

I believe we've have reached a point of no return—we must now pass this bill and turn our attention to the FY 2005 budget process.

I encourage all Members to support this important bill.

Mr. Speaker, I submit for the RECORD detailed information on each of the appropriation bills in this omnibus legislation.

DIVISION A--DEPARTMENT OF AGRICULTURE- FOOD AND DRUG ADMINISTRATION- AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| TITLE I - AGRICULTURAL PROGRAMS | | | | | | |
| Production, Processing, and Marketing | | | | | | |
| Office of the Secretary | 3,320 | 10,068 | 3,468 | 10,046 | 5,092 | +1,772 |
| Executive Operations: | | | | | | |
| Chief Economist | 8,510 | 12,264 | 8,716 | 8,707 | 8,707 | +197 |
| National Appeals Division | 13,670 | 14,242 | 13,670 | 13,997 | 13,670 | --- |
| Office of Budget and Program Analysis | 7,270 | 7,980 | 7,749 | 7,544 | 7,740 | +470 |
| Homeland Security staff | --- | 1,479 | --- | 910 | 499 | +499 |
| Office of the Chief Information Officer | 14,993 | 31,334 | 14,993 | 15,710 | 15,493 | +500 |
| Common computing environment | 132,289 | 177,714 | 100,999 | 118,789 | 119,289 | -13,000 |
| Office of the Chief Financial Officer | 5,496 | 7,902 | 5,785 | 5,496 | 5,684 | +188 |
| Working capital fund | 11,922 | --- | --- | --- | --- | -11,922 |
| Total, Executive Operations | 194,150 | 252,915 | 151,912 | 171,153 | 171,082 | -23,068 |
| Office of the Assistant Secretary for Civil Rights | 397 | 808 | 808 | 794 | 808 | +411 |
| Office of Civil Rights | --- | 17,550 | --- | 15,445 | 17,450 | +17,450 |
| Office of the Assistant Secretary for Administration | 660 | 793 | 678 | 673 | 673 | +13 |
| Agriculture buildings and facilities and rental payments | (186,879) | (199,332) | (156,091) | (187,022) | (156,469) | (-30,410) |
| Payments to GSA | 120,796 | 124,332 | 123,532 | 123,910 | 123,910 | +3,114 |
| Building operations and maintenance | 32,327 | 41,000 | 32,559 | 32,559 | 32,559 | +232 |
| Repairs, renovations, and construction | 33,756 | 34,000 | --- | 30,553 | --- | -33,756 |
| Hazardous materials management | 15,583 | 15,713 | 15,713 | 15,611 | 15,611 | +28 |
| Departmental administration | 37,629 | 27,578 | 40,597 | 23,031 | 23,031 | -14,598 |
| Office of the Assistant Secretary for Congressional Relations | 3,796 | 4,186 | 3,796 | 3,825 | 3,796 | --- |
| Office of Communications | 9,031 | 10,084 | 9,245 | 9,228 | 9,228 | +197 |
| Office of the Inspector General | 73,417 | 81,895 | 78,114 | 75,781 | 77,281 | +3,864 |
| Office of the General Counsel | 34,700 | 37,328 | 34,700 | 35,343 | 34,700 | --- |
| Office of the Under Secretary for Research, Education and Economics | 584 | 792 | 597 | 596 | 596 | +12 |
| Economic Research Service | 68,674 | 76,657 | 71,402 | 69,902 | 71,402 | +2,728 |
| National Agricultural Statistics Service | 138,448 | 136,182 | 129,800 | 128,922 | 128,922 | -9,526 |
| Census of Agriculture | (41,274) | (25,279) | (25,279) | (25,279) | (25,279) | (-15,995) |
| Agricultural Research Service: | | | | | | |
| Salaries and expenses | 1,035,130 | 987,303 | 1,014,000 | 1,045,533 | 1,088,892 | +53,762 |
| Buildings and facilities | 118,703 | 24,000 | 35,900 | 46,000 | 63,810 | -54,893 |
| Supplemental appropriations (P.L. 108-11) | 110,000 | --- | --- | --- | --- | -110,000 |
| Total, Agricultural Research Service | 1,263,833 | 1,011,303 | 1,049,900 | 1,091,533 | 1,152,702 | -111,131 |
| Cooperative State Research, Education, and Extension Service: | | | | | | |
| Research and education activities | 616,792 | 514,228 | 597,372 | 617,575 | 621,447 | +4,655 |
| Native American Institutions Endowment Fund | (7,054) | (9,000) | (9,000) | (9,000) | (9,000) | (+1,946) |
| Extension activities | 450,520 | 422,268 | 439,742 | 450,084 | 441,731 | -8,789 |
| Integrated activities | 46,439 | 62,865 | 62,942 | 46,711 | 50,493 | +4,054 |
| Outreach for socially disadvantaged farmers | 3,470 | 4,003 | 8,470 | 3,470 | 5,970 | +2,500 |
| Total, Cooperative State Research, Education, and Extension Service | 1,117,221 | 1,003,364 | 1,108,526 | 1,117,840 | 1,119,641 | +2,420 |
| Office of the Under Secretary for Marketing and Regulatory Programs | 725 | 791 | 725 | 736 | 725 | --- |
| Animal and Plant Health Inspection Service: | | | | | | |
| Salaries and expenses | 682,757 | 694,897 | 725,502 | 705,552 | 720,580 | +37,823 |
| Buildings and facilities | 9,924 | 4,996 | 4,996 | 4,996 | 4,996 | -4,928 |
| Total, Animal and Plant Health Inspection Service | 692,681 | 699,893 | 730,498 | 710,548 | 725,576 | +32,895 |
| Agricultural Marketing Service: | | | | | | |
| Marketing Services | 75,210 | 75,071 | 75,953 | 75,263 | 75,430 | +220 |
| Standardization user fees | (5,000) | (5,000) | (5,000) | (5,000) | (5,000) | --- |
| (Limitation on administrative expenses, from fees collected) | (61,619) | (62,577) | (62,577) | (62,577) | (62,577) | (+958) |
| Funds for strengthening markets, income, and supply (transfer from section 32) | 14,910 | 15,392 | 15,392 | 15,392 | 15,392 | +482 |
| Payments to states and possessions | 1,338 | 1,347 | 1,347 | 3,338 | 3,338 | +2,000 |
| Total, Agricultural Marketing Service | 91,458 | 91,810 | 92,692 | 93,993 | 94,160 | +2,702 |
| Grain Inspection, Packers and Stockyards Administration: | | | | | | |
| Salaries and expenses | 39,690 | 41,688 | 39,690 | 35,638 | 35,890 | -3,800 |
| Limitation on inspection and weighing services | (42,463) | (42,463) | (42,463) | (42,463) | (42,463) | --- |

DIVISION A--DEPARTMENT OF AGRICULTURE- FOOD AND DRUG ADMINISTRATION- AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Office of the Under Secretary for Food Safety | 599 | 792 | 599 | 611 | 599 | --- |
| Food Safety and Inspection Service | 754,821 | 797,149 | 785,261 | 783,761 | 784,511 | +29,690 |
| Lab accreditation fees 1/ | (1,000) | (1,000) | (1,000) | (1,000) | (1,000) | --- |
| Total, Production, Processing, and Marketing | 4,728,296 | 4,518,671 | 4,504,812 | 4,582,032 | 4,629,945 | -98,351 |
| Farm Assistance Programs | | | | | | |
| Office of the Under Secretary for Farm and Foreign Agricultural Services | 618 | 916 | 636 | 635 | 635 | +17 |
| Farm Service Agency: | | | | | | |
| Salaries and expenses | 970,389 | 1,016,836 | 1,016,836 | 988,768 | 988,768 | +18,379 |
| (Transfer from export loans) | (829) | (985) | (985) | (846) | (846) | (+17) |
| (Transfer from P.L. 480) | (1,019) | (2,975) | (2,975) | (1,075) | (1,075) | (+56) |
| (Transfer from ACIF) | (277,361) | (290,136) | (290,136) | (283,020) | (283,020) | (+5,659) |
| Subtotal, transfers from program accounts | (279,209) | (294,096) | (294,096) | (284,941) | (284,941) | (+5,732) |
| Total, Salaries and expenses | (1,249,598) | (1,310,932) | (1,310,932) | (1,273,709) | (1,273,709) | (+24,111) |
| State mediation grants | 3,974 | 4,000 | 3,974 | 3,974 | 3,974 | --- |
| Dairy indemnity program | 100 | 100 | 100 | 100 | 100 | --- |
| Subtotal, Farm Service Agency | 974,463 | 1,020,936 | 1,020,910 | 992,842 | 992,842 | +18,379 |
| Agricultural Credit Insurance Fund Program Account: | | | | | | |
| Loan authorizations: | | | | | | |
| Farm ownership loans: | | | | | | |
| Direct | (130,000) | (140,149) | (133,143) | (129,158) | (129,158) | (-842) |
| Guaranteed | (1,000,000) | (1,000,000) | (950,000) | (950,000) | (950,000) | (-50,000) |
| Subtotal | (1,130,000) | (1,140,149) | (1,083,143) | (1,079,158) | (1,079,158) | (-50,842) |
| Farm operating loans: | | | | | | |
| Direct | (605,000) | (650,000) | (617,503) | (601,068) | (617,503) | (+12,503) |
| Unsubsidized guaranteed | (1,700,000) | (1,400,000) | (1,330,000) | (1,200,000) | (1,200,000) | (-500,000) |
| Subsidized guaranteed | (400,000) | (266,249) | (252,937) | (266,249) | (266,249) | (-133,751) |
| Subtotal | (2,705,000) | (2,316,249) | (2,200,440) | (2,067,317) | (2,083,752) | (-621,248) |
| Indian tribe land acquisition loans | (2,000) | (2,000) | (2,000) | (2,000) | (2,000) | --- |
| Boll weevil eradication loans | (100,000) | (60,000) | (100,000) | (100,000) | (100,000) | --- |
| Total, Loan authorizations | (3,937,000) | (3,518,398) | (3,385,583) | (3,248,475) | (3,264,910) | (-672,090) |
| Loan subsidies: | | | | | | |
| Farm ownership loans: | | | | | | |
| Direct | 14,995 | 30,945 | 29,398 | 28,518 | 28,518 | +13,523 |
| Guaranteed | 7,451 | 5,400 | 5,130 | 5,130 | 5,130 | -2,321 |
| Subtotal | 22,446 | 36,345 | 34,528 | 33,648 | 33,648 | +11,202 |
| Farm operating loans: | | | | | | |
| Direct | 103,744 | 93,730 | 89,044 | 86,674 | 89,044 | -14,700 |
| Unsubsidized guaranteed | 53,540 | 46,620 | 44,289 | 39,960 | 39,960 | -13,580 |
| Subsidized guaranteed | 46,893 | 34,000 | 32,300 | 34,000 | 34,000 | -12,893 |
| Subtotal | 204,177 | 174,350 | 165,633 | 160,634 | 163,004 | -41,173 |
| Indian tribe land acquisition | 178 | --- | --- | --- | --- | -178 |
| Total, Loan subsidies | 226,801 | 210,695 | 200,161 | 194,282 | 196,652 | -30,149 |

DIVISION A--DEPARTMENT OF AGRICULTURE- FOOD AND DRUG ADMINISTRATION- AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| ACIF expenses: | | | | | | |
| Salaries and expense (transfer to FSA) | 277,361 | 290,136 | 290,136 | 283,020 | 283,020 | +5,659 |
| Administrative expenses | 7,948 | 8,000 | 8,000 | 7,948 | 7,948 | --- |
| Total, ACIF expenses | 285,309 | 298,136 | 298,136 | 290,968 | 290,968 | +5,659 |
| Total, Agricultural Credit Insurance Fund | 512,110 | 508,831 | 498,297 | 485,250 | 487,620 | -24,490 |
| (Loan authorization) | (3,937,000) | (3,518,398) | (3,385,583) | (3,248,475) | (3,264,910) | (-672,090) |
| Total, Farm Service Agency | 1,486,573 | 1,529,767 | 1,519,207 | 1,478,092 | 1,480,462 | -6,111 |
| Risk Management Agency | 70,248 | 78,488 | 71,509 | 71,422 | 71,422 | +1,174 |
| Total, Farm Assistance Programs | 1,557,439 | 1,609,171 | 1,591,352 | 1,550,149 | 1,552,519 | -4,920 |
| Corporations | | | | | | |
| Federal Crop Insurance Corporation: | | | | | | |
| Federal crop insurance corporation fund | 2,886,000 | 3,368,000 | 3,368,000 | 3,368,000 | 3,368,000 | +482,000 |
| Commodity Credit Corporation Fund: | | | | | | |
| Reimbursement for net realized losses | 16,285,000 | 17,275,000 | 17,275,000 | 17,275,000 | 17,275,000 | +990,000 |
| Hazardous waste management (limitation on administrative expenses) | (5,000) | (5,000) | (5,000) | (5,000) | (5,000) | --- |
| Total, Corporations | 19,171,000 | 20,643,000 | 20,643,000 | 20,643,000 | 20,643,000 | +1,472,000 |
| Total, title I, Agricultural Programs | 25,456,735 | 26,770,842 | 26,739,164 | 26,775,181 | 26,825,464 | +1,368,729 |
| (By transfer) | (279,209) | (294,096) | (294,096) | (284,941) | (284,941) | (+5,732) |
| (Loan authorization) | (3,937,000) | (3,518,398) | (3,385,583) | (3,248,475) | (3,264,910) | (-672,090) |
| (Limitation on administrative expenses) | (109,082) | (110,040) | (110,040) | (110,040) | (110,040) | (+958) |
| TITLE II - CONSERVATION PROGRAMS | | | | | | |
| Office of the Under Secretary for Natural Resources and Environment | 745 | 918 | 745 | 761 | 745 | --- |
| Natural Resources Conservation Service: | | | | | | |
| Conservation operations | 819,641 | 703,605 | 850,004 | 826,635 | 853,004 | +33,363 |
| Watershed surveys and planning | 11,124 | 5,000 | 11,124 | 10,000 | 10,562 | -562 |
| Watershed and flood prevention operations | 109,285 | 40,000 | 90,000 | 55,000 | 87,000 | -22,285 |
| Watershed rehabilitation program | 29,805 | 10,000 | 40,000 | 29,805 | 29,805 | --- |
| Resource conservation and development | 50,668 | 49,943 | 52,894 | 51,000 | 51,947 | +1,279 |
| Farm bill technical assistance | --- | 432,160 | --- | --- | --- | --- |
| Total, Natural Resources Conservation Service | 1,020,523 | 1,240,708 | 1,044,022 | 972,440 | 1,032,318 | +11,795 |
| Total, title II, Conservation Programs | 1,021,268 | 1,241,626 | 1,044,767 | 973,201 | 1,033,063 | +11,795 |
| TITLE III - RURAL DEVELOPMENT PROGRAMS | | | | | | |
| Office of the Under Secretary for Rural Development | 636 | 913 | 636 | 651 | 636 | --- |
| Rural Development: | | | | | | |
| Rural community advancement program | 901,837 | 477,864 | 706,006 | 767,479 | 757,425 | -144,412 |
| Tree assistance (sec. 747) | --- | --- | -5,000 | --- | --- | --- |
| (Transfer out) | (-29,805) | --- | --- | (-30,000) | (-28,000) | (+1,805) |
| Total, Rural community advancement program | 901,837 | 477,864 | 701,006 | 767,479 | 757,425 | -144,412 |
| RD expenses: | | | | | | |
| Salaries and expenses | 144,789 | 147,520 | 146,495 | 140,922 | 141,869 | -2,920 |
| (Transfer from RHIF) | (429,564) | (482,787) | (447,151) | (439,453) | (443,302) | (+13,738) |
| (Transfer from RDLFP) | (4,163) | (4,850) | (4,283) | (4,283) | (4,272) | (+109) |
| (Transfer from RETLP) | (37,587) | (41,562) | (38,166) | (37,920) | (37,853) | (+266) |
| (Transfer from RTB) | (3,062) | (3,462) | (3,182) | (3,182) | (3,171) | (+109) |
| Subtotal, Transfers from program accounts | (474,376) | (532,661) | (492,782) | (484,838) | (488,598) | (+14,222) |
| Total, RD expenses | (619,165) | (680,181) | (639,277) | (625,760) | (630,467) | (+11,302) |
| Total, Rural Development | 1,046,626 | 625,384 | 847,501 | 908,401 | 899,294 | -147,332 |

DIVISION A--DEPARTMENT OF AGRICULTURE- FOOD AND DRUG ADMINISTRATION- AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Rural Housing Service: | | | | | | |
| Rural Housing Insurance Fund Program Account: | | | | | | |
| Loan authorizations: | | | | | | |
| Single family (sec. 502) | (1,037,868) | (1,366,462) | (1,366,462) | (1,359,417) | (1,366,462) | (+328,594) |
| Unsubsidized guaranteed | (2,845,318) | (2,725,172) | (2,725,172) | (2,725,172) | (2,725,172) | (-120,146) |
| Subtotal, Single family | (3,883,186) | (4,091,634) | (4,091,634) | (4,084,589) | (4,091,634) | (+208,448) |
| Housing repair (sec. 504) | (35,000) | (35,003) | (35,003) | (35,004) | (35,004) | (+4) |
| Rental housing (sec. 515) | (115,805) | (70,830) | (116,545) | (115,052) | (116,545) | (+740) |
| Site loans (sec. 524) | (5,046) | (5,045) | (5,045) | (5,045) | (5,045) | (-1) |
| Multi-family housing guarantees (sec. 538) | (100,000) | (100,000) | (100,000) | (100,000) | (100,000) | --- |
| Multi-family housing credit sales | (2,000) | (1,500) | (1,500) | (1,500) | (1,500) | (-500) |
| Single family housing credit sales | (10,000) | (10,000) | (10,000) | (10,000) | (10,000) | --- |
| Self-help housing land develop. (sec. 523) | (5,011) | (5,000) | (5,000) | (1,623) | (2,400) | (-2,611) |
| Total, Loan authorizations | (4,156,048) | (4,319,012) | (4,364,727) | (4,352,813) | (4,362,128) | (+206,080) |
| Loan subsidies: | | | | | | |
| Single family (sec. 502) | 201,035 | 126,018 | 126,018 | 126,018 | 126,018 | -75,017 |
| Unsubsidized guaranteed | 32,388 | 39,903 | 39,903 | 39,903 | 39,903 | +7,515 |
| Subtotal, Single family | 233,423 | 165,921 | 165,921 | 165,921 | 165,921 | -67,502 |
| Housing repair (sec. 504) | 10,786 | 9,612 | 9,612 | 9,612 | 9,612 | -1,174 |
| Rental housing (sec. 515) | 53,649 | 30,464 | 50,126 | 49,484 | 50,126 | -3,523 |
| Site loans (sec. 524) | 55 | --- | --- | --- | --- | -55 |
| Multi-family housing guarantees (sec. 538) | 4,471 | 5,950 | 5,950 | 5,950 | 5,950 | +1,479 |
| Multi-family housing credit sales | 928 | 663 | 663 | 663 | 663 | -265 |
| Single family housing credit sales | --- | --- | --- | --- | --- | --- |
| Self-help housing land develop. (sec. 523) | 220 | 154 | 154 | 50 | 75 | -145 |
| Total, Loan subsidies | 303,532 | 212,764 | 232,426 | 231,680 | 232,347 | -71,185 |
| RHIF administrative expenses (transfer to RD) | 429,564 | 482,787 | 447,151 | 439,453 | 443,302 | +13,738 |
| Rental assistance program: | | | | | | |
| (Sec. 521) | 715,419 | 734,100 | 725,100 | 715,381 | 578,100 | -137,319 |
| (Sec. 502(c)(5)(D)) | 5,862 | 5,900 | 5,900 | 5,900 | 5,900 | +38 |
| Total, Rental assistance program | 721,281 | 740,000 | 731,000 | 721,281 | 584,000 | -137,281 |
| Total, Rural Housing Insurance Fund | 1,454,377 | 1,435,551 | 1,410,577 | 1,392,414 | 1,259,649 | -194,728 |
| (Loan authorization) | (4,156,048) | (4,319,012) | (4,364,727) | (4,352,813) | (4,362,128) | (+206,080) |
| Mutual and self-help housing grants | 34,772 | 34,000 | 34,772 | 34,000 | 34,000 | -772 |
| Rural housing assistance grants | 42,222 | 41,500 | 42,222 | 46,222 | 46,222 | +4,000 |
| Farm labor program account | 36,071 | 35,018 | 36,307 | 33,015 | 36,307 | +236 |
| Subtotal, grants and payments | 113,065 | 110,518 | 113,301 | 113,237 | 116,529 | +3,464 |
| Total, Rural Housing Service | 1,567,442 | 1,546,069 | 1,523,878 | 1,505,651 | 1,376,178 | -191,264 |
| (Loan authorization) | (4,156,048) | (4,319,012) | (4,364,727) | (4,352,813) | (4,362,128) | (+206,080) |
| Historic barn preservation program | --- | --- | --- | 2,000 | --- | --- |
| Rural Business-Cooperative Service: | | | | | | |
| Rural Development Loan Fund Program Account: | | | | | | |
| (Loan authorization) | (40,000) | (40,000) | (40,000) | (40,000) | (40,000) | --- |
| Loan subsidy | 19,179 | 17,308 | 17,308 | 17,308 | 17,308 | -1,871 |
| Administrative expenses (transfer to RD) | 4,163 | 4,850 | 4,283 | 4,283 | 4,272 | +109 |
| Total, Rural Development Loan Fund | 23,342 | 22,158 | 21,591 | 21,591 | 21,580 | -1,762 |
| Rural Economic Development Loans Program Account: | | | | | | |
| (Loan authorization) | (14,967) | (15,002) | (16,120) | (15,002) | (15,002) | (+35) |
| Direct subsidy | 3,176 | 2,792 | 3,000 | 2,792 | 2,792 | -384 |
| Rural cooperative development grants | 8,941 | 11,000 | 13,000 | 8,967 | 24,000 | +15,059 |
| Rural empowerment zones and enterprise communities grants | 14,870 | --- | 10,967 | 14,370 | 12,667 | -2,203 |
| Renewable energy program | --- | 3,000 | 23,000 | 23,000 | 23,000 | +23,000 |
| Total, Rural Business-Cooperative Service | 50,329 | 38,950 | 71,558 | 70,720 | 84,039 | +33,710 |
| (Loan authorization) | (54,967) | (55,002) | (56,120) | (55,002) | (55,002) | (+35) |

DIVISION A--DEPARTMENT OF AGRICULTURE- FOOD AND DRUG ADMINISTRATION- AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Rural Utilities Service: | | | | | | |
| Rural Electrification and Telecommunications Loans Program Account: | | | | | | |
| Loan authorizations: | | | | | | |
| Electric: | | | | | | |
| Direct, 5% | (121,103) | (240,000) | (240,000) | (240,000) | (240,000) | (+118,897) |
| Direct, Municipal rate | (100,000) | (100,000) | (1,000,000) | (1,000,000) | (1,000,000) | (+900,000) |
| Direct, FFB | (2,600,000) | (1,500,000) | (2,000,000) | (2,000,000) | (2,000,000) | (-600,000) |
| Direct, Treasury rate | (1,150,000) | (700,000) | (750,000) | (750,000) | (750,000) | (-400,000) |
| Guaranteed electric | (100,000) | (100,000) | (100,000) | (100,000) | (100,000) | --- |
| Guaranteed underwriting | (1,000,000) | --- | --- | (1,000,000) | (1,000,000) | --- |
| Subtotal, Electric | (5,071,103) | (2,640,000) | (4,090,000) | (5,090,000) | (5,090,000) | (+18,897) |
| Telecommunications: | | | | | | |
| Direct, 5% | (75,029) | (145,000) | (145,000) | (145,000) | (145,000) | (+69,971) |
| Direct, Treasury rate | (300,000) | (250,000) | (300,000) | (250,000) | (250,000) | (-50,000) |
| Direct, FFB | (120,000) | (100,000) | (120,000) | (120,000) | (120,000) | --- |
| Subtotal, Telecommunications | (495,029) | (495,000) | (565,000) | (515,000) | (515,000) | (+19,971) |
| Total, Loan authorizations | (5,566,132) | (3,135,000) | (4,655,000) | (5,605,000) | (5,605,000) | (+38,868) |
| Loan subsidies: | | | | | | |
| Electric: | | | | | | |
| Direct, 5% | 6,870 | --- | --- | --- | --- | -6,870 |
| Direct, Municipal rate | 4,004 | --- | --- | --- | --- | -4,004 |
| Guaranteed electric | 79 | 60 | 60 | 60 | 60 | -19 |
| Subtotal, Electric | 10,953 | 60 | 60 | 60 | 60 | -10,893 |
| Telecommunications: | | | | | | |
| Direct, 5% | 1,275 | --- | --- | --- | --- | -1,275 |
| Direct, Treasury rate | 149 | 125 | 125 | 125 | 125 | -24 |
| Subtotal, Telecommunications | 1,424 | 125 | 125 | 125 | 125 | -1,299 |
| Total, Loan subsidies | 12,377 | 185 | 185 | 185 | 185 | -12,192 |
| RETLP administrative expenses (transfer to RD) | 37,587 | 41,562 | 38,166 | 37,920 | 37,853 | +266 |
| Total, Rural Electrification and Telecommunications Loans Program Account | 49,964 | 41,747 | 38,351 | 38,105 | 38,038 | -11,926 |
| (Loan authorization) | (5,566,132) | (3,135,000) | (4,655,000) | (5,605,000) | (5,605,000) | (+38,868) |
| Rural Telephone Bank Program Account: | | | | | | |
| (Loan authorization) | (174,615) | --- | --- | (173,503) | (173,503) | (-1,112) |
| Direct loan subsidy | 2,394 | --- | --- | --- | --- | -2,394 |
| RTB administrative expenses (transfer to RD) | 3,062 | 3,462 | 3,182 | 3,182 | 3,171 | +109 |
| Total, Rural Telephone Bank Program Account | 5,456 | 3,462 | 3,182 | 3,182 | 3,171 | -2,285 |
| High energy costs grants (by transfer) | (29,805) | --- | --- | (30,000) | (28,000) | (-1,805) |
| Distance learning, telemedicine and broadband program: | | | | | | |
| Loan authorizations: | | | | | | |
| Distance learning and telemedicine | (300,000) | (50,000) | (300,000) | (300,000) | (300,000) | --- |
| Broadband telecommunications | (80,000) | (336,000) | (336,000) | (647,000) | (602,000) | (+522,000) |
| Total, Loan authorizations | (380,000) | (386,000) | (636,000) | (947,000) | (902,000) | (+522,000) |
| Loan subsidies: | | | | | | |
| Distance learning and telemedicine: | | | | | | |
| Grants | 46,636 | 25,000 | 25,000 | 40,000 | 39,000 | -7,636 |
| Broadband telecommunications: | | | | | | |
| Direct | --- | 9,116 | 9,116 | 15,116 | 13,116 | +13,116 |
| Grants | 9,935 | 2,000 | 8,000 | 10,000 | 9,000 | -935 |
| Total, Loan subsidies and grants | 56,571 | 36,116 | 42,116 | 65,116 | 61,116 | +4,545 |
| Total, Rural Utilities Service | 111,991 | 81,325 | 83,649 | 106,403 | 102,325 | -9,666 |
| (Loan authorization) | (6,120,747) | (3,521,000) | (5,291,000) | (6,725,503) | (6,680,503) | (+559,756) |

DIVISION A--DEPARTMENT OF AGRICULTURE- FOOD AND DRUG ADMINISTRATION- AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Total, title III, Rural Economic and Community Development Programs | 2,777,024 | 2,292,641 | 2,527,222 | 2,593,826 | 2,462,472 | -314,552 |
| (By transfer) | (504,181) | (532,661) | (492,782) | (514,838) | (516,598) | (+12,417) |
| (Loan authorization) | (10,331,762) | (7,895,014) | (9,711,847) | (11,133,318) | (11,097,633) | (+765,871) |
| TITLE IV - DOMESTIC FOOD PROGRAMS | | | | | | |
| Office of the Under Secretary for Food, Nutrition and Consumer Services | 599 | 786 | 599 | 611 | 599 | --- |
| Food and Nutrition Service: | | | | | | |
| Child nutrition programs | 5,830,506 | 6,819,340 | 6,718,780 | 6,718,780 | 6,717,780 | +887,274 |
| Transfer from section 32 | 4,745,663 | 4,599,101 | 4,699,661 | 4,699,661 | 4,699,661 | -46,002 |
| Discretionary spending | 3,974 | --- | --- | --- | --- | -3,974 |
| Total, Child nutrition programs | 10,580,143 | 11,418,441 | 11,418,441 | 11,418,441 | 11,417,441 | +837,298 |
| Special supplemental nutrition program for women, infants, and children (WIC) | 4,696,000 | 4,769,232 | 4,588,310 | 4,639,232 | 4,639,232 | -56,768 |
| Food stamp program: | | | | | | |
| Expenses | 22,772,692 | 24,208,981 | 24,203,176 | 26,403,176 | 26,403,176 | +3,630,484 |
| Reserve | 2,000,000 | 2,000,000 | 2,000,000 | 2,000,000 | 3,000,000 | +1,000,000 |
| Nutrition assistance for Puerto Rico and Samoa | 1,401,000 | 1,397,000 | 1,402,805 | 1,402,805 | 1,402,805 | +1,805 |
| The emergency food assistance program | 140,000 | 140,000 | 140,000 | 140,000 | 140,000 | --- |
| Total, Food stamp program | 26,313,692 | 27,745,981 | 27,745,981 | 29,945,981 | 30,945,981 | +4,632,289 |
| Commodity assistance program | 163,431 | 166,072 | 166,072 | 145,740 | 150,000 | -13,431 |
| Food donations programs: | | | | | | |
| Needy family program | 1,074 | --- | --- | --- | --- | -1,074 |
| Nutrition programs administration | 135,672 | 144,849 | 140,512 | 138,304 | 138,304 | +2,632 |
| Total, Food and Nutrition Service | 41,890,012 | 44,244,575 | 44,059,316 | 46,287,698 | 47,290,958 | +5,400,946 |
| Total, title IV, Domestic Food Programs | 41,890,611 | 44,245,361 | 44,059,915 | 46,288,309 | 47,291,557 | +5,400,946 |
| TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS | | | | | | |
| Foreign Agricultural Service: | | | | | | |
| Salaries and expenses, direct appropriation | 129,103 | 140,798 | 133,924 | 131,648 | 132,148 | +3,045 |
| (Transfer from export loans) | (3,203) | (3,327) | (3,327) | (3,306) | (3,306) | (+103) |
| (Transfer from P.L. 480) | (1,026) | (1,066) | (1,066) | (1,059) | (1,059) | (+33) |
| Total, Salaries and expenses program level | (133,332) | (145,191) | (138,317) | (136,013) | (136,513) | (+3,181) |
| Public Law 480 Program and Grant Accounts: | | | | | | |
| Program account: | | | | | | |
| Loan authorization, direct | (154,664) | (132,000) | (132,000) | (131,670) | (132,000) | (-22,664) |
| Loan subsidies | 115,416 | 103,887 | 103,887 | 103,887 | 103,887 | -11,529 |
| Ocean freight differential grants | 24,995 | 28,000 | 28,000 | 28,000 | 28,000 | +3,005 |
| Title II - Commodities for disposition abroad: | | | | | | |
| Program level | (1,192,200) | (1,185,000) | (1,192,000) | (1,192,000) | (1,192,000) | (-200) |
| Appropriation | 1,192,200 | 1,185,000 | 1,192,000 | 1,192,000 | 1,192,000 | -200 |
| Supplemental appropriations (P.L. 108-11) | 369,000 | --- | --- | --- | --- | -369,000 |
| Salaries and expenses: | | | | | | |
| Foreign Agricultural Service (transfer to FAS) | 1,026 | 1,066 | 1,066 | 1,059 | 1,059 | +33 |
| Farm Service Agency (transfer to FSA) | 1,019 | 2,975 | 2,975 | 1,075 | 1,075 | +56 |
| Subtotal | 2,045 | 4,041 | 4,041 | 2,134 | 2,134 | +89 |
| Total, Public Law 480: | | | | | | |
| Program level | (1,192,200) | (1,185,000) | (1,192,000) | (1,192,000) | (1,192,000) | (-200) |
| Appropriation | 1,703,656 | 1,320,928 | 1,327,928 | 1,326,021 | 1,326,021 | -377,635 |
| CCC Export Loans Program Account (administrative expenses): | | | | | | |
| Salaries and expenses (Export Loans): | | | | | | |
| General Sales Manager (transfer to FAS) | 3,203 | 3,327 | 3,327 | 3,306 | 3,306 | +103 |
| Farm Service Agency (transfer to FSA) | 829 | 985 | 985 | 846 | 846 | +17 |
| Total, CCC Export Loans Program Account | 4,032 | 4,312 | 4,312 | 4,152 | 4,152 | +120 |

DIVISION A--DEPARTMENT OF AGRICULTURE- FOOD AND DRUG ADMINISTRATION- AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| McGovern-Dole international food for education and child nutrition program grants | --- | 50,000 | 56,874 | 25,000 | 50,000 | +50,000 |
| Total, title V, Foreign Assistance and Related Programs | 1,836,791 | 1,516,038 | 1,523,038 | 1,486,821 | 1,512,321 | -324,470 |
| (By transfer) | (4,229) | (4,393) | (4,393) | (4,365) | (4,365) | (+136) |
| TITLE VI - RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION | | | | | | |
| DEPARTMENT OF HEALTH AND HUMAN SERVICES | | | | | | |
| Food and Drug Administration | | | | | | |
| Salaries and expenses, direct appropriation | 1,373,714 | 1,394,617 | 1,389,234 | 1,384,213 | 1,386,962 | +13,248 |
| Prescription drug user fee act | (222,900) | (249,825) | (249,825) | (249,825) | (249,825) | (+26,925) |
| Medical device user fee act | (25,125) | (29,190) | (29,190) | (29,190) | (31,654) | (+6,529) |
| Animal drug user fee act | --- | (5,000) | --- | --- | (5,000) | (+5,000) |
| Subtotal | (1,621,739) | (1,678,632) | (1,668,249) | (1,663,228) | (1,673,441) | (+51,702) |
| Mammography clinics user fee (outlay savings) | (16,112) | (16,576) | (16,576) | (16,576) | (16,576) | (+464) |
| Export and color certification | (6,378) | (6,649) | (6,649) | (6,649) | (6,649) | (+271) |
| Payments to GSA | (108,269) | (120,045) | (120,045) | (119,152) | (119,594) | (+11,325) |
| Buildings and facilities | 7,948 | 11,500 | 6,000 | 7,948 | 7,000 | -948 |
| Total, Food and Drug Administration | 1,381,662 | 1,406,117 | 1,395,234 | 1,392,161 | 1,393,962 | +12,300 |
| INDEPENDENT AGENCIES | | | | | | |
| Commodity Futures Trading Commission | 85,426 | 88,435 | 88,435 | 88,435 | 90,435 | +5,009 |
| Farm Credit Administration (limitation on administrative expenses) | (38,400) | (40,900) | (40,900) | (40,900) | (40,900) | (+2,500) |
| Total, title VI, Related Agencies and Food and Drug Administration | 1,467,088 | 1,494,552 | 1,483,669 | 1,480,596 | 1,484,397 | +17,309 |
| TITLE VII - GENERAL PROVISIONS | | | | | | |
| Hunger fellowships | 2,981 | --- | 3,000 | 2,981 | 3,000 | +19 |
| National Sheep Industry Improvement Center revolving fund | 496 | --- | 499 | 499 | 499 | +3 |
| Child and adult care feeding program | 21,857 | --- | --- | --- | --- | -21,857 |
| P.L. 480 Title II | 248,375 | --- | --- | --- | --- | -248,375 |
| Tree assistance (sec. 747) | --- | --- | 5,000 | --- | 15,000 | +15,000 |
| Northern Great Plains Regional Authority | --- | --- | --- | 3,000 | 1,500 | +1,500 |
| Denali Commission | --- | --- | --- | 2,000 | 1,000 | +1,000 |
| Food stamp program freeze | --- | --- | --- | 2,000 | 2,000 | +2,000 |
| Reduction in travel amounts | --- | --- | --- | -6,000 | --- | --- |
| CCC tree assistance program (P.L. 108-83) | 9,700 | --- | --- | --- | --- | -9,700 |
| CCC Mormon cricket infestation (P.L. 108-83) | 20,000 | --- | --- | --- | --- | -20,000 |
| Total, title VII, General provisions | 303,409 | --- | 8,499 | 4,480 | 22,999 | -280,410 |
| Grand total: | | | | | | |
| New budget (obligational) authority | 74,752,926 | 77,561,060 | 77,386,274 | 79,602,414 | 80,632,273 | +5,879,347 |
| (By transfer) | (787,619) | (831,150) | (791,271) | (804,144) | (805,904) | (+18,285) |
| (Loan authorization) | (14,423,426) | (11,545,412) | (13,229,430) | (14,513,463) | (14,494,543) | (+71,117) |
| (Limitation on administrative expenses) | (147,482) | (150,940) | (150,940) | (150,940) | (150,940) | (+3,458) |

1/ In addition to appropriation.

DIVISION B--DEPARTMENTS OF COMMERCE- JUSTICE- AND STATE- THE JUDICIARY- AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| TITLE I - DEPARTMENT OF JUSTICE AND RELATED AGENCY | | | | | | |
| RELATED AGENCY | | | | | | |
| Foreign terrorist tracking task force | --- | --- | --- | 72,607 | --- | --- |
| DEPARTMENT OF JUSTICE | | | | | | |
| General Administration | | | | | | |
| Salaries and expenses | 90,477 | 133,772 | 106,664 | 116,171 | 106,687 | +16,210 |
| Supplemental appropriations (P.L. 108-11) | 5,000 | --- | --- | --- | --- | -5,000 |
| Joint automated booking system | 15,869 | --- | --- | 23,176 | 19,176 | +3,307 |
| Automated Biometric Identification System-Integrated Identification system integration | 8,941 | --- | --- | --- | 5,100 | -3,841 |
| Identification systems integration | --- | 34,077 | 20,677 | --- | --- | --- |
| Legal activities office automation | 15,838 | --- | 30,136 | 66,240 | 27,034 | +11,196 |
| Narrowband communications | 63,936 | 140,083 | 103,171 | 103,171 | 103,171 | +39,235 |
| Transfer from Treasury | 7,391 | --- | --- | --- | --- | -7,391 |
| Counterterrorism fund | 993 | --- | 1,000 | --- | 1,000 | +7 |
| Supplemental appropriations (P.L. 108-11) | 20,000 | --- | --- | --- | --- | -20,000 |
| Administrative review and appeals | 190,290 | 197,420 | 193,530 | 194,111 | 193,530 | +3,240 |
| Detention trustee | 768,578 | 810,125 | 810,125 | 849,876 | 814,097 | +45,519 |
| Supplemental appropriations (P.L. 108-11) | 40,000 | --- | --- | --- | --- | -40,000 |
| Office of Inspector General | 51,599 | 62,029 | 56,245 | 60,840 | 60,840 | +9,241 |
| Supplemental appropriations (P.L. 108-11) | 2,500 | --- | --- | --- | --- | -2,500 |
| Total, General administration | 1,281,412 | 1,377,506 | 1,321,548 | 1,413,585 | 1,330,635 | +49,223 |
| United States Parole Commission | | | | | | |
| Salaries and expenses | 10,420 | 11,051 | 10,609 | 10,718 | 10,609 | +189 |
| Legal Activities | | | | | | |
| General legal activities: | | | | | | |
| Direct appropriation | 605,368 | 663,350 | 618,537 | 630,641 | 618,537 | +13,169 |
| Radiation exposure compensation act | 1,983 | --- | --- | --- | --- | -1,983 |
| Non-defense | --- | 1,996 | 1,996 | 1,996 | 1,996 | +1,996 |
| Subtotal | 607,351 | 665,346 | 620,533 | 632,637 | 620,533 | +13,182 |
| Vaccine injury compensation trust fund (permanent) | 4,002 | 4,028 | 4,028 | 4,028 | 4,028 | +26 |
| Legal activities office automation | --- | 33,240 | --- | --- | --- | --- |
| Antitrust Division | 133,133 | 141,898 | 128,133 | 141,898 | 133,133 | --- |
| Offsetting fee collections - current year | -133,133 | -112,000 | -112,000 | -112,000 | -112,000 | +21,133 |
| Direct appropriation | --- | 29,898 | 16,133 | 29,898 | 21,133 | +21,133 |
| United States Attorneys | 1,493,993 | 1,556,784 | 1,526,253 | 1,507,879 | 1,526,253 | +32,260 |
| United States Trustee System Fund | 155,736 | 175,172 | 166,157 | 170,168 | 166,157 | +10,421 |
| Offsetting fee collections | -149,736 | -167,172 | -158,157 | -162,168 | -158,157 | -8,421 |
| Interest on U.S. securities | -6,000 | -8,000 | -8,000 | -8,000 | -8,000 | -2,000 |
| Direct appropriation | --- | --- | --- | --- | --- | --- |
| Foreign Claims Settlement Commission | 1,129 | 1,212 | 1,205 | 1,207 | 1,206 | +77 |
| United States Marshals Service: | | | | | | |
| Salaries and expenses (non-CSE) | 676,051 | 720,806 | 678,672 | 602,274 | 719,777 | +43,726 |
| Supplemental appropriations (P.L. 108-11) | 8,000 | --- | --- | --- | --- | -8,000 |
| Construction | 15,028 | --- | --- | 25,964 | 14,066 | -962 |
| Total, United States Marshals Service | 699,079 | 720,806 | 678,672 | 628,238 | 733,843 | +34,764 |
| Fees and expenses of witnesses | 175,645 | 156,145 | 156,145 | 156,145 | 156,145 | -19,500 |
| Community Relations Service | 9,412 | 9,526 | 9,526 | 9,526 | 9,526 | +114 |
| Assets forfeiture fund | 21,759 | 22,949 | 21,759 | 22,949 | 21,759 | --- |
| Total, Legal activities | 3,012,370 | 3,199,934 | 3,034,254 | 2,992,507 | 3,094,426 | +82,056 |
| Interagency Law Enforcement | | | | | | |
| Interagency crime and drug enforcement | 369,712 | 541,844 | --- | 415,010 | --- | -369,712 |
| Interagency law enforcement support | --- | --- | --- | 551,784 | --- | --- |
| Total, Interagency law enforcement | 369,712 | 541,844 | --- | 966,794 | --- | -369,712 |

DIVISION B--DEPARTMENTS OF COMMERCE- JUSTICE- AND STATE- THE JUDICIARY- AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Federal Bureau of Investigation | | | | | | |
| Salaries and expenses | 3,680,923 | 4,149,465 | 4,086,626 | 3,395,885 | 4,076,694 | +395,771 |
| Supplemental appropriations (P.L. 108-11) | 367,192 | --- | --- | --- | --- | -367,192 |
| Counterintelligence and national security | 472,211 | 490,104 | 490,104 | 490,104 | 490,104 | +17,893 |
| Direct appropriation | 4,520,326 | 4,639,569 | 4,576,730 | 3,885,989 | 4,566,798 | +46,472 |
| Foreign terrorist tracking task force | 61,597 | --- | 61,597 | --- | 61,597 | --- |
| Construction | 1,242 | --- | 1,242 | 44,791 | 11,174 | +9,932 |
| Total, Federal Bureau of Investigation | 4,583,165 | 4,639,569 | 4,639,569 | 3,930,780 | 4,639,569 | +56,404 |
| Drug Enforcement Administration | | | | | | |
| Salaries and expenses | 1,639,223 | 1,677,304 | 1,719,888 | 1,603,780 | 1,719,888 | +80,665 |
| Diversion control fund | -88,450 | -118,561 | -118,561 | -91,499 | -118,561 | -30,111 |
| Subtotal | 1,550,773 | 1,558,743 | 1,601,327 | 1,512,281 | 1,601,327 | +50,554 |
| Interagency drug enforcement | --- | --- | 556,465 | --- | 556,465 | +556,465 |
| Total, Drug Enforcement Administration | 1,550,773 | 1,558,743 | 2,157,792 | 1,512,281 | 2,157,792 | +607,019 |
| Bureau of Alcohol, Tobacco and Firearms | 788,273 | 838,987 | 831,199 | 829,593 | 836,087 | +47,814 |
| GREAT grants | 12,915 | 13,000 | --- | --- | --- | -12,915 |
| Total | 801,188 | 851,987 | 831,199 | 829,593 | 836,087 | +34,899 |
| Federal Prison System | | | | | | |
| Salaries and expenses | 4,044,788 | 4,677,214 | 4,461,257 | 3,872,791 | 4,461,257 | +416,469 |
| Buildings and facilities | 396,632 | --- | 202,840 | 345,805 | 397,700 | +1,068 |
| Rescission | --- | -187,900 | --- | --- | --- | --- |
| Federal Prison Industries, Incorporated (limitation on administrative expenses) | 3,407 | 3,429 | 3,429 | 3,429 | 3,429 | +22 |
| Total, Federal Prison System | 4,444,827 | 4,492,743 | 4,667,526 | 4,222,025 | 4,862,386 | +417,559 |
| Office of Justice Programs | | | | | | |
| Management and administration | --- | --- | --- | 29,000 | --- | --- |
| Justice assistance | 199,983 | 2,136,423 | 209,131 | 136,500 | 190,125 | -9,858 |
| (By transfer) | (6,632) | --- | (6,632) | --- | (6,632) | --- |
| Rescission | --- | -11,622 | --- | --- | --- | --- |
| Total, Office of Justice Programs | 199,983 | 2,124,801 | 209,131 | 165,500 | 190,125 | -9,858 |
| State and local law enforcement assistance: | | | | | | |
| Local law enforcement block grant | 397,400 | --- | 400,000 | 150,000 | 225,000 | -172,400 |
| Boys and Girls clubs (earmark) | (79,480) | --- | (80,000) | (80,000) | (80,000) | (+520) |
| National Institute of Justice (earmark) | (19,870) | --- | (20,000) | --- | (10,000) | (-9,870) |
| USA FREEDOM corps (earmark) | (2,981) | --- | (5,000) | --- | (2,981) | --- |
| Indian assistance | 17,883 | --- | 13,000 | 18,000 | 15,000 | -2,883 |
| Tribal prison construction | (4,968) | --- | --- | --- | (2,000) | (-2,968) |
| Indian tribal courts program | (7,948) | --- | (8,000) | --- | (8,000) | (+52) |
| Indian grants | (4,968) | --- | (5,000) | --- | (5,000) | (+32) |
| State criminal alien assistance program | 248,375 | --- | 400,000 | 250,000 | 300,000 | +51,625 |
| Cooperative agreement program | 4,968 | --- | 2,500 | --- | 2,000 | -2,968 |
| Byrne grants (formula) | 496,750 | --- | 500,000 | 500,000 | 500,000 | +3,250 |
| Byrne grants (discretionary) | 149,933 | --- | 115,000 | 88,575 | 159,117 | +9,184 |
| Juvenile crime block grant | 188,765 | --- | --- | --- | --- | -188,765 |
| Drug courts | 44,708 | --- | 55,000 | 43,500 | 38,500 | -6,208 |
| State prison drug treatment | 64,577 | --- | 70,000 | --- | --- | -64,577 |
| Other crime control programs | 5,653 | --- | 5,361 | 5,000 | 3,892 | -1,761 |
| Assistance for victims of trafficking | 9,935 | --- | 10,000 | --- | 10,000 | +65 |
| Violence against women prevention and prosecution | 387,629 | --- | --- | 406,000 | --- | -387,629 |
| Prescription drug monitoring | 7,451 | --- | 10,000 | --- | 7,000 | -451 |
| Prison rape prevention | 12,915 | --- | 60,000 | --- | 37,175 | +24,260 |
| Terrorism prevention and response training | 14,902 | --- | --- | --- | --- | -14,902 |
| Prior year unobligated balances | -20,854 | --- | --- | --- | --- | +20,854 |
| Associated outlays | --- | --- | --- | --- | --- | --- |
| Total, State and local law enforcement | 2,030,990 | --- | 1,640,861 | 1,461,075 | 1,297,684 | -733,306 |
| Weed and seed program fund | 58,542 | --- | 51,811 | 58,542 | 58,542 | --- |

DIVISION B--DEPARTMENTS OF COMMERCE- JUSTICE- AND STATE- THE JUDICIARY- AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Community oriented policing services: | | | | | | |
| Hiring | 198,700 | --- | --- | 200,000 | 120,000 | -78,700 |
| Training and technical assistance | 20,528 | 20,662 | 20,662 | --- | --- | -20,528 |
| Bullet proof vests | 25,279 | --- | 25,000 | 25,000 | 25,000 | -279 |
| Tribal law enforcement | 34,773 | 30,000 | 30,000 | 20,000 | 25,000 | -9,773 |
| Meth hot spots | 56,761 | 20,000 | 60,000 | --- | 54,050 | -2,711 |
| Police corps | 14,903 | --- | 28,315 | 15,000 | 15,000 | +97 |
| COPS technology | 188,719 | 50,000 | 100,000 | 83,960 | 158,407 | -30,312 |
| Interoperable communications | 19,870 | --- | --- | 140,000 | 85,000 | +65,130 |
| Supplemental appropriations (P.L. 108-11) | 54,750 | --- | --- | --- | --- | -54,750 |
| Criminal records upgrade | 39,740 | --- | 56,924 | --- | 30,000 | -9,740 |
| DNA backlog/crime lab | 81,009 | --- | 174,353 | 19,050 | 100,000 | +18,991 |
| Paul Coverdell forensics science | --- | --- | 5,000 | 15,000 | 10,000 | +10,000 |
| Crime identification technology | 68,626 | --- | --- | 36,626 | 24,226 | -44,400 |
| Gun violence reduction | 44,708 | --- | 45,000 | 15,000 | 30,000 | -14,708 |
| Southwest border prosecutors | 39,740 | --- | 40,000 | 15,000 | 30,000 | -9,740 |
| Project sentry | 9,935 | --- | --- | 10,000 | --- | -9,935 |
| Offender reentry | 14,837 | --- | 13,504 | 5,000 | 5,000 | -9,837 |
| Safe schools initiative | 15,111 | --- | --- | 17,000 | 4,600 | -10,511 |
| Police integrity grants | 16,853 | 16,963 | 17,000 | 5,000 | 10,000 | -6,853 |
| DC Circuit Court and fugitive apprehension | --- | --- | 41,105 | --- | --- | --- |
| Management and administration | 32,782 | 26,130 | 26,130 | 35,000 | 30,000 | -2,782 |
| Rescission | --- | -6,378 | --- | --- | --- | --- |
| Associated outlays | --- | --- | --- | --- | --- | --- |
| Total, Community oriented policing services | 977,624 | 157,377 | 682,993 | 656,636 | 756,283 | -221,341 |
| Violence against women prevention and prosecution | --- | --- | 387,629 | --- | 387,629 | +387,629 |
| Juvenile justice programs | 273,517 | --- | 462,282 | 232,330 | 352,700 | +79,183 |
| (Transfer out) | (-6,632) | --- | (-6,632) | --- | (-6,632) | --- |
| Public safety officers benefits: | | | | | | |
| Death benefits | 49,054 | 49,054 | 49,054 | 49,054 | 49,054 | --- |
| Disability and education benefits | 3,974 | --- | 7,500 | 7,500 | 3,000 | -974 |
| Total, Public safety officers benefits program | 53,028 | 49,054 | 56,554 | 56,554 | 52,054 | -974 |
| Total, Office of Justice Programs | 3,593,684 | 2,331,232 | 3,491,261 | 2,630,637 | 3,095,017 | -498,667 |
| United States Attorneys (sec. 111) | --- | --- | --- | --- | 15,000 | +15,000 |
| Local law enforcement block grant (sec. 113) | --- | --- | --- | --- | 550 | +550 |
| Rescission (sec. 114) | --- | --- | --- | --- | -100,000 | -100,000 |
| Total, title I, Department of Justice | 19,647,551 | 19,004,609 | 20,153,758 | 18,581,527 | 19,942,071 | +294,520 |
| Appropriations | (19,647,551) | (19,210,509) | (20,153,758) | (18,581,527) | (20,042,071) | (+394,520) |
| Rescission | --- | (-205,900) | --- | --- | (-100,000) | (-100,000) |
| (Transfer out) | (-6,632) | --- | (-6,632) | --- | (-6,632) | --- |
| (By transfer) | (6,632) | --- | (6,632) | --- | (6,632) | --- |
| TITLE II - DEPARTMENT OF COMMERCE AND RELATED AGENCIES | | | | | | |
| TRADE AND INFRASTRUCTURE DEVELOPMENT | | | | | | |
| RELATED AGENCIES | | | | | | |
| Office of the United States Trade Representative | | | | | | |
| Salaries and expenses | 34,772 | 36,994 | 41,994 | 36,994 | 41,994 | +7,222 |
| European communities music licensing dispute (P.L. 108-11) | 3,300 | --- | --- | --- | --- | -3,300 |
| International Trade Commission | | | | | | |
| Salaries and expenses | 53,649 | 58,295 | 57,000 | 58,295 | 58,295 | +4,646 |
| Total, Related agencies | 91,721 | 95,289 | 98,994 | 95,289 | 100,289 | +8,568 |
| DEPARTMENT OF COMMERCE | | | | | | |
| International Trade Administration | | | | | | |
| Operations and administration | 367,838 | 395,123 | 395,123 | 375,053 | 395,123 | +27,285 |
| Offsetting fee collections | -8,000 | -13,000 | -13,000 | -3,000 | -13,000 | -5,000 |
| Direct appropriation | 359,838 | 382,123 | 382,123 | 372,053 | 382,123 | +22,285 |

DIVISION B--DEPARTMENTS OF COMMERCE- JUSTICE- AND STATE- THE JUDICIARY- AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Bureau of Industry and Security | | | | | | |
| Operations and administration | 59,088 | 78,169 | 61,000 | 73,060 | 61,000 | +1,912 |
| CWC enforcement | 7,203 | --- | 7,203 | --- | 7,203 | --- |
| Total, Bureau of Industry and Security | 66,291 | 78,169 | 68,203 | 73,060 | 68,203 | +1,912 |
| Economic Development Administration | | | | | | |
| Economic development assistance programs | 288,115 | 331,027 | 288,115 | 357,115 | 288,115 | --- |
| Salaries and expenses | 30,565 | 33,377 | 30,565 | 30,565 | 30,565 | --- |
| Total, Economic Development Administration | 318,680 | 364,404 | 318,680 | 387,680 | 318,680 | --- |
| Minority Business Development Agency | | | | | | |
| Minority business development | 28,718 | 29,487 | 29,000 | 28,718 | 28,859 | +141 |
| Total, Trade and Infrastructure Development | 865,248 | 949,472 | 897,000 | 956,800 | 898,154 | +32,906 |
| ECONOMIC AND INFORMATION INFRASTRUCTURE | | | | | | |
| Economic and Statistical Analysis | | | | | | |
| Salaries and expenses | 71,689 | 84,756 | 75,000 | 84,756 | 75,000 | +3,311 |
| Bureau of the Census | | | | | | |
| Salaries and expenses | 181,811 | 220,908 | 220,908 | 181,811 | 194,811 | +13,000 |
| Periodic censuses and programs | 369,067 | 441,053 | 441,053 | 369,067 | 436,053 | +66,986 |
| Total, Bureau of the Census | 550,878 | 661,961 | 661,961 | 550,878 | 630,864 | +79,986 |
| National Telecommunications and Information Administration | | | | | | |
| Salaries and expenses | 14,604 | 18,869 | 14,604 | 15,042 | 14,604 | --- |
| Public telecommunications facilities, planning and construction | 43,273 | 2,538 | 2,538 | 55,000 | 22,000 | -21,273 |
| Information infrastructure grants | 15,402 | --- | 15,402 | 15,500 | 15,000 | -402 |
| Total, National Telecommunications and Information Administration | 73,279 | 21,407 | 32,544 | 85,542 | 51,604 | -21,675 |
| United States Patent and Trademark Office | | | | | | |
| Current year fee funding | 1,015,229 | 1,203,055 | 1,138,700 | 1,217,460 | 1,222,460 | +207,231 |
| Prior year carryover | 166,771 | --- | 100,000 | --- | --- | -166,771 |
| New fees (proposed legislation) | --- | 192,000 | --- | --- | --- | --- |
| Total, Patent and Trademark Office | 1,182,000 | 1,395,055 | 1,238,700 | 1,217,460 | 1,222,460 | +40,460 |
| Offsetting fee collections | -1,015,229 | -1,203,055 | -1,238,700 | -1,217,460 | -1,222,460 | -207,231 |
| Total, Economic and Information Infrastructure | 862,617 | 960,124 | 769,505 | 721,176 | 757,468 | -105,149 |
| SCIENCE AND TECHNOLOGY | | | | | | |
| Technology Administration | | | | | | |
| Office of Technology Policy | | | | | | |
| Salaries and expenses | 9,822 | 8,015 | 7,822 | --- | 6,411 | -3,411 |
| NTIS revolving fund | --- | --- | --- | --- | --- | --- |
| National Institute of Standards and Technology | | | | | | |
| Scientific and technical research and services | 357,075 | 379,849 | 357,862 | 383,375 | 344,366 | -12,709 |
| Industrial technology services | 284,760 | 39,607 | 39,607 | 369,223 | 218,782 | -65,978 |
| Construction of research facilities | 65,670 | 69,590 | 62,590 | 84,630 | 64,954 | -716 |
| Working capital fund | --- | 7,772 | --- | 7,772 | --- | --- |
| Total, National Institute of Standards and Technology | 707,505 | 496,818 | 460,059 | 845,000 | 628,102 | -79,403 |

DIVISION B--DEPARTMENTS OF COMMERCE- JUSTICE- AND STATE- THE JUDICIARY- AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| National Oceanic and Atmospheric Administration | | | | | | |
| Operations, research, and facilities | 2,298,481 | 2,389,300 | 2,180,454 | 2,696,520 | 2,686,520 | +388,039 |
| (By transfer from Promote and Develop Fund) | (65,000) | (75,000) | (79,251) | (52,000) | (62,000) | (-3,000) |
| (By transfer from Coastal zone management) | --- | 3,000 | --- | --- | --- | --- |
| Deobligations returned | --- | --- | --- | -15,000 | -15,000 | -15,000 |
| Total, Operations, research, and facilities | 2,298,481 | 2,392,300 | 2,180,454 | 2,681,520 | 2,671,520 | +373,039 |
| International fisheries commissions | --- | --- | --- | 20,743 | --- | --- |
| Litigation and settlement fund | --- | --- | --- | 5,000 | --- | --- |
| Procurement, acquisition and construction | 754,096 | 842,399 | 794,059 | 990,127 | 990,127 | +236,031 |
| Supplemental appropriations (P.L. 108-11) | 65,000 | --- | --- | --- | --- | -65,000 |
| Total, Procurement, acquisition and construction | 819,096 | 842,399 | 794,059 | 990,127 | 990,127 | +171,031 |
| Pacific coastal salmon recovery | 129,155 | 90,000 | 90,000 | 90,000 | 90,000 | -39,155 |
| Coastal zone management fund | -3,000 | -3,000 | -3,000 | -3,000 | -3,000 | --- |
| Fishermen's contingency fund | 1 | 956 | --- | 1 | --- | -1 |
| Foreign fishing observer fund | 1 | 191 | --- | 1 | --- | -1 |
| Fisheries finance program account | -8,000 | -4,000 | -7,000 | -5,000 | -8,000 | --- |
| Total, National Oceanic and Atmospheric Administration | 3,235,734 | 3,318,846 | 3,054,513 | 3,779,392 | 3,740,647 | +504,913 |
| Total, Science and Technology | 3,953,061 | 3,823,679 | 3,522,394 | 4,624,392 | 4,375,160 | +422,099 |
| Departmental Management | | | | | | |
| Salaries and expenses | 44,662 | 57,191 | 44,662 | 44,662 | 47,289 | +2,627 |
| Office of Inspector General | 20,501 | 23,378 | 22,000 | 21,116 | 21,116 | +615 |
| Total, Departmental management | 65,163 | 80,569 | 66,662 | 65,778 | 68,405 | +3,242 |
| Tourism promotion (sec. 210) | 49,675 | --- | --- | --- | --- | -49,675 |
| EDA conveyance (sec. 209) | --- | --- | --- | 1,000 | 1,000 | +1,000 |
| Extension of steel loan guarantees (Sec. 211) | --- | --- | --- | --- | --- | --- |
| Procurement, acquisition and construction (sec. 212) | --- | --- | --- | --- | 6,129 | +6,129 |
| Lobster (sec. 213) | --- | --- | --- | --- | 500 | +500 |
| Non-pollock west coast groundfish (sec. 214) | --- | --- | --- | --- | 500 | +500 |
| Total, Department of Commerce | 5,704,043 | 5,718,555 | 5,156,567 | 6,273,857 | 6,007,027 | +302,984 |
| Rescission (sec. 215) | --- | --- | --- | --- | -100,000 | -100,000 |
| Total, title II, Department of Commerce and related agencies | 5,795,764 | 5,813,844 | 5,255,561 | 6,369,146 | 6,007,316 | +211,552 |
| Appropriations | (5,795,764) | (5,813,844) | (5,255,561) | (6,369,146) | (6,107,316) | (+311,552) |
| Rescission | --- | --- | --- | --- | (-100,000) | (-100,000) |
| (By transfer) | (65,000) | (75,000) | (79,251) | (52,000) | (62,000) | (-3,000) |
| TITLE III - THE JUDICIARY | | | | | | |
| Supreme Court of the United States | | | | | | |
| Salaries and expenses: | | | | | | |
| Salaries of justices | 1,872 | 1,896 | 1,896 | 1,896 | 1,896 | +24 |
| Other salaries and expenses | 43,586 | 55,581 | 53,464 | 57,518 | 53,464 | +9,878 |
| Supplemental appropriations (P.L. 108-11) | 1,535 | --- | --- | --- | --- | -1,535 |
| Total, Salaries and expenses | 46,993 | 57,477 | 55,360 | 59,414 | 55,360 | +8,367 |
| Care of the building and grounds | 41,355 | 4,658 | 10,591 | 4,658 | 10,591 | -30,764 |
| Total, Supreme Court of the United States | 88,348 | 62,135 | 65,951 | 64,072 | 65,951 | -22,397 |
| United States Court of Appeals for the Federal Circuit | | | | | | |
| Salaries and expenses: | | | | | | |
| Salaries of judges | 2,225 | 2,237 | 2,237 | 2,237 | 2,237 | +12 |
| Other salaries and expenses | 17,970 | 20,185 | 18,428 | 18,425 | 18,425 | +455 |
| Supplemental appropriations (P.L. 108-11) | 973 | --- | --- | --- | --- | -973 |
| Total, Salaries and expenses | 21,168 | 22,422 | 20,665 | 20,662 | 20,662 | -506 |

DIVISION B--DEPARTMENTS OF COMMERCE- JUSTICE- AND STATE- THE JUDICIARY- AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| United States Court of International Trade | | | | | | |
| Salaries and expenses: | | | | | | |
| Salaries of judges | 1,678 | 1,721 | 1,721 | 1,721 | 1,721 | +43 |
| Other salaries and expenses | 11,931 | 12,485 | 12,347 | 11,489 | 12,347 | +416 |
| Supplemental appropriations (P.L. 108-11) | 50 | --- | --- | --- | --- | -50 |
| Total, Salaries and expenses | 13,659 | 14,206 | 14,068 | 13,210 | 14,068 | +409 |
| Courts of Appeals, District Courts, and Other Judicial Services | | | | | | |
| Salaries and expenses: | | | | | | |
| Salaries of judges and bankruptcy judges | 263,854 | 274,504 | 274,504 | 274,504 | 274,504 | +10,650 |
| Other salaries and expenses | 3,513,161 | 3,913,848 | 3,729,672 | 3,619,517 | 3,719,672 | +206,511 |
| Supplemental appropriations (P.L. 108-83) | 12,187 | --- | --- | --- | --- | -12,187 |
| Direct appropriation | 3,789,202 | 4,188,352 | 4,004,176 | 3,894,021 | 3,994,176 | +204,974 |
| Vaccine Injury Compensation Trust Fund | 2,766 | 3,293 | 3,293 | 3,293 | 3,193 | +427 |
| Defender services | 534,961 | 635,481 | 613,948 | 595,006 | 604,477 | +69,516 |
| Supplemental appropriations (P.L. 108-83) | 17,228 | --- | --- | --- | --- | -17,228 |
| Fees of jurors and commissioners | 54,281 | 53,181 | 53,181 | 53,181 | 57,822 | +3,541 |
| Supplemental appropriations (P.L. 108-83) | 2,778 | --- | --- | --- | --- | -2,778 |
| Court security | 266,655 | 311,171 | 288,941 | 266,058 | 277,500 | +10,845 |
| Total, Courts of Appeals, District Courts, and Other Judicial Services | 4,667,871 | 5,191,478 | 4,963,539 | 4,811,559 | 4,937,168 | +269,297 |
| Administrative Office of the United States Courts | | | | | | |
| Salaries and expenses | 63,087 | 71,908 | 66,968 | 63,717 | 66,000 | +2,913 |
| Federal Judicial Center | | | | | | |
| Salaries and expenses | 20,720 | 21,660 | 21,440 | 22,434 | 21,440 | +720 |
| Judicial Retirement Funds | | | | | | |
| Payment to Judiciary Trust Funds | 35,300 | 29,000 | 29,000 | 29,000 | 29,000 | -6,300 |
| United States Sentencing Commission | | | | | | |
| Salaries and expenses | 12,011 | 13,200 | 12,746 | 12,011 | 12,354 | +343 |
| General Provisions | | | | | | |
| Judges pay raise (sec. 304) | --- | 4,000 | --- | 4,000 | --- | --- |
| Judges pay raise (sec. 305) | --- | --- | --- | 36,000 | --- | --- |
| Total, General provisions | --- | 4,000 | --- | 40,000 | --- | --- |
| Total, title III, the Judiciary | 4,922,164 | 5,430,009 | 5,194,377 | 5,076,665 | 5,166,643 | +244,479 |
| TITLE IV - DEPARTMENT OF STATE AND RELATED AGENCY | | | | | | |
| Administration of Foreign Affairs | | | | | | |
| Diplomatic and consular programs | 3,248,008 | 3,516,843 | 3,453,260 | 3,280,405 | 3,420,000 | +171,992 |
| (Transfer out) | (-4,000) | (-4,000) | (-4,000) | (-4,000) | (-4,000) | --- |
| Supplemental appropriations (P.L. 108-11) | 98,420 | --- | --- | --- | --- | -98,420 |
| Worldwide security upgrades | 549,405 | 646,701 | 646,701 | 594,373 | 646,701 | +97,296 |
| (Transfer out) | --- | --- | --- | (-20,000) | --- | --- |
| Worldwide IT infrastructure | --- | --- | --- | --- | 40,000 | +40,000 |
| Total, Diplomatic and consular programs | 3,895,833 | 4,163,544 | 4,099,961 | 3,874,778 | 4,106,701 | +210,868 |
| Capital investment fund | 182,119 | 157,000 | 142,000 | 207,000 | 80,000 | -102,119 |
| Office of Inspector General | 29,074 | 31,703 | 29,777 | 31,703 | 31,703 | +2,629 |
| (By transfer) | --- | --- | --- | (20,000) | --- | --- |
| Educational and cultural exchange programs | 243,712 | 345,346 | 345,346 | 255,292 | 320,000 | +76,288 |
| Representation allowances | 6,443 | 9,000 | 9,000 | 6,643 | 9,000 | +2,557 |
| Protection of foreign missions and officials | 10,929 | 10,000 | 10,000 | 10,000 | 10,000 | -929 |
| Embassy security, construction, and maintenance | 505,195 | 653,000 | 532,935 | 483,470 | 530,000 | +24,805 |
| Supplemental appropriations (P.L. 108-11) | 149,500 | --- | --- | --- | --- | -149,500 |
| Worldwide security upgrades | 750,093 | 861,400 | 861,400 | 933,122 | 861,400 | +111,307 |
| Emergencies in the diplomatic and consular service | 6,458 | 1,000 | 1,000 | 1 | 1,000 | -5,458 |
| Supplemental appropriations (P.L. 108-11) | 50,000 | --- | --- | --- | --- | -50,000 |
| (By transfer) | (4,000) | (4,000) | (4,000) | (4,000) | (4,000) | --- |
| (Transfer out) | (-1,000) | (-1,000) | (-1,000) | (-1,000) | (-1,000) | --- |

DIVISION B--DEPARTMENTS OF COMMERCE- JUSTICE- AND STATE- THE JUDICIARY- AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Repatriation Loans Program Account: | | | | | | |
| Direct loans subsidy | 608 | 612 | 612 | 612 | 612 | +4 |
| Administrative expenses | 603 | 607 | 607 | 607 | 607 | +4 |
| (By transfer) | (1,000) | (1,000) | (1,000) | (1,000) | (1,000) | --- |
| Total, Repatriation loans program account | 1,211 | 1,219 | 1,219 | 1,219 | 1,219 | +8 |
| Payment to the American Institute in Taiwan | 18,330 | 19,773 | 18,782 | 19,893 | 18,782 | +452 |
| Payment to the Foreign Service Retirement and Disability Fund | 138,200 | 134,979 | 134,979 | 134,979 | 134,979 | -3,221 |
| Total, Administration of Foreign Affairs | 5,987,097 | 6,387,964 | 6,186,399 | 5,958,100 | 6,104,784 | +117,687 |
| International Organizations | | | | | | |
| Contributions to international organizations, current year assessment | 860,371 | 1,010,463 | 1,010,463 | 921,888 | 1,010,463 | +150,092 |
| Contributions for international peacekeeping activities, current year | 669,331 | 550,200 | 550,200 | 482,649 | 454,842 | -214,489 |
| Total, International Organizations and Conferences | 1,529,702 | 1,560,663 | 1,560,663 | 1,404,537 | 1,465,305 | -64,397 |
| International Commissions | | | | | | |
| International Boundary and Water Commission, United States and Mexico: | | | | | | |
| Salaries and expenses | 25,316 | 31,562 | 25,668 | 28,312 | 26,000 | +684 |
| Construction | 5,415 | 8,901 | 5,500 | 8,201 | 3,551 | -1,864 |
| American sections, international commissions | 9,410 | 11,204 | 8,944 | 10,942 | 8,944 | -466 |
| International fisheries commissions | 16,989 | 20,043 | 16,989 | --- | 19,300 | +2,311 |
| Total, International commissions | 57,130 | 71,710 | 57,101 | 47,455 | 57,795 | +665 |
| Other | | | | | | |
| International Center for Middle Eastern-Western dialogue | --- | --- | --- | 7,000 | 7,000 | +7,000 |
| Payment to the Asia Foundation | 10,376 | 9,250 | 10,376 | --- | 13,000 | +2,624 |
| Eisenhower Exchange Fellowship program | 497 | 500 | 500 | 500 | 500 | +3 |
| Israeli Arab scholarship program | 373 | 375 | 375 | 375 | 375 | +2 |
| East-West Center | 17,883 | 14,280 | --- | 19,000 | 17,880 | -3 |
| National Endowment for Democracy | 41,727 | 36,000 | 42,000 | 36,000 | 40,000 | -1,727 |
| Total, Department of State | 7,644,785 | 8,080,742 | 7,857,414 | 7,472,967 | 7,706,639 | +61,854 |
| RELATED AGENCY | | | | | | |
| Broadcasting Board of Governors | | | | | | |
| International Broadcasting Operations | 465,850 | 525,204 | 552,105 | 518,149 | 546,038 | +80,188 |
| Supplemental appropriations (P.L. 108-11) | 30,500 | --- | --- | --- | --- | -30,500 |
| Broadcasting to Cuba | 24,834 | 26,901 | --- | 28,101 | --- | -24,834 |
| Broadcasting capital improvements | 12,657 | 11,395 | 11,395 | 11,395 | 11,395 | -1,262 |
| Total, Broadcasting Board of Governors | 533,841 | 563,500 | 563,500 | 557,645 | 557,433 | +23,592 |
| Total, title IV, Department of State and Related Agency | 8,178,626 | 8,644,242 | 8,420,914 | 8,030,612 | 8,264,072 | +85,446 |
| (Transfer out) | (-5,000) | (-5,000) | (-5,000) | (-25,000) | (-5,000) | --- |
| (By transfer) | (5,000) | (5,000) | (5,000) | (25,000) | (5,000) | --- |
| TITLE V - RELATED AGENCIES | | | | | | |
| Antitrust Modernization Commission | | | | | | |
| Salaries and expenses | --- | --- | 1,499 | --- | 1,200 | +1,200 |
| Commission for the Preservation of America's Heritage Abroad | | | | | | |
| Salaries and expenses | 496 | 499 | 499 | 659 | 496 | --- |
| Commission on Civil Rights | | | | | | |
| Salaries and expenses | 9,037 | 9,096 | 9,096 | 9,096 | 9,096 | +59 |
| Commission on International Religious Freedom | | | | | | |
| Salaries and expenses | 2,865 | 3,000 | 3,000 | 2,000 | 3,000 | +135 |

DIVISION B--DEPARTMENTS OF COMMERCE- JUSTICE- AND STATE- THE JUDICIARY- AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Commission on Ocean Policy | | | | | | |
| Salaries and expenses | 1,987 | --- | --- | --- | --- | -1,987 |
| Commission on Security and Cooperation in Europe | | | | | | |
| Salaries and expenses | 1,572 | 1,615 | 1,615 | 1,615 | 1,615 | +43 |
| Congressional-Executive Commission on the People's Republic of China | | | | | | |
| Salaries and expenses | 1,371 | 1,800 | 1,800 | 1,400 | 1,800 | +429 |
| Equal Employment Opportunity Commission | | | | | | |
| Salaries and expenses | 306,815 | 334,754 | 328,400 | 334,754 | 328,400 | +21,585 |
| Supplemental appropriations (P.L. 108-11) | 15,000 | --- | --- | --- | --- | -15,000 |
| Federal Communications Commission | | | | | | |
| Salaries and expenses | 270,987 | 280,798 | 278,958 | 277,798 | 273,958 | +2,971 |
| Offsetting fee collections - current year | -269,000 | -251,984 | -269,000 | -251,984 | -272,958 | -3,958 |
| Direct appropriation | 1,987 | 28,814 | 9,958 | 25,814 | 1,000 | -987 |
| Federal Trade Commission | | | | | | |
| Salaries and expenses | 176,553 | 191,132 | 183,041 | 189,032 | 186,041 | +9,488 |
| Offsetting fee collections - current year | -150,000 | -112,000 | -112,000 | -112,000 | -112,000 | +38,000 |
| Offsetting fee collections, telephone database | -18,100 | -18,000 | -20,100 | -18,000 | -23,100 | -5,000 |
| Direct appropriation | 8,453 | 61,132 | 50,941 | 59,032 | 50,941 | +42,488 |
| HELP Commission | | | | | | |
| Salaries and expenses | --- | --- | --- | --- | 3,000 | +3,000 |
| Legal Services Corporation | | | | | | |
| Payment to the Legal Services Corporation | 336,645 | 329,300 | 338,848 | 338,848 | 338,848 | +2,203 |
| Marine Mammal Commission | | | | | | |
| Salaries and expenses | 3,030 | 1,856 | 1,856 | 3,066 | 1,856 | -1,174 |
| National Commission on Terrorism Attacks Upon the United States | | | | | | |
| Salaries and expenses (P.L. 108-11) | 11,000 | --- | --- | --- | --- | -11,000 |
| National Veterans Business Development Corporation | | | | | | |
| Salaries and expenses | 1,987 | 2,000 | 2,000 | 2,000 | 2,000 | +13 |
| Securities and Exchange Commission | | | | | | |
| Salaries and expenses | 745,789 | 841,507 | 841,500 | 841,500 | 811,500 | +65,711 |
| Prior year unobligated balances | -29,439 | --- | -103,000 | --- | -120,000 | -90,561 |
| Direct appropriation | 716,350 | 841,507 | 738,500 | 841,500 | 691,500 | -24,850 |
| Small Business Administration | | | | | | |
| Salaries and expenses | 312,413 | 360,155 | 326,592 | 332,413 | 325,750 | +13,337 |
| Office of Inspector General | 12,341 | 14,500 | 13,000 | 12,341 | 13,000 | +659 |
| Business Loans Program Account: | | | | | | |
| Direct loans subsidy | 3,702 | 1,910 | 1,910 | 1,910 | 1,910 | -1,792 |
| Guaranteed loans subsidy | 84,805 | 94,860 | 84,805 | 85,758 | 79,132 | -5,673 |
| Administrative expenses | 128,161 | 129,000 | 129,000 | 129,000 | 128,000 | -161 |
| Total, Business loans program account | 216,668 | 225,770 | 215,715 | 216,668 | 209,042 | -7,626 |
| Disaster Loans Program Account: | | | | | | |
| Direct loans subsidy | 72,665 | 79,109 | 72,665 | 79,109 | 56,188 | -16,477 |
| Administrative expenses | 117,585 | 118,354 | 117,585 | 111,141 | 114,363 | -3,222 |
| Gainsharing | --- | 3,000 | --- | --- | --- | --- |
| Total, Disaster loans program account | 190,250 | 200,463 | 190,250 | 190,250 | 170,551 | -19,699 |
| Total, Small Business Administration | 731,672 | 800,888 | 745,557 | 751,672 | 718,343 | -13,329 |

DIVISION B--DEPARTMENTS OF COMMERCE- JUSTICE- AND STATE- THE JUDICIARY- AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| State Justice Institute | | | | | | |
| Salaries and expenses | 2,981 | --- | 3,000 | 5,000 | 2,250 | -731 |
| United States - China Economic and Security Review Commission | | | | | | |
| Salaries and expenses | --- | --- | --- | 2,000 | 2,000 | +2,000 |
| Total, title V, Related agencies | 2,153,248 | 2,416,261 | 2,236,569 | 2,378,456 | 2,157,345 | +4,097 |
| TITLE VII - RESCISSIONS | | | | | | |
| DEPARTMENT OF JUSTICE | | | | | | |
| General Administration | | | | | | |
| Working Capital fund (rescission) | -78,000 | --- | --- | -499 | -67,326 | +10,674 |
| Counterterrorism fund (rescission) | --- | --- | --- | -50,000 | -40,000 | -40,000 |
| Legal Activities | | | | | | |
| Assets forfeiture fund (rescission) | -50,874 | --- | --- | -499 | -61,608 | -10,734 |
| Federal Prison System | | | | | | |
| Buildings and facilities (rescission) | --- | --- | --- | --- | -51,895 | -51,895 |
| Office of Justice Programs | | | | | | |
| State & local law enforcement assistance (rescission) | --- | --- | -24,122 | -9,500 | -21,600 | -21,600 |
| Community oriented policing services (rescission) | --- | --- | -6,378 | --- | -6,378 | -6,378 |
| Juvenile justice programs (rescission) | --- | --- | --- | --- | -15,900 | -15,900 |
| Immigration and Naturalization Service | | | | | | |
| Immigration emergency fund (rescission) | -580 | --- | --- | --- | --- | +580 |
| DEPARTMENT OF COMMERCE | | | | | | |
| National Institute of Standards and Technology | | | | | | |
| Construction of research facilities (rescission) | --- | --- | --- | -3,000 | --- | --- |
| National Oceanic and Atmostpheric Administration | | | | | | |
| Coastal impact assistance (rescission) | -7,000 | --- | --- | --- | --- | +7,000 |
| NERRS construction (rescission) | --- | --- | --- | --- | -2,500 | -2,500 |
| Departmental Management | | | | | | |
| Emergency oil and gas guaranteed loan program account (rescission) | -920 | --- | --- | --- | --- | +920 |
| Emergency steel guaranteed loan program account (rescission) | --- | -97,000 | --- | --- | --- | --- |
| Travel and tourism (rescission) | --- | --- | --- | --- | -40,000 | -40,000 |
| RELATED AGENCIES | | | | | | |
| Federal Communications Commission | | | | | | |
| Salaries and expenses (rescission) | -5,700 | --- | --- | --- | --- | +5,700 |
| Small Business Administration | | | | | | |
| Salaries and expenses (rescission) | -13,750 | --- | --- | --- | --- | +13,750 |
| Business Loans Program Account: | | | | | | |
| Guaranteed loans subsidy (rescission) | -10,500 | --- | --- | --- | --- | +10,500 |

DIVISION B--DEPARTMENTS OF COMMERCE- JUSTICE- AND STATE- THE JUDICIARY- AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| GENERAL PROVISIONS | | | | | | |
| Across-the-board cut (.465%) (rescission) (sec. 638).. | --- | --- | --- | --- | -188,731 | -188,731 |
| Total, title VII, Rescissions..... | -167,324 | -97,000 | -30,500 | -63,498 | -495,938 | -328,614 |
| Grand total: | | | | | | |
| New budget (obligational) authority..... | 40,530,029 | 41,211,965 | 41,230,679 | 40,372,908 | 41,041,509 | +511,480 |
| Appropriations..... | (40,697,353) | (41,514,865) | (41,261,179) | (40,436,406) | (41,737,447) | (+1,040,094) |
| Rescissions..... | (-167,324) | (-302,900) | (-30,500) | (-63,498) | (-695,938) | (-528,614) |
| (Transfer out)..... | (-11,632) | (-5,000) | (-11,632) | (-25,000) | (-11,632) | --- |
| (By transfer)..... | (76,632) | (80,000) | (90,883) | (77,000) | (73,632) | (-3,000) |

DIVISION C--DISTRICT OF COLUMBIA APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| TITLE I | | | | | | |
| FEDERAL FUNDS | | | | | | |
| Federal payment for Resident Tuition Support | 16,889 | 17,000 | 17,000 | 17,000 | 17,000 | +111 |
| Federal payment for Emergency Planning and Security Costs in the District of Columbia | 14,902 | 15,000 | 15,000 | 15,000 | 11,000 | -3,902 |
| Federal payment to the District of Columbia Courts | 160,890 | 163,819 | 163,819 | 172,104 | 167,765 | +6,875 |
| Defender Services in District of Columbia Courts | 16,989 | 32,000 | 32,000 | 32,000 | 32,000 | +15,011 |
| Unobligated Balance | (16,400) | --- | --- | --- | --- | (-16,400) |
| Defender Services program level | (33,389) | (32,000) | (32,000) | (32,000) | (32,000) | (-1,389) |
| Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia | 153,701 | 166,525 | 163,081 | 173,396 | 168,435 | +14,734 |
| Federal payment to the District of Columbia Water and Sewer Authority | 49,675 | 15,000 | 35,000 | 25,000 | 30,000 | -19,675 |
| Federal payment for Hospital Bioterrorism Preparedness in the District of Columbia | 9,935 | --- | --- | 10,000 | 7,500 | -2,435 |
| Federal payment for the Anacostia Waterfront Initiative /1 | 4,968 | 10,000 | 4,300 | 6,000 | 5,000 | +32 |
| Federal payment to the Criminal Justice Coordinating Council /2 | --- | 1,300 | 1,300 | --- | 1,300 | +1,300 |
| Federal payment for Capital Development in the District of Columbia | 10,084 | --- | 8,000 | 5,000 | 8,150 | -1,934 |
| Federal payment for Public School Facilities | --- | --- | 4,500 | --- | 4,500 | +4,500 |
| Federal payment for Childrens Hospital /2 | --- | --- | --- | 10,000 | --- | --- |
| Federal payment for St. Coletta /2 | --- | --- | --- | 2,000 | --- | --- |
| Federal payment for the Family Literacy Program | 3,974 | --- | 2,000 | --- | 2,000 | -1,974 |
| Federal payment for Transportation Assistance | --- | --- | --- | 3,500 | 3,500 | +3,500 |
| Federal payment for Foster Care Improvements in the District of Columbia | --- | --- | --- | 14,000 | 14,000 | +14,000 |
| Federal Payment to the Office of the Chief Financial Officer of the District of Columbia | 40,535 | --- | 10,000 | 33,000 | 32,350 | -8,185 |
| Federal Payment for emergency personnel cross training | --- | --- | --- | --- | 500 | +500 |
| Federal payment for School Improvement | --- | --- | 10,000 | 27,000 | 40,000 | +40,000 |
| Federal payment to the District of Columbia Department of Transportation | 993 | --- | --- | --- | --- | -993 |
| Federal payment for Waterfront Improvements | 2,285 | --- | --- | --- | --- | -2,285 |
| Federal payment for Asbestos Remediation | 993 | --- | --- | --- | --- | -993 |
| Federal payment to the Fire and Emergency Medical Services Department | 1,987 | --- | --- | --- | --- | -1,987 |
| Federal payment for Special Education | 2,981 | --- | --- | --- | --- | -2,981 |
| Federal payment to the District of Columbia for Public Charter School Facilities | 16,889 | --- | --- | --- | --- | -16,889 |
| Total, Federal funds to the District of Columbia | 508,670 | 420,644 | 466,000 | 545,000 | 545,000 | +36,330 |

1/ Funds are for the Anacostia Riverwalk and Trail construction.

2/ $298,000, $4,967,000, and $1,987,000 respectively is included in FY2003 under Federal payment to the Chief Financial Officer of the District of Columbia.

| | | | | | | |
|---|---|---|---|---|---|---|
| DISTRICT OF COLUMBIA FUNDS | | | | | | |
| Operating Expenses | | | | | | |
| Governmental direction and support | (303,673) | (284,415) | (284,415) | (284,415) | (284,415) | (-19,258) |
| Economic development and regulation | (244,358) | (276,647) | (276,647) | (276,647) | (276,647) | (+32,289) |
| Public safety and justice | (622,531) | (745,958) | (745,958) | (745,958) | (745,958) | (+123,427) |
| Public education system | (1,206,169) | (1,157,841) | (1,157,841) | (1,157,841) | (1,157,841) | (-48,328) |
| Human support services | (2,451,818) | (2,360,067) | (2,360,067) | (2,360,067) | (2,360,067) | (-91,751) |
| Public Works | (320,357) | (327,046) | (327,046) | (327,046) | (327,046) | (+6,689) |
| Reserve | (70,000) | --- | --- | --- | --- | (-70,000) |
| Cash Reserve | --- | (50,000) | (50,000) | (50,000) | (50,000) | (+50,000) |
| Repayment of Loans and Interest | (260,951) | (311,504) | (311,504) | (311,504) | (311,504) | (+50,553) |
| Repayment of General Fund Recovery Debt | (39,300) | --- | --- | --- | --- | (-39,300) |
| Payment of Interest on Short-Term Borrowing | (1,000) | (3,000) | (3,000) | (3,000) | (3,000) | (+2,000) |
| Certificates of Participation | (7,950) | (4,911) | (4,911) | (4,911) | (4,911) | (-3,039) |
| Settlements and Judgments | (22,822) | (22,522) | (22,522) | (22,522) | (22,522) | (-300) |
| Wilson Building | (4,194) | (3,704) | (3,704) | (3,704) | (3,704) | (-490) |
| Workforce Investments | (48,186) | (22,308) | (22,308) | (22,308) | (22,308) | (-25,878) |
| Non-Departmental Agency | (5,799) | (19,639) | (19,639) | (19,639) | (19,639) | (+13,840) |
| Pay-As-You-Go Capital | --- | (11,267) | (11,267) | (11,267) | (11,267) | (+11,267) |
| Tax Increment Financing Program | --- | (1,940) | (1,940) | (1,940) | (1,940) | (+1,940) |
| Medicaid Disallowance | --- | (57,000) | (57,000) | (57,000) | (57,000) | (+57,000) |
| Emergency Planning and Security Costs | (15,000) | --- | --- | --- | --- | (-15,000) |
| Total, operating expenses, general fund | (5,624,108) | (5,659,769) | (5,659,769) | (5,659,769) | (5,659,769) | (+35,661) |

DIVISION C--DISTRICT OF COLUMBIA APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Enterprise and Other Funds | | | | | | |
| Water and Sewer Authority | (253,743) | (259,095) | (259,095) | (259,095) | (259,095) | (+5,352) |
| Washington Aqueduct | (57,847) | (55,553) | (55,553) | (55,553) | (55,553) | (-2,294) |
| Stormwater Permit Compliance enterprise fund | (3,100) | (3,501) | (3,501) | (3,501) | (3,501) | (+401) |
| Lottery and Charitable Games enterprise fund | (232,881) | (242,755) | (242,755) | (242,755) | (242,755) | (+9,874) |
| Sports and Entertainment Commission | (20,510) | (13,979) | (13,979) | (13,979) | (13,979) | (-6,531) |
| District of Columbia Retirement Board | (13,388) | (13,895) | (13,895) | (13,895) | (13,895) | (+507) |
| Washington Convention Center enterprise fund | (78,700) | (69,742) | (69,742) | (69,742) | (69,742) | (-8,958) |
| National Capital Revitalization Corporation | (6,745) | (7,849) | (7,849) | (7,849) | (7,849) | (+1,104) |
| Total, Enterprise Funds | (666,914) | (666,369) | (666,369) | (666,369) | (666,369) | (-545) |
| Total, operating expenses | (6,291,022) | (6,326,138) | (6,326,138) | (6,326,138) | (6,326,138) | (+35,116) |
| Capital Outlay | | | | | | |
| General fund | (670,520) | (904,913) | (904,913) | (904,913) | (904,913) | (+234,393) |
| Water and Sewer Fund | (342,458) | (199,807) | (199,807) | (199,807) | (229,807) | (-112,651) |
| Total, Capital Outlay | (1,012,978) | (1,104,720) | (1,104,720) | (1,104,720) | (1,134,720) | (+121,742) |
| Total, District of Columbia funds | (7,304,000) | (7,430,858) | (7,430,858) | (7,430,858) | (7,460,858) | (+156,858) |
| Grand total: | | | | | | |
| Federal Funds to the District of Columbia | 508,670 | 420,644 | 466,000 | 545,000 | 545,000 | +36,330 |
| District of Columbia funds | (7,304,000) | (7,430,858) | (7,430,858) | (7,430,858) | (7,460,858) | (+156,858) |

DIVISION D--FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| TITLE I - EXPORT AND INVESTMENT ASSISTANCE | | | | | | |
| EXPORT-IMPORT BANK OF THE UNITED STATES | | | | | | |
| Subsidy appropriation | 509,566 | --- | --- | --- | --- | -509,566 |
| Administrative expenses | 67,856 | 75,395 | 71,395 | 74,395 | 72,895 | +5,039 |
| Inspector General | --- | 1,200 | --- | 1,000 | --- | --- |
| Negative subsidy | -13,000 | -34,000 | -34,000 | -34,000 | -34,000 | -21,000 |
| Total, Export-Import Bank of the United States | 564,422 | 42,595 | 37,395 | 41,395 | 38,895 | -525,527 |
| OVERSEAS PRIVATE INVESTMENT CORPORATION | | | | | | |
| Noncredit account: | | | | | | |
| Administrative expenses | 39,626 | 42,385 | 41,385 | 41,385 | 41,385 | +1,759 |
| Insurance fees and other offsetting collections | -306,000 | -272,000 | -272,000 | -272,000 | -272,000 | +34,000 |
| Subsidy appropriation | 23,844 | 24,000 | 24,000 | 24,000 | 24,000 | +156 |
| Total, Overseas Private Investment Corporation | -242,530 | -205,615 | -206,615 | -206,615 | -206,615 | +35,915 |
| FUNDS APPROPRIATED TO THE PRESIDENT | | | | | | |
| Trade and development agency | 46,706 | 60,000 | 50,000 | 50,000 | 50,000 | +3,294 |
| Total, title I, Export and investment assistance | 368,598 | -103,020 | -119,220 | -115,220 | -117,720 | -486,318 |
| TITLE II - BILATERAL ECONOMIC ASSISTANCE | | | | | | |
| FUNDS APPROPRIATED TO THE PRESIDENT | | | | | | |
| United States Agency for International Development | | | | | | |
| Child survival and health programs fund | 1,824,563 | 1,495,000 | 2,235,830 | 1,435,500 | 1,835,000 | +10,437 |
| UNICEF | (120,000) | --- | (120,000) | --- | --- | (-120,000) |
| Global AIDS initiative/Coordinator | --- | --- | (870,830) | --- | --- | --- |
| (Transfer out) | (-5,961) | --- | (-6,000) | (-6,000) | (-6,000) | (-39) |
| Emergency supplemental (P.L. 108-11) | 90,000 | --- | --- | --- | --- | -90,000 |
| Global AIDS initiative | --- | 450,000 | --- | 989,000 | 491,000 | +491,000 |
| (Transfer out) | --- | --- | --- | (-20,000) | (-15,000) | (-15,000) |
| Development assistance | 1,379,972 | 1,345,000 | 1,317,000 | 1,423,000 | 1,385,000 | +5,028 |
| (Transfer out) | --- | (-21,000) | (-21,000) | (-21,000) | (-21,000) | (-21,000) |
| International disaster assistance | 288,115 | 235,500 | 315,500 | 235,500 | 255,500 | -32,615 |
| Emergency supplemental (P.L. 108-11) | 143,800 | --- | --- | --- | --- | -143,800 |
| Famine fund | --- | 200,000 | --- | 100,000 | --- | --- |
| Transition Initiatives | 49,675 | 55,000 | 55,000 | 55,000 | 55,000 | +5,325 |
| Development Credit Authority: | | | | | | |
| (By transfer) | --- | (21,000) | (21,000) | (21,000) | (21,000) | (+21,000) |
| Administrative expenses | 7,542 | 8,000 | 8,000 | 8,000 | 8,000 | +458 |
| Subtotal, development assistance | 3,783,667 | 3,788,500 | 3,931,330 | 4,246,000 | 4,029,500 | +245,833 |
| Payment to the Foreign Service Retirement and Disability Fund | 45,200 | 43,859 | 43,859 | 43,859 | 43,859 | -1,341 |
| Operating expenses of the U.S. Agency for International Development | 568,282 | 604,100 | 604,100 | 604,100 | 604,100 | +35,818 |
| Emergency supplemental (P.L. 108-11) | 24,500 | --- | --- | --- | --- | -24,500 |
| (By transfer) | (5,961) | --- | (6,000) | (6,000) | (6,000) | (+39) |
| (By transfer) | --- | --- | (15,000) | --- | --- | --- |
| (Transfer out) of Iraq Relief Fund | --- | --- | (-15,000) | --- | --- | --- |
| Emergency supplemental (P.L. 108-11) (Transfer to U.S. AID Office of Inspector General) | (-3,500) | --- | --- | --- | --- | (+3,500) |
| Capital Investment Fund | 42,721 | 146,300 | 49,300 | 100,000 | 82,200 | +39,479 |
| Operating expenses of the U.S. Agency for International Development Office of Inspector General | 33,084 | 35,000 | 35,000 | 35,000 | 35,000 | +1,916 |
| Emergency supplemental (P.L. 108-11) (By transfer) | (3,500) | --- | --- | --- | --- | (-3,500) |
| Total, U.S. Agency for International Development | 4,497,454 | 4,617,759 | 4,663,589 | 5,028,959 | 4,794,659 | +297,205 |
| Other Bilateral Economic Assistance | | | | | | |
| Economic support fund: | | | | | | |
| Israel | 596,100 | 480,000 | 480,000 | 1,055,000 | 480,000 | -116,100 |
| Egypt | 611,002 | 575,000 | 575,000 | --- | 575,000 | -36,002 |
| Other | 1,048,142 | 1,480,000 | 1,185,500 | 1,360,000 | 1,077,500 | +29,358 |
| Economic support fund (P.L. 108-11) | 2,422,000 | --- | --- | --- | --- | -2,422,000 |
| Pakistan debt relief | --- | --- | --- | --- | --- | --- |

DIVISION D--FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Loan guarantees to Egypt: | | | | | | |
| (Limitation on guaranteed loans) (P.L. 108-11) | (2,000,000) | --- | --- | --- | --- | (-2,000,000) |
| Loan guarantees to Turkey: | | | | | | |
| (Limitation on guaranteed loans) (P.L. 108-11) | (8,500,000) | --- | --- | --- | --- | (-8,500,000) |
| Subtotal, Economic support fund | 4,677,244 | 2,535,000 | 2,240,500 | 2,415,000 | 2,132,500 | -2,544,744 |
| International Fund for Ireland | 24,837 | --- | 19,600 | --- | 18,500 | -6,337 |
| Assistance for Eastern Europe and the Baltic States | 521,587 | 435,000 | 452,000 | 445,000 | 445,000 | -76,587 |
| Assistance for the Independent States of the former Soviet Union | 755,060 | 576,000 | 576,000 | 596,000 | 587,000 | -168,060 |
| US emergency fund for complex international crises | --- | 100,000 | --- | --- | --- | --- |
| Iraq relief and reconstruction fund (P.L. 108-11) | 2,475,000 | --- | --- | --- | --- | -2,475,000 |
| (Transfer authority) (P.L. 108-11) | (200,000) | --- | --- | --- | --- | (-200,000) |
| Loan guarantees to Israel: | | | | | | |
| (Limitation on guaranteed loans) (P.L. 108-11) | (9,000,000) | --- | --- | --- | --- | (-9,000,000) |
| Total, Other Bilateral Economic Assistance | 8,453,728 | 3,646,000 | 3,288,100 | 3,456,000 | 3,183,000 | -5,270,728 |
| INDEPENDENT AGENCIES | | | | | | |
| Inter-American Foundation | | | | | | |
| Appropriation | 16,095 | 15,185 | 15,185 | 16,334 | 16,334 | +239 |
| African Development Foundation | | | | | | |
| Appropriation | 18,568 | 17,689 | 17,689 | 18,689 | 18,689 | +121 |
| Peace Corps | | | | | | |
| Appropriation | 295,069 | 359,000 | 314,000 | 310,000 | 310,000 | +14,931 |
| (By transfer) | --- | --- | --- | (20,000) | (15,000) | (+15,000) |
| Millenium Challenge Corporation | | | | | | |
| Appropriation | --- | 1,300,000 | 800,000 | 1,000,000 | 650,000 | +650,000 |
| Department of State | | | | | | |
| International narcotics control and law enforcement | 195,720 | 284,550 | 241,700 | 284,550 | 241,700 | +45,980 |
| (Transfer out) | --- | --- | --- | (-37,000) | --- | --- |
| Emergency supplemental (P.L. 108-11) | 25,000 | --- | --- | --- | --- | -25,000 |
| Andean Counterdrug Initiative | 695,450 | 731,000 | 731,000 | 660,000 | 731,000 | +35,550 |
| Emergency supplemental (P.L. 108-11) | 34,000 | --- | --- | --- | --- | -34,000 |
| (By transfer) | (92,396) | --- | --- | (54,000) | (17,000) | (-75,396) |
| Emergency supplemental (P.L. 108-11) (By transfer) | (20,000) | --- | --- | --- | --- | (-20,000) |
| Migration and refugee assistance | 781,885 | 760,197 | 760,197 | 760,197 | 760,197 | -21,688 |
| United States Emergency Refugee and Migration Assistance Fund | 25,831 | 40,000 | 15,831 | 40,000 | 30,000 | +4,169 |
| Emergency supplemental (P.L. 108-11) | 80,000 | --- | --- | --- | --- | -80,000 |
| Nonproliferation, anti-terrorism, demining and related programs | 304,408 | 385,200 | 335,200 | 385,200 | 353,500 | +49,092 |
| (By transfer) | --- | --- | --- | (15,000) | --- | --- |
| Emergency supplemental (P.L. 108-11) | 28,000 | --- | --- | --- | --- | -28,000 |
| Subtotal, Department of State | 2,170,294 | 2,200,947 | 2,083,928 | 2,129,947 | 2,116,397 | -53,897 |
| Department of the Treasury | | | | | | |
| International Affairs Technical Assistance | 10,730 | 14,000 | 19,000 | 12,000 | 19,000 | +8,270 |
| Debt restructuring | --- | 395,000 | 95,000 | 195,000 | 95,000 | +95,000 |
| Subtotal, Department of the Treasury | 10,730 | 409,000 | 114,000 | 207,000 | 114,000 | +103,270 |
| Total, title II, Bilateral economic assistance | 15,461,938 | 12,565,580 | 11,296,491 | 12,166,929 | 11,203,079 | -4,258,859 |
| Appropriations | (10,139,638) | (12,565,580) | (11,296,491) | (12,166,929) | (11,203,079) | (+1,063,441) |
| Emergency appropriations | (5,322,300) | --- | --- | --- | --- | (-5,322,300) |
| (By transfer) | (121,857) | (21,000) | (42,000) | (116,000) | (59,000) | (-62,857) |
| (Transfer out) | (-9,461) | (-21,000) | (-42,000) | (-84,000) | (-42,000) | (-32,539) |

DIVISION D--FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| TITLE III - MILITARY ASSISTANCE | | | | | | |
| FUNDS APPROPRIATED TO THE PRESIDENT | | | | | | |
| International Military Education and Training | 79,480 | 91,700 | 91,100 | 91,700 | 91,700 | +12,220 |
| Foreign Military Financing Program: | | | | | | |
| Grants: | | | | | | |
| Israel | 2,086,350 | 2,160,000 | 2,160,000 | 3,460,000 | 2,160,000 | +73,650 |
| Egypt | 1,291,550 | 1,300,000 | 1,300,000 | --- | 1,300,000 | +8,450 |
| Other | 667,632 | 954,000 | 854,000 | 924,000 | 834,000 | +166,368 |
| Emergency supplemental (P.L. 108-11) | 2,059,100 | --- | --- | --- | --- | -2,059,100 |
| (Transfer out) | --- | --- | --- | (-32,000) | (-17,000) | (-17,000) |
| Subtotal, grants | 6,104,632 | 4,414,000 | 4,314,000 | 4,384,000 | 4,294,000 | -1,810,632 |
| (Limitation on administrative expenses) | (38,000) | (40,000) | (40,000) | (40,000) | (40,500) | (+2,500) |
| (Transfer out) | (-92,396) | --- | --- | --- | --- | (+92,396) |
| Emergency supplemental (P.L. 108-11) (Transfer out) | (-20,000) | --- | --- | --- | --- | (+20,000) |
| Total, Foreign Military Financing | 6,104,632 | 4,414,000 | 4,314,000 | 4,384,000 | 4,294,000 | -1,810,632 |
| Peacekeeping operations | 114,252 | 94,900 | 85,000 | 84,900 | 74,900 | -39,352 |
| Emergency supplemental (P.L. 108-11) | 100,000 | --- | --- | --- | --- | -100,000 |
| Total, title III, Military assistance | 6,398,364 | 4,600,600 | 4,490,100 | 4,560,600 | 4,460,600 | -1,937,764 |
| Appropriations | (4,239,264) | (4,600,600) | (4,490,100) | (4,560,600) | (4,460,600) | (+221,336) |
| Emergency appropriations | (2,159,100) | --- | --- | --- | --- | (-2,159,100) |
| (Transfer out) | (-112,396) | --- | --- | (-32,000) | (-17,000) | (+95,396) |
| (Limitation on administrative expenses) | (38,000) | (40,000) | (40,000) | (40,000) | (40,500) | (+2,500) |
| TITLE IV - MULTILATERAL ECONOMIC ASSISTANCE | | | | | | |
| FUNDS APPROPRIATED TO THE PRESIDENT | | | | | | |
| International Financial Institutions | | | | | | |
| World Bank Group | | | | | | |
| Contribution to the International Bank for Reconstruction and Development: | | | | | | |
| Global Environment Facility | 146,852 | 184,997 | 107,500 | 170,997 | 139,240 | -7,612 |
| Contribution to the International Development Association | 844,475 | 976,825 | 850,000 | 976,825 | 913,200 | +68,725 |
| Contribution to Multilateral Investment Guarantee Agency | 1,620 | 4,002 | 4,002 | 1,124 | 1,124 | -496 |
| (Limitation on callable capital subscriptions) | (7,610) | (16,340) | (16,340) | (16,340) | --- | (-7,610) |
| Total, World Bank Group | 992,947 | 1,165,824 | 961,502 | 1,148,946 | 1,053,564 | +60,617 |
| Contribution to the Inter-American Development Bank: | | | | | | |
| Contribution to the Inter-American Investment Corporation | 18,233 | 30,898 | --- | 898 | --- | -18,233 |
| Contribution to the Enterprise for the Americas Multilateral Investment Fund | 24,431 | 32,614 | 25,000 | 30,614 | 25,000 | +569 |
| Total, Inter-American Development Bank | 42,664 | 63,512 | 25,000 | 31,512 | 25,000 | -17,664 |
| Contribution to the Asian Development Bank: | | | | | | |
| Contribution to the Asian Development Fund | 97,250 | 151,921 | 151,921 | 136,921 | 144,421 | +47,171 |
| Contribution to the African Development Bank: | | | | | | |
| Paid-in capital | 5,071 | 5,105 | 5,105 | 5,105 | 5,105 | +34 |
| (Limitation on callable capital subscriptions) | (79,603) | (79,610) | (79,610) | (79,610) | (79,610) | (+7) |
| Contribution to the African Development Fund | 107,371 | 118,081 | 107,371 | 118,081 | 112,725 | +5,354 |
| Total, African Development Bank | 112,442 | 123,186 | 112,476 | 123,186 | 117,830 | +5,388 |
| Contribution to the European Bank for Reconstruction and Development: | | | | | | |
| Paid-in capital | 35,572 | 35,431 | 35,431 | 35,431 | 35,431 | -141 |
| (Limitation on callable capital subscriptions) | (123,328) | (122,085) | (122,085) | (122,085) | (122,085) | (-1,243) |
| Contribution to the International Fund for Agricultural Development | 14,906 | 15,004 | 15,004 | 15,004 | 15,004 | +98 |
| Total, International Financial Institutions | 1,295,781 | 1,554,878 | 1,301,334 | 1,491,000 | 1,391,250 | +95,469 |

DIVISION D--FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| International Organizations and Programs | | | | | | |
| Appropriation | 193,882 | 314,550 | 194,550 | 322,550 | 321,650 | +127,768 |
| Total, title IV, Multilateral economic assistance | 1,489,663 | 1,869,428 | 1,495,884 | 1,813,550 | 1,712,900 | +223,237 |
| (Limitation on callable capital subscript) | (210,541) | (218,035) | (218,035) | (218,035) | (201,695) | (-8,846) |
| Grand total: | | | | | | |
| New budget (obligational) authority | 23,718,563 | 18,932,588 | 17,163,255 | 18,425,859 | 17,258,859 | -6,459,704 |
| (By transfer) | (121,857) | (21,000) | (42,000) | (116,000) | (59,000) | (-62,857) |
| (Transfer out) | (-121,857) | (-21,000) | (-42,000) | (-116,000) | (-59,000) | (+62,857) |
| (Limitation on administrative expenses) | (38,000) | (40,000) | (40,000) | (40,000) | (40,500) | (+2,500) |
| (Limitation on callable capital subscript) | (210,541) | (218,035) | (218,035) | (218,035) | (201,695) | (-8,846) |
| (Emergency Supplemental (P.L. 108-11)) | (7,481,400) | --- | --- | --- | --- | (-7,481,400) |

DIVISION E--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| TITLE I - DEPARTMENT OF LABOR | | | | | | |
| Employment and Training Administration | | | | | | |
| Training and employment services | 2,737,161 | 2,488,986 | 2,614,039 | 2,677,588 | 2,697,654 | -39,507 |
| Advance appropriation, FY 2005 | 2,463,000 | 2,463,000 | 2,463,000 | 2,463,000 | 2,463,000 | --- |
| Total | 5,200,161 | 4,951,986 | 5,077,039 | 5,140,588 | 5,160,654 | -39,507 |
| Community service employment for older Americans | 442,306 | 440,200 | 440,200 | 442,306 | 441,253 | -1,053 |
| Federal unemployment benefits and allowances (indefinite) | 972,200 | 1,338,200 | 1,338,200 | 1,338,200 | 1,338,200 | +366,000 |
| State unemployment insurance and employment service operations | 142,520 | 144,452 | 142,520 | 142,520 | 142,520 | --- |
| Trust funds | 3,452,861 | 3,502,331 | 3,472,861 | 3,478,032 | 3,466,861 | +14,000 |
| Total | 3,595,381 | 3,646,783 | 3,615,381 | 3,620,552 | 3,609,381 | +14,000 |
| Advances to the Unemployment Trust Fund and other funds | 463,000 | 467,000 | 467,000 | 467,000 | 467,000 | +4,000 |
| Program administration | 120,635 | 115,824 | 115,824 | 115,824 | 115,824 | -4,811 |
| Trust funds | 53,876 | 67,541 | 56,503 | 63,137 | 57,820 | +3,944 |
| Total | 174,511 | 183,365 | 172,327 | 178,961 | 173,644 | -867 |
| Total, Employment and Training Administration | 10,847,559 | 11,027,534 | 11,110,147 | 11,187,607 | 11,190,132 | +342,573 |
| Employee Benefits Security Administration | | | | | | |
| Salaries and expenses | 116,283 | 128,605 | 128,605 | 121,316 | 124,962 | +8,679 |
| Pension Benefit Guaranty Corporation | | | | | | |
| Pension Benefit Guaranty Corporation fund: | | | | | | |
| Trust funds | 12,965 | 16,553 | 16,553 | 16,553 | 16,553 | +3,588 |
| Employment Standards Administration | | | | | | |
| Salaries and expenses | 379,097 | 395,697 | 395,697 | 390,045 | 392,872 | +13,775 |
| Trust funds | 2,016 | 2,056 | 2,056 | 2,016 | 2,036 | +20 |
| Total | 381,113 | 397,753 | 397,753 | 392,061 | 394,908 | +13,795 |
| Special benefits | 163,000 | 163,000 | 163,000 | 163,000 | 163,000 | --- |
| Special benefits for disabled coal miners: | | | | | | |
| Direct appropriation | 408,177 | 397,000 | 397,000 | 397,000 | 397,000 | -11,177 |
| Appropriation available from prior year advance | -108,000 | -97,000 | -97,000 | -97,000 | -97,000 | +11,000 |
| Total, fiscal year 2004 appropriation | 300,177 | 300,000 | 300,000 | 300,000 | 300,000 | -177 |
| New advance, 1st quarter, FY 2005 | 97,000 | 88,000 | 88,000 | 88,000 | 88,000 | -9,000 |
| Total, special benefits for disabled coal miners | 397,177 | 388,000 | 388,000 | 388,000 | 388,000 | -9,177 |
| Energy employees occupational illness compensation fund | 104,867 | 55,074 | 55,074 | 55,074 | 55,074 | -49,793 |
| Black Lung Disability Trust Fund: | | | | | | |
| Definite | 1,034,644 | 1,042,644 | 1,042,644 | 1,042,644 | 1,042,644 | +8,000 |
| Indefinite | 356 | 356 | 356 | 356 | 356 | --- |
| Total | 1,035,000 | 1,043,000 | 1,043,000 | 1,043,000 | 1,043,000 | +8,000 |
| Total, Employment Standards Administration | 2,081,157 | 2,046,827 | 2,046,827 | 2,041,135 | 2,043,982 | -37,175 |
| Occupational Safety and Health Administration | | | | | | |
| Salaries and expenses | 450,310 | 450,008 | 450,008 | 463,324 | 460,786 | +10,476 |
| Mine Safety and Health Administration | | | | | | |
| Salaries and expenses | 272,956 | 266,767 | 266,767 | 270,711 | 270,826 | -2,130 |
| Bureau of Labor Statistics | | | | | | |
| Salaries and expenses | 420,672 | 437,152 | 437,152 | 445,113 | 447,088 | +26,416 |
| Trust funds | 71,561 | 75,110 | 75,110 | 75,110 | 75,110 | +3,549 |
| Total | 492,233 | 512,262 | 512,262 | 520,223 | 522,198 | +29,965 |

DIVISION E--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Office of Disability Employment Policy | 47,178 | 47,333 | 47,333 | 47,333 | 47,333 | +155 |
| Departmental Management | | | | | | |
| Salaries and expenses | 387,533 | 273,219 | 252,701 | 351,295 | 352,514 | -35,019 |
| Trust funds | 308 | 317 | 317 | 314 | 316 | +8 |
| Total | 387,841 | 273,536 | 253,018 | 351,609 | 352,830 | -35,011 |
| Veterans Employment and Training | 25,508 | 26,550 | 26,550 | 26,550 | 26,550 | +1,042 |
| Trust funds | 187,311 | 193,443 | 193,443 | 193,443 | 193,443 | +6,132 |
| Total | 212,819 | 219,993 | 219,993 | 219,993 | 219,993 | +7,174 |
| Office of Inspector General | 56,291 | 60,896 | 60,896 | 59,291 | 60,094 | +3,803 |
| Trust funds | 5,561 | 5,899 | 5,899 | 5,561 | 5,730 | +169 |
| Total | 61,852 | 66,795 | 66,795 | 64,852 | 65,824 | +3,972 |
| Total, Departmental Management | 662,512 | 560,324 | 539,806 | 636,454 | 638,647 | -23,865 |
| Working Capital Fund | --- | 20,000 | 18,000 | 9,700 | 13,850 | +13,850 |
| Total, Title I, Department of Labor | 14,983,153 | 15,076,213 | 15,136,308 | 15,314,356 | 15,329,269 | +346,116 |
| Appropriations, fiscal year 2004 | (12,531,153) | (12,622,213) | (12,682,308) | (12,860,356) | (12,875,269) | (+344,116) |
| Appropriations available from prior advances | (-108,000) | (-97,000) | (-97,000) | (-97,000) | (-97,000) | (+11,000) |
| Advance appropriations, fiscal year 2005 | (2,560,000) | (2,551,000) | (2,551,000) | (2,551,000) | (2,551,000) | (-9,000) |
| TITLE II - DEPARTMENT OF HEALTH AND HUMAN SERVICES | | | | | | |
| Health Resources and Services Administration | | | | | | |
| Health resources and services | 6,430,558 | 5,665,996 | 6,252,256 | 5,939,824 | 6,698,437 | +267,879 |
| Evaluation tap funding (non-add) | (25,000) | --- | --- | (25,000) | (29,500) | (+4,500) |
| Health education assistance loans program: | | | | | | |
| Administrative expenses | 3,889 | 3,389 | 3,389 | 3,389 | 3,389 | -500 |
| Vaccine injury compensation program trust fund | 85,918 | 66,000 | 66,000 | 66,000 | 66,000 | -19,918 |
| HRSA administration | 2,972 | 2,991 | 3,472 | 2,972 | 3,222 | +250 |
| Total, HRSA | 6,523,337 | 5,738,376 | 6,325,117 | 6,012,185 | 6,771,048 | +247,711 |
| Centers for Disease Control and Prevention | | | | | | |
| Disease control, research, and training | 4,284,640 | 4,267,330 | 4,588,671 | 4,494,496 | 4,545,472 | +260,832 |
| Evaluation tap funding (non-add) | (210,399) | (51,982) | (13,226) | (212,134) | (212,134) | (+1,735) |
| National Institutes of Health | | | | | | |
| National Cancer Institute | 4,592,348 | 4,770,519 | 4,770,519 | 4,770,519 | 4,770,519 | +178,171 |
| National Heart, Lung, and Blood Institute | 2,793,733 | 2,867,995 | 2,867,995 | 2,897,595 | 2,897,145 | +103,412 |
| National Institute of Dental and Craniofacial Research | 371,636 | 382,396 | 382,396 | 386,396 | 385,796 | +14,160 |
| National Institute of Diabetes and Digestive and Kidney Diseases | 1,622,730 | 1,670,007 | 1,670,007 | 1,683,007 | 1,682,457 | +59,727 |
| National Institute of Neurological Disorders and Stroke | 1,456,476 | 1,468,926 | 1,468,926 | 1,510,926 | 1,510,776 | +54,300 |
| National Institute of Allergy and Infectious Diseases | 3,706,139 | 4,335,255 | 4,335,255 | 4,335,255 | 4,335,155 | +629,016 |
| National Institute of General Medical Sciences | 1,847,000 | 1,923,133 | 1,923,133 | 1,917,033 | 1,916,333 | +69,333 |
| National Institute of Child Health and Human Development | 1,205,927 | 1,245,371 | 1,245,371 | 1,251,185 | 1,250,585 | +44,658 |
| National Eye Institute | 633,148 | 648,299 | 648,299 | 657,199 | 657,199 | +24,051 |
| National Institute of Environmental Health Sciences | 614,239 | 630,774 | 630,774 | 637,074 | 636,974 | +22,735 |
| National Institute on Aging | 993,598 | 994,411 | 994,411 | 1,031,411 | 1,031,311 | +37,713 |
| National Institute of Arthritis and Musculoskeletal and Skin Diseases | 486,143 | 502,778 | 502,778 | 505,000 | 504,300 | +18,157 |
| National Institute on Deafness and Other Communication Disorders | 370,382 | 380,377 | 380,377 | 384,577 | 384,477 | +14,095 |
| National Institute of Nursing Research | 130,584 | 134,579 | 134,579 | 135,579 | 135,555 | +4,971 |
| National Institute on Alcohol Abuse and Alcoholism | 416,051 | 430,121 | 430,121 | 431,521 | 431,471 | +15,420 |
| National Institute on Drug Abuse | 961,721 | 995,614 | 995,614 | 997,614 | 997,414 | +35,693 |
| National Institute of Mental Health | 1,341,014 | 1,382,114 | 1,382,114 | 1,391,114 | 1,390,714 | +49,700 |
| National Human Genome Research Institute | 464,995 | 478,072 | 478,072 | 482,372 | 482,222 | +17,227 |
| National Institute for Biomedical Imaging and Bioengineering | 278,279 | 282,109 | 282,109 | 289,300 | 288,900 | +10,621 |
| National Center for Research Resources | 1,138,821 | 1,053,926 | 1,053,926 | 1,186,483 | 1,186,183 | +47,362 |
| National Center for Complementary and Alternative Medicine | 113,407 | 116,202 | 116,202 | 117,902 | 117,752 | +4,345 |

DIVISION E--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| National Center on Minority Health and Health Disparities | 185,714 | 192,724 | 192,724 | 192,824 | 192,724 | +7,010 |
| John E. Fogarty International Center | 63,465 | 64,266 | 64,266 | 65,900 | 65,800 | +2,335 |
| National Library of Medicine | 300,135 | 316,040 | 316,040 | 311,835 | 311,635 | +11,500 |
| Evaluation tap funding (non-add) | (8,200) | --- | --- | (8,200) | (8,200) | --- |
| Office of the Director | 266,232 | 317,983 | 317,983 | 323,483 | 329,707 | +63,475 |
| Buildings and facilities | 628,687 | 80,000 | 80,000 | 89,500 | 89,500 | -539,187 |
| Total, N.I.H. | 26,982,604 | 27,663,991 | 27,663,991 | 27,982,604 | 27,982,604 | +1,000,000 |
| Substance Abuse and Mental Health Services Administration | | | | | | |
| Substance abuse and mental health services | 3,137,540 | 3,393,315 | 3,329,000 | 3,157,540 | 3,253,763 | +116,223 |
| Evaluation tap funding (non-add) | (74,200) | (16,000) | (16,000) | (117,050) | (117,050) | (+42,850) |
| Agency for Healthcare Research and Quality | | | | | | |
| Healthcare research and quality | --- | --- | --- | --- | --- | --- |
| Evaluation tap funding (non-add) | (303,695) | (279,000) | (303,695) | (303,695) | (303,695) | --- |
| Total, Public Health Service | 40,928,121 | 41,063,012 | 41,906,779 | 41,646,825 | 42,552,887 | +1,624,766 |
| Centers for Medicare and Medicaid Services | | | | | | |
| Grants to States for Medicaid | 158,692,155 | 176,753,583 | 182,753,583 | 176,753,583 | 182,753,583 | +24,061,428 |
| Appropriation available from prior year advance | -46,601,937 | -51,861,386 | -51,861,386 | -51,861,386 | -51,861,386 | -5,259,449 |
| Total, adjusted appropriation | 112,090,218 | 124,892,197 | 130,892,197 | 124,892,197 | 130,892,197 | +18,801,979 |
| New advance, 1st quarter, FY 2005 | 51,861,386 | 58,416,275 | 58,416,275 | 58,416,275 | 58,416,275 | +6,554,889 |
| Total, grants to States for Medicaid | 163,951,604 | 183,308,472 | 189,308,472 | 183,308,472 | 189,308,472 | +25,356,868 |
| Payments to health care trust funds | 81,462,700 | 95,084,100 | 95,084,100 | 95,084,100 | 95,084,100 | +13,621,400 |
| Program management (trust funds) | 2,564,891 | 2,733,507 | 2,698,025 | 2,707,603 | 2,664,994 | +100,103 |
| Total, Center for Medicare & Medicaid Services | 247,979,195 | 281,126,079 | 287,090,597 | 281,100,175 | 287,057,566 | +39,078,371 |
| Appropriations, fiscal year 2004 | (242,719,746) | (274,571,190) | (280,535,708) | (274,545,286) | (280,502,677) | (+37,782,931) |
| Appropriations available from prior advances | (-46,601,937) | (-51,861,386) | (-51,861,386) | (-51,861,386) | (-51,861,386) | (-5,259,449) |
| Advance appropriations, FY 2005 | (51,861,386) | (58,416,275) | (58,416,275) | (58,416,275) | (58,416,275) | (+6,554,889) |
| Administration for Children and Families | | | | | | |
| Payments to States for Child Support Enforcement and Family Support Programs | 4,036,800 | 4,525,270 | 4,525,270 | 4,572,270 | 4,572,270 | +535,470 |
| Less funds advanced in previous years | -1,100,000 | -1,100,000 | -1,100,000 | -1,100,000 | -1,100,000 | --- |
| Total, adjusted appropriation | 2,936,800 | 3,425,270 | 3,425,270 | 3,472,270 | 3,472,270 | +535,470 |
| New advance, 1st quarter, FY 2005 | 1,100,000 | 1,200,000 | 1,200,000 | 1,200,000 | 1,200,000 | +100,000 |
| Total | 4,036,800 | 4,625,270 | 4,625,270 | 4,672,270 | 4,672,270 | +635,470 |
| Low income home energy assistance: | | | | | | |
| Emergency allocation: | | | | | | |
| Contingent non-emergency funding | --- | 300,000 | 100,000 | --- | 100,000 | +100,000 |
| Contingent emergency funding | --- | --- | --- | --- | --- | --- |
| Current appropriation | 1,688,950 | 1,700,000 | 1,700,000 | 2,000,000 | 1,800,000 | +111,050 |
| Total | 1,688,950 | 2,000,000 | 1,800,000 | 2,000,000 | 1,900,000 | +211,050 |
| Refugee and entrant assistance | 478,048 | 461,626 | 461,853 | 428,056 | 450,276 | -27,772 |
| Payments to States for the Child Care and Development Block Grant | 2,086,344 | 2,099,729 | 2,099,729 | 2,099,729 | 2,099,729 | +13,385 |
| Social Services Block Grant | 1,700,000 | 1,700,000 | 1,700,000 | 1,700,000 | 1,700,000 | --- |
| Children and families services programs | 7,245,276 | 7,287,382 | 7,214,670 | 7,382,457 | 7,416,097 | +170,821 |
| Advance appropriation, FY 2005 | 1,400,000 | 1,400,000 | 1,400,000 | 1,400,000 | 1,400,000 | --- |
| Evaluation tap funding (non-add) | (6,000) | --- | --- | (6,000) | (6,000) | --- |
| Total | 8,645,276 | 8,687,382 | 8,614,670 | 8,782,457 | 8,816,097 | +170,821 |
| Promoting Safe and Stable Families | 305,000 | 305,000 | 305,000 | 305,000 | 305,000 | --- |
| Discretionary portion | 99,350 | 199,978 | 100,000 | 99,350 | 100,000 | +650 |
| Payments to States for foster care and adoption assistance | 6,609,000 | 6,813,900 | 6,813,900 | 6,813,900 | 6,813,900 | +204,900 |
| Less funds advanced in previous years | -1,754,000 | -1,745,600 | -1,745,600 | -1,745,600 | -1,745,600 | +8,400 |
| Total, adjusted appropriation | 4,855,000 | 5,068,300 | 5,068,300 | 5,068,300 | 5,068,300 | +213,300 |

DIVISION E--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| New advance, 1st quarter, FY 2005 | 1,745,600 | 1,767,700 | 1,767,700 | 1,767,700 | 1,767,700 | +22,100 |
| Total, Payments to States for foster care | 6,600,600 | 6,836,000 | 6,836,000 | 6,836,000 | 6,836,000 | +235,400 |
| Total, Administration for Children and Families | 25,640,368 | 26,914,985 | 26,542,522 | 26,922,862 | 26,879,372 | +1,239,004 |
| Administration on Aging | | | | | | |
| Aging services program | 1,367,057 | 1,343,701 | 1,377,421 | 1,361,193 | 1,381,689 | +14,632 |
| Office of the Secretary | | | | | | |
| General departmental management | 345,160 | 348,100 | 343,284 | 344,808 | 357,358 | +12,198 |
| Trust funds | 5,813 | 5,851 | 5,813 | 5,851 | 5,851 | +38 |
| Total | 350,973 | 353,951 | 349,097 | 350,659 | 363,209 | +12,236 |
| Evaluation tap funding (NA) | (21,552) | (21,552) | (21,552) | (21,552) | (21,552) | --- |
| Office of Inspector General | 36,808 | 39,497 | 39,497 | 39,497 | 39,497 | +2,689 |
| Office for Civil Rights | 30,131 | 30,936 | 30,936 | 30,936 | 30,936 | +805 |
| Trust funds | 3,292 | 3,314 | 3,314 | 3,314 | 3,314 | +22 |
| Total | 33,423 | 34,250 | 34,250 | 34,250 | 34,250 | +827 |
| Policy research | 2,483 | 2,499 | 2,483 | --- | --- | -2,483 |
| Evaluation tap funding (NA) | (18,000) | (21,000) | (18,000) | (23,499) | (20,750) | (+2,750) |
| Medical Benefits for Commissioned Officers: | | | | | | |
| Expenses (indefinite) | 310,017 | 303,392 | 329,868 | 329,868 | 329,868 | +19,851 |
| Discretionary funding | --- | 12,973 | --- | --- | --- | --- |
| Total | 310,017 | 316,365 | 329,868 | 329,868 | 329,868 | +19,851 |
| Public Health and Social Services Emergency Fund | 1,887,247 | 1,896,149 | 1,776,846 | 1,856,040 | 1,776,846 | -110,401 |
| Total, Office of the Secretary | 2,620,951 | 2,642,711 | 2,532,041 | 2,610,314 | 2,543,670 | -77,281 |
| Net total, Title II, Department of Health and Human Services | 318,535,692 | 353,090,488 | 359,449,360 | 353,641,369 | 360,415,184 | +41,879,492 |
| Appropriations, fiscal year 2004 | (311,884,643) | (345,013,499) | (351,372,371) | (345,564,380) | (352,338,195) | (+40,453,552) |
| Appropriations | (309,310,647) | (342,270,827) | (348,665,219) | (342,847,612) | (349,664,036) | (+40,353,389) |
| Contingent emergency funding | --- | --- | --- | --- | --- | --- |
| Trust funds | (2,573,996) | (2,742,672) | (2,707,152) | (2,716,768) | (2,674,159) | (+100,163) |
| Appropriations available from prior advances | (-49,455,937) | (-54,706,986) | (-54,706,986) | (-54,706,986) | (-54,706,986) | (-5,251,049) |
| Advance appropriations, FY 2005 | (56,106,986) | (62,783,975) | (62,783,975) | (62,783,975) | (62,783,975) | (+6,676,989) |
| Total, discretionary FY 2004 | 58,683,053 | 59,462,254 | 59,794,650 | 59,939,659 | 60,713,474 | +2,030,421 |
| TITLE III - DEPARTMENT OF EDUCATION | | | | | | |
| Education for the disadvantaged | 4,710,972 | 6,800,699 | 7,123,699 | 6,724,055 | 7,145,221 | +2,434,249 |
| Advance appropriation, FY 2005 | 9,027,301 | 7,383,301 | 7,383,301 | 7,383,301 | 7,383,301 | -1,644,000 |
| Total | 13,738,273 | 14,184,000 | 14,507,000 | 14,107,356 | 14,528,522 | +790,249 |
| Impact aid | 1,188,226 | 1,015,500 | 1,238,324 | 1,193,226 | 1,236,824 | +48,598 |
| School improvement programs | 4,448,092 | 3,607,834 | 4,362,637 | 4,296,453 | 4,399,208 | -48,884 |
| Advance appropriation, FY 2005 | 1,435,000 | 1,435,000 | 1,435,000 | 1,435,000 | 1,435,000 | --- |
| Total | 5,883,092 | 5,042,834 | 5,797,637 | 5,731,453 | 5,834,208 | -48,884 |
| Indian education | 121,573 | 122,368 | 121,573 | 121,573 | 121,573 | --- |
| Innovation and improvement | 1,099,049 | 807,400 | 807,959 | 782,133 | 1,106,811 | +7,762 |
| Safe schools and citizenship education | 554,925 | 426,250 | 495,068 | 818,547 | 862,813 | +307,888 |
| Advance appropriation, FY 2005 | 330,000 | 330,000 | 330,000 | --- | --- | -330,000 |
| Total | 884,925 | 756,250 | 825,068 | 818,547 | 862,813 | -22,112 |
| English language acquisition | 685,515 | 665,000 | 685,515 | 669,000 | 685,258 | -257 |
| Special education | 4,361,417 | 5,618,104 | 5,977,790 | 6,825,464 | 5,894,072 | +1,532,655 |
| Advance appropriation, FY 2005 | 5,672,000 | 5,072,000 | 5,072,000 | 5,402,000 | 5,413,000 | -259,000 |
| Total | 10,033,417 | 10,690,104 | 11,049,790 | 12,227,464 | 11,307,072 | +1,273,655 |
| Rehabilitation services and disability research | 420,641 | 418,751 | 415,003 | 420,198 | 429,143 | +8,502 |
| Mandatory | 2,533,492 | 2,584,162 | 2,584,162 | 2,584,162 | 2,584,162 | +50,670 |
| Total | 2,954,133 | 3,002,913 | 2,999,165 | 3,004,360 | 3,013,305 | +59,172 |

DIVISION E--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Special Institutions for Persons With Disabilities: | | | | | | |
| American Printing House for the Blind | 15,399 | 14,000 | 16,500 | 16,500 | 16,500 | +1,101 |
| National Technical Institute for the Deaf | 53,699 | 50,781 | 53,867 | 53,800 | 53,800 | +101 |
| Gallaudet University | 97,798 | 94,446 | 100,600 | 100,800 | 100,800 | +3,002 |
| Total | 166,896 | 159,227 | 170,967 | 171,100 | 171,100 | +4,204 |
| Vocational and adult education | 1,322,209 | 806,532 | 1,310,430 | 1,310,490 | 1,330,690 | +8,481 |
| Advance appropriation, FY 2005 | 791,000 | 791,000 | 791,000 | 791,000 | 791,000 | --- |
| Total | 2,113,209 | 1,597,532 | 2,101,430 | 2,101,490 | 2,121,690 | +8,481 |
| Student financial assistance | 13,363,072 | 14,518,500 | 14,247,432 | 14,174,115 | 14,090,430 | +727,358 |
| Student aid administration | 104,703 | 947,010 | 120,010 | 104,703 | 118,010 | +13,307 |
| FDSL reclassification | --- | -795,000 | --- | --- | --- | --- |
| Higher education | 2,086,496 | 1,897,938 | 1,974,036 | 1,969,982 | 2,094,511 | +8,015 |
| National security education trust fund | --- | 8,000 | --- | --- | --- | --- |
| Howard University | 238,440 | 237,474 | 242,770 | 238,440 | 240,180 | +1,740 |
| College housing and academic facilities loans program | 757 | 774 | 774 | 774 | 774 | +17 |
| Historically Black College and University capital financing, program account | 207 | 210 | 210 | 210 | 210 | +3 |
| Institute of Education Sciences | 447,956 | 375,915 | 500,599 | 532,956 | 478,717 | +30,761 |
| Departmental Management: | | | | | | |
| Program administration | 409,863 | 434,494 | 434,494 | 349,730 | 425,000 | +15,137 |
| Office for Civil Rights | 85,715 | 91,275 | 91,275 | 77,884 | 89,275 | +3,560 |
| Office of the Inspector General | 40,734 | 48,137 | 48,137 | 37,661 | 47,137 | +6,403 |
| Total | 536,312 | 573,906 | 573,906 | 465,275 | 561,412 | +25,100 |
| Total, Title III, Department of Education | 55,646,251 | 55,807,855 | 57,964,165 | 58,414,157 | 58,573,420 | +2,927,169 |
| Appropriations, fiscal year 2004 | (38,390,950) | (40,796,554) | (42,952,864) | (43,402,856) | (43,551,119) | (+5,160,169) |
| Advance appropriations, FY 2005 | (17,255,301) | (15,011,301) | (15,011,301) | (15,011,301) | (15,022,301) | (-2,233,000) |
| Total, discretionary FY 2004 | 53,112,759 | 53,223,693 | 55,380,003 | 55,829,995 | 55,989,258 | +2,876,499 |
| TITLE IV - RELATED AGENCIES | | | | | | |
| Armed Forces Retirement Home: | | | | | | |
| Operation and maintenance | 61,839 | 63,296 | 63,296 | 63,296 | 63,296 | +1,457 |
| Capital program | 5,732 | 1,983 | 1,983 | 1,983 | 1,983 | -3,749 |
| Total, AFRH | 67,571 | 65,279 | 65,279 | 65,279 | 65,279 | -2,292 |
| Corporation for National and Community Service: | | | | | | |
| Domestic Volunteer Service Programs, operating expenses | 353,888 | 364,663 | 352,836 | 355,187 | 356,443 | +2,555 |
| Corporation for Public Broadcasting: | | | | | | |
| Advance appropriation, fiscal year 2006 | 390,000 | --- | 330,000 | 400,000 | 400,000 | +10,000 |
| Digitalization | 48,427 | --- | --- | 55,000 | 50,000 | +1,573 |
| Interconnection | --- | --- | --- | 10,000 | 10,000 | +10,000 |
| Federal Mediation and Conciliation Service | 41,156 | 42,885 | 43,385 | 43,385 | 43,385 | +2,229 |
| Federal Mine Safety and Health Review Commission | 7,131 | 7,774 | 7,774 | 7,774 | 7,774 | +643 |
| Institute of Museum and Library Services | 243,889 | 242,024 | 238,126 | 243,889 | 262,596 | +18,707 |
| Medicare payment advisory commission (trust funds) | 8,529 | 9,300 | 9,000 | 9,000 | 9,300 | +771 |
| National Commission on Libraries & Information Science | 1,003 | 1,000 | 1,000 | 1,000 | 1,000 | -3 |
| National Council on Disability | 2,839 | 2,830 | 2,830 | 3,339 | 3,039 | +200 |
| National Labor Relations Board | 237,429 | 243,073 | 239,429 | 246,073 | 244,073 | +6,644 |
| National Mediation Board | 11,241 | 11,421 | 11,421 | 11,421 | 11,421 | +180 |
| Occupational Safety and Health Review Commission | 9,610 | 10,115 | 10,115 | 9,610 | 9,863 | +253 |
| Railroad Retirement Board: | | | | | | |
| Dual benefits payments account | 123,194 | 119,000 | 111,000 | 119,000 | 111,000 | -12,194 |
| Federal payments to the Railroad Retirement Accounts | 150 | 150 | 150 | 150 | 150 | --- |
| Limitation on trust fund transfer: | | | | | | |
| Administrative expenses | 99,350 | 99,820 | 101,300 | 99,350 | 101,300 | +1,950 |
| Office of Inspector General | 6,322 | 6,600 | 6,600 | 6,322 | 6,600 | +278 |
| Total | 229,016 | 225,570 | 219,050 | 224,822 | 219,050 | -9,966 |

DIVISION E--DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Social Security Administration | | | | | | |
| Payments to social security trust funds | 20,400 | 21,658 | 21,658 | 21,658 | 21,658 | +1,258 |
| Supplemental security income program: | | | | | | |
| Mandatory | 31,879,392 | 34,328,000 | 34,328,000 | 34,336,000 | 34,336,000 | +2,456,608 |
| Discretionary | 2,825,000 | 3,034,000 | 2,973,300 | 3,034,000 | 2,973,300 | +148,300 |
| Subtotal | 34,704,392 | 37,362,000 | 37,301,300 | 37,370,000 | 37,309,300 | +2,604,908 |
| Appropriation available from prior year advance | -10,790,000 | -11,080,000 | -11,080,000 | -11,080,000 | -11,080,000 | -290,000 |
| Total, fiscal year 2004 appropriation | 23,914,392 | 26,282,000 | 26,221,300 | 26,290,000 | 26,229,300 | +2,314,908 |
| User fee activities | 111,000 | 120,000 | 120,000 | 120,000 | 120,000 | +9,000 |
| New advance, 1st quarter, FY 2005 | 11,080,000 | 12,590,000 | 12,590,000 | 12,590,000 | 12,590,000 | +1,510,000 |
| Total, supplemental security income program | 35,105,392 | 38,992,000 | 38,931,300 | 39,000,000 | 38,939,300 | +3,833,908 |
| Limitation on administrative expenses: Trust funds | 7,885,137 | 8,530,000 | 8,361,800 | 8,530,000 | 8,361,800 | +476,663 |
| Office of Inspector General | 20,863 | 25,000 | 24,500 | 20,863 | 24,500 | +3,637 |
| Trust funds | 61,597 | 65,000 | 63,700 | 61,597 | 63,700 | +2,103 |
| Total | 82,460 | 90,000 | 88,200 | 82,460 | 88,200 | +5,740 |
| Adjustment: Trust fund transfers from general revenues | -2,936,000 | -3,154,000 | -3,093,300 | -3,154,000 | -3,093,300 | -157,300 |
| Total, Social Security Administration | 40,157,389 | 44,479,658 | 44,309,658 | 44,480,118 | 44,317,658 | +4,160,269 |
| Appropriations, fiscal year 2004 | (39,867,389) | (42,969,658) | (42,799,658) | (42,970,118) | (42,807,658) | (+2,940,269) |
| Advance appropriations, FY 2005 | (11,080,000) | (12,590,000) | (12,590,000) | (12,590,000) | (12,590,000) | (+1,510,000) |
| United States Institute of Peace: Operating expenses | 16,256 | 17,200 | 17,200 | 17,200 | 17,200 | +944 |
| Total, Title IV, Related agencies | 41,825,374 | 45,722,792 | 45,857,103 | 46,183,097 | 46,028,081 | +4,202,707 |
| Appropriations, fiscal year 2004 | (41,145,374) | (44,212,792) | (44,017,103) | (44,273,097) | (44,118,081) | (+2,972,707) |
| Appropriations available from prior advances | (-10,790,000) | (-11,080,000) | (-11,080,000) | (-11,080,000) | (-11,080,000) | (-290,000) |
| Advance appropriations, FY 2005 | (11,080,000) | (12,590,000) | (12,590,000) | (12,590,000) | (12,590,000) | (+1,510,000) |
| Advance appropriations, FY 2006 | (390,000) | --- | (330,000) | (400,000) | (400,000) | (+10,000) |
| Total, discretionary FY 2004 | 9,635,432 | 9,862,984 | 9,997,295 | 10,315,289 | 10,160,273 | +524,841 |
| Grand total | 430,990,470 | 469,697,348 | 478,406,936 | 473,552,979 | 480,345,954 | +49,355,484 |
| Appropriations, fiscal year 2004 | (392,466,730) | (430,482,416) | (439,045,652) | (433,997,486) | (440,941,236) | (+48,474,506) |
| Trust funds | (11,485,390) | (12,162,642) | (11,978,994) | (12,103,203) | (11,941,428) | (+456,038) |
| Total, fiscal year 2004 | (403,952,120) | (442,645,058) | (451,024,646) | (446,100,689) | (452,882,664) | (+48,930,544) |
| Appropriations available from prior advances | (-60,353,937) | (-65,883,986) | (-65,883,986) | (-65,883,986) | (-65,883,986) | (-5,530,049) |
| Advance appropriations, FY 2005 | (87,002,287) | (92,936,276) | (92,936,276) | (92,936,276) | (92,947,276) | (+5,944,989) |
| Advance appropriations, FY 2006 | (390,000) | --- | (330,000) | (400,000) | (400,000) | (+10,000) |

DIVISION F--DEPARTMENTS OF TRANSPORTATION AND TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| TITLE I - DEPARTMENT OF TRANSPORTATION | | | | | | |
| Office of the Secretary | | | | | | |
| Salaries and expenses | 87,574 | 108,931 | 93,577 | 91,276 | 80,903 | -6,671 |
| Immediate Office of the Secretary | (2,211) | --- | (2,212) | (2,500) | (2,210) | (-1) |
| Immediate Office of the Deputy Secretary | (809) | --- | (841) | (706) | (700) | (-109) |
| Immediate office of the Secretary and Deputy Secretary | --- | --- | --- | --- | --- | --- |
| Office of the General Counsel | (15,657) | --- | (15,560) | (15,403) | (15,403) | (-254) |
| Office of the Assistant Secretary for Policy | --- | --- | --- | --- | --- | --- |
| Office of the Assistant Secretary for Aviation and International Affairs | --- | --- | --- | --- | --- | --- |
| Office of the Under Secretary for Transportation Policy | (12,452) | --- | (12,717) | (12,312) | (12,312) | (-140) |
| Office of the Assistant Secretary for Budget and Programs | (8,375) | --- | (8,630) | (8,536) | (8,536) | (+161) |
| Office of the Assistant Secretary for Governmental Affairs | (2,453) | --- | (2,518) | (2,477) | (2,300) | (-153) |
| Office of the Assistant Secretary for Administration | (29,071) | --- | (28,882) | (28,882) | (24,612) | (-4,459) |
| Office of Public Affairs | (1,926) | --- | (1,982) | (1,915) | (1,915) | (-11) |
| Executive Secretariat | (1,391) | --- | (1,447) | (1,458) | (1,447) | (+56) |
| Board of Contract Appeals | (611) | --- | (730) | (700) | (700) | (+89) |
| Office of Small and Disadvantaged Business Utilization | (1,304) | --- | (1,268) | (1,268) | (1,268) | (-36) |
| Office of Intelligence and Security | --- | --- | (225) | (1,792) | (2,000) | (+2,000) |
| Office of the Chief Information Officer | (13,187) | --- | (16,565) | (13,327) | (7,500) | (-5,687) |
| Transfer to Homeland Security | (-1,873) | --- | --- | --- | --- | (+1,873) |
| Subtotal | (87,574) | --- | (93,577) | (91,276) | (80,903) | (-6,671) |
| Office of civil rights | 8,643 | 8,569 | 8,569 | 8,569 | 8,569 | -74 |
| Transportation planning, research, and development | 20,864 | 10,836 | 8,336 | 15,836 | 20,864 | --- |
| Working capital fund | (131,766) | --- | (116,715) | (116,715) | (116,715) | (-15,051) |
| Minority business resource center program | 894 | 900 | 900 | 900 | 900 | +6 |
| (Limitation on guaranteed loans) | (18,367) | (18,367) | (18,367) | (18,367) | (18,367) | --- |
| Minority business outreach | 2,981 | 3,000 | 3,000 | 3,000 | 3,000 | +19 |
| New headquarters building | --- | 45,000 | 45,000 | --- | --- | --- |
| Payments to air carriers (Airport & Airway Trust Fund) | 51,761 | --- | --- | 52,000 | 52,000 | +239 |
| Reimbursement for general aviation losses, DCA airport | --- | --- | --- | --- | --- | --- |
| Total, Office of the Secretary | 172,717 | 177,236 | 159,382 | 171,581 | 166,236 | -6,481 |
| Federal Aviation Administration | | | | | | |
| Operations | 7,023,070 | 7,590,648 | 7,532,000 | 7,535,648 | 7,530,925 | +507,855 |
| Facilities & equipment (Airport & Airway Trust Fund) | 2,961,645 | 2,916,000 | 2,900,000 | 2,916,000 | 2,910,000 | -51,645 |
| Rescission (Airport and Airway Trust Fund) | -20,000 | --- | --- | --- | -30,000 | -10,000 |
| Subtotal, F&E | 2,941,645 | 2,916,000 | 2,900,000 | 2,916,000 | 2,880,000 | -61,645 |
| Research, engineering, and development (Airport and Airway Trust Fund) | 147,485 | 100,000 | 108,000 | 118,939 | 119,439 | -28,046 |
| Grants-in-aid for airports (Airport and Airway Trust Fund): | | | | | | |
| (Liquidation of contract authorization) | (3,100,000) | (3,400,000) | (3,425,000) | (3,400,000) | (3,400,000) | (+300,000) |
| (Limitation on obligations) | (3,377,900) | (3,400,000) | --- | (3,400,000) | (3,400,000) | (+22,100) |
| (Small community air service pilot program) | (20,000) | --- | --- | --- | (20,000) | --- |
| Subtotal, Grants-in-aid | (3,377,900) | (3,400,000) | --- | (3,400,000) | (3,400,000) | (+22,100) |
| Aviation insurance revolving fund | --- | --- | --- | --- | --- | --- |
| Total, Federal Aviation Administration | 10,132,200 | 10,606,648 | 10,540,000 | 10,570,587 | 10,560,364 | +428,164 |
| (Limitations on obligations) | (3,377,900) | (3,400,000) | --- | (3,400,000) | (3,400,000) | (+22,100) |
| Rescissions | -20,000 | --- | --- | --- | -30,000 | -10,000 |
| Rescissions of contract authority | --- | --- | --- | --- | --- | --- |
| Subtotal | (13,490,100) | (14,006,648) | (10,540,000) | (13,970,587) | (13,930,364) | (+440,264) |

DIVISION F--DEPARTMENTS OF TRANSPORTATION AND TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Federal Highway Administration | | | | | | |
| Limitation on administrative expenses | (314,071) | (338,834) | (359,458) | (337,834) | (337,604) | (+23,533) |
| (Border enforcement program) | (106,897) | --- | --- | --- | --- | (-106,897) |
| Federal-aid highways (Highway Trust Fund): | | | | | | |
| (Limitation on obligations) | (27,653,143) | (29,293,948) | (33,385,000) | (33,843,000) | (33,843,000) | (+6,189,857) |
| Revenue aligned budget authority | --- | --- | --- | --- | --- | --- |
| RABA transfer to FMCSA | --- | --- | --- | --- | --- | --- |
| Miscellaneous additional limitations on obligations | (3,940,157) | --- | --- | --- | --- | (-3,940,157) |
| Subtotal (limitations on obligations) (HTF) | (31,593,300) | (29,293,948) | (33,385,000) | (33,843,000) | (33,843,000) | (+2,249,700) |
| (Exempt obligations) | (884,329) | (931,297) | (931,297) | (931,297) | (931,297) | (+46,968) |
| (Liquidation of contract authorization) | (32,000,000) | (30,000,000) | (34,000,000) | (34,000,000) | --- | (-32,000,000) |
| Miscellaneous appropriations (rescission) | -5,609 | --- | --- | --- | --- | +5,609 |
| Miscellaneous rescission of contract authority | -250,000 | --- | --- | -156,000 | -207,000 | +43,000 |
| Public Private Partnerships (Highway Trust Fund) | --- | --- | --- | --- | --- | --- |
| TEA-21 Re-designations, etc. (sec. 112) | --- | --- | --- | --- | --- | --- |
| State of Wisconsin P.L. 107-87 (sec. 113) | --- | --- | --- | --- | --- | --- |
| Wisconsin ITS Projects (sec. 114) | --- | --- | --- | --- | --- | --- |
| Ohio River Bridges | --- | --- | --- | --- | --- | --- |
| Alameda corridor (sec. 115) | --- | --- | 157,000 | --- | --- | --- |
| Kentucky Highlands | --- | --- | --- | --- | --- | --- |
| Federal aid highways (Highway trust fund) | --- | --- | 400,000 | --- | --- | --- |
| Appalachian development highway system | 186,778 | --- | --- | 150,000 | 125,000 | -61,778 |
| Total, Federal Highway Administration | 186,778 | --- | 557,000 | 150,000 | 125,000 | -61,778 |
| (Limitations on obligations) | (31,593,300) | (29,293,948) | (33,385,000) | (33,843,000) | (33,843,000) | (+2,249,700) |
| (Exempt obligations) | (884,329) | (931,297) | (931,297) | (931,297) | (931,297) | (+46,968) |
| Rescissions | -5,609 | --- | --- | --- | --- | +5,609 |
| Rescissions of contract authority | -250,000 | --- | --- | -156,000 | -207,000 | +43,000 |
| Net total, FHWA | (32,408,798) | (30,225,245) | (34,873,297) | (34,768,297) | (34,692,297) | (+2,283,499) |
| Federal Motor Carrier Safety Administration | | | | | | |
| Motor carrier safety (limitation on administrative expenses) (limitation on obligations) | (116,700) | (224,406) | (236,753) | (245,972) | (176,070) | (+59,370) |
| National motor carrier safety program (Highway Trust Fund): | | | | | | |
| (Liquidation of contract authorization) | (190,000) | (222,594) | (190,000) | (190,000) | (190,000) | --- |
| (Limitation on obligations) | (188,765) | (222,594) | (190,000) | (190,000) | (190,000) | (+1,235) |
| RABA transfer from FHWA | --- | --- | --- | --- | --- | --- |
| Border inspection station construction (Highway Trust fund) | --- | --- | --- | (47,000) | --- | --- |
| Total, Federal Motor Carrier Safety Admin | --- | --- | --- | --- | --- | --- |
| (Limitations on obligations) | (305,465) | (447,000) | (426,753) | (482,972) | (366,070) | (+60,605) |
| National Highway Traffic Safety Administration | | | | | | |
| Operations and research | 137,389 | 126,058 | 134,178 | --- | --- | -137,389 |
| Operations and research (HTF) | --- | --- | --- | (148,102) | (150,545) | (+150,545) |
| Operations and research (Highway trust fund): | | | | | | |
| (Liquidation of contract authorization) | (72,000) | (88,452) | (72,000) | (72,000) | (72,000) | --- |
| (Limitation on obligations) | (71,532) | (88,452) | (72,000) | (72,000) | (72,000) | (+468) |
| National Driver Register (Highway trust fund) | 1,987 | 3,600 | 3,600 | 3,600 | 3,600 | +1,613 |
| Subtotal, Operations and research | (210,908) | (218,110) | (209,778) | (223,702) | (226,145) | (+15,237) |
| Highway traffic safety grants (Highway Trust Fund): | | | | | | |
| (Liquidation of contract authorization) | (225,000) | (447,000) | (225,000) | (225,000) | (225,000) | --- |
| (Limitation on obligations): | | | | | | |
| Highway safety programs (Sec. 402) | (163,928) | (387,000) | (165,000) | (165,000) | (165,000) | (+1,072) |
| Occupant protection incentive grants (Sec. 405) | (19,870) | --- | (20,000) | (20,000) | (20,000) | (+130) |

DIVISION F--DEPARTMENTS OF TRANSPORTATION AND TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Alcohol-impaired driving countermeasures grants (Sec. 410) | (39,740) | --- | (40,000) | (40,000) | (40,000) | (+260) |
| Emergency medical services grants (Sec. 407) | --- | (10,000) | --- | --- | --- | --- |
| State traffic safety info system improvement grants (Sec. 412) | --- | (50,000) | --- | --- | --- | --- |
| Subtotal, limitation on obligations | (223,538) | (447,000) | (225,000) | (225,000) | (225,000) | (+1,462) |
| Total, National Highway Traffic Safety Admin. | 139,376 | 129,658 | 137,778 | 3,600 | 3,600 | -135,776 |
| (Limitations on obligations) | (295,070) | (535,452) | (297,000) | (445,102) | (447,545) | (+152,475) |
| Total budgetary resources | (434,446) | (665,110) | (434,778) | (448,702) | (451,145) | (+16,699) |
| Federal Railroad Administration | | | | | | |
| Safety and operations | 116,600 | 131,175 | 130,922 | 130,825 | 130,825 | +14,225 |
| Railroad research and development | 29,134 | 35,025 | 28,225 | 34,225 | 34,025 | +4,891 |
| Amtrack RRIF repayment deferment | --- | --- | --- | 3,000 | 3,000 | +3,000 |
| Pennsylvania Station Redevelopment project (advance appropriation | 19,870 | --- | --- | --- | --- | -19,870 |
| Next generation high-speed rail | 30,252 | 23,200 | 28,250 | 29,350 | 37,400 | +7,148 |
| Alaska Railroad rehabilitation | 21,857 | --- | --- | 25,000 | 25,000 | +3,143 |
| Grants to the National Railroad Passenger Corporation | 1,043,175 | 900,000 | 900,000 | 1,346,000 | 1,225,000 | +181,825 |
| Total, Federal Railroad Administration | 1,260,888 | 1,089,400 | 1,087,397 | 1,568,400 | 1,455,250 | +194,362 |
| Federal Transit Administration | | | | | | |
| Administrative expenses | 14,505 | 76,500 | 14,500 | 14,600 | 15,100 | +595 |
| Administrative expenses (Highway Trust Fund, Mass Transit Account) (limitation on obligations) | (58,020) | --- | (58,000) | (58,400) | (60,400) | (+2,380) |
| Subtotal, Administrative expenses | (72,525) | (76,500) | (72,500) | (73,000) | (75,500) | (+2,975) |
| Formula grants | 762,809 | --- | 767,800 | 767,800 | 767,800 | +4,991 |
| Formula grants (Highway Trust Fund) (limitation on obligations) | (3,051,237) | (5,615,406) | (3,071,200) | (3,071,240) | (3,071,200) | (+19,963) |
| Subtotal, Formula grants | (3,814,046) | (5,615,406) | (3,839,000) | (3,839,040) | (3,839,000) | (+24,954) |
| University transportation research | 1,192 | --- | 1,200 | 1,200 | 1,200 | +8 |
| University transportation research (Highway Trust Fund, Mass Transit Acct) (limitation on obligations) | (4,769) | --- | (4,800) | (4,800) | (4,800) | (+31) |
| Subtotal, University transportation research | (5,961) | --- | (6,000) | (6,000) | (6,000) | (+39) |
| Transit planning and research | 24,043 | --- | 24,200 | 24,400 | 25,200 | +1,157 |
| Transit planning and research (Highway Trust Fund, Mass Transit Account) (limitation on obligations) | (97,164) | --- | (97,800) | (97,600) | (100,800) | (+3,636) |
| Flexible funding | --- | --- | --- | --- | --- | --- |
| Subtotal, Transit planning and research | (121,207) | --- | (122,000) | (122,000) | (126,000) | (+4,793) |
| Rural transportation assistance | (5,216) | --- | (5,250) | (5,250) | (5,250) | (+34) |
| National transit institute | (3,974) | --- | (4,000) | (4,000) | (4,000) | (+26) |
| Transit cooperative research | (8,196) | --- | (8,250) | (8,250) | (8,250) | (+54) |
| Metropolitan planning | (59,993) | --- | (60,386) | (60,386) | (60,386) | (+393) |
| State planning | (12,532) | --- | (12,614) | (12,614) | (12,614) | (+82) |
| National planning and research | (31,295) | --- | (31,500) | (31,500) | (35,500) | (+4,205) |
| Subtotal, Transit planning and research | (121,206) | --- | (122,000) | (122,000) | (126,000) | (+4,794) |
| Trust fund share of expenses (Highway Trust Fund) (liquidation of contract authorization) | (5,781,000) | (320,594) | (5,807,020) | (5,844,000) | (5,847,200) | (+66,200) |
| Capital investment grants | 603,253 | 1,213,500 | 599,280 | 628,000 | 627,500 | +24,247 |
| Capital investment grants (Highway Trust Fund, Mass Transit Account) (limitation on obligations) | (2,413,013) | (320,594) | (2,507,220) | (2,512,000) | (2,510,000) | (+96,987) |
| Flexible funding | --- | --- | --- | --- | --- | --- |
| Subtotal, Capital investment grants | (3,016,266) | (1,534,094) | (3,106,500) | (3,140,000) | (3,137,500) | (+121,234) |

DIVISION F--DEPARTMENTS OF TRANSPORTATION AND TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Fixed guideway modernization | (1,214,400) | --- | (1,214,400) | (1,214,000) | (1,206,506) | (-7,894) |
| Buses and bus-related facilities | (607,200) | --- | (677,700) | (607,200) | (607,200) | --- |
| New starts | (1,214,400) | --- | (1,214,400) | (1,318,800) | (1,323,794) | (+109,394) |
| Subtotal | (3,036,000) | --- | (3,106,500) | (3,140,000) | (3,137,500) | (+101,500) |
| Job access and reverse commute grants | 29,805 | --- | 17,000 | 25,000 | 25,000 | -4,805 |
| (Highway Trust Fund, Mass Transit Account) (limitation on obligations) | (119,220) | --- | (68,000) | (100,000) | (100,000) | (-19,220) |
| Subtotal, Job access and reverse commute grants | (149,025) | --- | (85,000) | (125,000) | (125,000) | (-24,025) |
| Total, Federal Transit Administration | 1,435,607 | 1,290,000 | 1,423,980 | 1,461,000 | 1,461,800 | +26,193 |
| (Limitations on obligations) | (5,743,423) | (5,936,000) | (5,807,020) | (5,844,040) | (5,847,200) | (+103,777) |
| Total budgetary resources, FTA | (7,179,030) | (7,226,000) | (7,231,000) | (7,305,040) | (7,309,000) | (+129,970) |
| **Saint Lawrence Seaway Development Corporation** | | | | | | |
| Operations and maintenance (Harbor Maintenance Trust Fund) | 13,994 | 14,400 | 14,700 | 14,400 | 14,400 | +406 |
| **Maritime Administration** | | | | | | |
| Maritime security program | 98,058 | 98,700 | 98,700 | 98,700 | 98,700 | +642 |
| Operations and training | 92,093 | 104,400 | 105,897 | 106,000 | 106,997 | +14,904 |
| Ship disposal | 11,088 | 11,422 | 14,000 | 18,422 | 16,211 | +5,123 |
| Vessel operations revolving fund | --- | --- | --- | --- | --- | --- |
| Maritime Guaranteed Loan (Title XI) Program Account: | | | | | | |
| Administrative expenses | 4,099 | 4,498 | --- | 4,498 | 4,498 | +399 |
| Supplemental appropriations (P.L. 108-11) | 25,000 | --- | --- | --- | --- | -25,000 |
| Total, Maritime Administration | 230,338 | 219,020 | 218,597 | 227,620 | 226,406 | -3,932 |
| Rescissions | --- | --- | --- | --- | -4,107 | -4,107 |
| Net total, Maritime Administration | 230,338 | 219,020 | 218,597 | 227,620 | 222,299 | -8,039 |
| **Research and Special Programs Administration** | | | | | | |
| Research and special programs | 40,714 | 51,000 | 47,018 | 42,516 | 46,441 | +5,727 |
| Pipeline safety: | | | | | | |
| Pipeline Safety Fund | 56,370 | 48,336 | 55,054 | 50,429 | 53,305 | -3,065 |
| Oil Spill Liability Trust Fund | 7,423 | 18,741 | 9,000 | 17,183 | 13,000 | +5,577 |
| Subtotal, Pipeline safety program (incl reserve) | 63,793 | 67,077 | 64,054 | 67,612 | 66,305 | +2,512 |
| Emergency preparedness grants: | | | | | | |
| Emergency preparedness fund | 199 | 200 | 200 | 200 | 200 | +1 |
| Limitation on emergency preparedness fund | (14,300) | --- | (14,300) | (14,300) | (14,300) | --- |
| Total, Research and Special Programs Admin | 104,706 | 118,277 | 111,272 | 110,328 | 112,946 | +8,240 |
| **Office of Inspector General** | | | | | | |
| Salaries and expenses | 54,912 | 55,000 | 55,000 | 56,000 | 56,000 | +1,088 |
| **Surface Transportation Board** | | | | | | |
| Salaries and expenses | 19,324 | 19,521 | 19,521 | 19,521 | 19,521 | +197 |
| Offsetting collections | -1,000 | -1,050 | -1,050 | -1,050 | -1,050 | -50 |
| Total, Surface Transportation Board | 18,324 | 18,471 | 18,471 | 18,471 | 18,471 | +147 |
| **Bureau of Transportation Statistics** | | | | | | |
| Office of airline information (Airport & Airway Trust Fund) | --- | 3,971 | --- | --- | --- | --- |
| Net total, title I, Department of Transportation | 13,474,231 | 13,722,081 | 14,323,577 | 14,195,987 | 13,959,366 | +485,135 |
| Appropriations | (13,749,840) | (13,722,081) | (14,323,577) | (14,351,987) | (14,200,473) | (+450,633) |
| Emergency | --- | --- | --- | --- | --- | --- |
| Offsets for new user fees | --- | --- | --- | --- | --- | --- |
| Rescissions | (-25,609) | --- | --- | --- | (-34,107) | (-8,498) |
| Rescission of contract authority | (-250,000) | --- | --- | (-156,000) | (-207,000) | (+43,000) |
| (By transfer) | --- | --- | --- | --- | --- | --- |
| (Transfer authority) | --- | --- | --- | --- | --- | --- |

DIVISION F--DEPARTMENTS OF TRANSPORTATION AND TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| (Limitations on obligations) | (41,315,158) | (39,612,400) | (39,915,773) | (44,015,114) | (43,903,815) | (+2,588,657) |
| (Exempt obligations) | (884,329) | (931,297) | (931,297) | (931,297) | (931,297) | (+46,968) |
| Net total budgetary resources | (55,673,718) | (54,265,778) | (55,170,647) | (59,142,398) | (58,794,478) | (+3,120,760) |
| Transportation discretionary total | 13,474,231 | 13,722,081 | 14,323,577 | 14,195,987 | 13,959,366 | +485,135 |
| TITLE II - DEPARTMENT OF THE TREASURY | | | | | | |
| Departmental Offices | 157,669 | 166,875 | 175,809 | 174,809 | 176,109 | +18,440 |
| Department-wide systems and capital investments programs | 36,653 | 36,928 | 36,653 | 36,928 | 36,400 | -253 |
| Office of Inspector General | 11,092 | --- | 12,792 | 12,687 | 13,000 | +1,908 |
| Treasury Inspector General for Tax Administration | 124,198 | --- | 128,034 | 128,034 | 128,034 | +3,836 |
| Treasury Inspector General | --- | 134,949 | --- | --- | --- | --- |
| Air Transportation Stabilization Program Account | 6,002 | 2,538 | 2,538 | 2,538 | 2,538 | -3,464 |
| Treasury Building and Annex Repair and Restoration | 28,744 | 25,000 | 25,000 | 25,000 | 25,000 | -3,744 |
| Expanded Access to Financial Services | 1,987 | --- | --- | --- | --- | -1,987 |
| Financial Crimes Enforcement Network | 51,416 | 57,571 | 57,571 | 57,571 | 57,571 | +6,155 |
| Interagency Law Enforcement: | | | | | | |
| Interagency crime and drug enforcement | 106,877 | --- | --- | --- | --- | -106,877 |
| Financial Management Service | 220,634 | 228,606 | 228,558 | 228,558 | 228,558 | +7,924 |
| Alcohol and Tobacco Tax and Trade Bureau | 79,480 | 80,000 | 80,000 | 80,000 | 80,000 | +520 |
| Bureau of the Public Debt | 188,833 | 173,698 | 173,652 | 173,652 | 173,652 | -15,181 |
| Payment of government losses in shipment | 1,000 | 500 | 500 | 500 | 500 | -500 |
| Internal Revenue Service: | | | | | | |
| Processing, Assistance, and Management | 3,930,064 | 4,074,694 | 4,037,834 | 4,048,238 | 4,033,000 | +102,936 |
| Tax Law Enforcement | 3,849,884 | 4,227,808 | 4,221,408 | 4,172,808 | 4,196,000 | +346,116 |
| Information Systems | 1,621,833 | 1,670,039 | 1,628,739 | 1,590,962 | 1,590,962 | -30,871 |
| Business systems modernization | 363,621 | 429,000 | 429,000 | 429,000 | 390,000 | +26,379 |
| Health Insurance Tax Credit Administration | 69,545 | 35,000 | 35,000 | 35,000 | 35,000 | -34,545 |
| Subtotal | 9,834,947 | 10,436,541 | 10,351,981 | 10,276,008 | 10,244,962 | +410,015 |
| Total, title II, Department of the Treasury | 10,849,532 | 11,343,206 | 11,273,088 | 11,196,285 | 11,166,324 | +316,792 |
| Appropriations | 10,849,532 | 11,343,206 | 11,273,088 | 11,196,285 | 11,166,324 | +316,792 |
| Emergency funding | --- | --- | --- | --- | --- | --- |
| Rescissions | --- | --- | --- | --- | --- | --- |
| TITLE III - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT | | | | | | |
| Compensation of the President and the White House Office: | | | | | | |
| Compensation of the President | 450 | --- | 450 | 450 | 450 | --- |
| Salaries and Expenses | 50,385 | --- | 66,057 | 61,937 | 69,168 | +18,783 |
| Homeland Security Council | 19,272 | --- | --- | 8,331 | --- | -19,272 |
| Executive Residence at the White House: | | | | | | |
| Operating Expenses | 12,149 | --- | 12,501 | 12,501 | 12,501 | +352 |
| White House Repair and Restoration | 1,192 | --- | 4,225 | 4,225 | 4,225 | +3,033 |
| Council of Economic Advisers | 3,739 | --- | 4,000 | 4,502 | 4,502 | +763 |
| Office of Policy Development | 3,230 | --- | 4,109 | 4,109 | 4,109 | +879 |
| National Security Council | 7,770 | --- | 9,000 | 10,551 | 10,551 | +2,781 |
| Office of Administration | 90,910 | --- | 82,826 | 77,164 | 82,826 | -8,084 |
| The White House | --- | 183,770 | --- | --- | --- | --- |
| Office of Management and Budget | 61,988 | 77,417 | 62,272 | 75,417 | 67,159 | +5,171 |
| Office of National Drug Control Policy: | | | | | | |
| Salaries and expenses | 26,284 | 27,290 | 28,790 | 27,997 | 27,997 | +1,713 |
| Counterdrug Technology Assessment Center | 47,688 | 40,000 | 40,000 | 42,000 | 42,000 | -5,688 |
| Subtotal | 73,972 | 67,290 | 68,790 | 69,997 | 69,997 | -3,975 |
| Federal Drug Control Programs: | | | | | | |
| High Intensity Drug Trafficking Areas Program | 224,879 | 206,350 | 226,350 | 226,350 | 226,350 | +1,471 |
| Other Federal Drug Control Programs | 221,749 | 250,000 | 230,000 | 174,000 | 229,000 | +7,251 |
| Unanticipated Needs | 993 | 1,000 | 1,000 | 1,000 | 1,000 | +7 |
| Special Assistance to the President and the Official Residence of the Vice President: | | | | | | |
| Salaries and Expenses | 4,040 | 4,461 | 4,461 | 4,461 | 4,461 | +421 |
| Operating expenses | 322 | 331 | 331 | 331 | 331 | +9 |
| Total, title III, Executive Office of the President and Funds Appropriated to the President | 777,040 | 790,619 | 776,372 | 735,326 | 786,630 | +9,590 |
| Appropriations | 777,040 | 790,619 | 776,372 | 735,326 | 786,630 | +9,590 |
| Rescission | --- | --- | --- | --- | --- | --- |

DIVISION F--DEPARTMENTS OF TRANSPORTATION AND TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| TITLE IV - INDEPENDENT AGENCIES | | | | | | |
| Architectural and Transportation Barriers Compliance Board: | | | | | | |
| Salaries and expenses | 5,160 | 5,401 | 5,401 | 5,401 | 5,401 | +241 |
| National Transportation Safety Board: | | | | | | |
| Salaries and expenses | 71,979 | 71,480 | 76,679 | 72,170 | 73,499 | +1,520 |
| Emergency fund | --- | 600 | 600 | 600 | 600 | +600 |
| Committee for Purchase From People Who Are Blind or Severely Disabled | 4,628 | 4,629 | 4,725 | 4,725 | 4,725 | +97 |
| Federal Election Commission | 49,542 | 50,440 | 50,440 | 50,440 | 51,240 | +1,698 |
| Election Assistance Commission: | | | | | | |
| Salaries and expenses | 2,000 | 10,000 | 5,000 | --- | 1,200 | -800 |
| Election reform programs | 833,000 | 490,000 | 495,000 | 1,500,000 | 500,000 | -333,000 |
| Federal Labor Relations Authority | 28,762 | 29,611 | 29,611 | 29,611 | 29,611 | +849 |
| Federal Maritime Commission | 16,591 | 18,471 | 18,471 | 18,471 | 18,471 | +1,880 |
| General Services Administration: | | | | | | |
| Federal Buildings Fund: | | | | | | |
| Appropriations | 373,269 | 217,000 | 247,350 | 407,000 | 446,000 | +72,731 |
| Limitations on availability of revenue: | | | | | | |
| Construction and acquisition of facilities | (717,488) | (400,568) | (406,168) | (659,668) | (708,268) | (-9,220) |
| Repairs and alterations | (951,529) | (1,012,729) | (1,010,454) | (1,000,939) | (991,300) | (+39,771) |
| Installment acquisition payments | (178,960) | (169,745) | (169,745) | (169,745) | (169,745) | (-9,215) |
| Rental of space | (3,113,211) | (3,388,187) | (3,308,187) | (3,278,187) | (3,280,187) | (+166,976) |
| Building Operations | (1,526,459) | (1,608,708) | (1,608,708) | (1,608,708) | (1,608,708) | (+82,249) |
| Subtotal, limitations | (6,487,647) | (6,579,937) | (6,503,262) | (6,717,247) | (6,758,208) | (+270,561) |
| Repayment of Debt | (79,685) | (54,256) | (54,256) | (54,256) | (54,256) | (-25,429) |
| Rental income to fund | --- | --- | --- | --- | --- | --- |
| Total, Federal Buildings Fund | 373,269 | 217,000 | 247,350 | 407,000 | 446,000 | +72,731 |
| (Limitations) | (6,567,332) | (6,634,193) | (6,557,518) | (6,771,503) | (6,812,464) | (+245,132) |
| Policy and Citizen Services | 65,873 | --- | --- | --- | --- | -65,873 |
| Governmentwide policy | --- | 74,031 | 56,383 | 61,781 | 56,383 | +56,383 |
| Operating Expenses | 72,027 | 85,083 | 79,110 | 85,083 | 88,110 | +16,083 |
| Office of Inspector General | 37,670 | 39,169 | 39,169 | 39,169 | 39,169 | +1,499 |
| Electronic Government (E-Gov) Fund | 4,968 | 45,000 | 1,000 | 5,000 | 3,000 | -1,968 |
| Allowances and Office Staff for Former Presidents | 3,317 | 3,393 | 3,393 | 3,393 | 3,393 | +76 |
| Election Reform Reimbursements | 14,902 | --- | --- | --- | --- | -14,902 |
| Election Reform Payments | 650,000 | --- | --- | --- | --- | -650,000 |
| Federal building project (sec. 408) | --- | --- | --- | 13,669 | 14,000 | +14,000 |
| San Joaquin conveyance (sec. 412) | --- | --- | --- | --- | -1,000 | -1,000 |
| Total, General Services Administration | 1,222,026 | 463,676 | 426,405 | 615,095 | 649,055 | -572,971 |
| Merit Systems Protection Board: | | | | | | |
| Salaries and Expenses | 31,819 | 35,503 | 32,877 | 35,503 | 32,877 | +1,058 |
| Limitation on administrative expenses | 2,609 | --- | 2,626 | --- | 2,626 | +17 |
| Morris K. Udall Foundation: | | | | | | |
| Morris K. Udall Trust Fund | 1,983 | 372 | 1,300 | 1,996 | 1,996 | +13 |
| Environmental Dispute Resolution Fund | 1,300 | 700 | 1,300 | 1,309 | 1,309 | +9 |
| National Archives and Records Administration: | | | | | | |
| Operating expenses | 248,251 | 294,105 | 255,191 | 258,191 | 256,700 | +8,449 |
| Electronic records archive | --- | --- | 35,914 | --- | 35,914 | +35,914 |
| Reduction of debt | -7,186 | -7,810 | -7,810 | -7,810 | -7,810 | -624 |
| Repairs and Restoration | 14,116 | 6,458 | 6,458 | 13,483 | 13,708 | -408 |
| National Historical Publications and Records Commission: Grants program | 6,458 | 5,000 | 10,000 | 5,000 | 10,000 | +3,542 |
| Total, National Archives and Records Admin | 261,639 | 297,753 | 299,753 | 268,864 | 308,512 | +46,873 |
| Office of Government Ethics | 10,488 | 10,738 | 10,738 | 10,738 | 10,738 | +250 |
| Office of Personnel Management: | | | | | | |
| Salaries and Expenses | 128,644 | 118,748 | 119,498 | 118,748 | 119,498 | -9,146 |
| Limitation on administrative expenses | 120,006 | 135,914 | 126,854 | 135,914 | 135,914 | +15,908 |
| Office of Inspector General | 1,509 | 1,498 | 1,498 | 1,498 | 1,498 | -11 |
| Limitation on administrative expenses | 10,815 | 14,427 | 14,427 | 14,427 | 14,427 | +3,612 |
| Government Payment for Annuitants, Employees Health Benefits | 6,853,000 | 7,219,000 | 7,219,000 | 7,219,000 | 7,219,000 | +366,000 |
| Government Payment for Annuitants, Employee Life Insurance | 34,000 | 35,000 | 35,000 | 35,000 | 35,000 | +1,000 |

DIVISION F--DEPARTMENTS OF TRANSPORTATION AND TREASURY AND INDEPENDENT AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Payment to Civil Service Retirement and Disability Fund | 9,410,000 | 9,987,000 | 9,987,000 | 9,987,000 | 9,987,000 | +577,000 |
| Human Capital Performance Fund | --- | 500,000 | 2,500 | --- | 1,000 | +1,000 |
| Total, Office of Personnel Management | 16,557,974 | 18,011,587 | 17,505,777 | 17,511,587 | 17,513,337 | +955,363 |
| Office of Special Counsel | 12,368 | 13,504 | 13,504 | 13,504 | 13,504 | +1,136 |
| Postal Service: | | | | | | |
| Payment to the Postal Service Fund | 28,811 | 29,000 | 29,000 | 29,000 | 29,000 | +189 |
| Advance appropriation, FY 2002/2003 | 47,309 | 31,014 | 31,014 | 31,014 | 31,014 | -16,295 |
| Advance appropriation, FY 2004 | 30,812 | 36,521 | 36,521 | 36,521 | 36,521 | +5,709 |
| Total, Postal Service: | | | | | | |
| Fiscal year 2002/2003 | 76,120 | 60,014 | 60,014 | 60,014 | 60,014 | -16,106 |
| Fiscal year 2004 | 30,812 | 36,521 | 36,521 | 36,521 | 36,521 | +5,709 |
| United States Tax Court | 37,063 | 40,187 | 40,187 | 40,187 | 40,187 | +3,124 |
| White House Commission on the National Moment of Rememberance | 248 | 250 | 250 | 250 | 250 | +2 |
| Total, title IV, Independent Agencies | 19,258,111 | 19,651,437 | 19,117,179 | 20,276,986 | 19,355,673 | +97,562 |
| Title V - General Provisions, This Act | | | | | | |
| Surface transportation projects (Sec. 330) | 90,011 | --- | --- | --- | --- | -90,011 |
| Excess stabilization resources (rescission) (Sec. 333) | -90,000 | --- | --- | --- | --- | +90,000 |
| LRFA program (rescission) (Sec. 343) | -690 | --- | --- | --- | --- | +690 |
| Iowa rail infrastructure rehab project (Sec. 343) | 686 | --- | --- | --- | --- | -686 |
| Misc. highway projects (Highway Trust Fund)(Sec. 344) | 283,147 | --- | --- | --- | --- | -283,147 |
| Value pricing pilot project (rescission) (Highway Trust Fund) (Sec. 364) | -8,000 | --- | --- | --- | --- | +8,000 |
| Aviation ops sustainment-Midway Island (Sec. 371) | 3,477 | --- | --- | --- | --- | -3,477 |
| Administrative accounts adjustments | --- | --- | --- | -128,076 | --- | --- |
| Payments to air carriers (Airport & Airway Trust Fund) | --- | --- | 63,000 | --- | --- | --- |
| Total, General provisions | 278,631 | --- | 63,000 | -128,076 | --- | -278,631 |
| Grand total | 44,637,545 | 45,507,343 | 45,553,216 | 46,276,508 | 45,267,993 | +630,448 |
| Appropriations | (44,933,723) | (45,439,808) | (45,485,681) | (46,364,973) | (45,441,565) | (+507,842) |
| Emergency | --- | --- | --- | --- | --- | --- |
| Offset for new user fees | --- | --- | --- | --- | --- | --- |
| Rescissions | (-124,299) | --- | --- | --- | (-34,107) | (+90,192) |
| Rescission of contract authority | (-250,000) | --- | --- | (-156,000) | (-207,000) | (+43,000) |
| (By transfer) | --- | --- | --- | --- | --- | --- |
| (Transfer authority) | --- | --- | --- | --- | --- | --- |
| (Limitation on obligations) | (41,315,158) | (39,612,400) | (39,915,773) | (44,015,114) | (43,903,815) | (+2,588,657) |
| (Rescissions of limitations on obligations) | --- | --- | --- | --- | --- | --- |
| (Exempt obligations) | (884,329) | (931,297) | (931,297) | (931,297) | (931,297) | (+46,968) |
| Net total budgetary resources | (86,837,032) | (86,051,040) | (86,400,286) | (91,222,919) | (90,103,105) | (+3,266,073) |
| Discretionary total | 26,903,488 | 26,975,843 | 26,887,286 | 27,573,558 | 26,564,243 | -339,245 |

DIVISION G--VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| TITLE I | | | | | | |
| DEPARTMENT OF VETERANS AFFAIRS | | | | | | |
| Veterans Benefits Administration | | | | | | |
| Compensation and pensions | 28,949,000 | 29,845,127 | 29,845,127 | 29,845,127 | 29,845,127 | +896,127 |
| Readjustment benefits | 2,264,808 | 2,529,734 | 2,529,734 | 2,529,734 | 2,529,734 | +264,926 |
| Veterans insurance and indemnities | 27,530 | 29,017 | 29,017 | 29,017 | 29,017 | +1,487 |
| Veterans housing benefit program fund program account (indefinite) | 437,522 | 305,834 | 305,834 | 305,834 | 305,834 | -131,688 |
| (Limitation on direct loans) | (300) | (300) | (300) | (300) | (300) | --- |
| Credit subsidy | -98,000 | --- | --- | --- | --- | +98,000 |
| Administrative expenses | 167,114 | 154,850 | 154,850 | 154,850 | 154,850 | -12,264 |
| Education loan fund program account | 1 | 1 | 1 | 1 | 1 | --- |
| (Limitation on direct loans) | (3) | (3) | (3) | (3) | (3) | --- |
| Administrative expenses | 70 | --- | 70 | 70 | 70 | --- |
| Vocational rehabilitation loans program account | 55 | 52 | 52 | 52 | 52 | -3 |
| (Limitation on direct loans) | (3,626) | (3,938) | (3,938) | (3,938) | (3,938) | (+312) |
| Administrative expenses | 287 | 300 | 300 | 300 | 300 | +13 |
| Native American Veteran Housing Loan Program Account | 554 | 571 | 571 | 571 | 571 | +17 |
| Total, Veterans Benefits Administration | 31,748,941 | 32,865,486 | 32,865,556 | 32,865,556 | 32,865,556 | +1,116,615 |
| Veterans Health Administration | | | | | | |
| Medical services | --- | --- | 16,443,220 | --- | 17,867,220 | +17,867,220 |
| Medical administration | --- | --- | 4,854,000 | --- | 5,000,000 | +5,000,000 |
| Medical facilities | --- | --- | 4,000,000 | --- | 4,000,000 | +4,000,000 |
| Medical and prosthetic research | 397,400 | 408,000 | 408,000 | 413,000 | 408,000 | +10,600 |
| Medical care | 23,889,304 | 25,218,080 | --- | 25,688,080 | --- | -23,889,304 |
| Delayed obligation | --- | --- | --- | 1,100,000 | --- | --- |
| Rescission | --- | --- | --- | -270,000 | -270,000 | -270,000 |
| Medical administration and miscellaneous operating expenses | 74,230 | 79,140 | --- | 79,146 | --- | -74,230 |
| Medical care cost recovery collections: | | | | | | |
| Offsetting receipts | -1,386,000 | -1,800,000 | --- | -1,564,000 | -1,564,000 | -178,000 |
| Appropriations (indefinite) | 1,386,000 | 1,800,000 | --- | 1,564,000 | 1,564,000 | +178,000 |
| Total, Veterans Health Administration | 24,360,934 | 25,705,220 | 25,705,220 | 27,010,226 | 27,005,220 | +2,644,286 |
| Offsetting receipts | (-1,386,000) | (-1,800,000) | --- | (-1,564,000) | (-1,564,000) | (-178,000) |
| Total available to VHA | (25,746,934) | (27,505,220) | (25,705,220) | (28,574,226) | (28,569,220) | (+2,822,286) |
| Departmental Administration | | | | | | |
| General operating expenses | 1,245,849 | 1,283,272 | 1,283,272 | 1,283,272 | 1,283,272 | +37,423 |
| Supplemental Appropriations (P.L. 108-11) | 100,000 | --- | --- | --- | --- | -100,000 |
| National Cemetery Administration | 132,284 | 144,203 | 144,223 | 144,203 | 144,203 | +11,919 |
| Office of Inspector General | 57,623 | 61,750 | 61,750 | 62,250 | 62,000 | +4,377 |
| Construction, major projects | 99,128 | 272,690 | 274,690 | 272,690 | 272,690 | +173,562 |
| Construction, minor projects | 224,531 | 252,144 | 252,144 | 252,144 | 252,144 | +27,613 |
| Grants for construction of State extended care facilities | 99,350 | 102,100 | 102,100 | 102,100 | 102,100 | +2,750 |
| Grants for the construction of State veterans cemeteries | 31,792 | 32,000 | 32,000 | 32,000 | 32,000 | +208 |
| Total, Departmental Administration | 1,990,557 | 2,148,159 | 2,150,179 | 2,148,659 | 2,148,409 | +157,852 |
| Total, title I, Department of Veterans Affairs | 58,100,432 | 60,718,865 | 60,720,955 | 62,024,441 | 62,019,185 | +3,918,753 |
| (Limitation on direct loans) | (3,929) | (4,241) | (4,241) | (4,241) | (4,241) | (+312) |
| Consisting of: | | | | | | |
| Mandatory | (31,580,860) | (32,709,712) | (32,709,712) | (32,709,712) | (32,709,712) | (+1,128,852) |
| Discretionary | (26,519,572) | (28,009,153) | (28,011,243) | (29,314,729) | (29,309,473) | (+2,789,901) |
| Medical care collection fund | (1,386,000) | (1,800,000) | --- | (1,564,000) | (1,564,000) | (+178,000) |
| Total Discretionary (excluding MCCF) | (25,133,572) | (26,209,153) | (28,011,243) | (27,750,729) | (27,745,473) | (+2,611,901) |

DIVISION G--VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| TITLE II | | | | | | |
| DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT | | | | | | |
| Public and Indian Housing | | | | | | |
| Housing Certificate Fund: | | | | | | |
| Direct appropriation | 12,938,913 | --- | 14,380,606 | 14,233,606 | 15,171,482 | +2,232,569 |
| Advance appropriations provided in previous acts | 4,172,700 | --- | 4,200,000 | 4,200,000 | 4,200,000 | +27,300 |
| Advance appropriations provided in current year | 4,200,000 | --- | 4,200,000 | 4,200,000 | 4,200,000 | --- |
| Subtotal | 21,311,613 | --- | 22,780,606 | 22,633,606 | 23,571,482 | +2,259,869 |
| Appropriations | (17,111,613) | --- | (18,580,606) | (18,433,606) | (19,371,482) | (+2,259,869) |
| Advance appropriations prov. in current year | (4,200,000) | --- | (4,200,000) | (4,200,000) | (4,200,000) | --- |
| Housing assistance for needy families: | | | | | | |
| Direct appropriation | --- | 8,335,201 | --- | --- | --- | --- |
| Advance appropriations provided in previous acts | --- | 4,200,000 | --- | --- | --- | --- |
| Advance appropriations provided in FY 2004 | --- | 4,200,000 | --- | --- | --- | --- |
| Subtotal /1 | --- | 16,735,201 | --- | --- | --- | --- |
| Appropriations, FY 2004 /1 | --- | (12,535,201) | --- | --- | --- | --- |
| Advance appropriations, FY 2004 /1 | --- | (4,200,000) | --- | --- | --- | --- |
| Project based rental assistance /1 | --- | 4,823,405 | --- | --- | --- | --- |
| Rescission of unobligated balances | -1,600,000 | -300,000 | -1,372,000 | -1,372,000 | -2,844,000 | -1,244,000 |
| Public housing capital fund | 2,712,255 | 2,641,000 | 2,712,255 | 2,641,000 | 2,712,255 | --- |
| Public housing operating fund | 3,576,600 | 3,574,000 | 3,600,000 | 3,576,600 | 3,600,000 | +23,400 |
| Revitalization of severely distressed public housing | 570,269 | --- | 50,000 | 195,115 | 150,000 | -420,269 |
| Native American housing block grants | 644,782 | 646,600 | 661,600 | 646,600 | 654,100 | +9,318 |
| Indian housing loan guarantee fund program account | 5,266 | 1,000 | 5,300 | 5,300 | 5,300 | +34 |
| (Limitation on guaranteed loans) | (197,243) | (27,473) | (197,243) | (197,243) | (197,243) | --- |
| Native Hawaiian housing block grant | --- | 10,000 | --- | --- | --- | --- |
| Native Hawaiian housing loan guarantee fund | 1,028 | 1,000 | 1,000 | 1,035 | 1,035 | +7 |
| (Limitation on guaranteed loans) | (39,712) | (35,348) | (35,348) | (39,712) | (39,712) | --- |
| Total, Public and Indian Housing | 27,221,813 | 28,132,206 | 28,438,761 | 28,327,256 | 27,850,172 | +628,359 |
| Appropriations | (23,021,813) | (23,932,206) | (24,238,761) | (24,127,256) | (23,650,172) | (+628,359) |
| Rescissions | (-1,600,000) | (-300,000) | (-1,372,000) | (-1,372,000) | (-2,844,000) | (-1,244,000) |
| Advance appropriations, FY 2003 and FY 2004 | (4,200,000) | (4,200,000) | (4,200,000) | (4,200,000) | (4,200,000) | --- |
| Community Planning and Development | | | | | | |
| Housing opportunities for persons with AIDS | 290,102 | 297,000 | 302,000 | 291,000 | 296,500 | +6,398 |
| Rural housing and economic development | 24,837 | --- | 25,000 | 25,000 | 25,000 | +163 |
| Empowerment zones / enterprise communities | 29,805 | --- | 15,000 | --- | 15,000 | -14,805 |
| Community development fund | 4,904,909 | 4,716,000 | 4,959,000 | 4,950,600 | 4,950,000 | +45,091 |
| Colonias initiative (legislative proposal) | --- | 16,000 | --- | --- | --- | --- |
| Urban development action grant (rescission) | --- | -30,000 | -30,000 | -30,000 | -30,000 | -30,000 |
| Section 108 loan guarantees: | | | | | | |
| (Limitation on guaranteed loans) | (275,000) | --- | --- | (275,000) | (275,000) | --- |
| Credit subsidy | 6,284 | --- | --- | 6,325 | 6,325 | +41 |
| Administrative expenses | 993 | --- | --- | 1,000 | 1,000 | +7 |
| Brownfields redevelopment | 24,837 | --- | 25,000 | 25,000 | 25,000 | +163 |
| HOME investment partnerships program | 1,987,000 | 2,197,000 | 2,064,100 | 1,975,000 | 2,017,500 | +30,500 |
| Homeless assistance grants | 1,217,037 | 1,325,000 | 1,242,000 | 1,325,000 | 1,267,000 | +49,963 |
| Samaritan housing initiative (legislative proposal) | --- | 50,000 | --- | --- | --- | --- |
| Total, Community planning and development | 8,485,804 | 8,571,000 | 8,602,100 | 8,568,925 | 8,573,325 | +87,521 |
| Housing Programs | | | | | | |
| Housing for special populations | 1,027,081 | --- | --- | 1,033,801 | --- | -1,027,081 |
| Housing for the elderly /2 | --- | 773,636 | 773,320 | --- | 778,320 | +778,320 |
| Housing for persons with disabilities /2 | --- | 250,515 | 250,570 | --- | 250,570 | +250,570 |
| Housing counseling assistance | --- | 45,000 | --- | --- | --- | --- |
| Rental housing assistance (rescission) | -100,000 | -303,000 | -303,000 | -303,000 | -303,000 | -203,000 |
| Manufactured housing fees trust fund | 12,915 | 17,000 | 13,000 | 13,000 | 13,000 | +85 |
| Offsetting collections | -13,000 | -17,000 | -13,000 | -13,000 | -13,000 | --- |
| Total, housing programs | 926,996 | 766,151 | 720,890 | 730,801 | 725,890 | -201,106 |
| Federal Housing Administration | | | | | | |
| FHA - Mutual mortgage insurance program account: | | | | | | |
| (Limitation on guaranteed loans) | (165,000,000) | (185,000,000) | (185,000,000) | (185,000,000) | (185,000,000) | (+20,000,000) |
| (Limitation on direct loans) | (100,000) | (50,000) | (50,000) | (50,000) | (50,000) | (-50,000) |
| Administrative expenses | 345,568 | 359,000 | 359,000 | 359,000 | 359,000 | +13,432 |
| Negative subsidy | -2,753,000 | -2,921,000 | -2,921,000 | -2,921,000 | -2,921,000 | -168,000 |
| Administrative contract expenses | 85,163 | 85,000 | 85,000 | 85,000 | 85,000 | -163 |
| Additional contract expenses | 993 | 1,000 | 1,000 | 1,000 | 1,000 | +7 |

DIVISION G--VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| FHA - General and special risk program account: | | | | | | |
| (Limitation on guaranteed loans) | (23,000,000) | (25,000,000) | (25,000,000) | (25,000,000) | (25,000,000) | (+2,000,000) |
| (Limitation on direct loans) | (50,000) | (50,000) | (50,000) | (50,000) | (50,000) | --- |
| Administrative expenses | 222,262 | 229,000 | 229,000 | 229,000 | 229,000 | +6,738 |
| Negative subsidy | -225,000 | -225,000 | -225,000 | -225,000 | -225,000 | --- |
| Subsidy | 14,902 | 15,000 | 15,000 | 15,000 | 15,000 | +98 |
| Non-overhead administrative expenses | 93,170 | 93,700 | 93,780 | 93,700 | 93,780 | +610 |
| Additional contract expenses | 3,974 | 4,000 | 4,000 | 4,000 | 4,000 | +26 |
| 2003 Supplemental (P.L. 108-83) | -5,000 | --- | --- | --- | --- | +5,000 |
| Total, Federal Housing Administration | -2,216,968 | -2,359,300 | -2,359,220 | -2,359,300 | -2,359,220 | -142,252 |
| Guarantees of mortgage-backed securities loan guarantee program account: | | | | | | |
| (Limitation on guaranteed loans) | (200,000,000) | (200,000,000) | (200,000,000) | (200,000,000) | (200,000,000) | --- |
| Administrative expenses | 10,276 | 10,695 | 10,695 | 10,695 | 10,695 | +419 |
| Offsetting receipts | -358,000 | -318,000 | -318,000 | -318,000 | -318,000 | +40,000 |
| Policy Development and Research | | | | | | |
| Research and technology | 46,695 | 51,000 | 47,000 | 47,000 | 47,000 | +305 |
| Fair Housing and Equal Opportunity | | | | | | |
| Fair housing activities | 45,601 | 50,000 | 46,000 | 50,000 | 48,000 | +2,399 |
| Office of Lead Hazard Control | | | | | | |
| Lead hazard reduction | 174,856 | 136,000 | 130,000 | 175,000 | 175,000 | +144 |
| Management and Administration | | | | | | |
| Salaries and expenses | 526,852 | 537,000 | 547,000 | 535,400 | 547,000 | +20,148 |
| Transfer from: | | | | | | |
| Limitation on FHA corporate funds | (544,639) | (564,000) | (564,000) | (564,000) | (564,000) | (+19,361) |
| GNMA | (10,276) | (10,695) | (10,695) | (10,695) | (10,695) | (+419) |
| Community Development Loan Guarantees Program | (993) | --- | --- | (1,000) | (1,000) | (+7) |
| Native American Housing Block Grants | (149) | (150) | (150) | (150) | (150) | (+1) |
| Indian Housing Loan Guarantee Fund Program | (199) | (250) | (250) | (250) | (250) | (+51) |
| Native Hawaiian Housing Loan Guarantees | (35) | (35) | (35) | (35) | (35) | --- |
| Total, Salaries and expenses | (1,083,143) | (1,112,130) | (1,122,130) | (1,111,530) | (1,123,130) | (+39,987) |
| Working capital fund | 274,504 | 276,300 | 90,000 | 240,000 | 235,000 | -39,504 |
| Office of Inspector General | 73,674 | 76,080 | 76,080 | 78,000 | 77,000 | +3,326 |
| (By transfer, limitation on FHA corporate funds) | (23,343) | (24,000) | (24,000) | (24,000) | (24,000) | (+657) |
| Total, Office of Inspector General | (97,017) | (100,080) | (100,080) | (102,000) | (101,000) | (+3,983) |
| Consolidated fee fund (rescission) | -8,000 | --- | --- | --- | --- | +8,000 |
| Office of Federal Housing Enterprise Oversight | 29,805 | 39,915 | 32,415 | 49,915 | 39,915 | +10,110 |
| Offsetting receipts | -30,000 | -39,915 | -32,415 | -49,915 | -39,915 | -9,915 |
| Total, title II, Department of Housing and Urban Development | 35,203,908 | 35,929,132 | 36,031,306 | 36,085,777 | 35,611,862 | +407,954 |
| Appropriations | (36,090,908) | (35,883,047) | (37,045,721) | (37,117,692) | (38,105,777) | (+2,014,869) |
| Rescissions | (-1,708,000) | (-633,000) | (-1,705,000) | (-1,705,000) | (-3,177,000) | (-1,469,000) |
| Negative subsidy | (-2,978,000) | (-3,146,000) | (-3,146,000) | (-3,146,000) | (-3,146,000) | (-168,000) |
| Offsetting collections | (-401,000) | (-374,915) | (-363,415) | (-380,915) | (-370,915) | (+30,085) |
| Advance appropriations | (4,200,000) | (4,200,000) | (4,200,000) | (4,200,000) | (4,200,000) | --- |
| Net Total | 31,003,908 | 31,729,132 | 31,831,306 | 31,885,777 | 31,411,862 | +407,954 |
| (Limitation on direct loans) | (150,000) | (100,000) | (100,000) | (100,000) | (100,000) | (-50,000) |
| (Limitation on guaranteed loans) | (388,511,955) | (410,062,821) | (410,232,591) | (410,511,955) | (410,511,955) | (+22,000,000) |
| (Limitation on corporate funds) | (579,634) | (599,130) | (599,130) | (600,130) | (600,130) | (+20,496) |

1/ The FY 2003 Act provides funds for Housing assistance for needy families under the Housing certificate fund account

2/ The FY 2003 Act provides funds for Housing for special populations and housing for the elderly in the Housing for special populations account

DIVISION G--VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| TITLE III | | | | | | |
| INDEPENDENT AGENCIES | | | | | | |
| American Battle Monuments Commission | | | | | | |
| Salaries and expenses | 35,017 | 32,400 | 47,276 | 35,000 | 41,300 | +6,283 |
| Chemical Safety and Hazard Investigation Board | | | | | | |
| Salaries and expenses | 6,408 | 8,000 | 8,550 | 8,000 | 8,250 | +1,842 |
| Emergency fund | --- | --- | 450 | --- | 450 | +450 |
| Total | 6,408 | 8,000 | 9,000 | 8,000 | 8,700 | +2,292 |
| Department of the Treasury | | | | | | |
| Community Development Financial Institutions | | | | | | |
| Community development financial institutions fund program account | 74,512 | 51,000 | 51,000 | 70,000 | 61,000 | -13,512 |
| Consumer Product Safety Commission | | | | | | |
| Salaries and expenses | 56,629 | 60,000 | 60,000 | 60,000 | 60,000 | +3,371 |
| Corporation for National and Community Service | | | | | | |
| National and community service programs operating expenses | 326,211 | 472,742 | 363,452 | 452,575 | 553,225 | +227,014 |
| National Service Trust | 100,000 | 120,000 | 110,771 | --- | --- | -100,000 |
| Salaries and expenses | --- | --- | --- | 25,000 | 25,000 | +25,000 |
| Rescission | -48,000 | --- | --- | --- | --- | +48,000 |
| Office of Inspector General | 5,961 | 5,000 | 6,000 | 6,500 | 6,250 | +289 |
| Total | 384,172 | 597,742 | 480,223 | 484,075 | 584,475 | +200,303 |
| U.S. Court of Appeals for Veterans Claims | | | | | | |
| Salaries and expenses | 14,233 | 16,220 | 15,938 | 16,220 | 15,938 | +1,705 |
| Department of Defense - Civil | | | | | | |
| Cemeterial Expenses, Army | | | | | | |
| Salaries and expenses | 32,234 | 25,961 | 25,961 | 32,000 | 29,000 | -3,234 |
| Department of Health and Human Services | | | | | | |
| National Institute of Health | | | | | | |
| National Institute of Environmental Health Sciences | 83,528 | 78,774 | 80,000 | 78,774 | 78,774 | -4,754 |
| Centers for Disease Control and Prevention | | | | | | |
| Agency for Toxic Substances and Disease Registry | | | | | | |
| Toxic substances and environmental public health | 82,262 | 73,467 | 73,467 | 73,467 | 73,467 | -8,795 |
| Total, Department of Health and Human Services | 165,790 | 152,241 | 153,467 | 152,241 | 152,241 | -13,549 |
| Environmental Protection Agency | | | | | | |
| Science and Technology | 715,579 | 731,483 | 759,815 | 715,579 | 786,324 | +70,745 |
| Transfer from Hazardous Substance Superfund | 85,608 | 44,697 | 44,697 | 45,000 | 44,697 | -40,911 |
| Subtotal, Science and Technology | 801,187 | 776,180 | 804,512 | 760,579 | 831,021 | +29,834 |
| Environmental Programs and Management | 2,097,879 | 2,219,659 | 2,193,102 | 2,219,659 | 2,293,578 | +195,699 |
| Office of Inspector General | 35,766 | 36,808 | 36,808 | 36,808 | 37,558 | +1,792 |
| Transfer from Hazardous Substance Superfund | 12,659 | 13,214 | 13,214 | 13,214 | 13,214 | +555 |
| Subtotal, OIG | 48,425 | 50,022 | 50,022 | 50,022 | 50,772 | +2,347 |
| Buildings and facilities | 42,639 | 42,918 | 42,368 | 42,918 | 40,000 | -2,639 |

DIVISION G--VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Hazardous Substance Superfund | 1,264,614 | 1,389,716 | 1,275,000 | 1,165,000 | 1,265,000 | +386 |
| Delayed obligation | --- | --- | --- | 100,000 | --- | --- |
| Transfer to Office of Inspector General | -12,659 | -13,214 | -13,214 | -13,214 | -13,214 | -555 |
| Transfer to Science and Technology | -85,608 | -44,697 | -44,697 | -45,000 | -44,697 | +40,911 |
| Subtotal, Hazardous Substance Superfund | 1,166,347 | 1,331,805 | 1,217,089 | 1,206,786 | 1,207,089 | +40,742 |
| Leaking Underground Storage Tank Program | 71,843 | 72,545 | 79,845 | 72,545 | 76,000 | +4,157 |
| Oil spill response | 15,480 | 16,209 | 16,209 | 16,209 | 16,209 | +729 |
| State and Tribal Assistance Grants | 2,692,000 | 1,918,500 | 2,419,750 | 2,684,000 | 2,721,600 | +29,600 |
| Categorical grants | 1,142,905 | 1,202,700 | 1,182,200 | 1,130,000 | 1,175,200 | +32,295 |
| Subtotal, STAG | 3,834,905 | 3,121,200 | 3,601,950 | 3,814,000 | 3,896,800 | +61,895 |
| Total, EPA | 8,078,705 | 7,630,538 | 8,005,097 | 8,182,718 | 8,411,469 | +332,764 |
| Executive Office of the President | | | | | | |
| Office of Science and Technology Policy | 5,333 | 7,027 | 7,027 | 7,027 | 7,027 | +1,694 |
| Council on Environmental Quality and Office of Environmental Quality | 3,011 | 3,238 | 3,238 | 3,238 | 3,238 | +227 |
| Total | 8,344 | 10,265 | 10,265 | 10,265 | 10,265 | +1,921 |
| Federal Deposit Insurance Corporation | | | | | | |
| Office of Inspector General (transfer) | (30,848) | (30,125) | (30,125) | (30,848) | (30,125) | (-723) |
| General Services Administration | | | | | | |
| Federal Citizen Information Center Fund | 11,466 | 17,643 | 12,500 | 14,000 | 14,000 | +2,534 |
| Interagency Council on the Homeless | | | | | | |
| Operating expenses | 1,490 | --- | 1,500 | 1,500 | 1,500 | +10 |
| National Aeronautics and Space Administration | | | | | | |
| Human space flight | 6,165,658 | --- | --- | --- | --- | -6,165,658 |
| 2003 Supplemental (P.L. 108-83) | 50,000 | --- | --- | --- | --- | -50,000 |
| Space flight capabilities | --- | 7,782,100 | 7,806,100 | 7,582,100 | 7,512,100 | +7,512,100 |
| Science, aeronautics and technology | 9,147,815 | --- | --- | --- | --- | -9,147,815 |
| Science, aeronautics and exploration | --- | 7,660,900 | 7,707,900 | 7,730,507 | 7,929,900 | +7,929,900 |
| Office of Inspector General | 25,434 | 26,300 | 26,300 | 26,300 | 27,300 | +1,866 |
| Total, NASA | 15,388,907 | 15,469,300 | 15,540,300 | 15,338,907 | 15,469,300 | +80,393 |
| National Credit Union Administration | | | | | | |
| Central liquidity facility: | | | | | | |
| (Limitation on direct loans) | (1,500,000) | (1,500,000) | (1,500,000) | (1,500,000) | (1,500,000) | --- |
| (Limitation on administrative expenses, corporate funds) | (309) | (310) | (310) | (310) | (310) | (+1) |
| Community Development Revolving Loan Fund | 993 | 1,000 | 1,000 | 1,500 | 1,200 | +207 |
| National Science Foundation | | | | | | |
| Research and related activities | 3,988,902 | 4,038,360 | 4,233,360 | 4,152,540 | 4,208,600 | +219,698 |
| Defense function | 67,558 | 68,000 | 68,000 | 68,070 | 68,000 | +442 |
| Subtotal | 4,056,460 | 4,106,360 | 4,301,360 | 4,220,610 | 4,276,600 | +220,140 |
| Major research equipment and facilities construction | 148,538 | 202,330 | 192,330 | 149,680 | 155,900 | +7,362 |
| Education and human resources | 903,171 | 938,040 | 910,680 | 975,870 | 944,550 | +41,379 |
| Salaries and expenses | 189,115 | 225,700 | 215,900 | 225,700 | 220,000 | +30,885 |
| National Science Board | 3,477 | --- | 3,800 | 3,900 | 3,900 | +423 |
| Office of Inspector General | 9,190 | 8,770 | 10,000 | 10,000 | 10,000 | +810 |
| Total, NSF | 5,309,951 | 5,481,200 | 5,634,070 | 5,585,760 | 5,610,950 | +300,999 |

DIVISION G--VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Neighborhood Reinvestment Corporation | | | | | | |
| Payment to the Neighborhood Reinvestment Corporation.. | 104,317 | 115,000 | 115,000 | 115,000 | 115,000 | +10,683 |
| Selective Service System | | | | | | |
| Salaries and expenses..... | 26,308 | 28,290 | 28,290 | 26,308 | 26,308 | --- |
| Total, title III, Independant agencies..... | 29,699,476 | 29,696,800 | 30,190,887 | 30,133,494 | 30,612,646 | +913,170 |
| Appropriations..... | (29,747,476) | (29,696,800) | (30,190,887) | (30,133,494) | (30,612,646) | (+865,170) |
| Rescissions..... | (-48,000) | --- | --- | --- | --- | (+48,000) |
| (By transfer)..... | (30,848) | (30,125) | (30,125) | (30,848) | (30,125) | (-723) |
| (Limitation on direct loans)..... | (1,500,000) | (1,500,000) | (1,500,000) | (1,500,000) | (1,500,000) | --- |
| (Limitation on corporate funds)..... | (309) | (310) | (310) | (310) | (310) | (+1) |
| Grand total (net)..... | 123,003,816 | 126,344,797 | 126,943,148 | 128,243,712 | 128,243,693 | +5,239,877 |
| Appropriations..... | (123,938,816) | (126,298,712) | (127,957,563) | (128,445,627) | (131,007,608) | (+7,068,792) |
| Rescissions..... | (-1,756,000) | (-633,000) | (-1,705,000) | (-1,975,000) | (-3,447,000) | (-1,691,000) |
| Negative subsidy..... | (-2,978,000) | (-3,146,000) | (-3,146,000) | (-3,146,000) | (-3,146,000) | (-168,000) |
| Offsetting collections..... | (-401,000) | (-374,915) | (-363,415) | (-380,915) | (-370,915) | (+30,085) |
| Advance appropriations..... | (4,200,000) | (4,200,000) | (4,200,000) | (4,200,000) | (4,200,000) | --- |
| (By transfer)..... | (30,848) | (30,125) | (30,125) | (30,848) | (30,125) | (-723) |
| (Limitation on direct loans)..... | (1,653,929) | (1,604,241) | (1,604,241) | (1,604,241) | (1,604,241) | (-49,688) |
| (Limitation on guaranteed loans)..... | (388,511,955) | (410,062,821) | (410,232,591) | (410,511,955) | (410,511,955) | (+22,000,000) |
| (Limitation on corporate funds)..... | (579,943) | (599,440) | (599,440) | (600,440) | (600,440) | (+20,497) |

DIVISION H--MISCELLANEOUS APPROPRIATIONS AND OFFSETS (H.R. 2673)
(Amounts in thousands)

| | Conference |
|---|---|
| DIVISION H - MISCELLANEOUS APPROPRIATIONS AND OFFSETS | |
| DEPARTMENT OF HOMELAND SECURITY | |
| PREPAREDNESS AND RECOVERY | |
| Emergency Preparedness and Response | |
| Disaster relief (emergency rescission) (Sec. 102(a)).. | -225,000 |
| DEPARTMENT OF AGRICULTURE | |
| Forest Service | |
| Wildland fire management (emergency) (Sec. 102(b)).... | 25,000 |
| State and private forestry (emergency) (Sec. 102(c)).. | 25,000 |
| Conservation Programs | |
| Natural Resources Conservation Service (Sec. 102(d)): | |
| Emergency watershed protection program (emergency) | 150,000 |
| Tree assistance program (emergency) (Sec. 102(e)..... | 12,500 |
| Emergency conservation prog. (emergency) (Sec. 102(f)) | 12,000 |
| Commodity Credit Corporation Fund: | |
| Livestock indemnity prog. (emergency) (Sec.102(g)) | 500 |
| DEPARTMENT OF JUSTICE | |
| Office of Justice Programs | |
| State and local law enforcement assistance: | |
| Byrne grants (discretionary) (Sec. 103)..... | 50,000 |
| Other Justice programs (Sec. 107)..... | 2,250 |
| RELATED AGENCY | |
| Abraham Lincoln Study Abroad Fellowship Commission (Sec. 104)..... | 500 |
| THE JUDICIARY | |
| Supreme Court of the United States | |
| Care of the building and grounds (Sec. 106)..... | 16,000 |
| DEPARTMENT OF DEFENSE | |
| Procurement | |
| Shipbuilding and conversion, Navy (by transfer) (Sec. 108)..... | (68,600) |
| Other Department of Defense Programs | |
| Defense Health program (by transfer) (Sec. 108)..... | (6,000) |
| Iraq Freedom Fund (transfer authority) (Sec. 114)..... | (120,000) |
| DEPARTMENT OF ENERGY | |
| Science (Sec. 130) (Sec. 131)..... | 51,250 |
| Energy supply (Sec. 132)..... | 5,000 |

DIVISION H--MISCELLANEOUS APPROPRIATIONS AND OFFSETS (H.R. 2673)
(Amounts in thousands)

| | Conference |
|---|---|
| DEPARTMENT OF THE ARMY | |
| Corps of Engineers - Civil | |
| Construction, general (Sec. 133) | 13,750 |
| BILATERAL ECONOMIC ASSISTANCE | |
| INDEPENDENT AGENCY | |
| Millenium Challenge Corporation | |
| Millenium Challenge Corporation (Sec. 134) | 350,000 |
| DEPARTMENT OF THE INTERIOR | |
| Departmental Offices | |
| U.S. Office for Native Hawaiian Relations (Sec. 148) | 100 |
| UNITED STATES SENATE | |
| China Interparliamentary Group (Sec. 153) | 100 |
| Russia Interparliamentary Group (Sec. 154) | 100 |
| DEPARTMENT OF LABOR | |
| Pension Benefit Guaranty Corporation | |
| Republic Steel Retirement Plan benefits (Sec. 157) | 4,000 |
| DEPARTMENT OF DEFENSE | |
| Department of Defense Family Housing Improvement Fund (Sec. 158) | 9,692 |
| Foreign Currency Fluctuations, Construction, Defense (rescission) (Sec. 158) | -9,692 |
| INDEPENDENT AGENCY | |
| Election Assistance Commission | |
| Election reform programs (Sec. 159) | 1,000,000 |
| DEPARTMENT OF TRANSPORTATION | |
| Miscellaneous projects (Highway Trust Fund) (Sec. 162) | 50,000 |
| DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT | |
| Community Development Fund (Sec. 165) | 10,000 |

DIVISION H--MISCELLANEOUS APPROPRIATIONS AND OFFSETS (H.R. 2673)
(Amounts in thousands)

| | Conference |
|---|---|
| GOVERNMENT-WIDE | |
| Miscellaneous appropriations (Sec. 167) | 55,000 |
| Department of Defense, P.L. 107-38 and P.L. 107-117 rescissions (Sec. 168) | -1,800,000 |
| Across the board rescissions (Sec. 168) | -2,761,000 |
| Across the board rescissions (emergency) (Sec. 168) | -4,000 |
| Grand total: | |
| New budget (obligational) authority | -2,956,950 |
| Appropriations | (1,617,742) |
| Rescissions | (-4,795,692) |
| Emergency appropriations | (225,000) |
| Emergency Rescissions | (-4,000) |
| (By transfer) | (74,600) |
| (Transfer authority) | (120,000) |

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

Mr. OBEY. Mr. Speaker, I yield 2½ minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, only a few weeks after Congress eliminated the guarantee of health care under Medicare for every senior in America, just in time for the holidays we are telling every working person in this country that another guarantee is also a thing of the past: overtime pay.

The passage of the Fair Standards Labor Act nearly 70 years ago safeguarded workers' rights in this country. It promised workers time and a half for the time they worked beyond the 40-hour workweek: a little extra cash to put a roof over their families' heads, to buy groceries, and pay their medical bills. On average, these extra wages account for roughly 25 percent of their total earnings.

This bill, in clear defiance of the will of both Chambers of Congress, breaks that promise. This bill allows the Department of Labor to gut the Fair Standards Labor Act, effectively repealing the 40-hour workweek and forcing 8 million Americans, including police officers, firefighters, construction workers, nurses, and EMTs, to take a second job to make up for those lost earnings; this at a time when we already have millions of people out of work, where income is declining, poverty is increasing, and health care costs are rising.

This bill opens the door to mandatory overtime, allowing employers to force millions of workers to stay late with little notice and without adequately compensating them. It will leave countless working women the worse off, spending less time with their families as they put more of their hard-earned wages to afford increased child care and transportation costs.

The Republican majority has moved effectively to tear up our country's long-standing contract with the working people of this country, a contract that says that hard work deserves to be rewarded, especially when that work is above and beyond the call of duty, after normal working hours. By ending overtime pay, by denying a fair extension of unemployment benefits, this bill embodies that assault on America's working families.

Mr. Speaker, I urge my colleagues to stand up for those families today, to make a difference in their lives, and say ''no'' to this bill and oppose it.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself 10 seconds to say that this is an appropriation bill, and the issues that the gentlewoman discussed are not within our jurisdiction and are not in this bill.

Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. ISTOOK), the distinguished chairman of the Subcommittee on Transportation.

(Mr. ISTOOK asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. ISTOOK. Mr. Speaker, I thank the gentleman from Florida for yielding me this time, and I rise in support in particular of the section on transportation, treasury, and independent agencies, which is included as division F of this bill. This is the first time that this body packaged together this particular grouping of agencies, including transportation, the Treasury Department, the executive office of the President, and independent agencies, such as the General Services Administration and the Office of Personnel Management. I am pleased to say that with the help of my hardworking colleague, the gentleman from Massachusetts (Mr. OLVER), and with good staff and with the good cooperation of the Senate, we have met the challenges of that particular grouping.

This is a good effort, Mr. Speaker. This portion of the conference report contains $89.8 billion. That is just 3.7 percent above the level enacted for fiscal year 2003. Nondefense discretionary spending is below the President's budget request and below the fiscal year 2003 level.

However, we are able to establish important priorities. In particular, Federal aid to highways will receive a $2 billion increase. Even within the overall constraints, a $2 billion increase for highways, going from $31.8 billion to $33.8 billion. That addresses the most critical transportation needs in the entire country. It also provides much-needed jobs and will assist in relieving congestion in the overburdened highway system.

In addition, it provides significantly more money for the IRS tax law enforcement programs. The return to Treasury on the investment in law enforcement is enormous; and we have given it, appropriately, a top priority.

Other programs in the bill receive sufficient funding to continue operations but not enough for frills.

Mr. Speaker, this bill is very important for transportation in the country, whether we are talking about road, rail, mass transit, or any other system. I appreciate the effort to work together cooperatively with both sides of the aisle on that, and I ask that this bill be approved.

Mr. Speaker, I rise to speak in support of the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004, which is included as division F of this bill. This is the first time this body has had to package together the funding priorities of the Transportation Department, the Treasury Department, the Executive Office of the President, and independent agencies such as the Office of Personnel Management and the General Services Administration. Dealing with fundamental financial and personnel policy issues while trying to provide for the Nation's infrastructure has proven to be a formidable challenge. But I am proud to say that, with the help of my hard-working colleague from Massachusetts, Mr. OLVER, and with the good cooperation of the Senate, we have met that challenge.

This is a good Transportation and Treasury bill, Mr. Speaker. Within very tight fiscal constraints, it strikes a good balance between the programs of those departments. It provides for critical, core programs but trims back new initiatives.

That portion of this conference report contains $89.8 billion in budgetary resources. That is just 3.7 percent above the level enacted for fiscal year 2003. Non-defense discretionary spending is below the President's budget request and below the fiscal year 2003 level.

However, this part of the bill does establish priorities. In particular, the federal-aid highways program will receive a $2 billion increase, going from $31.8 billion to $33.8 billion. This addresses the most crucial transportation issue in America. This will provide much-needed jobs around the country, and assist in providing congestion relief on our overburdened highway system. In addition, the bill provides almost $350 million—9 percent—more for IRS's tax law enforcement program in the coming year. Given the budget problems facing the Nation, every additional tax dollar the IRS collects is critical. The return to the Treasury on this investment is enormous, so we have given it a top priority.

Let me make special note of one of our most critical grant programs, the election reform grants authorized by the Help America Vote Act of 2002. These grants go out to all States, to help them meet Federal deadlines for upgrading voting machines. Given their budget situation, many States will have a difficult if not impossible time meeting the deadline without Federal help. This bill provides $1.5 billion for those grants, which is $1 billion above the House-passed level. The funding in this bill will bring total assistance for election reform to $3 billion.

Other programs in the bill receive sufficient funding to continue their operations throughout the year, but they won't have enough for frills. The IRS's operating budget would rise by 3 percent. The FAA's by 7 percent. The Executive Office of the President receives an increases of only 1 percent. The essential air service program receives $102 million, which will sustain their current operations. The Airport Improvement Program is at $3.4 billion, which is also the FY 03 level. Amtrak, which requested $1.8 billion, will receive $1.225 billion, essentially the same amount as in the current year.

The bill has a number of important oversight initiatives that I'd like to highlight as well.

For Amtrak, the bill continues the strong oversight provisions first included in last year's appropriations bill. In addition, we have added a new provision authorizing the Surface Transportation Board to continue commuter rail service if Amtrak ceases operations, and providing $60 million to the Secretary for these purposes.

In FAA, the bill provides additional resources for contract audits of major procurements and fences the funds only for that purpose. According to the IG, FAA has been negligent in performing these valuable audits. With major new acquisitions facing the agency, the bill requires FAA to do a better job at reviewing contractor proposals and bid prices and gives them money for that purpose.

In the Federal Transit Administration, the bill directs FTA to ensure that alternative modes or alignments are analyzed as part of the

planning process for new starts, and that they fully support the mode chosen by weighing all viable alternatives and using quantitative measures, rather than pre-ordaining expensive light-rail as their choice for transit. We need to make sure that, when the Federal Government is asked to pay 50 percent or more of the money, local communities have done their homework in studying alternatives that will most effectively deal with the problems.

In short, Mr. Speaker, this is a very good compromise. It involved some give and take by both sides, but we were able to preserve the most critical aspects of the House-passed bill. It deserves every Member's support.

Mr. OBEY. Mr. Speaker, I yield 2½ minutes to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip.

Mr. HOYER. Mr. Speaker, I thank the gentleman for yielding me this time, and initially I would like to submit for the RECORD at this point in time my remarks with reference to the Office of Federal Detention Trustee.

Mr. Speaker, I thank the distinguished gentleman from Virginia, Mr. WOLF, the chairman of the Commerce, Justice, State Appropriations Subcommittee, for the opportunity to discuss the roles and authorities of the Federal Detention Trustee.

It is my understanding that the language in the report addressing the building of detention facilities by the Office of Federal Detention Trustee clearly indicates that the Office does not have the authority to solicit contracts to build a new detention facility and directs the Office to withdraw any solicitation for such activities.

While the language is report language and is not binding, I believe it is sufficient to prevent the Office of Federal Detention Trustee from going forward with its plans to solicit contracts to build a new detention facility.

Chairman WOLF has committed to working with me to ensure that the Detention Trustees abides by the clear intent of the Congress that contracting for a new facility is not an allowable use of funds.

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

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

Mr. WOLF. Mr. Speaker, I thank the gentleman for yielding to me, and I too wish to submit a statement for the RECORD regarding the Office of Federal Detention Trustee.

On discussion of the role of the Office of Federal Detention Trustee at the Department of Justice, the statement of managers clearly indicates that the Office does not have the authority to solicit contracts to build a new detention facility. I would also point out that the committee revised the bill language to strike any reference to construction. I am fully aware that many States, including Maryland, Louisiana, Ohio, and others have excess prison bed space capacity. It was never the intention of the Congress to allow the Detention Trustee to build additional facilities, but to take advantage of existing State and local excess prison bed space. The committee will work with Mr. HOYER of Maryland and other concerned Members in the coming year to address these concerns.

Mr. HOYER. Mr. Speaker, reclaiming my time, I rise again, as I always do, to say that the chairman of our committee is extraordinarily fair. I wish I could vote for this bill. I voted for many of the bills that are in here, as the chairman knows.

But, Mr. Speaker, we have a very bad process that is going on here. We act in the House, the Senate acts the same way, and it goes to conference and magically it disappears, or it comes back here 180 degrees different. This is a corruption of the democratic process. It has ignored the will of the House and the Senate on outsourcing, Cuba travel, drug reimportation, school vouchers in the District of Columbia. Funding in the omnibus for the No Child Left Behind is too low; funding for NIH represents a real reduction. The congressional branch does not work, Mr. Speaker, for the executive.

I would urge the majority party, my friends on the other side, to let the executive department know that this is a democracy. It is not a kingdom; it is not a dictatorship. And just because the House passes something, the Senate passes something, and they do not like it, that does not mean the Congress of the United States ought to turn tail and run. Mr. Speaker, I would hope that we would be able to resolve some of these issues that the House and the Senate have agreed upon. I agree with the chairman, some of these are authorizing matters; but both Houses agreed and the White House did not like it, so it was dropped.

The outsourcing is particularly, in my opinion, egregious because we had a conference. The chairman, as always, was fair and open. Senator STEVENS was fair and open. We had an agreement. That agreement was adopted in an open conference, and lo and behold it has disappeared. It was totally changed. It has undermined the very protections for Federal employees we wanted to build in the bill.

Mr. Speaker, if the gentleman from Florida (Mr. YOUNG) was in charge, and he is in charge of our committee, no doubt about that; but if he made the final decisions, this would not have happened, and I know that and I lament it.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself such time as I may consume to advise the gentleman that I am happy to report that one of the major issues he was concerned about, the election reform program and to help the States, that money is in this package.

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

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

Mr. HOYER. Mr. Speaker, I thank the gentleman for making that observation. He is absolutely right. And I want to make the public aware of the fact that we differ from time to time on partisan issues, but if the chairman of this committee, the gentleman from Florida (Mr. YOUNG), had not been such a tenacious supporter both of revising and reforming our election apparatus and then funding it, it would not be there.

I want to thank the chairman profusely, because I think he, as he knows, and I think the gentleman from Illinois (Mr. HASTERT), our Speaker, has also been very responsible for this bipartisan accomplishment, and I thank the gentleman for his support. It is an important step. There are a lot of good things in this bill, and I would like to support it.

Mr. YOUNG of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BONILLA), the chairman of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies.

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

Mr. BONILLA. Mr. Speaker, I rise in strong support of the conference agreement; and as we consider this bill, I would like to take a minute to recognize one of the star players behind the scenes.

Lots of folks out there watch us on television and in committee hearings and markups and think that the Members of the House are the ones that actually do all the work, cross all the T's, dot all the I's, and check all the legalese, and we do check all that; but the people that do the work day in and day out are the great staff members of the committees and subcommittees. I am losing a key member of this team, the clerk for my agriculture appropriations subcommittee, and his name is Hank Moore.

As many of my colleagues know, Hank has announced he will not be with us next year as we work our way through this process. He has decided after 30 years of working here for the Federal Government that he would like to spend more time with his family and is retiring.

Mr. Speaker, most Americans probably do not realize, as I did not when I first arrived in the House of Representatives, that this bill is 1,200 pages long. There are countless paragraphs, clauses, commas, sections, outlays, all kinds of terms that are put in this bill; and it has to be done right year in and year out. And while many of us are dealing with the substance of big issues as we develop these bills each year, good members of the staff, like Hank Moore, are there on weekends, late at night making sure that all of the language is exactly right every step of the way.

As I have worked with Hank, and I frequently use football terms on occasion, but I want him to know that I have always been very grateful that every time I turned around, the ball was there. Every time. It made my job a lot easier, and it made the job of a lot of folks that preceded me in the Committee on Appropriations a lot easier. I want to wish him well, and his family, and let him know that we will miss him.

Mr. Speaker, I am pleased to bring before the House today the conference report on H.R. 2673, providing appropriations for Agriculture, Rural Development, the Food and Drug Administration and Related Agencies for fiscal year 2004, and for other purposes.

I want to acknowledge the good work of the gentlewoman from Ohio, Ms. KAPTUR, my ranking member, who has contributed greatly to this process. It has been a pleasure working with her and all the members of the subcommittee on both sides of the aisle.

I believe we have produced a good bipartisan conference agreement that does a lot to advance important nutrition, research, and rural development programs and still meets our conference allocations on discretionary and mandatory spending.

My goal this year has been to produce a bipartisan bill, and I believe we have done a good job in reaching that goal.

This conference agreement does have significant increases over fiscal year 2003 for programs that have always enjoyed strong bipartisan support. Those increases include:

Agricultural Research Service, $54 million for Salaries and Expenses; Cooperative State Research, Education, and Extension Service, $2 million; Animal and Plant Health Inspection Service, $33 million; Food Safety and Inspection Service, $30 million; Farm Service Agency, $18 million; Federal Crop Insurance Corporation Fund, $482 million; Reimbursement for net realized losses of the Commodity Credit Corporation, $990 million; Natural Resources Conservation Service, $12 million; Rural Cooperative Development Grants, $15 million; Renewable Energy Program, $23 million; Broadband Telecommunications Loan Authorization, $522 million; Domestic Food Programs, $5.4 billion, including Child Nutrition Programs, $837 million and Food Stamp Program, $3.6 billion in program expenses as well as $1.0 billion in reserve to respond to economic conditions; Foreign Assistance and Related Programs, including P.L. 480, $45 million—excluding last year's supplemental appropriation; and Food and Drug Administration, $12 million.

Mr. Speaker, we all refer to this bill as an agriculture bill, but it does far more than assist basic agriculture. It also supports human nutrition, the environment, and food, drug, and medical safety. This is a bill that will deliver benefits to every one of our citizens every day. I would say to all Members that they can support this conference agreement and tell all of their constituents that they voted to improve their lives while maintaining fiscal responsibility.

The conference agreement is a bipartisan product with a lot of hard work and input from both sides of the aisle. I would like to thank the gentleman from Florida, Chairman YOUNG, and the gentleman from Wisconsin, Mr. OBEY, who serve as the distinguished chairman and ranking member of the Committee on Appropriations. I would also like to thank all my subcommittee colleagues: the gentleman from New York, Mr. WALSH; the gentleman from Georgia, Mr. KINGSTON; the gentleman from Washington, Mr. NETHERCUTT; the gentleman from Iowa, Mr. LATHAM; gentlewoman from Missouri, Mrs. EMERSON; the gentleman from Virginia, Mr. GOODE; the gentleman from Illinois, Mr. LAHOOD; the gentlewoman from Connecticut, Ms. DELAURO; the gentleman from New York, Mr. HINCHEY; the gentleman from California, Mr. FARR; and the gentleman from Florida, Mr. BOYD. In particular, I want to thank the gentlewoman from Ohio, Ms. KAPTUR; the distinguished ranking member of the subcommittee, for all her good work on this bill this year and the years in the past.

Mr. Speaker, we have tried our best to put together a good, solid bill that works for all America. Much of it is compromise, to be sure, but I believe it is a good compromise and good policy.

In closing, I would like to thank the subcommittee staff for all their hard work: Hank Moore, the subcommittee clerk; Martin Delgado; Maureen Holohan; Joanne Perdue; Martha Foley of the staff of the gentleman from Wisconsin, Mr. OBEY; and Walt Smith, from my personal office. Without their good work, we would not have a bill here today.

Mr. Speaker, I urge all my colleagues to support this conference agreement.

Mr. Speaker, we have worked hard to bring a good conference agreement to the House. We have made prudent recommendations for the use of the budgetary allocation available to us, and we have done yeoman work in keeping the bill free of contentious issues that have caused concern in prior years. I think we have a very good conference agreement. In closing, I would certainly hope that all Members would support this agreement.

Mr. Speaker, I submit for the RECORD detailed information regarding the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies included in this omnibus legislation.

DEPARTMENT OF AGRICULTURE, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| TITLE I - AGRICULTURAL PROGRAMS | | | | | | |
| Production, Processing, and Marketing | | | | | | |
| Office of the Secretary | 3,320 | 10,068 | 3,468 | 10,046 | 5,092 | +1,772 |
| Executive Operations: | | | | | | |
| Chief Economist | 8,510 | 12,264 | 8,716 | 8,707 | 8,707 | +197 |
| National Appeals Division | 13,670 | 14,242 | 13,670 | 13,997 | 13,670 | --- |
| Office of Budget and Program Analysis | 7,270 | 7,980 | 7,749 | 7,544 | 7,740 | +470 |
| Homeland Security staff | --- | 1,479 | --- | 910 | 499 | +499 |
| Office of the Chief Information Officer | 14,993 | 31,334 | 14,993 | 15,710 | 15,493 | +500 |
| Common computing environment | 132,289 | 177,714 | 100,999 | 118,789 | 119,289 | -13,000 |
| Office of the Chief Financial Officer | 5,496 | 7,902 | 5,785 | 5,496 | 5,684 | +188 |
| Working capital fund | 11,922 | --- | --- | --- | --- | -11,922 |
| Total, Executive Operations | 194,150 | 252,915 | 151,912 | 171,153 | 171,082 | -23,068 |
| Office of the Assistant Secretary for Civil Rights | 397 | 808 | 808 | 794 | 808 | +411 |
| Office of Civil Rights | --- | 17,550 | --- | 15,445 | 17,450 | +17,450 |
| Office of the Assistant Secretary for Administration | 660 | 793 | 678 | 673 | 673 | +13 |
| Agriculture buildings and facilities and rental payments | (186,879) | (199,332) | (156,091) | (187,022) | (156,469) | (-30,410) |
| Payments to GSA | 120,796 | 124,332 | 123,532 | 123,910 | 123,910 | +3,114 |
| Building operations and maintenance | 32,327 | 41,000 | 32,559 | 32,559 | 32,559 | +232 |
| Repairs, renovations, and construction | 33,756 | 34,000 | --- | 30,553 | --- | -33,756 |
| Hazardous materials management | 15,583 | 15,713 | 15,713 | 15,611 | 15,611 | +28 |
| Departmental administration | 37,629 | 27,578 | 40,597 | 23,031 | 23,031 | -14,598 |
| Office of the Assistant Secretary for Congressional Relations | 3,796 | 4,186 | 3,796 | 3,825 | 3,796 | --- |
| Office of Communications | 9,031 | 10,084 | 9,245 | 9,228 | 9,228 | +197 |
| Office of the Inspector General | 73,417 | 81,895 | 78,114 | 75,781 | 77,281 | +3,864 |
| Office of the General Counsel | 34,700 | 37,328 | 34,700 | 35,343 | 34,700 | --- |
| Office of the Under Secretary for Research, Education and Economics | 584 | 792 | 597 | 596 | 596 | +12 |
| Economic Research Service | 68,674 | 76,657 | 71,402 | 69,902 | 71,402 | +2,728 |
| National Agricultural Statistics Service | 138,448 | 136,182 | 129,800 | 128,922 | 128,922 | -9,526 |
| Census of Agriculture | (41,274) | (25,279) | (25,279) | (25,279) | (25,279) | (-15,995) |
| Agricultural Research Service: | | | | | | |
| Salaries and expenses | 1,035,130 | 987,303 | 1,014,000 | 1,045,533 | 1,088,892 | +53,762 |
| Buildings and facilities | 118,703 | 24,000 | 35,900 | 46,000 | 63,810 | -54,893 |
| - Supplemental appropriations (P.L. 108-11) | 110,000 | --- | --- | --- | --- | -110,000 |
| Total, Agricultural Research Service | 1,263,833 | 1,011,303 | 1,049,900 | 1,091,533 | 1,152,702 | -111,131 |
| Cooperative State Research, Education, and Extension Service: | | | | | | |
| Research and education activities | 616,792 | 514,228 | 597,372 | 617,575 | 621,447 | +4,655 |
| Native American Institutions Endowment Fund | (7,054) | (9,000) | (9,000) | (9,000) | (9,000) | (+1,946) |
| Extension activities | 450,520 | 422,268 | 439,742 | 450,084 | 441,731 | -8,789 |
| Integrated activities | 46,439 | 62,865 | 62,942 | 46,711 | 50,493 | +4,054 |
| Outreach for socially disadvantaged farmers | 3,470 | 4,003 | 8,470 | 3,470 | 5,970 | +2,500 |
| Total, Cooperative State Research, Education, and Extension Service | 1,117,221 | 1,003,364 | 1,108,526 | 1,117,840 | 1,119,641 | +2,420 |
| Office of the Under Secretary for Marketing and Regulatory Programs | 725 | 791 | 725 | 736 | 725 | --- |
| Animal and Plant Health Inspection Service: | | | | | | |
| Salaries and expenses | 682,757 | 694,897 | 725,502 | 705,552 | 720,580 | +37,823 |
| Buildings and facilities | 9,924 | 4,996 | 4,996 | 4,996 | 4,996 | -4,928 |
| Total, Animal and Plant Health Inspection Service | 692,681 | 699,893 | 730,498 | 710,548 | 725,576 | +32,895 |
| Agricultural Marketing Service: | | | | | | |
| Marketing Services | 75,210 | 75,071 | 75,953 | 75,263 | 75,430 | +220 |
| Standardization user fees | (5,000) | (5,000) | (5,000) | (5,000) | (5,000) | --- |
| (Limitation on administrative expenses, from fees collected) | (61,619) | (62,577) | (62,577) | (62,577) | (62,577) | (+958) |
| Funds for strengthening markets, income, and supply (transfer from section 32) | 14,910 | 15,392 | 15,392 | 15,392 | 15,392 | +482 |
| Payments to states and possessions | 1,338 | 1,347 | 1,347 | 3,338 | 3,338 | +2,000 |
| Total, Agricultural Marketing Service | 91,458 | 91,810 | 92,692 | 93,993 | 94,160 | +2,702 |
| Grain Inspection, Packers and Stockyards Administration: | | | | | | |
| Salaries and expenses | 39,690 | 41,688 | 39,690 | 35,638 | 35,890 | -3,800 |
| Limitation on inspection and weighing services | (42,463) | (42,463) | (42,463) | (42,463) | (42,463) | --- |

DEPARTMENT OF AGRICULTURE, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Office of the Under Secretary for Food Safety | 599 | 792 | 599 | 611 | 599 | --- |
| Food Safety and Inspection Service | 754,821 | 797,149 | 785,261 | 783,761 | 784,511 | +29,690 |
| Lab accreditation fees 1/ | (1,000) | (1,000) | (1,000) | (1,000) | (1,000) | --- |
| Total, Production, Processing, and Marketing | 4,728,296 | 4,518,671 | 4,504,812 | 4,582,032 | 4,629,945 | -98,351 |
| Farm Assistance Programs | | | | | | |
| Office of the Under Secretary for Farm and Foreign Agricultural Services | 618 | 916 | 636 | 635 | 635 | +17 |
| Farm Service Agency: | | | | | | |
| Salaries and expenses | 970,389 | 1,016,836 | 1,016,836 | 988,768 | 988,768 | +18,379 |
| (Transfer from export loans) | (829) | (985) | (985) | (846) | (846) | (+17) |
| (Transfer from P.L. 480) | (1,019) | (2,975) | (2,975) | (1,075) | (1,075) | (+56) |
| (Transfer from ACIF) | (277,361) | (290,136) | (290,136) | (283,020) | (283,020) | (+5,659) |
| Subtotal, transfers from program accounts | (279,209) | (294,096) | (294,096) | (284,941) | (284,941) | (+5,732) |
| Total, Salaries and expenses | (1,249,598) | (1,310,932) | (1,310,932) | (1,273,709) | (1,273,709) | (+24,111) |
| State mediation grants | 3,974 | 4,000 | 3,974 | 3,974 | 3,974 | --- |
| Dairy indemnity program | 100 | 100 | 100 | 100 | 100 | --- |
| Subtotal, Farm Service Agency | 974,463 | 1,020,936 | 1,020,910 | 992,842 | 992,842 | +18,379 |
| Agricultural Credit Insurance Fund Program Account: | | | | | | |
| Loan authorizations: | | | | | | |
| Farm ownership loans: | | | | | | |
| Direct | (130,000) | (140,149) | (133,143) | (129,158) | (129,158) | (-842) |
| Guaranteed | (1,000,000) | (1,000,000) | (950,000) | (950,000) | (950,000) | (-50,000) |
| Subtotal | (1,130,000) | (1,140,149) | (1,083,143) | (1,079,158) | (1,079,158) | (-50,842) |
| Farm operating loans: | | | | | | |
| Direct | (605,000) | (650,000) | (617,503) | (601,068) | (617,503) | (+12,503) |
| Unsubsidized guaranteed | (1,700,000) | (1,400,000) | (1,330,000) | (1,200,000) | (1,200,000) | (-500,000) |
| Subsidized guaranteed | (400,000) | (266,249) | (252,937) | (266,249) | (266,249) | (-133,751) |
| Subtotal | (2,705,000) | (2,316,249) | (2,200,440) | (2,067,317) | (2,083,752) | (-621,248) |
| Indian tribe land acquisition loans | (2,000) | (2,000) | (2,000) | (2,000) | (2,000) | --- |
| Boll weevil eradication loans | (100,000) | (60,000) | (100,000) | (100,000) | (100,000) | --- |
| Total, Loan authorizations | (3,937,000) | (3,518,398) | (3,385,583) | (3,248,475) | (3,264,910) | (-672,090) |
| Loan subsidies: | | | | | | |
| Farm ownership loans: | | | | | | |
| Direct | 14,995 | 30,945 | 29,398 | 28,518 | 28,518 | +13,523 |
| Guaranteed | 7,451 | 5,400 | 5,130 | 5,130 | 5,130 | -2,321 |
| Subtotal | 22,446 | 36,345 | 34,528 | 33,648 | 33,648 | +11,202 |
| Farm operating loans: | | | | | | |
| Direct | 103,744 | 93,730 | 89,044 | 86,674 | 89,044 | -14,700 |
| Unsubsidized guaranteed | 53,540 | 46,620 | 44,289 | 39,960 | 39,960 | -13,580 |
| Subsidized guaranteed | 46,893 | 34,000 | 32,300 | 34,000 | 34,000 | -12,893 |
| Subtotal | 204,177 | 174,350 | 165,633 | 160,634 | 163,004 | -41,173 |
| Indian tribe land acquisition | 178 | --- | --- | --- | --- | -178 |
| Total, Loan subsidies | 226,801 | 210,695 | 200,161 | 194,282 | 196,652 | -30,149 |

DEPARTMENT OF AGRICULTURE, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| ACIF expenses: | | | | | | |
| Salaries and expense (transfer to FSA) | 277,361 | 290,136 | 290,136 | 283,020 | 283,020 | +5,659 |
| Administrative expenses | 7,948 | 8,000 | 8,000 | 7,948 | 7,948 | --- |
| Total, ACIF expenses | 285,309 | 298,136 | 298,136 | 290,968 | 290,968 | +5,659 |
| Total, Agricultural Credit Insurance Fund | 512,110 | 508,831 | 498,297 | 485,250 | 487,620 | -24,490 |
| (Loan authorization) | (3,937,000) | (3,518,398) | (3,385,583) | (3,248,475) | (3,264,910) | (-672,090) |
| Total, Farm Service Agency | 1,486,573 | 1,529,767 | 1,519,207 | 1,478,092 | 1,480,462 | -6,111 |
| Risk Management Agency | 70,248 | 78,488 | 71,509 | 71,422 | 71,422 | +1,174 |
| Total, Farm Assistance Programs | 1,557,439 | 1,609,171 | 1,591,352 | 1,550,149 | 1,552,519 | -4,920 |
| Corporations | | | | | | |
| Federal Crop Insurance Corporation: | | | | | | |
| Federal crop insurance corporation fund | 2,886,000 | 3,368,000 | 3,368,000 | 3,368,000 | 3,368,000 | +482,000 |
| Commodity Credit Corporation Fund: | | | | | | |
| Reimbursement for net realized losses | 16,285,000 | 17,275,000 | 17,275,000 | 17,275,000 | 17,275,000 | +990,000 |
| Hazardous waste management (limitation on administrative expenses) | (5,000) | (5,000) | (5,000) | (5,000) | (5,000) | --- |
| Total, Corporations | 19,171,000 | 20,643,000 | 20,643,000 | 20,643,000 | 20,643,000 | +1,472,000 |
| Total, title I, Agricultural Programs | 25,456,735 | 26,770,842 | 26,739,164 | 26,775,181 | 26,825,464 | +1,368,729 |
| (By transfer) | (279,209) | (294,096) | (294,096) | (284,941) | (284,941) | (+5,732) |
| (Loan authorization) | (3,937,000) | (3,518,398) | (3,385,583) | (3,248,475) | (3,264,910) | (-672,090) |
| (Limitation on administrative expenses) | (109,082) | (110,040) | (110,040) | (110,040) | (110,040) | (+958) |
| TITLE II - CONSERVATION PROGRAMS | | | | | | |
| Office of the Under Secretary for Natural Resources and Environment | 745 | 918 | 745 | 761 | 745 | --- |
| Natural Resources Conservation Service: | | | | | | |
| Conservation operations | 819,641 | 703,605 | 850,004 | 826,635 | 853,004 | +33,363 |
| Watershed surveys and planning | 11,124 | 5,000 | 11,124 | 10,000 | 10,562 | -562 |
| Watershed and flood prevention operations | 109,285 | 40,000 | 90,000 | 55,000 | 87,000 | -22,285 |
| Watershed rehabilitation program | 29,805 | 10,000 | 40,000 | 29,805 | 29,805 | --- |
| Resource conservation and development | 50,668 | 49,943 | 52,894 | 51,000 | 51,947 | +1,279 |
| Farm bill technical assistance | --- | 432,160 | --- | --- | --- | --- |
| Total, Natural Resources Conservation Service | 1,020,523 | 1,240,708 | 1,044,022 | 972,440 | 1,032,318 | +11,795 |
| Total, title II, Conservation Programs | 1,021,268 | 1,241,626 | 1,044,767 | 973,201 | 1,033,063 | +11,795 |
| TITLE III - RURAL DEVELOPMENT PROGRAMS | | | | | | |
| Office of the Under Secretary for Rural Development | 636 | 913 | 636 | 651 | 636 | --- |
| Rural Development: | | | | | | |
| Rural community advancement program | 901,837 | 477,864 | 706,006 | 767,479 | 757,425 | -144,412 |
| Tree assistance (sec. 747) | --- | --- | -5,000 | --- | --- | --- |
| (Transfer out) | (-29,805) | --- | --- | (-30,000) | (-28,000) | (+1,805) |
| Total, Rural community advancement program | 901,837 | 477,864 | 701,006 | 767,479 | 757,425 | -144,412 |
| RD expenses: | | | | | | |
| Salaries and expenses | 144,789 | 147,520 | 146,495 | 140,922 | 141,869 | -2,920 |
| (Transfer from RHIF) | (429,564) | (482,787) | (447,151) | (439,453) | (443,302) | (+13,738) |
| (Transfer from RDLFP) | (4,163) | (4,850) | (4,283) | (4,283) | (4,272) | (+109) |
| (Transfer from RETLP) | (37,587) | (41,562) | (38,166) | (37,920) | (37,853) | (+266) |
| (Transfer from RTB) | (3,062) | (3,462) | (3,182) | (3,182) | (3,171) | (+109) |
| Subtotal, Transfers from program accounts | (474,376) | (532,661) | (492,782) | (484,838) | (488,598) | (+14,222) |
| Total, RD expenses | (619,165) | (680,181) | (639,277) | (625,760) | (630,467) | (+11,302) |
| Total, Rural Development | 1,046,626 | 625,384 | 847,501 | 908,401 | 899,294 | -147,332 |

DEPARTMENT OF AGRICULTURE, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Rural Housing Service: | | | | | | |
| Rural Housing Insurance Fund Program Account: | | | | | | |
| Loan authorizations: | | | | | | |
| Single family (sec. 502) | (1,037,868) | (1,366,462) | (1,366,462) | (1,359,417) | (1,366,462) | (+328,594) |
| Unsubsidized guaranteed | (2,845,318) | (2,725,172) | (2,725,172) | (2,725,172) | (2,725,172) | (-120,146) |
| Subtotal, Single family | (3,883,186) | (4,091,634) | (4,091,634) | (4,084,589) | (4,091,634) | (+208,448) |
| Housing repair (sec. 504) | (35,000) | (35,003) | (35,003) | (35,004) | (35,004) | (+4) |
| Rental housing (sec. 515) | (115,805) | (70,830) | (116,545) | (115,052) | (116,545) | (+740) |
| Site loans (sec. 524) | (5,046) | (5,045) | (5,045) | (5,045) | (5,045) | (-1) |
| Multi-family housing guarantees (sec. 538) | (100,000) | (100,000) | (100,000) | (100,000) | (100,000) | --- |
| Multi-family housing credit sales | (2,000) | (1,500) | (1,500) | (1,500) | (1,500) | (-500) |
| Single family housing credit sales | (10,000) | (10,000) | (10,000) | (10,000) | (10,000) | --- |
| Self-help housing land develop. (sec. 523) | (5,011) | (5,000) | (5,000) | (1,623) | (2,400) | (-2,611) |
| Total, Loan authorizations | (4,156,048) | (4,319,012) | (4,364,727) | (4,352,813) | (4,362,128) | (+206,080) |
| Loan subsidies: | | | | | | |
| Single family (sec. 502) | 201,035 | 126,018 | 126,018 | 126,018 | 126,018 | -75,017 |
| Unsubsidized guaranteed | 32,388 | 39,903 | 39,903 | 39,903 | 39,903 | +7,515 |
| Subtotal, Single family | 233,423 | 165,921 | 165,921 | 165,921 | 165,921 | -67,502 |
| Housing repair (sec. 504) | 10,786 | 9,612 | 9,612 | 9,612 | 9,612 | -1,174 |
| Rental housing (sec. 515) | 53,649 | 30,464 | 50,126 | 49,484 | 50,126 | -3,523 |
| Site loans (sec. 524) | 55 | --- | --- | --- | --- | -55 |
| Multi-family housing guarantees (sec. 538) | 4,471 | 5,950 | 5,950 | 5,950 | 5,950 | +1,479 |
| Multi-family housing credit sales | 928 | 663 | 663 | 663 | 663 | -265 |
| Single family housing credit sales | --- | --- | --- | --- | --- | --- |
| Self-help housing land develop. (sec. 523) | 220 | 154 | 154 | 50 | 75 | -145 |
| Total, Loan subsidies | 303,532 | 212,764 | 232,426 | 231,680 | 232,347 | -71,185 |
| RHIF administrative expenses (transfer to RD) | 429,564 | 482,787 | 447,151 | 439,453 | 443,302 | +13,738 |
| Rental assistance program: | | | | | | |
| (Sec. 521) | 715,419 | 734,100 | 725,100 | 715,381 | 578,100 | -137,319 |
| (Sec. 502(c)(5)(D)) | 5,862 | 5,900 | 5,900 | 5,900 | 5,900 | +38 |
| Total, Rental assistance program | 721,281 | 740,000 | 731,000 | 721,281 | 584,000 | -137,281 |
| Total, Rural Housing Insurance Fund | 1,454,377 | 1,435,551 | 1,410,577 | 1,392,414 | 1,259,649 | -194,728 |
| (Loan authorization) | (4,156,048) | (4,319,012) | (4,364,727) | (4,352,813) | (4,362,128) | (+206,080) |
| Mutual and self-help housing grants | 34,772 | 34,000 | 34,772 | 34,000 | 34,000 | -772 |
| Rural housing assistance grants | 42,222 | 41,500 | 42,222 | 46,222 | 46,222 | +4,000 |
| Farm labor program account | 36,071 | 35,018 | 36,307 | 33,015 | 36,307 | +236 |
| Subtotal, grants and payments | 113,065 | 110,518 | 113,301 | 113,237 | 116,529 | +3,464 |
| Total, Rural Housing Service | 1,567,442 | 1,546,069 | 1,523,878 | 1,505,651 | 1,376,178 | -191,264 |
| (Loan authorization) | (4,156,048) | (4,319,012) | (4,364,727) | (4,352,813) | (4,362,128) | (+206,080) |
| Historic barn preservation program | --- | --- | --- | 2,000 | --- | --- |
| Rural Business-Cooperative Service: | | | | | | |
| Rural Development Loan Fund Program Account: | | | | | | |
| (Loan authorization) | (40,000) | (40,000) | (40,000) | (40,000) | (40,000) | --- |
| Loan subsidy | 19,179 | 17,308 | 17,308 | 17,308 | 17,308 | -1,871 |
| Administrative expenses (transfer to RD) | 4,163 | 4,850 | 4,283 | 4,283 | 4,272 | +109 |
| Total, Rural Development Loan Fund | 23,342 | 22,158 | 21,591 | 21,591 | 21,580 | -1,762 |
| Rural Economic Development Loans Program Account: | | | | | | |
| (Loan authorization) | (14,967) | (15,002) | (16,120) | (15,002) | (15,002) | (+35) |
| Direct subsidy | 3,176 | 2,792 | 3,000 | 2,792 | 2,792 | -384 |
| Rural cooperative development grants | 8,941 | 11,000 | 13,000 | 8,967 | 24,000 | +15,059 |
| Rural empowerment zones and enterprise communities grants | 14,870 | --- | 10,967 | 14,370 | 12,667 | -2,203 |
| Renewable energy program | --- | 3,000 | 23,000 | 23,000 | 23,000 | +23,000 |
| Total, Rural Business-Cooperative Service | 50,329 | 38,950 | 71,558 | 70,720 | 84,039 | +33,710 |
| (Loan authorization) | (54,967) | (55,002) | (56,120) | (55,002) | (55,002) | (+35) |

DEPARTMENT OF AGRICULTURE, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Rural Utilities Service: | | | | | | |
| Rural Electrification and Telecommunications Loans Program Account: | | | | | | |
| Loan authorizations: | | | | | | |
| Electric: | | | | | | |
| Direct, 5% | (121,103) | (240,000) | (240,000) | (240,000) | (240,000) | (+118,897) |
| Direct, Municipal rate | (100,000) | (100,000) | (1,000,000) | (1,000,000) | (1,000,000) | (+900,000) |
| Direct, FFB | (2,600,000) | (1,500,000) | (2,000,000) | (2,000,000) | (2,000,000) | (-600,000) |
| Direct, Treasury rate | (1,150,000) | (700,000) | (750,000) | (750,000) | (750,000) | (-400,000) |
| Guaranteed electric | (100,000) | (100,000) | (100,000) | (100,000) | (100,000) | --- |
| Guaranteed underwriting | (1,000,000) | --- | --- | (1,000,000) | (1,000,000) | --- |
| Subtotal, Electric | (5,071,103) | (2,640,000) | (4,090,000) | (5,090,000) | (5,090,000) | (+18,897) |
| Telecommunications: | | | | | | |
| Direct, 5% | (75,029) | (145,000) | (145,000) | (145,000) | (145,000) | (+69,971) |
| Direct, Treasury rate | (300,000) | (250,000) | (300,000) | (250,000) | (250,000) | (-50,000) |
| Direct, FFB | (120,000) | (100,000) | (120,000) | (120,000) | (120,000) | --- |
| Subtotal, Telecommunications | (495,029) | (495,000) | (565,000) | (515,000) | (515,000) | (+19,971) |
| Total, Loan authorizations | (5,566,132) | (3,135,000) | (4,655,000) | (5,605,000) | (5,605,000) | (+38,868) |
| Loan subsidies: | | | | | | |
| Electric: | | | | | | |
| Direct, 5% | 6,870 | --- | --- | --- | --- | -6,870 |
| Direct, Municipal rate | 4,004 | --- | --- | --- | --- | -4,004 |
| Guaranteed electric | 79 | 60 | 60 | 60 | 60 | -19 |
| Subtotal, Electric | 10,953 | 60 | 60 | 60 | 60 | -10,893 |
| Telecommunications: | | | | | | |
| Direct, 5% | 1,275 | --- | --- | --- | --- | -1,275 |
| Direct, Treasury rate | 149 | 125 | 125 | 125 | 125 | -24 |
| Subtotal, Telecommunications | 1,424 | 125 | 125 | 125 | 125 | -1,299 |
| Total, Loan subsidies | 12,377 | 185 | 185 | 185 | 185 | -12,192 |
| RETLP administrative expenses (transfer to RD) | 37,587 | 41,562 | 38,166 | 37,920 | 37,853 | +266 |
| Total, Rural Electrification and Telecommunications Loans Program Account | 49,964 | 41,747 | 38,351 | 38,105 | 38,038 | -11,926 |
| (Loan authorization) | (5,566,132) | (3,135,000) | (4,655,000) | (5,605,000) | (5,605,000) | (+38,868) |
| Rural Telephone Bank Program Account: | | | | | | |
| (Loan authorization) | (174,615) | --- | --- | (173,503) | (173,503) | (-1,112) |
| Direct loan subsidy | 2,394 | --- | --- | --- | --- | -2,394 |
| RTB administrative expenses (transfer to RD) | 3,062 | 3,462 | 3,182 | 3,182 | 3,171 | +109 |
| Total, Rural Telephone Bank Program Account | 5,456 | 3,462 | 3,182 | 3,182 | 3,171 | -2,285 |
| High energy costs grants (by transfer) | (29,805) | --- | --- | (30,000) | (28,000) | (-1,805) |
| Distance learning, telemedicine and broadband program: | | | | | | |
| Loan authorizations: | | | | | | |
| Distance learning and telemedicine | (300,000) | (50,000) | (300,000) | (300,000) | (300,000) | --- |
| Broadband telecommunications | (80,000) | (336,000) | (336,000) | (647,000) | (602,000) | (+522,000) |
| Total, Loan authorizations | (380,000) | (386,000) | (636,000) | (947,000) | (902,000) | (+522,000) |
| Loan subsidies: | | | | | | |
| Distance learning and telemedicine: | | | | | | |
| Grants | 46,636 | 25,000 | 25,000 | 40,000 | 39,000 | -7,636 |
| Broadband telecommunications: | | | | | | |
| Direct | --- | 9,116 | 9,116 | 15,116 | 13,116 | +13,116 |
| Grants | 9,935 | 2,000 | 8,000 | 10,000 | 9,000 | -935 |
| Total, Loan subsidies and grants | 56,571 | 36,116 | 42,116 | 65,116 | 61,116 | +4,545 |
| Total, Rural Utilities Service | 111,991 | 81,325 | 83,649 | 106,403 | 102,325 | -9,666 |
| (Loan authorization) | (6,120,747) | (3,521,000) | (5,291,000) | (6,725,503) | (6,680,503) | (+559,756) |

DEPARTMENT OF AGRICULTURE, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| Total, title III, Rural Economic and Community Development Programs | 2,777,024 | 2,292,641 | 2,527,222 | 2,593,826 | 2,462,472 | -314,552 |
| (By transfer) | (504,181) | (532,661) | (492,782) | (514,838) | (516,598) | (+12,417) |
| (Loan authorization) | (10,331,762) | (7,895,014) | (9,711,847) | (11,133,318) | (11,097,633) | (+765,871) |
| TITLE IV - DOMESTIC FOOD PROGRAMS | | | | | | |
| Office of the Under Secretary for Food, Nutrition and Consumer Services | 599 | 786 | 599 | 611 | 599 | --- |
| Food and Nutrition Service: | | | | | | |
| Child nutrition programs | 5,830,506 | 6,819,340 | 6,718,780 | 6,718,780 | 6,717,780 | +887,274 |
| Transfer from section 32 | 4,745,663 | 4,599,101 | 4,699,661 | 4,699,661 | 4,699,661 | -46,002 |
| Discretionary spending | 3,974 | --- | --- | --- | --- | -3,974 |
| Total, Child nutrition programs | 10,580,143 | 11,418,441 | 11,418,441 | 11,418,441 | 11,417,441 | +837,298 |
| Special supplemental nutrition program for women, infants, and children (WIC) | 4,696,000 | 4,769,232 | 4,588,310 | 4,639,232 | 4,639,232 | -56,768 |
| Food stamp program: | | | | | | |
| Expenses | 22,772,692 | 24,208,981 | 24,203,176 | 26,403,176 | 26,403,176 | +3,630,484 |
| Reserve | 2,000,000 | 2,000,000 | 2,000,000 | 2,000,000 | 3,000,000 | +1,000,000 |
| Nutrition assistance for Puerto Rico and Samoa | 1,401,000 | 1,397,000 | 1,402,805 | 1,402,805 | 1,402,805 | +1,805 |
| The emergency food assistance program | 140,000 | 140,000 | 140,000 | 140,000 | 140,000 | --- |
| Total, Food stamp program | 26,313,692 | 27,745,981 | 27,745,981 | 29,945,981 | 30,945,981 | +4,632,289 |
| Commodity assistance program | 163,431 | 166,072 | 166,072 | 145,740 | 150,000 | -13,431 |
| Food donations programs: | | | | | | |
| Needy family program | 1,074 | --- | --- | --- | --- | -1,074 |
| Nutrition programs administration | 135,672 | 144,849 | 140,512 | 138,304 | 138,304 | +2,632 |
| Total, Food and Nutrition Service | 41,890,012 | 44,244,575 | 44,059,316 | 46,287,698 | 47,290,958 | +5,400,946 |
| Total, title IV, Domestic Food Programs | 41,890,611 | 44,245,361 | 44,059,915 | 46,288,309 | 47,291,557 | +5,400,946 |
| TITLE V - FOREIGN ASSISTANCE AND RELATED PROGRAMS | | | | | | |
| Foreign Agricultural Service: | | | | | | |
| Salaries and expenses, direct appropriation | 129,103 | 140,798 | 133,924 | 131,648 | 132,148 | +3,045 |
| (Transfer from export loans) | (3,203) | (3,327) | (3,327) | (3,306) | (3,306) | (+103) |
| (Transfer from P.L. 480) | (1,026) | (1,066) | (1,066) | (1,059) | (1,059) | (+33) |
| Total, Salaries and expenses program level | (133,332) | (145,191) | (138,317) | (136,013) | (136,513) | (+3,181) |
| Public Law 480 Program and Grant Accounts: | | | | | | |
| Program account: | | | | | | |
| Loan authorization, direct | (154,664) | (132,000) | (132,000) | (131,670) | (132,000) | (-22,664) |
| Loan subsidies | 115,416 | 103,887 | 103,887 | 103,887 | 103,887 | -11,529 |
| Ocean freight differential grants | 24,995 | 28,000 | 28,000 | 28,000 | 28,000 | +3,005 |
| Title II - Commodities for disposition abroad: | | | | | | |
| Program level | (1,192,200) | (1,185,000) | (1,192,000) | (1,192,000) | (1,192,000) | (-200) |
| Appropriation | 1,192,200 | 1,185,000 | 1,192,000 | 1,192,000 | 1,192,000 | -200 |
| Supplemental appropriations (P.L. 108-11) | 369,000 | --- | --- | --- | --- | -369,000 |
| Salaries and expenses: | | | | | | |
| Foreign Agricultural Service (transfer to FAS) | 1,026 | 1,066 | 1,066 | 1,059 | 1,059 | +33 |
| Farm Service Agency (transfer to FSA) | 1,019 | 2,975 | 2,975 | 1,075 | 1,075 | +56 |
| Subtotal | 2,045 | 4,041 | 4,041 | 2,134 | 2,134 | +89 |
| Total, Public Law 480: | | | | | | |
| Program level | (1,192,200) | (1,185,000) | (1,192,000) | (1,192,000) | (1,192,000) | (-200) |
| Appropriation | 1,703,656 | 1,320,928 | 1,327,928 | 1,326,021 | 1,326,021 | -377,635 |
| CCC Export Loans Program Account (administrative expenses): | | | | | | |
| Salaries and expenses (Export Loans): | | | | | | |
| General Sales Manager (transfer to FAS) | 3,203 | 3,327 | 3,327 | 3,306 | 3,306 | +103 |
| Farm Service Agency (transfer to FSA) | 829 | 985 | 985 | 846 | 846 | +17 |
| Total, CCC Export Loans Program Account | 4,032 | 4,312 | 4,312 | 4,152 | 4,152 | +120 |

DEPARTMENT OF AGRICULTURE, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS BILL - FY 2004 (H.R. 2673)
(Amounts in thousands)

| | FY 2003 Enacted | FY 2004 Request | House | Senate | Conference | Conference vs. Enacted |
|---|---|---|---|---|---|---|
| McGovern-Dole international food for education and child nutrition program grants | --- | 50,000 | 56,874 | 25,000 | 50,000 | +50,000 |
| Total, title V, Foreign Assistance and Related Programs | 1,836,791 | 1,516,038 | 1,523,038 | 1,486,821 | 1,512,321 | -324,470 |
| (By transfer) | (4,229) | (4,393) | (4,393) | (4,365) | (4,365) | (+136) |
| TITLE VI - RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION | | | | | | |
| DEPARTMENT OF HEALTH AND HUMAN SERVICES | | | | | | |
| Food and Drug Administration | | | | | | |
| Salaries and expenses, direct appropriation | 1,373,714 | 1,394,617 | 1,389,234 | 1,384,213 | 1,386,962 | +13,248 |
| Prescription drug user fee act | (222,900) | (249,825) | (249,825) | (249,825) | (249,825) | (+26,925) |
| Medical device user fee act | (25,125) | (29,190) | (29,190) | (29,190) | (31,654) | (+6,529) |
| Animal drug user fee act | --- | (5,000) | --- | --- | (5,000) | (+5,000) |
| Subtotal | (1,621,739) | (1,678,632) | (1,668,249) | (1,663,228) | (1,673,441) | (+51,702) |
| Mammography clinics user fee (outlay savings) | (16,112) | (16,576) | (16,576) | (16,576) | (16,576) | (+464) |
| Export and color certification | (6,378) | (6,649) | (6,649) | (6,649) | (6,649) | (+271) |
| Payments to GSA | (108,269) | (120,045) | (120,045) | (119,152) | (119,594) | (+11,325) |
| Buildings and facilities | 7,948 | 11,500 | 6,000 | 7,948 | 7,000 | -948 |
| Total, Food and Drug Administration | 1,381,662 | 1,406,117 | 1,395,234 | 1,392,161 | 1,393,962 | +12,300 |
| INDEPENDENT AGENCIES | | | | | | |
| Commodity Futures Trading Commission | 85,426 | 88,435 | 88,435 | 88,435 | 90,435 | +5,009 |
| Farm Credit Administration (limitation on administrative expenses) | (38,400) | (40,900) | (40,900) | (40,900) | (40,900) | (+2,500) |
| Total, title VI, Related Agencies and Food and Drug Administration | 1,467,088 | 1,494,552 | 1,483,669 | 1,480,596 | 1,484,397 | +17,309 |
| TITLE VII - GENERAL PROVISIONS | | | | | | |
| Hunger fellowships | 2,981 | --- | 3,000 | 2,981 | 3,000 | +19 |
| National Sheep Industry Improvement Center revolving fund | 496 | --- | 499 | 499 | 499 | +3 |
| Child and adult care feeding program | 21,857 | --- | --- | --- | --- | -21,857 |
| P.L. 480 Title II | 248,375 | --- | --- | --- | --- | -248,375 |
| Tree assistance (sec. 747) | --- | --- | 5,000 | --- | 15,000 | +15,000 |
| Northern Great Plains Regional Authority | --- | --- | --- | 3,000 | 1,500 | +1,500 |
| Denali Commission | --- | --- | --- | 2,000 | 1,000 | +1,000 |
| Food stamp program freeze | --- | --- | --- | 2,000 | 2,000 | +2,000 |
| Reduction in travel amounts | --- | --- | --- | -6,000 | --- | --- |
| CCC tree assistance program (P.L. 108-83) | 9,700 | --- | --- | --- | --- | -9,700 |
| CCC Mormon cricket infestation (P.L. 108-83) | 20,000 | --- | --- | --- | --- | -20,000 |
| Total, title VII, General provisions | 303,409 | --- | 8,499 | 4,480 | 22,999 | -280,410 |
| Grand total: | | | | | | |
| New budget (obligational) authority | 74,752,926 | 77,561,060 | 77,386,274 | 79,602,414 | 80,632,273 | +5,879,347 |
| (By transfer) | (787,619) | (831,150) | (791,271) | (804,144) | (805,904) | (+18,285) |
| (Loan authorization) | (14,423,426) | (11,545,412) | (13,229,430) | (14,513,463) | (14,494,543) | (+71,117) |
| (Limitation on administrative expenses) | (147,482) | (150,940) | (150,940) | (150,940) | (150,940) | (+3,458) |

1/ In addition to appropriation.

□ 1400

Mr. OBEY. Mr. Speaker, I yield 2¾ minutes to the gentlewoman from Ohio (Ms. KAPTUR), the ranking member of the Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies.

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

I also want to express my deep appreciation from the Democratic side of the aisle for the over two decades of professional and honest service that Hank Moore has devoted to the people of this country. I thank him for his professionalism and courtesy throughout, and wish him well in the months and years ahead. The Committee on Appropriations will always be his home, and we hope he returns to see us.

I also dedicate my remarks today to Mr. Joe Skeen, who passed this past weekend in New Mexico, and to his wife, Mary, and family. It was a joy to work with him. He was a man who did not lead by partisanship, but by a deep concern for our country. Our Nation and its people are better for the years he devoted here. His perseverance, honesty and intelligence have made their mark. He and his good sense of humor will never be forgotten.

Mr. Speaker, as the ranking member of the subcommittee, I would like to discuss some issues regarding this conference report. In working with the gentleman from Texas (Mr. BONILLA), it was not easy to make some of the decisions we were faced with. But first and foremost, I would like to focus on the fact that so many of the decisions, unfortunately because of the time constraints, that relate to Agriculture and the Food & Drug Administration happened behind closed doors and without full sunlight. Therefore, it makes it very difficult to support this bill in its entirety.

In terms of the funding levels, the Agriculture division of this bill is $62 million lower than both the House and Senate bills. It is almost $1 billion below last year's bill, a reduction of almost 5 percent, even though mandatory programs, which do not have the control of this committee exerted upon them, have increased by 12 percent.

On conservation, such an important issue, as we increase in population and as resources become more dear, we find the conference report cuts $70 million more from Farm Bill conservation programs for a total reduction of over $490 million.

Finally, I want to focus on rural housing, also reduced, and I am deeply concerned that our prescription drug title to permit the importation of prescription drugs that are safe into our country was also dropped, even though we asked that it be included, and the House so voted.

I wanted to end by saying that behind closed doors, just a few weeks ago, the country of origin labeling provisions were eliminated from this bill, 2 years past their scheduled implementation date, not just for meat, but produce was added. I would like the American people to know, if we look at the over 600 people who just got sick in Pittsburgh at Chi-Chi's restaurants, one of the ways we get at that problem is by tough country of origin labeling on produce as well as on meat. Behind closed doors, our attempt to do that was absolutely subverted. It is with great disappointment that I come to the floor today and say this bill could have been a lot better than what is before Congress today.

Mr. YOUNG of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. KOLBE), the chairman of the Subcommittee on Foreign Operations, Export Financing and Related Programs.

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

Mr. KOLBE. Mr. Speaker, I am pleased to present the conference report for the fiscal year 2004 Foreign Operations, Export Financing and Related Programs bill which is incorporated as Division D in this Consolidated Appropriations Act.

Mr. Speaker, the foreign operations section significantly furthers our foreign policy objectives and U.S. strategic interests abroad. It is a bill that is innovative and provides increased resources to combat the pandemic of HIV/AIDS. It also creates a new paradigm for foreign assistance, the Millennium Challenge Corporation.

The conference report before the House provides $17.235 billion for foreign operations. This is $115 million more the House bill which passed last July, but nearly $1.2 billion below the amount contained in the Senate-passed bill. Therefore, with this tight allocation, we have made some tough choices and set priorities.

For HIV/AIDS, tuberculosis and malaria, this conference agreement provides $2.4 billion. When combined with the amounts in the Labor/HHS bill, that is $805 million more than fiscal year 2003, $362 million above the President's request and $325 million more than the House-passed bill.

It provides $400 million to the Global Fund to fight AIDS, TB and malaria, and includes language that gives other donors an incentive to contribute. This bill strongly supports our new AIDS coordinator, Ambassador Randy Tobias, and provides for one additional country outside Africa and the Caribbean to be added to the HIV/AIDS Initiative.

This agreement both creates and appropriates funds for the new Millennium Challenge Corporation. The consolidated appropriations bill provides $1 billion for this exciting, new and innovative model to provide foreign assistance, one that seeks to give a boost to poor nations to enable them to break out of the cycle of poverty. Many have talked about the need to change the way U.S. foreign assistance is provided. President Bush came forward with leadership and vision, and this bill makes that vision a reality.

The MCC is a key component of President Bush's new compact for global development, which links greater contributions from developed nations to greater responsibility from developing nations.

There are a number of important programs and initiatives supported by this foreign operations conference report, too numerous to delineate in the time allotted to me. They include funds for Israel, Egypt, Jordan, for the Andean Counterdrug Initiative, Child Survival and Health Programs Fund, Development Assistance, the Eastern Europe and Baltic States, and the Independent States of the Former Soviet Union.

There are a number of structural changes and process improvements in the bill. These changes support the role of Congress in reviewing foreign assistance. There are a number of management improvements in agencies like USAID which help ensure that taxpayer dollars are well spent.

This conference agreement on foreign assistance presents a very good bill which is an important component of this consolidated measure. It does not do everything that we have been asked to do by the administration and others in Congress, but we have necessarily made reductions and sought efficiencies. It is a conference agreement that all Members should support.

Finally, I want to mention two members of our staff who worked very hard on this bill, along with our outstanding committee staff. Rob Blair served on the detail from the Department of State, and Sean Mulvaney of my staff took the lead in developing the Millennium Challenge Corporation.

Mr. Speaker, this is an important piece of legislation, and I urge its support.

Mr. Speaker, I am pleased to present the conference report for the Fiscal Year 2004 Foreign Operations, Export Financing and Related Programs bill, which is incorporated as Division D of this Consolidated Appropriations Act.

Mr. Speaker, the foreign operations section significantly furthers our foreign policy objectives and U.S. strategic interests abroad. It is a bill that is innovative and provides increased resources to combat the pandemic of HIV/AIDS. It also creates a new paradigm for foreign assistance, the Millennium Challenge Corporation.

The conference agreement before this house provides $17.235 billion for Foreign Operations. This is $115 million more than the House bill which passed last July, but $1.167 billion below the amount contained in the Senate passed bill. Within that tight allocation, we have made some tough choices and set priorities.

For HIV/AIDS, tuberculosis and malaria, this conference agreement provides $2.4 billion. When combined with the amounts in Labor/HHS that is $805 million more than FY2003, $362 million above the President's budget request, and $325.7 million more than the House passed bill. That this bill provides $400 million to the Global Fund to fight AIDS, TB

and malaria and includes language that gives other donors an incentive to contribute. This bill strongly supports our new AIDS Coordinator, Ambassador Randy Tobias, and provides for one additional country outside Africa and the Caribbean to be added to the HIV/AIDS Initiative.

This agreement both creates and appropriates funds for the new Millennium Challenge Corporation. The consolidated appropriations bill provides $1 billion for this exciting, new and innovative model to provide foreign assistance—one that seeks to give a boost to enable them to break out of the cycle of poverty. Many have talked about the need to change the way that U.S. foreign assistance is provided. President Bush came forward with leadership and vision, and this bill makes that vision a reality.

The MCC—as it is known for short—is a key component of President Bush's ''new compact for global development,'' which links greater contributions from developed nations to greater responsibility from developing nations.

New resources will flow to those low-income countries that possess a demonstrated commitment to good governance, economic freedom, and investments in their own people. In eligible countries, the new MCC will target investments to overcome the greatest obstacles to economic growth and reduce poverty.

The MCC departs from traditional foreign assistance and draws on lessons learned about development over the past 50 years;

First, that aid is more likely to result in successful sustainable economic development in countries that are pursuing sound political, economic and social policies;

Second, that development plans supported by a broad range of stakeholders, and for which countries have primary responsibility, engender country ownership and are more likely to succeed;

And, finally, that integrating oversight and evaluation into the design of activities boosts aid effectiveness.

I wish to commend the leadership of Chairman HYDE and Mr. LANTOS and the House International Relations Committee, and their Senate Foreign Relations Committee counterparts for their strong support for this initiative.

There are a number of important programs and initiatives supported by this foreign operations conference report. Let me name just a few:

The agreement includes $2.132 billion for the economic support fund. Included is $480 million for Israel, $575 million for Egypt, and $250 million for Jordan.

The agreement provides $241 million for International Narcotics control and law enforcement, and an additional $731 million for the Andean Counterdrug Intitiative—$71 million more than the Senate bill.

The agreement provides $1.835 billion for the Child Survival and Health Programs Fund, and $1.385 billion for Development Assistance.

The conference report includes $445 million for assistance to Eastern Europe and the Baltic States, and $587 million for assistance for the Independent States of the Former Soviet Union. This is one area where reductions have been made as this agreement provides $245 million less for these nations than the FY2003 bill.

The conference agreement provides $353.5 million for nonproliferation, anti-terrorism and demining, an increase of $49.1 million over 2003.

The conference agreement provides $4.450.1 billion for Military Assistance programs. This represents an increase of $221.3 million above FY2003. We have provided $2.160 billion in military assistance for Israel, $1.3 billion for Egypt and $206 million for Jordan. We have fully funded the budget request for international military education and training at $91.7 million.

The conference agreement provides $1.713 billion for multilateral economic assistance, an increase of $223.2 million above FY2003. Included in the agreement is $321.7 million for international organizations and programs, and $913.2 million for the international development association.

Mr. Speaker, there are a number of structural changes and process improvements in the agreement. These changes support the role of Congress in reviewing foreign assistance. There are a number of management improvements in agencies like USAID, which help ensure that taxpayers' dollars are well spent.

We have endeavored to accommodate requests from colleagues, though, as always, we have strived to keep foreign assistance free of earmarks. However, I acknowledge that when faced with a Senate bill that included over 200 amendments, this task becomes increasingly more challenging.

Mr. Speaker, this conference agreement on foreign assistance presents a very good bill. It is a very important component of this overall consolidated measure. It does not do everything we have been asked by the administration and others in the Congress. We have necessarily made reductions and sought efficiencies. It is a conference agreement that I think all members of this body should support. It represents a bipartisan bill that supports our President and Nation.

Before closing, I would like to mention two members of our staff who worked very hard on this bill, along with our outstanding committee staff. Rob Blair served on detail from the Department of State and put in some outstanding work for us on the HIV/AIDS and global health issues. He left our subcommittee as detailee only a few days ago and already he is sorely missed. And, I would be remiss if I did not mention Sean Mulvaney of my staff who took the lead on the Millennium Challenge Corporation, and authored the legislation in Title VI of this agreement. As he consistently demonstrates on such issues as trade and international economics, Sean brings a personal commitment and intellectual rigor and honesty to his job. This overall agreement is a better product based on Sean's professionalism and expertise.

I would, of course, also like to thank my ranking member, Mrs. LOWEY; and the minority staff, Mark Murray and Joe Weinstein; and our subcommittee's staff, Charlie Flickner, Alice Hogans, Scott Gudes and Lori Maes.

Mr. Speaker, in closing this is an important piece of legislation, with many priority initiatives of the President and the Congress. I hope that our colleagues in the other body will not delay further the delivery of these important programs, such as the effort to save the lives of those infected with HIV and AIDS.

I urge adoption of the conference report.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. EMANUEL).

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

Mr. EMANUEL. Mr. Speaker, I rise in opposition to this appropriations bill.

While there are some positive steps taken in this bill in the area of transportation and medical facilities, once again, the public trust is being turned over whole hog to special interests. Taxpayers are being asked to subsidize important special interests, just like we did in the prescription drug bill and as we did in the energy bill. Under those pieces of legislation, taxpayers are being overcharged 40 percent by the pharmaceutical industry when we could have competitive pricing. And in the energy bill, somewhere close to $20 billion, taxpayers are subsidizing the energy industry, the most profitable industry, and underwriting their business mission. They want to drill for oil, they should do it without taxpayers subsidizing their activities.

Today, this bill is cut from the same cloth as the prescription drug and the energy legislation. This measure contains $50 million to build an indoor rain forest, $725,000 for a ''Please Touch Museum,'' $90,000 for olive fruit fly research in Montpelier, France, $75,000 for a North Pole Transit System, all this while we refuse to increase college assistance and Pell Grants for middle-class families, while we refuse to increase funding for the Leave No Child Behind in the area of education.

Sadly, for middle-class families and taxpayers, the culture of dependency, the culture of welfare has dominated these three bills, whether they be the prescription drug bill, the energy bill, or this appropriation bill. We must end welfare as we know it. The culture of dependency that has been dominated by corporate and special interests, and have turned the government, whole cloth, into a subsidy and ATM machine for the special interests.

Mr. Speaker, this is another missed opportunity to end this new form of welfare that is being abused in government. For these reasons, I urge Members to vote against this appropriations bill.

Mr. YOUNG of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. REGULA), the chairman of the Subcommittee on Labor, Health and Human Services, Education and Related Agencies.

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

Mr. REGULA. Mr. Speaker, I strongly urge Members to support this bill, but I just want to address a few of the highlights in the Labor, HHS, and Education portions.

One, the Department of Education gets an increase of 4.8 percent which is above the overall rate of inflation, and, I think, recognizes the importance of education. Special education has an additional $200 million over the House-passed number, for a total increase of $1.2 billion over last year.

Reading programs have been increased in the overall bill, as has improving teacher quality, which I think is extremely important. We have a number of programs in here that are important from the standpoint of improving teacher quality, including increasing the number of math and science teachers. Pell Grants are maintained at the highest level ever. Impact Aid is $48 million over last year. After-school programs are $400 million over the President's request because we recognize the importance of these programs to young people. TRIO and Gear-Up are increased, Head Start is increased $148 million over last year, and we maintained comprehensive school reform. That is particularly important in addressing the dropout rate.

Community health centers are expanded. I think most of us know from experience that these are an important part of a community's health program, to have funding for these health centers, and we provide funds to expand them.

National Institutes of Health, we give them an increase of more than 7 percent if we take into account one-time costs in fiscal year 2003. The same is true for a number of activities, such as international HIV, infectious disease, homeland security biodefense. In addition, LIHEAP is fund at $1.9 billion.

I am particularly pleased that in the Labor Department, we are supporting job training programs. The worker training programs are extremely important, particularly as people shift to new types of employment. As the overall job economy changes in our society, it is important that we have a place that people can go and know that there is hope for getting a new job or getting a better job or getting an opportunity. I am glad we were able to do that in this bill.

Overall, I think the Labor-HHS portion of the bill is very responsive to the needs of our people. It is less than 4 percent overall, which is lower than the rate of inflation. It is about 3.4 percent over last year.

Mr. Speaker, given the fact that these programs are very important to people, touch the lives of 280 million Americans in one way or another, the subcommittee and the conference committee tried to address these challenges in the most effective way possible. I urge support of the bill.

Mr. Speaker, Division E of this conference agreement provides funding for a broad range of programs and activities affecting the lives of nearly every American. It provides help to workers looking for retraining or enhancing their job skills, assistance for teachers working hard to educate our children, support for families in need of health services, and funding for scientists seeking to understand and cure disease. The agreement totals $139 billion in discretionary spending, an increase of less than 4 percent over 2003.

In the area of education, I want to begin by laying out a few basic facts. Federal funds for education have more than doubled over the past 8 years. Discretionary appropriations for the U.S. Department of Education have climbed from $23 billion in FY1996 to $55.7 billion in this bill. This is an increase of 141 percent. The problem in American education is not lack of spending. It is lack of accountability for results. With the help of the reforms put in place by the No Child Left Behind Act, being implemented by good teachers and principals and caring parents all across this country, we are changing things for the better.

I will give a few examples of how this bill takes a focused approach to improving education for our Nation's children. First, funding for Special Education for disabled children is increased by $1.2 billion in this bill, bringing total funding to $10 billion. Meeting our Federal commitment in this program has been a priority for the Congress for the past 8 years, and this bill continues that progress.

Second, Title I, which helps children from low-income homes achieve academic success, is increased by nearly $700 million to a total of $12.35 billion. Coupled with the new accountability standards in No Child Left Behind, Title I has the potential to change ''business as usual'' at our public schools.

Third, reading programs, which use sound scientific evidence to help children learn to read effectively, are funded at over $1 billion, representing a tripling of these funds in just 3 years. These programs are important because we know that many children are placed in special education simply because they have not been taught to read properly. By investing in sound reading programs, we can ensure that every child gets the help to excel in reading at a young age.

TCHR QUALITY—COMPREHENSIVE SCHOOL REFORM

There are many other good education programs funded in this bill. We have increased funding for training teachers, especially math and science teachers, so that our future workforce can compete in the high-tech, global marketplace. We have included funds for after school and mentoring activities. We have increased funding for student aid programs and other higher education programs to help all students have a chance to realize the dream of graduating from college. Seventy-one education programs have been increased above last year's level in this bill. At the same time, other programs have been cut or eliminated from the budget entirely because they have not proven their results or because they duplicate other programs.

Our conference bill also invests in important health service and research programs. Community health centers, which are the backbone of medical care in many communities, receive an increase of $120 million, which puts our efforts ahead of the benchmark anticipated in the President's 5-year expansion plan. Maintaining the congressional commitment to supporting the important care provided by our pediatric hospitals, the conference agreement provides a $13 million increase for the graduate medical education program for children's hospitals. To ensure that we have enough health care providers for these community clinics and hospitals, we have preserved the health professions and nurse training programs in the face of drastic reductions proposed by the administration.

I'm pleased to report that we were able to provide more than a 30 percent increase for the abstinence education program, which I know many of our Members believe is very important to strengthen their communities.

We continue our commitment to biomedical research to provide the breakthroughs necessary to improve the quality of care we can give our citizens and provide answers to families who are desperate for help. The conference agreement provides over a 3 percent increase for the National Institutes of Health. This year's increase follows the successful campaign to double funding for NIH—in the previous 5 years, the NIH appropriation jumped from $13.6 billion to almost $27 billion. I am confident that the roadmap for future NIH investments developed by the new director of NIH will mold and discipline this investment to ultimately make possible better health care for our communities.

The conference agreement includes $100 million to fund a new substance abuse treatment voucher program, Access to Recovery, which will open new pathways to people who need treatment for addiction. By investing in this new initiative, Congress is giving hope to those who are lost in the cycle of addiction. This program will increase treatment capacity and access to providers by giving vouchers to those most in need.

In the area of faith-based programming, the conference agreement provides a 30 percent increase over last year. Increasing the capacity of small faith-based groups to provide outreach and services to our communities means that more people in need will be served. Programs in this bill with a faith component provide a wide-range of services including mentoring, substance abuse treatment, refugee services, child abuse prevention, and many others.

To provide services to families and individuals who care for their elderly loved ones, $160 million is provided for the Family Caregiver Program within the Administration on Aging. This program provides information, assistance, counseling, respite and supplemental services to the millions of caregivers who are the most important long-term care resource in the country. This support allows our Nation's elderly to remain at home for as long as possible.

For the Low Income Home Energy Assistance Program, the agreement provides $1.9 billion. Within those funds, the conferees have included $100 million to meet the additional home energy assistance needs arising from a natural disaster or other emergency.

While much more could be said about how this bill will benefit the American people, I will stop here and simply say, it is a responsible bill, crafted during tight budget times, that tries to direct resources to programs that work for people most in need. I want to thank Chairman YOUNG for his assistance in forging this agreement. We had some tough issues to resolve with the other body. Of the nearly 600 programs and activities funded in the bill, 61 percent of them were at different levels between the two bodies. On top of that, several difficult policy items had to be resolved.

I also say to my friend, Mr. OBEY, this year has been difficult for both of us. I respect your deep commitment to the programs in this bill and understand the reason for your opposition. I trust that in the future, we can again be partners.

Mr. OBEY. Mr. Speaker, I yield myself 12 minutes.

Mr. Speaker, this bill is a pitiful Christmas tree with such a bad smell that it smells more like a garbage

truck than something appropriate to Christmas. It spectacularly insults the judgment of both the House and the Senate on a number of items.

Both Houses of the Congress voted to provide overtime protections for workers because the administration is trying to take those protections away from 8 million workers.

□ 1415

This bill, without one minute of comment in the conference committee, arbitrarily at the instruction of the Republican leadership rips out those protections.

Both Houses voted on a bipartisan basis to cap the number of television stations that could be owned by media conglomerates around the country. In the Senate, that amendment was offered by a Republican, Senator STEVENS, and in the House it was offered by me. The House and Senate adopted both of them. Despite that fact, again, without a moment's discussion in the conference committee, at the instruction of the leadership, this conference committee has ripped out the judgment of both Houses on that score; and they have come back with a nice cozy insider arrangement that protects all of the major media giants from having to do anything inconvenient. So much for pluralism and democracy.

This House voted to instruct the conferees to allow for drug reimportation. This conference committee has stripped that out. This House earlier reached a compromise in the DOD bill and in Interior on outsourcing. This conference again arbitrarily changes that bipartisan agreement.

Fifthly, there are incredible numbers of American workers who have been unemployed for an extended period of time, and yet this Congress refuses to, in this same omnibus bill, extend long-term coverage for the unemployed. This Congress ought to be ashamed of itself on that score.

This bill gratuitously amends and guts a key provision of the Clean Air Act.

And then on funding levels, this bill on education falls $7 billion below the amount promised under the No Child Left Behind Act. It falls $350 million below the Republican-passed House budget resolution in the funding level it provides for title I, which is the main education program that helps disadvantaged children to try to improve their academic performance. And it falls $1 billion below the amount that was promised in the House budget resolution for helping to educate handicapped children.

In the National Institutes of Health, the committee pretends that it is above the bill that left the House; but by the time you take into account the across-the-board cut that is required in the bill and other financial transactions, this bill is in reality $118 million below the President for the National Institutes of Health, $145 million below the House-passed bill, and $182 million below the Senate-passed bill. It on substance short-sheets and short-changes some of the most basic obligations of government. Yet this conference finds room for over 7,000 individual Member pieces of pork which cost the taxpayers over $7.5 billion.

In 1995, the last year that I chaired the Committee on Appropriations, the House provided virtually no earmarks in the Labor-Health-Education bill. There are well over 1,200 of those special earmarks this year.

In the VA–HUD bill, we have a $1.1 billion plug for projects. $1.1 billion is being spent for earmarked projects. One-quarter of the amount that is reserved for the House goes to three Members, one from New York, one from West Virginia, one from Alaska. If you take a look at the way these projects are distributed, if we distributed the earmarks evenly with every Member getting an equal amount in the Labor-Health-Education bill, for instance, there would be about $2 million per constituent provided for each Member's district. But it is not provided equally.

So if you are from Indiana, if we simply went by basic formulas, Indiana would get about $18 million in special earmarks, but it does not. In this bill, Indiana taxpayers get about 62 cents per capita by way of special earmarks. If you represent Oregon, you bring home to your constituents in this bill about 64 cents per capita in earmarks. North Carolina, you bring home about 85 cents per capita in earmarks. California, about a dollar. But in that same Labor-Health bill, if you are from Alaska, you bring home $47 per person. And then if you look at what else Alaska gets, they get $123 per person in the VA–HUD bill, they get $192 per person in the Transportation bill, and they get $220 per person from the Commerce-Justice bill. That means that special grants to Alaska wind up totaling $638 per person in comparison to the table scraps that I just explained for States like Indiana, Michigan, North Carolina, California and the like.

Mr. Speaker, the appropriations process used to be the main task of government. The main task of the Congress each year was to pass the 13 appropriation bills which funded all of the financial activities of government. The appropriation bills used to provide an opportunity for a debate on priorities. Instead, what has happened is that the number of earmarks, the number of pieces of pork have become so numerous that Members of Congress have changed their focus and today instead of asking ''Where's the beef?'' in terms of funding levels for education or for health care or for science, instead they are asking, ''Where's the pork and how much did I get?''

And what has happened is that these projects are now being used to entice Members into only asking one question: How much did I get in pork? Rather than what were we able to do to improve the program funding for education or health care or environmental protection or you name it. I think that fundamentally corrupts the appropriations process, I think it makes us all simply ATM machines rather than policymakers, and I think it does no credit whatsoever to the Congress as an institution.

I want to point out, in a troubled agency like NASA, in 1995 there were two special earmarks that were provided. Today there are 104. Over the past few years since 1998, $1.7 billion has been diverted from regular NASA appropriations, a very troubled agency with serious safety problems; $1.7 billion has been diverted from those regular programs to industrial parks or museums or other local projects.

In the Commerce-Justice bill in 1995, there were 45 projects costing the taxpayer $104 million. Last year, Mr. Speaker, there were 996, costing the taxpayer over $1 billion. There has been a 4,200 percent increase in earmarks for the Justice Department over that same period of time.

So, Mr. Speaker, I am going to urge that we vote ''no'' on this bill. This bill is a gratuitous insult to every worker who is entitled to overtime pay. It is an outrageous neglect of the workers who ought to see their elected representatives pushing for expanded unemployment compensation for the long-term unemployed. This bill falls seriously short of the funding that this Congress itself promised in the Republican budget resolution just 5 months ago for education. It falls far short of where we need to be in the area of health care. It falls half a billion dollars short of where we ought to be in providing aid to our local and State levels of government for law enforcement assistance. And I think the way in which the earmarking process has gradually moved from something which was a tolerable and understandable effort on the part of the Congress to shift a small number of financing decisions to Congress into a decision-making process in which the total dominant consideration is simply congressional pork rather than substance in programs. I think when we do that, we fundamentally erode the confidence that each individual Member has in this institution, and I think we erode the confidence that every taxpayer has in this institution. I regret that.

This bill is a spectacular example of legislation and political pressure run amuck, and I would urge a ''no'' vote on the legislation.

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

Mr. YOUNG of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from New Jersey (Mr. FRELINGHUYSEN), chairman of the Subcommittee on the District of Columbia.

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

Mr. FRELINGHUYSEN. I thank the gentleman from Florida for yielding me this time.

Mr. Speaker, the consolidated appropriations conference report before us this afternoon also contains the fiscal year 2004 District of Columbia appropriations bill. This portion of the conference report totals $8 billion, including $545 million for Federal payments to various District programs and projects, $1.8 billion in Federal grants to District agencies, and $5.7 billion in local funds for operating expenses and capital outlays of the District government.

There is much to be proud of in this bill. I believe it reflects Congress' commitment to helping our Nation's capital. This is where we all work and where many of us live. Of the $545 million in Federal payments to various programs and projects, 68 percent of these funds, or $368 million, is for funding of the D.C. courts, public defender services, and the court services and offender supervision agency. These are District functions which we took over as a Federal responsibility in 1997.

The remaining 32 percent, or $177 million, are for programs and projects that directly benefit the District. These include the very popular tuition assistance program for District college-bound students, $17 million; $11 million to reimburse the District for added emergency planning and security costs related to the presence of the Federal Government in the District; $40 million for a three-prong school choice program, promises we delivered upon; $42 million for capital development projects in the District; $5 million for the Anacostia waterfront; $4.5 million for public school facility improvements; and $14 million to improve foster care in the District. These are all initiatives we can be proud of as we vote in favor of this bill this afternoon. I ask that Members support the overall omnibus.

In particular, I want to highlight the funding level for school choice.

When the District of Columbia appropriations bill was on the House floor back in September, there was much criticism that the bill was walking away from the District's request of additional funding for public schools and public charter schools.

While that was true at the time due to the fiscal constraints of the bill, I stated then and at every opportunity after that it was not my intention that that be the case when we come out of conference with the Senate. I fully supported the Mayor's approach and worked with Chairman YOUNG towards a conference allocation that was sufficient to address all three sectors of education in the city. The conference agreement reflects this commitment and provides $13 million for each of the three sectors of education the District leaders requested—scholarships, public schools, and charter schools. We need to provide parents greater choices for parents and their children.

In summary, the fiscal year 2004 District of Columbia Appropriations division is fiscally responsible and balanced and deserves bipartisan support.

I thank Chairman YOUNG for his leadership through a difficult conference.

Mr. YOUNG of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Ohio (Mr. BOEHNER), chairman of the Committee on Education and the Workforce.

Mr. BOEHNER. Mr. Speaker, let me thank my colleague and the chairman of the Committee on Appropriations for yielding me the time and congratulate him and all of his committee members on a job well done. We can look at a lot of the things that we do around here as though it were a half a glass of water. We just heard a description of the bill from our colleague and friend from Wisconsin describing the glass half empty. I would suggest to all of you that we should really look at this bill today before us as a glass that is half full. The committee, under very difficult circumstances, had a lot of decisions to make; and I think they have made them very well.

In the area of education, an area that I am very interested in as the chairman of the Committee on Education and the Workforce, when we passed the No Child Left Behind Act in a broad bipartisan way, our commitment was to adequately fund the reforms in education. There was never any discussion about fully funding to the authorized levels. The commitment was to adequately fund our efforts to renew American education.

□ 1430

In this bill we continue that effort. In the area of Title I, we increase Title I spending by $700 million to $12.4 billion annually. This is more in the last 2 years than we saw in 8 years under former President Clinton in terms of increases to Title I. We should be very proud of that commitment.

Another major area of our concern in education comes to children with special needs, the Individuals With Disabilities Education Act, where we attempt to fund a portion of the cost for those students that have special needs in our local schools. Congress has been involved in this since 1975, and from 1975 to 1995, as this chart will show, we move spending from zero to about just a little over $3 billion. And since 1995, we are not only just shy of $10 billion, but in this conference agreement the number is now $10.1 billion; $10.1 billion, over a 300 percent increase since 1995. That is something that I think this Congress ought to be very proud of.

Let me make one other point about the bill we have before us. And the gentleman from New Jersey (Mr. FRELINGHUYSEN) who just spoke, who chairs the District of Columbia Subcommittee of the Committee on Appropriations, and that is the effort to help children in the District of Columbia who are stuck in very bad schools, and the gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentleman from Virginia (Mr. TOM DAVIS) and I worked diligently over the course of this year to help the Mayor and the School Board who requested our help in helping children that were stuck in failing schools. Of all the big urban systems around the country that have problems, and there are a lot of them, there is none that have bigger problems than the schools right here in the District of Columbia. The children here deserve as good a shot at an education as the children in our own districts. And for those children who are trapped in very bad schools, we believe they ought to have some choice. They ought to have a chance to go to a real school and get a real education. And the $13 million that is in this bill will help about 1,700 students here in the District of Columbia be able to choose a school of their choice, and I do believe this is good for those children, and it will be good for the DC schools because when we bring competition into where children can actually go to school, we have seen the public schools do improve. And I want to thank the gentleman from New Jersey (Mr. FRELINGHUYSEN) and the gentleman from Virginia (Mr. TOM DAVIS), and certainly, again, I want to thank the gentleman from Florida (Mr. YOUNG) and his cardinals and the members of his committee for a job well done.

Mr. OBEY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, once again we have heard the gentleman in the well, on behalf of the Republican Party, try to make the case that somehow the Republican Party was responsible for the education budget increases of the last 2 years. For the Republicans to take credit for increases in education spending over the last 8 years, Mr. Speaker, is like Saddam Hussein taking credit for providing the Third Infantry Division safe passage to Baghdad.

The fact is that the majority party leadership fought every step of the way to prevent us from being able to eventually add the $19 billion in education funding that we provided, because of Democratic pressure over the past 8 years, $19 billion above the amount that the Republicans tried to put in their own education bill when those bills were before the House.

The Republican Party leadership fought us every step of the way. That increase in $19 billion happened over their dead bodies, politically speaking, and in spite of every trick that their leadership could concoct to stop it from happening. They refused to give the subcommittees an allocation that would allow meaningful increases. They broke every arm on their side of the aisle to force people to vote for lower funding levels when the bills went to the floor. When that technique failed, they refused to allow the bills to be considered on the floor. When that did not work, and when they finally had to go to conference, and often they had the conference legislation that had never even been considered in the House because of the inadequacy of their allocation, they then blocked the conferees from reaching agreement between the two Houses because the funding levels for education would be too high in their judgment. They relented only at the very last minute

when conceding on education funding that increases that we were asking for was the only way to end the session and get the Congress out of town.

On one occasion they even agreed to allow a funding level for education to be reported out of the conference and then decided they could not tolerate such a high level of support and forced the bill back into conference to strip out increases in education funding. For the Republican Party members of this House to claim that somehow they were responsible for those education budget increases, makes Pinocchio look like Honest Abe by comparison. The credibility gap that we have on the Republican side of the aisle has grown faster than Pinocchio's nose. So I just want to suggest, Mr. Speaker, that it is crocodile tears to hear the Republicans profess that they really are friends of education.

I also would like to point out one other thing, a newspaper ad which appeared in the Washington Post today. It reads ''The most outrageous Christmas list in America.'' It says ''It's called the omnibus. No, it's not Santa's sleigh, but it is laden with presents. It's coming to Washington D.C. this week. And you better believe the Bush Administration's best friends have front row seats.

''Having failed to pass seven of the Federal Government's 13 budget bills, the White House and Republican congressional leaders have rolled them all into one massive package dubbed 'the omnibus.'

''So who does President Bush think is naughty and nice? Apparently no one is more deserving than Rupert Murdoch and his fellow network moguls. Despite the wishes of Congress and the vast majority of Americans, the President insists the omnibus include a relaxation of media antitrust rules. Now, the biggest networks will be able to acquire more of the hugely profitable local stations they desire.

''American workers, on the other hand, must have been very naughty. The omnibus bill eliminates extended unemployment benefits for millions of jobless. And 8 million workers who currently have Federal overtime protection lose their right to extra pay for those extra hours.''

That is the problem with this bill, Mr. Speaker, and I urge a ''no'' vote.

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

Mr. YOUNG of Florida. Mr. Speaker, I have only myself left for a brief statement and the majority leader will close for our side.

Mr. OBEY. Mr. Speaker, if the gentleman has two remaining speakers, I would ask him to use one of them now, and then I will close.

Mr. YOUNG of Florida. Mr. Speaker, I yield myself 1 minute.

I extend best holiday greetings and a Merry Christmas to the gentleman from Wisconsin (Mr. OBEY) and to say what a pleasure it is to work with him. He is an honorable opponent. We have many disagreements, but we work together for what we think is the best interest of country and the institution of the House and the Committee on Appropriations. His staff and our staff worked together extremely well. Jim Dyer, as our clerk and chief of staff, and Scott Lilly on the gentleman from Wisconsin's (Mr. OBEY) side worked together very well, and we have a lot of staff and they do work together very well. We try to deal with our differences in a very respectful manner, and I think that the actions over the years have proved that. So I wish all of our colleagues a very Merry Christmas.

Mr. Speaker, I reserve the balance of my time, and I hope that the gentleman from Wisconsin (Mr. OBEY) would conclude, yield back his time, and then we will close.

Mr. OBEY. Mr. Speaker, the gentleman has one remaining speaker?

Mr. YOUNG of Florida. Mr. Speaker, the majority leader, and I will close.

Mr. OBEY. Mr. Speaker, I am waiting until the gentleman has one speaker. He does not have the right to two closing speeches. I have got the right to have the second to the last speech.

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

Mr. OBEY. Mr. Speaker, I understand the gentleman indicates he has two remaining speakers; so I reserve the balance of my time.

Mr. YOUNG of Florida. Mr. Speaker, to accommodate the gentleman from Wisconsin (Mr. OBEY), I yield such time as he may consume to the gentleman from Texas (Mr. DELAY), the distinguished majority leader.

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

The conference report before us, one of the last bills that the House will pass before we recess for the year, in my opinion, is a fitting end to the legislative session. This omnibus represents the values of discipline, innovation, and conviction we all treasure, values also embodied in the man that we have most to thank for it, and that is the gentleman from Florida (Chairman YOUNG) of the Committee on Appropriations.

When we pass this bill this afternoon, we will have funded vital priorities, made difficult and important choices, and reaffirmed our commitment to fiscal discipline. For a year that began with a struggling economy and pressing needs at home and abroad, that we have held the growth of discretionary spending to 3 percent is a titanic achievement in fiscal restraint.

I know there has been a lot written, most of it false, about the spending habits of this body. But we have to look at what is going on here. Yes, spending has been out of control for a while, but we started ratcheting it down and we have ratcheted down, ratcheted down to where spending for 2004 will have an increase of only 3 percent. That is the lowest increase in spending in the 9 years we have been in the majority. I think that is significant and important, and we have the Committee on Appropriations, the chairman, to thank for that.

And as far as the projects and earmarks are concerned, they cannot on the one hand decry the fact that they are not getting projects and earmarks and on the other hand argue that this bill is full of projects and earmarks and urge people to oppose the bill because it has earmarks. There is a fundamental difference in how we approach earmarks that has been going on for the last few years. We learned early on in the majority, when we had a Democratic President, that the Congress, being the third branch of government, had the right to direct spending to our districts, rather than wait on some bureaucrat to decide whether it was a useful project or not. The same is going on now. This Congress can state, through earmarks, the importance of spending in certain parts of the country and in our districts.

I will give the Members a perfect example in this bill. There is money that goes to M.D. Anderson Hospital in Houston, Texas. Some may call that pork, but I will tell the Members what, the thousands of people that are relying on M.D. Anderson to cure them of their cancer do not think of that earmark as pork. They think it is real, it is important, it is important for their health, and it is important for their family and the length of time that they may be on this earth. It is not pork. It is an earmark. And they do not have to wait around for some bureaucrat to wait around and decide whether it is important or not. It is in the bill. The Congress is stating that that money should go to M.D. Anderson as a vital expenditure of taxpayers' money. There are all kinds of stories like that all over this country. And many Members have stood up for the good spending that they think is important in their districts. So I am not ashamed of the fact that there are earmarks in this bill.

Secondly, the real opposition is coming because there is not enough spending, and I say to my colleagues if they want to show real fiscal restraint, we are doing it here in this bill, and we are doing it within the budget that we passed this year. This bill is within the budget we passed. Actually, the Medicare bill, the $400 billion prescription drug benefit, is within the budget that we passed. And it was an agreement between the House and the Senate and the White House to hold the line on spending, and we have done it. Yet opposition is decrying the fact that we are not spending enough. And if they were in charge, they would be spending much more than what we are spending in this omnibus bill. So I am not ashamed of the spending. I think the priorities were set and set well, and I give credit to the appropriators and the hard work that they have done.

□ 1445

But this bill is a success for this House and the American people, not

only for the money it does not spend, but the money it does spend. Included in all the pages of numbers and dollar signs, there are real programs that will benefit real people.

First and foremost, the omnibus includes funding for a school choice initiative in Washington, D.C. Thanks to this program, 1,700 low-income children will be given a chance finally to attend schools that their parents choose, just like children in higher tax brackets always have. District children who have today been held captive by failed schools and bureaucrats will be given a chance to obtain the freedom, hope, and opportunity that a good education provides all of us.

This bill also helps America's veterans to the tune of $2.9 billion in a funding increase in veterans medical benefits over last year. I thank the appropriators for working with the veterans community to meet this very fundamental obligation.

I also want to thank negotiators for acknowledging and maintaining America's national commitment to defend the dignity of human life with the inclusion of the amendment of the gentleman from Florida (Mr. WELDON) banning the patenting of human organisms.

Mr. Speaker, this bill is full of similar provisions, sound, disciplined policies, funded at responsible, reasonable levels. It is a spending bill worthy of the national challenges it meets, and I urge all Members to support its passage today.

Mr. OBEY. Mr. Speaker, I yield myself 3⅓ minutes.

Mr. Speaker, I simply want to say that I agree very much with the remarks of the distinguished majority leader that this legislation is a fitting close to this session, because this congressional session has been marked from start to finish with an iron-hard determination to do what was necessary to deliver the most to those who have the most in this society.

We started with tax cuts which aimed a huge percentage of the benefits to those who are most well-off in our society, giving huge benefits to the most well-off 1 percent who earn more than $330,000 a year. Yet this same Congress denied tax cuts to persons whose income is so limited that they had to apply for the Earned Income Tax Credit. They were not allowed to come to the table to get their share of the tax cut.

This is the same Congress which, even as it walks out the door, having provided in the energy bill fiscal health to companies like Hooters, this is the same Congress that now says, ''Oh, but, by the way, no, we will not provide a last-minute bit of help to workers who have been out of work for an extended period of time.'' They refuse to allow States to provide additional unemployment compensation for the long-term unemployed.

This truly is a fitting close to the CONGRESSIONAL RECORD, which we have sadly seen since the beginning of January.

With respect to the gentleman's comments about this Congress being a paragon of fiscal responsibility and virtue, I simply want to announce that I am perfectly willing right here and now to give the majority leader the Pulitzer Prize for fiction, because this is the same Congress and this is the same White House that has shown so much fiscal responsibility that in 3 short years they have taken us from a $230 billion surplus to a record $375 billion-plus deficit. That is some fiscal responsibility. I think Mr. Webster would weep if we asked him to put that definition in the dictionary.

I want to say one more time, Mr. Speaker, with all of the gifts that are given in the energy bill to the special interests, with all of the gifts that are given in this bill to many special interests throughout the land, with all of the gifts that were given to special interests in the tax bill, it seems to me that we could at least provide some additional benefits to the long-term unemployed. But, no, no, no, that does not fit in the Christmas plans for the Scrooges who are running the other party on the other side of the aisle.

The motto for this Congress when it comes to working people ought to be ''Bah, humbug,'' because that is what the record looks like.

Mr. Speaker, I ask for a ''no'' vote.

Mr. Speaker, I include for the RECORD the following article from the December 8 edition of the National Journal's Congress Daily AM bulletin, which comments on the choice of the Appropriation process by the majority party.

[From the Congress Daily AM, Dec. 8, 2003]

THE TRIUMPH OF PETTINESS

(By David Hess)

The partisan bitterness that has suffused Congress over the past decade has reached a new level. Democrats have long grumbled about power-mad Republicans who will stoop to anything to exert their will. Republicans grouse about fault-finding, obstructionist Democrats and speak of getting even for long-ago Democratic abuses. But up to this point, in the rough and tumble of parliamentary skirmishing, both sides have largely refrained from sweeping, systematic legislative blackmail.

Now the wraps are off even that. Furious about opposition to key spending bills, Republican leaders have dropped the hammer on hometown projects—known as ''earmarks''—sponsored mostly by Democrats but also by some Republicans who have balked at runaway spending in some of the bills.

The first round of earmark trashing came in a big bill funding the Labor Department and HHS; that legislation contains about $180 million for local projects. The second came when the GOP leadership wreaked vengeance on 100 members of both parties who voted last summer against the VA–HUD spending bill; approximately $750 million in earmarks are in that legislation. After some finagling, House Labor-HHS Appropriations Subcommittee ranking member David Obey, D–Wis., managed to restore about $20 million worth of Democrats' projects and program enhancements in the Labor-HHS spending bill. But major damage to the House's sense of comity had been done.

''If they don't support the bills [in committee and on the floor], then they shouldn't expect to get their projects,'' said Rep. Ralph Regula, R–Ohio, a senior member of the House who chairs the Labor-HHS Appropriations Subcommittee.

Coming from regula—who for 40 years has served with distinction from the Ohio General Assembly to the U.S. House and enjoys a reputation as a fair and decent legislator—that was a stunning remark. For it bespeaks a vindictive attitude, prevalent now in the House in both parties, that poisons the diminishing fount of civility in an institution at its best when each party respects the other's right to act in principled opposition—without fear of petty retribution—on the issues of the times.

Beyond that, this brand of political blackmail is misguided. It is the scattershot tactic of ruthless partisans lashing out in fury to inflict damage on critics who have every right—if not the duty to their constituents' interests—to express their criticism of policy choices. And who exactly is being punished? Certainly not the members who dared oppose the legislation on policy grounds. The real victims are the folks back home, Republicans as well as Democrats and independents, taxpayers all, who stand to benefit from the earmarked projects.

In Racine, Wis., for example, citizens will go without a $400,000 water-treatment process to screen out a dangerous pathogen, cryptosporidium, which causes serious and even lethal intestinal disease. Rep. Paul Ryan, R–Wisc., the project's sponsor, had voted against the FY04 VA–HUD bill because it cut spending for veterans below the amount provided in the Republicans' budget resolution.

Then there's the case of Rep. Maurice Hinchey, D–N.Y., a member of the Appropriations Committee, who in last year's Labor-HHS spending bill managed to secure funding for four projects—two for hospitals, two for universities—worth a total of $1.3 billion. This year he voted against both the Labor-HHS and VA–HUD bills, on policy grounds, when they reached the House floor. He paid a stiff price for his opposition votes. Only one project, $150,000 in the Labor-HHS bill to expand an emergency room in Newburgh's St. Luke's Hospital, made the cut. Hinchey is not even certain it would have survived, had New York's senators not supported the project.

The lame excuse is often made that the exigencies of party discipline require stern measures to whip the members into line. But what about the power of good policy ideas and moral suasion to convince, rather than bludgeon, balky members who harbor reasonable doubts about the impact of pending legislation on their districts? Or the effect on principled advocates, liberal and conservative alike, who oppose on deeply felt philosophical grounds the options dictated by party leaders? Are the leaders so hell-bent on winning they must resort to strong-arm tactics, rather than persuasion and the often-small compromises that win over reluctant members?

In reflecting on the head-bashing partisanship so manifest in Congress, this writer wonders what his later mother—a stalwart, lifelong Republican—would have thought about such behavior by the leaders of her party. The GOP embodied the values she held dear: individualism, self-dependence, fiscal integrity, personal enterprise, fair play and charity for the worthy. She would have given short shrift to the small-minded, mean-spirited, punitive and divisive tactics this sort of blackmail entails.

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

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

Mr. Speaker, again I appreciate the opportunity to work with the gentleman from Wisconsin (Mr. OBEY), as we bring closure to these final seven appropriations bills which the House had already passed once, as I have said before.

There are several important issues: one, as the majority leader said, is we are within the budget. There are a lot of good increases that we have called attention to, in health care, in education, in veterans care, in embassy security, in counterterrorism activities and all. But we offset those increases with rescissions, so that we were able to stay within the budget.

This is a must-pass bill. Appropriations bills have to pass. They are about the only bills here that have to pass. That is why sometimes they attract some riders that actually cause us more problems in negotiations than the appropriations bills themselves. But it is a give-and-take. Republicans and Democrats in the House, Republicans and Democrats in the Senate, leadership of both parties, the administration, the President, we brought all of those divergent groups together and we came up with a package, and that is what is before us today.

For those who are concerned that we did not spend enough money, we did; but we offset. We could have spent more, because we had requests from Members for over $50 billion worth of Member-adds. For those fiscal conservatives in our body, we found a way to say no to almost all of those requests, the $50 billion. But we bring about as good a fiscally conservative bill that meets the needs of the country as we possibly could.

So, again, Mr. Speaker, as we get ready to pass this bill and hope and pray that the other body will see fit to do similar so that our agencies can get about their business, I want to thank you for the exemplary way in which you conducted this session today, I want to wish you a Merry Christmas, and I want to wish all the Members a Merry Christmas. We look forward to seeing you next year, when we start this appropriations process all over again.

Mr. Speaker, I ask for a ''yes'' vote.

Mr. CONYERS. Mr. Speaker, I rise in opposition to the conference report on H.R. 2673. This omnibus appropriations bill, which was thrown together at the last minute, underfunds important programs and proposes dangerous new policies. As Ranking Member of the House Judiciary Committee, I would like to detail my many concerns with this legislation.

LAW ENFORCEMENT GRANTS

The conference report would significantly underfund Federal grants for enhanced law enforcement efforts, for both state and local law enforcement assistance and the Community Oriented Policing Services program (''COPS''). For instance, with respect to actual state and local law enforcement assistance grants (Local Law Enforcement Block Grants, State Criminal Alien Assistance Program, Byrne Grants, Justice Assistance Grants, drug courts, etc.), the Justice Department received $2 billion. This conference report would provide only $1.3 billion, a drastic cut of $700 million (35 percent). This means that important programs like police block grants, the Boys and Girls Clubs, Project ChildSafe, and others will be slashed.

Developed by the Clinton Administration in 1994, COPS has community policing as its cornerstone; police officers concentrate on specific neighborhoods and gain the trust of community residents to prevent and solve crimes. Targeting youth violence has been a major priority for COPS; instead of locking up juveniles after they have committed offenses, the presence of cops on the beat and in schools helps to keep them out of trouble in the first place. In addition to putting cops on the street and in schools, the COPS program has reduced domestic violence, gang violence, and drug-related crimes by helping to create and organize community groups, victims' groups, treatment centers, and community police in various regions around the country. It is also important to note that local law enforcement is a critical component in the war on terrorism; local police in the everyday course of patrol may be the first to learn about potential terrorist acts or terrorists.

Its success has led to COPS being praised by law enforcement and politicians on both sides of the aisle. Fraternal Order of Police, the largest law enforcement organization in the United States, has stated that ''[COPS] is a program that works and one that has had a positive impact on our nation today.'' Also, during his confirmation hearings, Attorney General John Ashcroft promised to continue supporting COPS and, as a Senator, cosponsored legislation to reauthorize it. Finally, Representative JIM KOLBE, a member of the Appropriations Subcommittee on Commerce-Justice-State-Judiciary, has noted that COPS ''has always played a vital role in community safety and [he was] glad to see Federal money funding such a position.'' This is why it should not be surprising that, initially intended to fund 100,000 officers, the program funded 116,573 officers in September 2002 alone.

The Republican leadership, however, refuses to acknowledge the successes of COPS. Overall, this bill provides $756 million for COPS, a drastic cut from the FY03 level of $978 million. More specifically, the conference report provides only $120 million for the hiring of officers, which is the program's most important component; in FY03, this portion received $199 million (the Senate bill would have given $200 million for hiring). In the September 2003 issue of Washington Monthly, the Chief of the Richmond Police Department, Andre Parker, said he was ''dismayed at the current Administration's attitude toward local law enforcement. . . . [It] has not seemed to grasp what we face.'' It is clear that the Republicans are giving law enforcement and community policing the short shrift.

If we take away funds now, our local communities who have used COPS money to hire police officers will be devastated; many already are hard-pressed financially because of the slowdown in the economy. So there is no question in my mind that reducing funds will lead to police layoffs and an increase in the cycle on crime and violence.

BIOMEDICAL RESEARCH

The conference report also would stifle research on life-saving drugs and treatments. This is because of the report includes an amendment by Representative DAVE WELDON that prohibits the PTO from issuing patents ''encompassing or directed to'' human organisms (section 634 of Division B). While this provision has been marketed as targeted toward human cloning, it would have a much broader effect.

Arguably, any medical treatment is ''directed to or encompasses'' human organisms. This is broad and vague prohibition could prevent patents on, and thus discourage research into, drugs and treatments for Alzheimer's, in vitro fertilization, and virtually any other area of medicine that pertains to the human body. This poorly-drafted provision is an example of why Congress should not legislate on medical practices and should not make important policy decisions without the input of experts in the field.

GUN SAFETY

The Republican leadership also caved to the gun industry by preventing the Bureau of Alcohol, Tobacco, Firearms, and explosives (''ATF'') from enforcing gun safety laws. For instance, the conference report includes proposals from Representative TODD TIAHRT that:

Impose a 24-hour limit on destruction of records of approved firearm purchases (section 618 of Division B). The current rule permits the retention of records for 90 days. The new proposal would undermine audits of the system to ensure it is working properly and undermine the ability to retrieve firearms that have been transferred to criminals and other prohibited owners. A June 2002 study by the General Accounting Office stated that 288 of the 235 (97 percent) firearm retrievals initiated during the first 6 months of the current 90-day rule could not have been done under a 24-hour rule; in other words, the new rule would permit 228 prohibited persons (i.e. felons, domestic violence misdemeanants, fugitives) to keep their illegal guns.

Prohibit the ATF from releasing to the public information regarding sales and dispositions of firearms kept by gun dealers and manufacturers, as well as any records of multiple handgun sales (where 2 or more handguns are sold to the same buyer within 5 days) or gun tracing information reported to ATF (title I of Division B). Community residents no longer would be aware of neighbors stockpiling mass quantities of firearms.

Prohibit ATF from requiring dealers to provide a physical inventory (title I of Division B). This precludes the ATF from finalizing a rule it proposed in August 2000 to require annual inventories. The purpose of the proposed rule was to allow dealers to identify missing firearms and report them as such. Had the ATF's proposal been in effect, we could have avoided the situation that occurred in the Washington, DC, sniper case where Bull's Eye Shooter Supply (the dealer from whom the snipers allegedly stole an assault rifle) asserted they did not know the gun was stolen until the ATF traced it to the store.

Prevent ATF from computerizing records of gun dealers who go out of business (title I of Division B). Computerized records are critical with respect to being able to trace guns used in crimes. As a result of this amendment, a gun used in one crime could not be connected to another crime; depriving law enforcement of valuable evidence.

In essence, the conference report would reverse Clinton Administration policies that led to a substantial decrease in the number of gun

dealers from 245,000 in 1994 to 58,500 now. By making it easier to be a gun dealer, the conference report would make gun shops as prevalent as 7–Eleven; there would be one on every corner in every neighborhood in America, open all day and night. Moreover, as Kristen Rand, Legislative Director of the Violence Policy Center, noted on July 23, 2003, ''Representative TIAHRT's proposal would aid criminal gun traffickers and at the same time devastate ATF's already weak oversight authority.'' Make no mistake about it, the only winners under this proposal are criminals and the NRA.

Beyond these matters relating to Judiciary Committee jurisdiction, I am troubled by the conference reports treatment of other programs and initiatives important to everyday Americans.

In a reversal of prior votes of the House and Senate, the conference report would encourage media monopolies. In June 2003, the Federal Communications Commission raised the broadcast ownership cap from 35 percent of the national market to 45 percent of the market. This decision was widely criticized by Congress and the public, so much so that the House passed by a vote of 400–21 an appropriations bill that prevented the FCC from increasing the 35 percent cap. Similarly, the Senate Appropriations agreed by a vote of 29–0 to overturn the FCC decision, using an appropriations bill to retain the cap at 35 percent. Despite these prior votes, the Republican's engaged in backroom dealing to craft a conference report that lifts the cap to 39 percent (section 629 of Division B). This simply is bad policy that will encourage consolidation and discourage the diversity of voices in the media that drives our democracy.

The legislation fails to block a Labor Department regulation that would deny overtime pay to approximately 8 million workers across the country. Both the House and Senate had agreed to prevent this anti-worker provision from becoming effective, but the Republican leadership has turned its back on working Americans.

The House had agreed to permit drug reimportation so Americans with medical needs could reap the benefits of lower drug costs. By reneging on this promise, the Republican leadership is putting the needs of billion dollar corporations ahead of the needs of the sick.

In a blow to public education and home rule, the Republican leadership is authorizing funds for a school voucher program for the District of Colombia. This program will drain needed funds from already-suffering public schools, depriving school-aged children of the education they need and deserve.

Despite public rhetoric about how much it supports our troops, the Republican leadership thinks nothing of our men and women in uniform when they return from the front. The conference report provides veterans' medical programs with $700 million less than the Republican leadership promised in the budget resolution and $900 million less than the veterans groups had sought.

Continuing the Majority's attack on the environment, the Republican leadership weakens the Clean Air Act and prevents 49 states (all except California) from adopting stricter emissions control laws for small engines.

Despite public statements by the President and congressional leaders to support AIDS prevention and treatment, the conference report actually provides less money for AIDS programs than the President's request and other bills. The report requires the National Institutes of Health (''NIH'') to return to the treasury a large portion of non-research funds. As a result, the NIH receives $118 million less than the President's request, $145 million less than the House level, and $182 million less than the Senate level. This translates into an actual cut from current funding levels for AIDS programs.

The Bush Administration touted its ''No Child Left Behind'' package and signed it with great fanfare; not surprisingly, it sought virtually no funds for the program in its next budget. Now, the conference report gives $24.5 billion, which is $7.8 billion lower than the amount authorized in the actual bill. This gives schools just enough money to cover inflation and fails to give funding to cover costs incurred in complying with Federal mandates.

The Republican leadership claims to be concerned about domestic security, but now it underfunds the very Department created to provide that security. For example, the 0.59 percent across-the-board budget cut applies to the Department of Homeland Security, such that the planned increase for border protection will have to be cut by two-thirds.

For these reasons, I urge my colleagues to vote ''no'' on this conference report.

Ms. KILPATRICK. Mr. Speaker, I rise in opposition to the conference report on H.R. 2673. Had this been the product of the appropriations committees of the two chambers, I would gladly lend my support to the passage of this funding bill. But the meddling of the Republican Leadership and administration that wants what it wants when it wants it made for legislative product that is not worthy of support.

When I came to Congress in 1996, I made a commitment to my Michigan constituents to put people first. This bill fails to meet that test. This bill fails that test, and I would like to explain my reasons for opposing its passage.

H.R. 2673 excludes a provision to that would prohibit the Department of Labor from issuing a regulation denying overtime pay to more than 8 million workers. The provision to protect the pay of middle-income working Americans was agreed to by a majority of both bodies, and the Republican Leadership removed this provision.

The bill shortchanges education. It provides $39 million less for education than what the House originally passed, after subtracting $318 million in earmarked projects added in conference. The bill does not meet the promises of the ''No Child Left Behind Act''—providing $7.8 billion less than was promised. It shortchanges help with the basics of math and reading by $6.2 billion when compared to the level promised in No Child Left Behind, leaving more than 2 million children behind. It also shortchanges funding for after-school centers by $751 million.

The measure includes $14 million for a new private school voucher program for the District of Columbia. Private school vouchers drain much-needed funding away from public education where all children can benefit.

This funding bill funds state and local law enforcement at $500 million below the level funded last year, even though state and local law enforcement are on the frontlines in keeping our communities safe.

The conference agreement abandoned the bipartisan agreement between both chambers of Congress to block the Federal Communications Commission regulations permitting broadcast networks to expand. The FCC issued rules raising the ceiling on media ownership from 35 to 45 percent. Even though House and Senate conferees originally agreed to keeping the current (35 percent) limit, the White House forced a compromise at 39 percent, which would accommodate to giant media interests.

The bill funds the Manufacturing Extension Partnership (MEP) at just $39 million, a sharp decrease from the fiscal year 2003 level of $106 million. The MEP offers small manufacturers a range of services from plant modernization to employee training. These modernization efforts help our beleaguered small and mid-sized American manufacturers stay competitive.

This bill forgets about the unemployed in America. Long-term unemployment in November surpassed a 20-year high. Two million Americans remain out of work and have been out of work for over six months. But the majority in this Chamber is ignoring the calls of the jobless for extending unemployment insurance benefits. Congress will be leaving town this week and after December 21, a half a million workers who are jobless through no fault of their own will lose unemployment benefits.

For these reasons, I urge my colleagues to join me in opposing the passage of this bill.

Mr. FILNER. Mr. Speaker and colleagues, I must express my extreme disappointment and dismay at the amount of funding in the Consolidated Appropriations Act for FY2004 for the health care of our nation's veterans.

For almost an entire year, the Members of the House Veterans Affairs Committee (both Democratic and Republican) have been fighting for a budget that is worthy of our veterans. The $26.3 billion that is included for the FY2004 VA Medical Care Budget in this appropriations bill is approaching a billion less than the figure recommended by the House VA Committee and by the Independent Budget, the budget that is drafted by veterans. One billion dollars would fund approximately 5000 doctors or 10,000 nurses or 3 million additional outpatient visits.

As many of you know, VA Secretary Anthony Principi has been forced, because of lack of funds, to refuse enrollment to many veterans in the VA health care system. Waiting lists for health care appointments include tens of thousands of veterans who are waiting more than six months for their first health care appointment at the VA. This is not the message that we want to send to our troops who are fighting in Afghanistan and Iraq. Now, at this time more than ever, we must place veterans as a top priority. This appropriations bill does not do that.

Veterans' health care is one of our most important funding issues. We hope and pray that we do not have veterans from the current conflict who become ill with Gulf War illnesses. But we must be prepared for that possibility. We must also not forget the warriors of the first Gulf War who are sick and still waiting to learn the cause and the cure for their illnesses. We must be ready to give treatment and care to all the men and women who have sacrificed for our country. We cannot guarantee that with the budget figures in this bill.

It is time to stop this frustrating and ineffective funding for veterans' health care. It is time to change the process of funding VA medical

care. Congressman LANE EVANS, Ranking Democratic Member of the House VA Committee, has introduced a bill (H.R. 2318), which I have co-sponsored, to automatically increase VA health care funding each year to accommodate inflation and new enrollees. We must change from our current practice of discretionary funding for VA health care to mandatory (or assured) funding, the way we fund many other veterans' benefits. That change would do away with the fight we have to make each year in Congress for our veterans—a fight that, unfortunately, we often end up losing.

We have the resources. It is a question of priorities. It is a question of will. Join me in vowing that this will be the last year we end up with less money than is needed for veterans' health care. Join me in pushing for passage of assured funding for our nation's veterans.

Ms. ESHOO. Mr. Speaker, I rise to urge my colleagues to vote against the Conference Report on the Fiscal Year 2004 Consolidated Appropriations bill.

This Conference Report does a disservice to our constituents and to our country's democratic principles because it fails to respect the votes of Members of Congress and abuses the appropriations process.

For example:

It weakens the prohibition against the new FCC media ownership rules, despite the fact that stronger restrictions were agreed to by both Houses of Congress.

It allows the Labor Department's new overtime regulations to go forward, flouting the will of the House and Senate and jeopardizing overtime pay for over 8 million workers.

It underfunds the No Child Left Behind Act by $8 billion.

Net funding for the NIH is $145 million less than passed by the House and $182 million less than the Senate supported.

This bill fails in other important ways:

It cuts funds for state and local law enforcement by $500 million.

It implements a controversial school voucher program in the District of Columbia.

It provides $230 million less for veterans' benefits than Republicans have promised.

It rescinds $1.8 billion in appropriations—largely from the Department of Homeland Security.

Because of these and many other serious flaws, I cannot in good conscience support this bill and I urge my colleagues to oppose the Conference Report. We could be doing so much more for our country.

Mr. CASE. Mr. Speaker, I rise in opposition to what I believe to have been the unwarranted omission of language from the Omnibus Appropriations Conference Report, originally included in the Senate version of the Agriculture Appropriations bill, that would have designated funds to assist electric ratepayers on the Island of Kaua'i, Hawai'i.

The Rural Community Advancement Program in Division A of the Omnibus Conference Report contained a directive to the Secretary of Agriculture to provide grant assistance to the not-for-profit, consumer-owned Kaua'i Island Utility Cooperative under the ''Rural Utilities Service, High Energy Costs Grants Account''.

The Senate language was designed to provide a small amount of vitally needed assistance to families and small businesses on this economically challenged island. The poverty rate on Kaua'i runs at about twenty (20) percent. While unemployment has slightly declined to a somewhat low of 5.3 percent, the jobs available are overwhelmingly very low-paying jobs. With a current electric rate of nearly 27 cents per kilowatt hour, many among the ''working poor'' face a daily decision whether to turn on a few lights, or put food on the table for their family.

Twenty-seven cents per KWh is the highest cost for electricity anywhere in the United States except for two or three very small, remote villages in Alaska. A very large portion of families on Kaua'i must actually rely on the Food Bank to adequately feed their families.

The Senate provision would simply have designated, from within funds otherwise appropriated for the High Energy Costs Grants Account, an amount to offset the expenses incurred recently when island residents took over the utility system as a means to help gradually lower the punishing electric costs being charged by an off-island investor-owned company.

The Senate provision for the cooperative on Kaua'i was just one of several items dropped from the final conference agreement. I understand that the conference committee took a position against hard earmarked projects, relying instead on the Secretary to hopefully recognize the needs and make these allocations within the existing programs at the Department of Agriculture.

Mr. Speaker, this language would have guaranteed an enormous impact on the Kaua'i community, and I am very concerned that it was not included in the measure before us today. I can only hope that the Secretary does in fact heed the intent of this language, and I will continue to work with my colleagues on both sides of the aisle and both sides of the Capitol to assure my constituents this badly-needed relief.

Mr. LARSON of Connecticut. Mr. Speaker, although I have objections to the overall bill and I oppose the overall conference report on H.R. 2673, the Consolidated Appropriation Act 2004, I rise today to support the additional $1 billion dollars in funding that has been included in the Omnibus spending bill for the Help America Vote Act (HAVA). This funding is in addition to the $500 million request by the President and approved by the House in the Transportation, Treasury, and Independent Agencies Appropriations Act of 2004 section of this Omnibus spending bill.

HAVA was signed by the President over a year ago in response to the frustrations experienced by both voters and candidates during the 2000 election cycle. Reportedly, between four to six million Americans went to the polls in November 2000 and for a variety of reasons they were denied their right to vote and to have their vote counted. The causes for this denial of democracy range from faulty machinery to wrongful purges from voter lists to poorly designed ballots.

Thanks to the leadership of the bill's cosponsors, my House Administration colleague, Chairman BOB NEY, and former Ranking Member STENY HOYER, with HAVA we now have the foundation for a much more efficient voting system, and the much needed increase in funding over the $500 million requested by the President necessary for its full implementation.

The additional funding for HAVA will be used to educate voters about voting procedures as well as about their rights; make polling places more accessible to people with disabilities; create statewide voter registration databases that can be more effectively managed and updated; improve ballot review procedures, allowing voters to ensure that the ballots they cast are accurate; and create provisional balloting systems to guarantee that no eligible voter is ever turned away at the polls.

Lastly, I would like to commend the chief sponsors of HAVA in the Senate, Senators CHRIS DODD (D–CT) and MITCH MCCONNELL (R–KY), for their bipartisan efforts to secure the additional funding in the other body. But the fight is far from over; the Senate needs to confirm the four nominees chosen to run the new Election Assistance Commission (EAC). In addition to being charged with overseeing the full implementation of HAVAs, the EAC will function as the clearinghouse for information on election management. This information will be necessary to ensure that the 2004 election cycle runs smoothly, and I would urge the other body to act on these critical nominations as quickly as possible.

Mr. HOLT. Mr. Speaker, I rise in reluctant support of the omnibus appropriations bill. While there were several important reasons for me to vote in favor of this legislations, this bill also had several deep flaws.

I would like to point to several positive items that I have worked for and was able to achieve through this appropriations bill. The bill contains a $50 million increase for the Department of Education's Math and Science Partnerships, which will help bring universities and the private sector together with local school teachers to provide long term teacher training. I hope this will put us on the path of reaching the authorized level of $400 million.

I am also glad to see that the conferees retained a version of the Corzine amendment, which would restore cuts in student aid by blocking the implementation of recent Department of Education changes to financial aid eligibility formulas. The Department's changes would have drastically increased the expected family contributions by underestimating their level of state and local tax payments. In fact, the Department of Education recently determined that the changes in the state and local tax allowances will cause 84,000 students to lose their Pell Grants entirely, and will reduce Pell Grants overall by $270 million. I was happy to work with Congressman RICK KELLER and seventy-five other Members of Congress on a letter to Labor-HHS conferees supporting the Corzine amendment freezing those changes.

I am grateful that the conferees included language to begin a program intended to provide the public with science-based evidence on the safety of foods produced with biotechnology for human consumption.

I have fought on behalf of New Jersey's birth defects registry program and led a bipartisan effort by our delegation to increase funding for birth defects registries. I am therefore pleased to see that this bill does increase the overall level of birth defects funding through the CDC. Funding for birth defects is now $113 million, a rather sizeable increase of $15 million from the previous fiscal year and $26 million over the Administration's budget request.

The bill also provides $1.225 billion for Amtrak, which provides critical rail service for residents in my district and throughout the

Northeast. It also directs Amtrak to continue providing fare discounts to veterans and members of the military.

The budget for the National Science Foundation (NSF) is increased $300 million over last year's level and $130 million over the budget request, bringing FY04 funding to $5.6 billion, the largest NSF budget ever. This will mean a great deal for improving funding for research and development.

The bill also includes $12.1 billion for Section 8 voucher renewals for affordable housing, $810 million more than FY03 and $205 million more than the request. This will fully fund all authorized vouchers based on a 96% lease up rate and the most current cost estimates. I have heard from many constituents about their need for and support of this program.

Once again however, the rhetoric from the House leadership is not being met with adequate resources for education. Congress has passed a sweeping reform of the Elementary and Secondary Education Act, created several new programs and mandates, but we don't seem willing to provide the necessary funding. We cannot expect our schools to meet the so-called ''adequate yearly progress'' standard if we cannot provide them the resources they need to do so.

While funding for ''No Child Left Behind'' programs is nominally above last year's level, it is only sufficient to cover inflation and provides local schools with no additional resources to meet federal mandates. This bill provides $7.8 billion less than the amount promised for fiscal year 2004 by the highly touted ''No Child Left Behind'' authorization.

Overall funding for the Department of Education is at $55.7 billion, only $279 million above the level contained in the House-passed bill. That increase, however, includes $318 million in special, member-specific education projects. As a result, regular formula grant or merit-based programs are actually funded less than the level contained in the House bill.

Further, the bill authorizes funds for a voucher program for D.C. schools. This is a poor policy decision that deprives citizens of the District of Columbia of making the decision for themselves and the school system from receiving much needed federal funding.

The bill also fails to provide the resources necessary to increase students' access to higher education. The bill keeps the maximum Pell grant award at $4,050, the same as last year, even as the cost of college is going up all over the country.

The omnibus bill will hurt those who have left school and are now in the workforce. A prohibition against the Labor Department's new overtime regulation was dropped entirely despite the fact that it has the support of solid majorities in both Houses. Allowing this new rule to go through will deny overtime pay to more than 8 million American workers. These are employees who rely on overtime to make ends meet, and it speaks volumes that the Republican leadership is willing to deny hard-working, middle class families that additional pay they earn.

Further, I am concerned that because I opposed the House-passed bill on the principle that we cannot under-fund education and healthcare in this country, the leadership will now punish my constituents. Important projects will not be funded simply because of politics. For example, funding has been denied to naturally occurring retirement communities where the elderly can stay and receive services and $E=Mc^2$, which provides important training to science teachers, will not be funded either.

Mr. Speaker, I again want to say that I reluctantly support this bill in order to keep our government functioning and to fund important new initiatives. I hope that next year we will be able to work in a bipartisan manner so that we can best provide for the needs of all the Americans we proudly represent.

Mr. RAHALL. Mr. Speaker, I rise today to discuss the Fiscal Year 2004 Omnibus Appropriations bill. I will vote in favor of this bill because it includes federal funding for a great number of very worthwhile projects in my district of southern West Virginia, many of which I personally sought and others that were provided by the esteemed senior Senator from my state, West Virginia's great champion, Senator ROBERT C. BYRD.

On my account, these projects include funding for technological infrastructure in a historically underserved area, transportation planning and congestion relief funding, funding to help educate the blind, federal assistance for wastewater treatment, and maritime safety training dollars for port security.

In addition, it is with tremendous gratitude for his efforts that West Virginia thanks Senator BYRD for providing much-needed funding of projects such as a road building effort that will enable veterans to access their medical center. He also provided funding for our universities and colleges, funding for economic revitalization efforts, and federal dollars for a great number of other worthwhile endeavors.

However, I cast my vote with great misgivings.

As a result of White House meddling, this bill recklessly strips overtime protection provisions that a tremendous majority of Americans favor and that overwhelmingly passed both the House and the Senate. To do the President's bidding on behalf of his big corporate friends, the Republican leadership in the House and the Senate made sure in this bill that the Department of Labor can gut more than 60 years of worker protections.

As a result of White House meddling, this bill unwisely fails to fund the No Child Left Behind initiative while actually even cutting many programs such as teacher quality grants, technology grants, safe and drug-free schools, and reading first grants.

As a result of White House meddling, this bill unfairly freezes funding for child care and wrongly imposes more stringent work requirements for parents receiving Temporary Assistance for Needy Families.

There are also a host of other shortcomings and deficiencies in this bill.

But this is what happens when the Republican leadership of the House and Senate fail once again to complete their Constitutionally-required appropriations bills in a timely manner. A bunch of different bills get rolled into one rather than being considered individually on their respective merits. Then, the White House threatens, as it did here, to veto the entire bill, which would leave many federal agencies without funds and therefore leave many needy people without protection, unless the President once again gets exactly what he and his rich friends want.

Mr. GRAVES. Mr. Speaker, I rise to discuss the importance of the State Assisted Fair Bid provision in the FY2004 Transportation Appropriations bill. The Conference Report contains a provision that will establish a pilot program to assist states that choose to contract with the private sector to provide intercity passenger rail service. I anticipate there will be at least two or three demonstration projects under this proposal in fiscal year 2004. The report provides the Secretary with up to $2.5 million to assist the states in implementing the competitive process. I have spoken with Appropriations Chairman YOUNG, and he has assured me that the funding may be used for any purpose in the implementation of a Fair Bid Demonstration project, including providing insurance to states and operators in a manner that results in the lowest possible insurance costs. Furthermore, I understand that the Secretary is encouraged to use a portion of the $2.5 million in grant money provided to the states to subsidize alternative insurance arrangements as a part of the Demonstration Projects.

I want to be clear in my understanding that the states have a great deal of latitude in proposing Demonstration Projects under this provision. The only statutory requirement is that the state must assist the intercity service with a subsidy of some nature. My friend, Chairman YOUNG, has assured me that this is so. Obviously, all of the current state-assisted operations, which are commonly known as 403(b) service, and are now being operated under contract with Amtrak, are eligible. One example of this service that comes to mind is my state's Missouri Mule, which operates between St. Louis and Kansas City. The state of Missouri attempted a competitive bid for the Missouri Mule service last year when Amtrak increased the state subsidy requirement. The process failed, because Amtrak refused to make facilities and equipment, or even access to its national reservation system, available to any bidder on reasonable terms. In many ways, it is the Missouri Mule example that resulted in the Fair Bid language being contained in this bill. Certainly, the Missouri Mule will be a candidate under this new provision.

However, there are many other candidates. The North Carolina Piedmont and Carolinian provide another example of such trains. The Amtrak Cascades Service between Vancouver, British Columbia and Eugene, Oregon is a 464-mile corridor that is subsidized by the Washington and Oregon DOTs. Services that are not current 403(b) services would also be eligible should the state choose to provide a subsidy. In another more general example, the State of Florida is interested in new conventional intercity passenger rail service along the East Coast, but Amtrak has declined to initiate the operation. In cooperation with the track

owner, the state has the option of putting that service out to competitive bid.

Another example is New York's Empire service between Albany and New York City. That service is currently not subsidized, but Amtrak has requested a subsidy from the state as a condition of operating New York's remanufactured 125 mile per hour turbo trains. The Empire corridor could be put out to competitive bid under the terms of this provision.

Mr. ETHERIDGE. Mr. Speaker, I rise in opposition to the conference report on H.R. 2673. This bill would provide funds, for the fiscal year that began on October 1, for eleven of the fifteen Cabinet departments, several independent government agencies, and the District of Columbia government.

I will oppose this bill because it is a combination of missed opportunities and misplaced priorities. This bill has many shortcomings, but let me focus on three key areas: agriculture, education and homeland security.

Mr. Speaker, I grew up on a tobacco farm, and my district is one of the leading tobacco producing districts in the country. As a Member of the House Agriculture Committee, I know that our farmers are hurting. North Carolina's farm families are watching a way of life that has sustained us for generations vanish without any assistance from the federal government to transition into the future. I have been working throughout this Congress on a bipartisan basis to pass a buyout of the federal tobacco quota program to aid that transition. Having worked to achieve consensus legislation, my colleagues and I sought to attach buyout legislation to this omnibus appropriations bill, the last legislative vehicle of the First Session of the 108th Congress. But the Republican Leadership rejected this effort. As a last ditch effort, I wrote to Speaker HASTERT and asked him to include Congressman WALTER JONES's bill to freeze quota levels that determine how much tobacco farmers can produce. Again, we were denied.

Our tobacco farmers deserve better, and I will vote No to protest the shabby treatment they have gotten from the Republican Congressional Leadership.

As the former Superintendent of North Carolina's public schools, my life's work has been the improvement of educational opportunities for all of our children. In the U.S. House, I chair the Democratic Caucus's special Task Force on Education and Job Training. In the 107th Congress, I voted for the President's landmark No Child Left Behind (NCLB) education reform law because the Administration promised to provide the resources to make the tough new reforms work. Unfortunately, the Administration has broken that promise, and I have been forced to introduce legislation to require full funding for NCLB. This omnibus appropriations bill continues to break the promise of NCLB to our children, their parents, our teachers, taxpayers and schools. The bill shortchanges NCLB by $7.8 billion in fiscal year 2004 alone. This bill also contains misguided private school vouchers in the District of Columbia. Vouchers are bad public policy because they take taxpayer dollars to pay for private school tuition. That is just plain wrong, and I have consistently opposed vouchers throughout my service in public office.

Our children deserve better, and I will vote against this bill because of the harm it does to our schools.

Finally, Mr. Speaker, as a center for the military, agriculture, technology and transportation sectors, North Carolina plays a prominent role in the ongoing effort to secure the homeland against the threat of additional terrorist attacks. As a Member of the House Select Committee on Homeland Security, I have worked throughout this Congress to bolster our nation's homeland security. Although this bill does not fund the Department of Homeland Security, two important provisions of the bill will negatively impact its operation. This legislation forces the rescission of $1.8 billion in prior year supplemental appropriations and a significant portion of those funds are in DHS. In addition, the across-the-board cut contained in this bill will have a dramatic impact on certain areas. For example, the needed increase of 570 Customs and Immigration agents for improving border protection will have to be cut by nearly two-thirds. Also, the bill cuts state and local law enforcement funds by $500 million below last year's level at a time when our state and local governments face massive budget shortfalls.

Our communities deserve better, and I will vote against this bill because of its shortsighted treatment of our homeland security.

In conclusion, Mr. Speaker, there are many provisions of this bill I do support. I strongly support each of the projects for North Carolina's Second Congressional District that are funded in this bill. But the Republican Leadership chose to craft this bill through an indefensible and incoherent process. The result is a bill that can be summed up as a missed opportunities and misplaced priorities.

The people of my district and this country deserve better. I will vote against final passage of this legislation, and I urge my colleagues to join me in doing so.

Mr. SWEENEY. Mr. Speaker, because this bill is coming to the floor as a conference report, I am unable to offer a very important amendment. My amendment would require the Federal Communications Commission (FCC) to complete and issue its rulemaking in CC Docket 02–33 within 60 days of passage of this bill. This is proceeding pending at the FCC to determine whether broadband facilities provided by telephone companies should be regulated as telephone services under Title II of the Communications Act or as information services under Title I of the Communications Act.

The FCC adopted the Notice of Proposed Rulemaking on February 14, 2002. Comments were filed on May 3, 2002 and reply comments on July 1, 2002. The FCC, however, has been sitting on its hands for the last 16 months.

This is the same agency that, once it voted on its triennial review report and order spent another six months before actually releasing the text of the order. The FCC has not ruled on the petitions for reconsideration pending on the triennial review. My amendment will also require the FCC to rule on these petitions for reconsideration within 60 days of passage of this bill. Unfortunately, the FCC's Nero seems to be fiddling again while the telecommunications industry's Rome is burning.

The Industry is in state of regulatory stasis concerning broadband. Companies do not know what the broadband rules will be, so they cannot make sound decisions as to when, where, and even whether to deploy broadband. This is an industry that has lost more than 500,000 jobs during its current economic slide.

This inaction is inexcusable. The delay is further harming an industry already seriously wounded. There is little doubt that ubiquitous deployment of broadband will boost the U.S. economy, and particularly the moribund telecommunications sector. A recently updated study by Robert Crandall, Charles Jackson, and Hal Singer states that ''the cumulative increase in capital expenditures associated with the ubiquitous adoption of current generation (broadband) technologies will result in the cumulative increase in gross domestic product (GDP) of $179.7 billion (over nineteen years) and will sustain an additional 61,000 jobs per year.'' Yet, the FCC continues to ignore the negative economic impact its indecision has on the industry.

All my amendment does is require the FCC to complete something it should have done over a year ago. We've given the FCC enough time. The American people are waiting and the U.S. Congress has had enough of the FCC's paralysis.

Mr. KUCINICH. Mr. Speaker, I rise today in strong opposition to the Omnibus Appropriations Act of 2004. In almost every areas of concern for families, this bill is grossly inadequate and detrimental to America's future.

For our Nation's children and schools, the funding shortfalls in the Omnibus are legion. At a time when we are demanding more of our public schools, and as State and local education budgets continue to be cut, funding for No Child Left Behind is frozen. At a time when the average Pell Grant is worth about $50 less in real terms than it was in 1975, the size of the maximum grant is frozen.

The Omnibus also freezes funding for the 21st Century Community Learning Centers program, the main source of Federal funding for after school programs. Over 1 million children will not have after school opportunities under this bill. This bill even falls $1 billion short of the level promised in the Republican budget resolution and authorization bill passed earlier this year for IDEA, which educates disabled children. Again, this funding shortfall is passed directly on to local school districts.

For as many as 8 million workers, this bill also represents the end of overtime pay—but not the end of overtime hours. Although this body voted to strip the administration's plan to eliminate overtime coverage for millions of Americans, the Omnibus continues forward with a regulatory agenda determined to make Americans—from paralegals to paramedics—work longer hours for less pay.

Finally, last July this Congress took a giant step forward in overwhelmingly voting to eliminate funding for section 213 of the PATRIOT Act, a provision what allows for so-called ''sneak and peak'' searches, or searches of property without the advanced notification of the person being searched. This action spoke to the anxiety of millions of Americans who believe the PATRIOT Act must be repealed or revised to restore fundamental civil liberties in this Nation. Again, the result of this bi-partisan vote is starkly absent from the Omnibus.

Not only does the Omnibus cut education, it defies the will of the House on overtime pay and civil liberties. Our children and our families suffer and the integrity of the U.S. Constitution remains at risk. Vote against the Omnibus Conference Report.

Mr. POMEROY. Mr. Speaker, I will be casting my vote against this bill today because of many serious flaws in this legislation, flaws that were included in the bill despite widespread, overwhelming opposition. Additionally,

the bill tragically underfunds several key programs, such as funding for education reform and veterans.

Included in this legislation is language to delay the implementation of country-of-origin labeling until 2006. Country-of-origin labeling was required by the 2002 Farm Bill and is necessary to give U.S. consumers important information and give U.S. producers credit for the considerable investment they have made in the quality and safety of their products.

Included in this legislation are provisions that could make 8 million women and men lose the overtime pay that they use to feed their families, pay for medicine, and educate their children. These provisions were not approved by a majority of the House and Senate.

Included in this legislation today is language to allow television networks to own as much as 39 percent of a market. Shortly after the Federal Communications Commission made its decision to allow television networks to own stations reaching as much as 45 percent of the country earlier this year, both chambers of Congress went on record for supporting lowering the limit to 35 percent.

In addition, while I support the intentions of last year's education reform promise to leave no child behind, I am also convinced that the success of this new law will be determined in part by the investment made in this historic reform effort. I am deeply disappointed that this funding plan falls more than $7.8 billion short of the resources promised.

I am pleased to have supported the inclusion of a number of important North Dakota projects in this legislation. However, the House could and should consider clean legislation that does not contain those provisions not supported by a majority of representatives. I hope this bill is taken up again in January without these objectionable provisions.

Mr. SMITH. Mr. Speaker, I rise today to express my disappointment that the omnibus appropriations package before us, H.R. 2673, does not include provisions passed by both houses of Congress to protect workers' overtime pay nor does it extend the Temporary Extended Unemployment Compensation (TEUC) program.

Mr. Speaker, there we are again, the holiday season is upon us and once more, it is time to buy presents for our loved ones. Whether we are celebrating Christmas, Chanukah, Kwanzaa or simply the holiday season, it is a time for sharing gifts, festive meals and caring for others. Unfortunately, the appropriations package before us will strip workers of their overtime rights and does not extend TEUC benefits, possibly resulting in Santa Claus not making stops at everyone's house next year.

Millions of families continue to struggle through the rough fringes of our economy. Currently the official U.S. unemployment rate is at 5.9 percent representing more than 8.5 million unemployed workers, and the rate for Hispanics has moved up to 7.4 percent. As much as these can be seen as mere figures, we must realize that they are more than just numbers. They represent human beings: someone who needs work and whose family may need food and clothing. These are not luxuries; they are the essentials.

Too many Americans are going to wake up New Year's morning to find out that their unemployment insurance has run dry. In the past 2 years, we've seen some 3 million jobs disappear.

Mr. Speaker, we had an opportunity to extend the reauthorization of the TEUC program and we failed to do it.

I joined the efforts to extend those benefits so that working families still looking for jobs can enter the New Year with some place of mind. The leadership in this House, however, saw it differently and blocked our efforts to extend help to out-of-work Americans. They reportedly said the economy's doing so much better than unemployed workers don't need any extra help. Sadly, this failure not only hurts families but also the economy. Worse yet, it comes just a few weeks after these same leaders approved a $12 billion handout to insurance companies.

That's not all. Even those who are fortunate to have jobs have come under attack by the leadership of this House. On March 31, 2003, the Bush administration proposed changes to the overtime pay rules that require additional pay for workers who put in more than 40 hours per week. These changes will impact up to 8 million employees who could find themselves working longer without any additional pay.

Once again, Mr. Speaker, we had an opportunity to include provisions in this massive appropriations package to ensure that the rights of over 8 million workers to receive overtime for their hard work were protected, and we failed.

The new rules will impact workers who make between $22,101 and $65,000 per year. These middle class workers, from journalists to medical technicians, often rely on the extra money they get for overtime and appreciate there being some limit on the time they are expected to work.

Congress votes to stop this change in labor policy, though the vote was particularly close. Despite this action from Congress, the Bush administration has continued to push for the changes. The President even issued a veto threat against this massive appropriations bill if it included any attempt to maintain the overtime protections for these workers and their families.

As we enter the holiday season, it's sad that there's so little compassion for Americans struggling to find jobs and make ends meet. Clearly, the battle for America's working families is not over.

Mr. LANTOS. Mr. Speaker, last summer this House in an overwhelming bipartisan fashion adopted H.R. 1950, the foreign relations authorization bill which, among other provisions, authorized the establishment of the Millennium Challenge Account (MCA) and the creation of a Millennium Challenge Corporation (MCC).

Today, this House will consider the conference report for the Foreign Operations Appropriations bill as a part of the Omnibus Appropriations bill that we are considering. In it will be authorizing language for the MCA and the MCC which largely reflects many of the priorities and structures incorporated in the MCA bill that Democrats and Republicans so painstakingly crafted in the Committee on International Relations.

Mr. Speaker, I rise today to highlight one specific aspect in the creation of a Millennium Challenge Corporation. I believe that the MCC will face a variety of management issues as it begins to administer the MCA. It is critical that the corporation have access to the best advice available to help frame its initial organizational structure and guide its subsequent operations, particularly in developing and fine-tuning policies, procedures and processes.

I strongly encourage the chief executive officer or the interim CEO of the corporation to seek advice from organizations with managerial expertise—such as the National Academy of Public Administration (NAPA)—in designing and launching the Millennium Challenge Corporation. The report, which accompanied the MCC legislation reported from the Committee on International Relations made such recommendation, and I believe that it is important that we take note of this counsel since we are passing this legislation in a somewhat different from today.

Mr. Speaker, I also would like to make a brief comment on section 534 of the Foreign Operations Appropriations Act for fiscal year 2004 as it relates to assistance to Lebanon.

Mr. Speaker, last year, this House adopted the conference report to H.R. 1646, the Foreign Relations Authorization Act of 2003, which became Public Law 107–228, included section 1224, a provision restricting foreign assistance to Lebanon until it fully took control of its borders. This provision, which derives from an amendment I offered to the bill and which prevailed on the House floor, reads as follows:

**SEC. 1224. ASSISTANCE TO LEBANON.**

(a) PROHIBITION—Notwithstanding any other provision of law, $10,000,000 of the amounts made available for fiscal year 2003 or any subsequent fiscal year that are allocated for assistance to Lebanon under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund) may not be obligated unless and until the President certifies to the appropriate congressional committees that—

(1) the armed forces of Lebanon have been deployed to the internationally recognized border between Lebanon and Israel; and

(2) the Government of Lebanon is effectively asserting its authority in the area in which such armed forces have been deployed.

(b) REQUIREMENT RELATING TO FUNDS WITHHELD—Notwithstanding any other provision of law, any funds withheld pursuant to subsection (a) may not be programmed in order to be used for a purpose other than for assistance to Lebanon until the last month of the fiscal year in which the authority to obligate such funds lapses.

Section 534 of the FY2004 Foreign Operations Appropriations Act, which is contained in this conference report, provides a special authority to provide assistance to Lebanon ''notwithstanding any other provision of law.'' I note that in trying to look at congressional intent to determine how to interpret this ''battle of the notwithstandings,'' I note that identical language to section 534 was contained in past foreign operations appropriations acts prior to the enactment of section 1224 of the Foreign Relations Authorizations Act of 2003. Section 534 and its predecessors were originally clearly designed to deal with issues other than the restriction in section 1224. Moreover, there is no legislative history that would suggest that section 534 was meant to override section 1224. Finally, I understand that in a similar situation last year, after careful consideration, the administration decided not to use identical language in the FY 2003 Foreign operations Act to override section 1224, even though that act was enacted after the Foreign Relations Authorization Act of 2003.

On this basis, and particularly in view of the soon to be enacted Syria Accountability Act, which addresses the reasons that Lebanon is unable to deploy its troops to the border, I believe that congressional intent is clear that section 534 of the FY2004 Foreign Operations Act cannot be used to override section 1224 of the Foreign Relations Authorization Act of 2003.

Mr. UDALL of Colorado. Mr. Speaker, I will vote against this conference report. I can support neither the process by which it was assembled nor the misshapen result of that process.

Once again the House is being asked to vote on a massive omnibus measure that rolls together the thousands of specific accounts that properly should be included in no fewer than seven separate regular appropriations bills. This is exactly what happened last year, and it is just as objectionable now as it was then.

I do not blame our appropriations committee for this. I have the greatest respect for both its Chairman, the gentleman from Florida, Mr. YOUNG, and its ranking member, the gentleman from Wisconsin, Mr. OBEY. They and their colleagues did their work, and the House passed all of the regular appropriations bills, in a timely fashion.

Unfortunately, however, the Senate did not follow suit—and the leadership of both chambers insisted on taking control of the process in order to accommodate the desires of the Bush Administration. As a result, the bill before us today not only has provisions not considered by either chamber, it also omits some things that were approved by both bodies. And while it does provide essential funding for many purposes, in several important respects it falls far short of what is needed.

For example, one of my biggest concerns is how this conference report deals with important scientific facilities of two agencies—the National Oceanic Atmospheric Administration (NOAA) and the National Institute of Standards and Technology (NIST)—in Colorado.

I voted against the commerce department funding bill when the House considered it earlier this year because it included severe reductions in funding for these facilities. I could not support such cuts, not just because these facilities employ so many Coloradans, but also because the work done there is so important for our country.

Still, even though that part of the House bill was seriously inadequate, I hoped that the Senate would not make the same mistake and that the conference report would more appropriately recognize the needs of these facilities—but, as I have reviewed the conference report, that hope has faded.

NOAA LABORATORY FUNDING

The conference report isn't as clear as it could be. For instance, it hasn't been possible to determine whether or not the report includes $4.5 million to pay rent for NOAA's Boulder labs. In fact, even NOAA's budget office isn't sure whether or not that money was included.

Similarly, it isn't readily apparent how the research funding breaks down and at what levels the Colorado labs are funded—apparently program accounts have been padded with an ''administrative charge,'' though we don't know the amount, there are across-the-board rescissions that also affect program accounts, and there are huge numbers of earmarks in the bill that take from program funds. Furthermore, it isn't yet clear whether or not jobs will be lost at NOAA.

One thing that is possible to discern—through inference—is that NOAA's Space Environment Center (SEC) is funded at $5.3 million. This is barely two-thirds of the base funds needed by SEC, which suffered similar shortfalls last year, and 40 percent less than the President's $8.3 million FY04 request.

This is more than disappointing—in my opinion, it is irresponsible. Let me briefly explain what leads me to that conclusion.

In October, the Science Committee's Environment, Technology, and Standards Subcommittee held a hearing to fully examine the issue of space weather and who should be responsible for its forecasting. We heard testimony from representatives of NOAA, the Air Force, and NASA, along with officials from the electric power, satellite, and airline industries, which are the predominant users of the SEC's forecasts.

From that hearing, it was clear that:

The services that NOAA's SEC provides are relied upon heavily by government and many critical private sector industries;

The SEC functions cannot be easily transferred to another agency without huge expenditures and temporary to intermediate loss of forecasting services; and

Even at the House approved funding level of $5.3 million, the SEC would have to significantly reduce current services at a time when our industries are more vulnerable to space weather.

With our country increasingly vulnerable to these solar events, it is short-sighted and penny-pinching to reduce the services provided by the SEC.

NATIONAL INSTITUTE FOR STANDARDS AND TECHNOLOGY (NIST)

The numbers for NIST are no more satisfactory. The overall Scientific and Technical Research and Services (STRS) account is funded at a lower level than both the House and Senate bills, and this lower level also includes $15.5 million in earmarks. The lab account thus will provide only minimal funding to cover mandatory cost-of-living increases, at the same time new responsibilities are being assigned to NIST.

With approximately 55 percent of NIST's STRS budget devoted to personnel compensation and benefits, these cuts in the lab account will lead to more job losses at NISt, only continuing the steady decrease in the number of NIST staff in the laboratories since 1994.

Funding for direly needed construction at Boulder's NIST laboratories is again less than is needed. The NIST Boulder laboratories have contributed to great scientific advances through its key facilities, but these facilities are now over fifty years old, and if they are to continue to make important contributions, they need help.

Of the millions of dollars of work that was shown to be necessary in NIST's 1998 Facilities Improvement Plan, only about $11 million has been appropriated over the years—for the design of an electrical system upgrade at the Boulder facilities and for the first phase of construction of a new central utility plant. The central utility plan still needs $22.6 million, and the electrical services improvements need $5.5 million, yet the conference report includes $23.5 million in earmarks in the NIST construction account. Only about $20 million of about $65 million is left in the report for construction, and it's unclear how that total will be divided between NIST's Gaithersburg and Boulder labs.

NOAA and NIST are not the only Commerce Department accounts that are shortchanged by the conference report—and the damage goes beyond federal agencies to hurt the private sector too.

MANUFACTURING EXTENSION PROGRAM

The conference report cuts by more than two-thirds the Manufacturing Extension Program, which assists thousands of small and medium-sized manufacturers across this country. This cut effectively guts the program, which was the Bush Administration's intent. With manufacturing jobs still being lost every month and high-tech companies struggling, now is not the time to turn our back on the manufacturing community and our small high-tech entrepreneurs.

It is one thing to make government more lean; it is another thing to cut programs and jobs year in and year out at facilities all over the country—not because there is fat to cut at these facilities, but because the Subcommittee allocation simply doesn't provide enough money to go around. This conference report continues the pattern of bleeding NIST and NOAA dry—agencies that do so much to support our nation's economy and the public's well-being.

Of course, the conference report does include funding for programs to assist veterans, housing programs, and many other worthwhile purposes, including necessary investments in transportation infrastructure—things that I definitely support.

Some of the transportation items are of special importance for Colorado. These include: $8 million for the Boardway Bridge/I–25 interchange complex; $4 million for work on the Santa Fe/C–470 corridor; $3 million for the McCaslin Boulevard/U.S. 36 interchange; $3 million for repairs to the Red Cliff/Arch bridge; $2.5 million for implementation of the incident management plan for Interstate 70; $2.5 million for the Colorado I–225 and Colfax Avenue interchange; $800,000 for the U.S. 36, Wadsworth, and State Highway 128 interchange; $800,000 for the I–70 and State Highway 58 interchange; $500,000 for the Wadsworth Blvd/SH121/Grandview grade separation project; $500,000 for the East 104th Ave. and U.S. 85 intersection improvements; $500,000 for the U.S. 6 and State Highway 121 interchange; $450,000 for the U.S. 36, I–270 interchange; $400,000 for work on State Highway 149; and $200,000 for work on I–76 between Fort Morgan and Brush. In addition, the conference report includes $14 million for buses and bus facility projects of the Colorado Transit Coalition, whose request I strongly supported.

If we had the chance to consider separate final bills for these purposes, I would be glad to support them. But instead they have been rolled into this conference report, with all the serious deficiencies I have mentioned.

And those deficiencies are not the only ones—the conference report before us has other serious defects as well, such as the fact that it does nothing to prevent administrative actions that threaten the right of many workers to receive overtime pay to which they are now entitled, and the omission of the provision passed by both Chambers to make it easier for Americans to travel to Cuba.

The bottom line, Mr. Speaker, is that these many deficiencies make it impossible for me to vote for this conference report.

Mr. BLUMENAUER. Mr. Speaker, it is a sad commentary on the performance of the Republican leadership who control the White House and both Houses of Congress that they still cannot get the appropriations work done on time. I voted against several of these measures as stand-alone bills. Rolling them together and adding special interest provisions has not made them any better.

Indeed, in several instances this bill represents a repudiation of the will of the public and express decisions of Congress. Examples include the fact that a bipartisan majority of Congress had already voted to prevent the Bush administration regulations that would deny overtime pay to 8 million employees. This bill strips the ban. Additionally, this bill abandons an overwhelming bipartisan agreement of both bodies of Congress to block Federal Communications Commission (FCC) regulations permitting broadcast networks to expand their reach and consolidate the industry.

This omnibus appropriations bill spends too much on the wrong things and shortchanges critical needs such as education, veterans' healthcare, and state and local law enforcement. It's made all the worse that this funding is borrowed money that will add to our budget deficit. I vote ''no.''

Mr. EVANS. Mr. Speaker, I rise in opposition to the bill, H.R. 2673, FY 2004 Consolidated Appropriations Act.

Mr. Speaker, this is a disappointing bill in many ways. Not only is it inadequately funded, it is not timely.

For the second year in a row, we will fail to provide the Nation's largest federal health care system, the Veterans Health Administration, with a timely and adequate budget. After another year of fierce battles over funding, we are not likely to pass a budget for veterans' health care until we return in January—after almost a third of the fiscal year is gone. In the worst case scenario, the veterans' health care system will subsist on a continuing resolution through the rest of the fiscal year.

Not only will the budget be late, which wreaks havoc on VA's ability to plan effectively to meet the demands of its burgeoning workload, it will be greatly inadequate and, far less than the $1.8 billion additional funding we promised veterans in the budget last April. What will this likely mean for veterans who rely upon the VA as their health care provider?

Increases in waiting time: VA's workload has increased each year since 1997. Wait times reached a crisis point of hundreds of thousands of veterans waiting more than six months for care, around the beginning of the last fiscal year. VA's budget, on the other hand has not kept pace with the rate of growth in enrollees or medical inflation. VA began to make progress addressing waiting times for its major clinics last year, but with another late and insufficient budget it is likely that waits will be on the rise again.

Possible additional curtailments in enrollment: For the first time since 1997, last January, the Secretary chose to prohibit new veterans in Priority 8—some of whom make as little as $25,000 each year—to enroll in VA for their health care. Fiscal pressure may drive additional prohibitions.

New fees and additional copayments for veterans: Every year, this Administration has proposed new entrance fees and increased copayments for veterans as a means of making its inadequate budgets balance by deterring veterans' utilization of health services and enhancing its scarce revenues.

Continued inabilities to recruit scarce clinical personnel: For the second consecutive year, VA will have missed the prime time in the academic cycle for recruiting physicians—this is particularly damaging for recruitment of those in high-demand specialties. VA has held hundreds of these positions vacant and was relying on a timely and adequate budget, in addition to legislation, to help with these vacancies. Nurse and pharmacist shortages also continue to be problematic.

Inabilities to prepare for returning troops: VA must shore up programs, such as its renowned post-traumatic stress disorder treatment, readjustment counseling, prosthetics, and other programs for special disabilities in order to meet the needs of new veterans returning from Iraq and Afghanistan.

This Congress must now seriously consider the question, ''Is this really the best we can do for our veterans in a time of war?''

Our answer must be an unqualified, ''no!''

The time has come for us to assure that an adequate and timely budget is available to our veterans' health care system at the start of each new fiscal year. The time has come for a rational way of determining VA's budgetary needs. The time has come for us to support, H.R. 2318, ''Assured Funding for Veterans Health Care Act of 2003.'' This bill would automatically fund the veterans' health care system by the number of enrolled veterans and the anticipated changes in the hospital inflation rates for each year.

We really can do better by our Nation's veterans.

Ms. HOOLEY of Oregon. Mr. Speaker, there are a number of things both good and bad in this Omnibus Appropriations bill that we're considering today. I want to talk specifically about an issue that is extremely important to me and the people I represent, and one that I've been working on for years.

Our farmers grow the best produce and raise the best livestock in the world. And American consumers know this. Studies have shown that Americans want to buy American commodities, and are even willing to pay a premium to do so. Yet while a consumer can go into a department store and know that their shirt is made in this country, they can't go into the grocery store and have the same certainty about the food they are going to serve their families.

U.S. producers need mandatory labeling in order to compete in the marketplace. Product differentiation is the only way consumers can exercise their choice between purchasing either domestic beef or beef produced by foreign competitors. Our nation's farmers and ranchers produce the best and safest commodities in the world, and our nation's consumers deserve the chance to determine where their food is born, raised, and processed.

For these reasons we had country of origin labeling provisions added to the Farm Bill last Congress. Unfortunately this bill throws another hurdle in front of our consumers and our farmers, delaying implementation of this important law.

Country of Origin Labeling is good for Americans farmers and good for Americans consumers. I am extremely disappointed that the conferees included these delays on country of origin labeling.

Mr. TAUZIN. Mr. Speaker, I rise today in opposition to an authorization provision contained in the conference report we are considering today. This provision—inserted in the eleventh hour—would limit a television broadcaster's potential national audience reach to 39 percent. Not only is this bad public policy, but this provision is more susceptible to a First Amendment challenge than the FCC restriction it replaces. The DC Circuit rule in its 2002 Fox Television decision that the FCC failed to justify its old limitation. The court made it clear that any broadcast ownership limit is subject to at least rational-basis scrutiny under the First Amendment. Consequently, the FCC conducted an exhaustive study and developed a comprehensive record which concluded that a 45-percent limit was supportable. This bill ignores the FCC's findings, as well as the Fox decision, and plucks a 39-percent figure out of thin air. An act of Congress is afforded more deference than an FCC rulemaking, but it is still subject to First Amendment scrutiny. With absolutely no record to support this limit, the provision might very well not withstand judicial review, potentially leaving us with no restriction whatsoever.

The bill's ownership provision is also rooted in a misunderstanding of the FCC's new rule, current levels of concentration, and the state of competition. The FCC's rule measures potential audience reach, not the number of television stations an entity owns. No broadcaster owns anywhere near 45 percent of the nation's more than 1,700 full-power, commercial and non-commercial television stations. In fact CBS and FOX only own approximately 2 percent—the ruling by the FCC's would allow them to purchase only a handful more stations—while NBC owns less than 2 percent, and ABC owns less than 1 percent.

Mr. Speaker, the FCC rule limits a broadcaster to owning television stations whose signals, in the aggregate, serve areas encompassing no more than 45 percent of the nation's television households. This does not mean that viewers are watching the broadcaster's stations, only that the stations' signals are potentially available in the viewers' areas. No broadcaster's actual audience share is close to 45 percent. Even CBS, which currently leads the ratings race, only garners about a 14-percent audience share during primetime. And in fact, the vast majority of the stations carrying CBS programming are independent affiliates not owned by CBS. In terms of actual viewership, no major broadcast network owns stations that, in the aggregate, exceed 3.4 percent of the national viewing audience.

To win viewers, each network still must compete with many other broadcasters, each of which would also theoretically own stations with signals available to 45 percent of the country. Indeed, there are now seven major broadcast networks—ABC, NBC, CBS, FOX, UPN, WB, and PAX—as well as foreign-language networks, and many independent broadcasters. Moreover, 85 percent of television households now subscribe to cable or satellite service with access to both broadcast and non-broadcast programming, and entities other than ABC, NBC, CBS or FOX own approximately 75 percent of the more than 100 channels of programming received in the average home. Also, keep in mind that the FCC's

local ownership rules still protect localism and diversity by requiring a minimum number of independent voices in each market. In this context, the drummed-up fear over the FCC's rule is almost as ludicrous as would be the fear over the national availability of Starbucks. Starbucks, it sometimes appears, can be found on every corner. But Starbucks' seemingly ubiquitous presence does not mean that consumers can't drink other brands of coffee, or forgo coffee altogether in favor of tea, juice, soda, or any other beverage.

The FCC granted broadcasters the added flexibility to help preserve free, over-the-air television, which is losing ground to cable and satellite service. Since 2002, cable programming has had more primetime viewers than broadcast programming, and its lead is increasing. This is particularly significant because broadcasters depend exclusively on advertising, while cable and satellite providers benefit not only from rapidly increasing advertising revenue, but subscription revenue, as well. By preventing broadcasters from making limited and reasonable acquisitions to improve their economies of scale and operating efficiencies, we jeopardize the continued viability of free television broadcasting.

Adding insult to injury, this bill will forbid the FCC from raising or lowering the 39 percent limit as market conditions continue to change. In fact, the bill eliminates the FCC's authority to periodically review even ''rules relating to the 39 percent national audience reach limitation.'' Eliminating the FCC's discretion over the national audience-reach limit in this manner is unwise. Congress created the FCC to avoid having to pass legislation every time conditions change. By requiring Congress to act whenever fine-tuning becomes necessary is not only impractical, but it stifles the media marketplace. Moreover, the rush to judgment is not even necessary here, as the Third Circuit has prevented the FCC's rule from taking effect while the court considers it on appeal. Unfortunately Mr. Speaker, the provision contained in this bill may just be yet another nail in the coffin of free, over-the-air television, as broadcasters find it increasingly difficult to grow when faced with the tightened broadcast ownership cap, and as business models continue to turn toward cable and satellite service.

Mr. SKELTON. Mr. Speaker, the House is meeting today—69 days after the beginning of the fiscal year—to debate H.R. 2673, a colossal $328 billion spending bill that includes 7 of the 13 annual appropriations measures for fiscal year 2004.

The gentleman from Florida, Mr. YOUNG, and the gentleman from Wisconsin, Mr. OBEY, have worked diligently this year to pass the annual spending bills one-by-one. However, as it became apparent that the Congress could not approve these measures individually, congressional leaders began working to fit them together into one catch-all bill, like the pieces of a $328 billion puzzle. Unfortunately, the pieces of this puzzle are not fitting together in a way that benefits the American people.

I will oppose H.R. 2673 because it breaks promises Congress made regarding education, it cuts necessary Federal funds for State and local law enforcement, and fails to extend unemployment benefits for thousands of Missouri workers who are currently out of work this holiday season.

Education remains a top priority of the people of Missouri. When I am back home, I frequently visit schools to meet with students and teachers. At nearly every location, teachers and administrators inform me of the difficulties they have when it comes to unfunded Federal mandates burdening their districts. School districts throughout the Show-Me State and the Nation are experiencing tough times as the poor economic conditions and the fiscal choices made by this Congress are leading to decreased revenue for schools. The professionals who teach our children and grandchildren deserve to have the resources they need to get the job done. When the Congress approves legislation authorizing specific legislative initiatives, we ought to fully fund them.

H.R. 2673 provides $7.8 billion less than Congress promised in the No Child Left Behind Act and falls 45 percent short in special education funding promised under the Individuals With Disabilities Education Act (IDEA) reauthorization bill that passed earlier this year. It also freezes Pell Grant awards at a time when State universities are drastically increasing tuition costs and underfunds by 18 percent the funds necessary for Impact Aid. H.R. 2673 also establishes a private school voucher program for students who live in the District of Columbia, moving Congress a step closer to abandoning our historical commitment to public schools and establishing the first Federal subsidies for getting a private school education.

As a former prosecuting attorney and juvenile officer, I have worked closely with law enforcement officials. Law enforcement personnel play a critical role in protecting Missouri communities from the scourge of methamphetamine abuse and other crimes and from the threats posed by terrorism. Congress has a duty to provide adequate funding for those who protect us in our hometowns. Under H.R. 2673, State and local law enforcement is funded at $500 million below last year's levels.

As the holidays approach, millions of Americans are still facing unemployment. While economic news has indicated that the numbers of jobless Americans decreasing, Congress must work to extend unemployment benefits to those who are not so fortunate. Time and again, we have worked in a bipartisan manner to assist unemployed Americans. I am disappointed that the House leadership has failed in this regard, especially at this time of year.

Mr. Speaker, H.R. 2673 shortchanges teachers and students, law enforcement personnel, and unemployed Missourians. Appropriations bills should speak to our priorities as a nation. I cannot support this measure that sets our country on a course of misplaced priorities.

Mr. SANDERS. Mr. Speaker, I would like to commend Subcommittee Chairman ISTOOK, Subcommittee Ranking Member OLVER, Chairman YOUNG and Ranking Member OBEY for including a provision I have been fighting for during the last several years to protect workers negatively impacted by illegal, age discriminatory cash balance pension plans.

Mr. Speaker, as you know, on September 9, 2003, this House overwhelmingly passed by a vote of 258 to 160 an amendment I offered to the Fiscal Year 2004 Transportation-Treasury Appropriations bill barring the Treasury Department from helping to overturn the court decision in the Southern District of Illinois brought by IBM employees against IBM's cash balance pension plan.

The Federal court in that case has determined that, as many of us in this House have argued, IBM's cash balance plan and indeed all cash balance plans inherently violate current Federal anti-age discrimination law. By its terms, my amendment barred Treasury from opposing the IBM employees in that case. One of the intended effects of my amendment was also to bar Treasury from finalizing the proposed regulations on cash balance plans—regulations that were improper because they are contrary to the requirements of Federal age discrimination statutes.

On October 23, 2003, the Senate passed a similar amendment by Senator HARKIN barring Treasury from finalizing these illegal regulations. These two amendments served as the foundation for the final legislative language which requires the Secretary to submit to the Congress proposed legislation to remedy the harm that these cash balance plans do to older workers. This legislative language also bars the Treasury Department from finalizing its illegal regulations on cash balance pension plans.

Now, I understand that report language has been added that attempts to rewrite the legislative history of this provision by stating that the intent of this legislative language is not to call into question the validity of cash balance plans.

Well, Mr. Speaker, that is exactly the intent of this provision. There is no doubt. This legislative provision is included in the final bill before the House because Members of this body and the other body have grave doubts about the legality of cash balance pension plans.

While this report language in no way dilutes the effect of the legislative ban on Treasury finalizing its cash balance regulations, it is a cynical attempt to hoodwink the courts considering the validity of these cash balance plans into believing that Congress has not spoken on this issue. It was no doubt carefully crafted by lobbyists with the express intent of using it in a legal brief.

Mr. Speaker, the debate on my amendment and Senator HARKIN's are clear. None of us in this Chamber are fooled by this non-binding report language and I trust that the esteemed courts of this country will not be either.

Mr. SERRANO. Mr. Speaker, we are nearing the finish of this session of the 108th Congress, and I am sure most Members will be heartily glad to see it end.

Today, we are considering an Omnibus bill making appropriations for departments and agencies that ought to be funded in seven separate appropriations bills, which have been held up by various obstacles, including insufficient allocations and controversial riders—or riders to stop controversial administration policies.

On the matter that should be in a separate bill for the Departments of Commerce, Justice, and State, the Federal Judiciary, and several important related agencies, we began with a bad budget allocation that has gotten worse and will be further reduced by across-the-board cuts, both within our division of the Omnibus and across the government.

I must say that our chairman, the gentleman from Virginia (Mr. WOLF) is not to blame for the deficiencies in our portion of this bill. Throughout the process, he has been very fair and has sought to produce the best possible bill, given the limited resources his leadership gave him to work with. For that, I thank him very much.

I also cannot thank the staff enough for all their hard work, long hours, and time away from their families. Mike Ringler, Leslie Albright, Christine Ryan Kojac, and John Martens for the majority, as well as Anne Marie Goldsmith and Alan Lang, this year's detailees, have worked closely with Rob Nabors and David Pomerantz of the Democratic staff and Lucy Hand, Nadine Berg, and Diaraf Thiouf of my staff and my Presidential Management Interns Pete Balfe and Erin McKevitt.

However, the allocation is still too small, and I am seriously concerned about its impact on very important government functions in law enforcement, the judiciary, foreign affairs, and other areas. I am alarmed that the amounts we have worked out in conference with the Senate will be reduced by across-the-board cuts. We fought hard for adequate funding, for example, for the FBI and other law enforcement, but even those amounts face devastating cuts.

Among the most worrisome deficiencies are the State and local law enforcement programs. Most of them are at barely acceptable levels, before the across-the-board cuts, but the Local Law Enforcement Block Grant, funded at nearly $400 million last year, falls to $225 million this year, before the across-the-board cuts. Even relatively small programs had to be cut, such as the Police Integrity grants, which falls from nearly $17 million in fiscal year 2003 to $10 million. We are asking State and local governments to do more to protect our people, as the resources available to support this work decline.

Another alarming problem is the Manufacturing Extension Partnership (MEP) program, which this year falls from over $106 million to just under $40 million, before the across-the-board cuts. This is a severe blow to a very important program, at a time when manufacturers need help. I can only hope that in fiscal year 2005 we can get back to a more appropriate level.

One last agency I would like to mention is the Legal Services Corporation (LSC) We had tried to stabilize LSC's funding this year, but across-the-board cuts will undercut that goal. Beyond that, there is growing concern that limits on the uses of private money donated to independent LSC grantees are hurting America's low-income families and imposing unwarranted government restrictions on the private sector. The administration does not tolerate such interference with the privately funded religious activities of its faith-based grantees. It—and we—would not tolerate such interference with privately funded secular activities also dedicated to helping families in need. I am hopeful that next year we can address these restrictions on privately donated funds. At this point, Mr. Speaker, I ask unanimous consent to submit for the RECORD letters I have received on this issue.

I am also alarmed by the process that got us to this point. The Republican leadership has imposed policies that are not supported by the majority of the American people, the Congress, or the conferees—in our subcommittee's division, the dead-of-night ''compromise'' on media ownership. The gun provisions are also different from what was agreed to by the conferees.

Mr. Speaker, if we can find $87 billion for a war we didn't have to fight, we ought to be able to find the resources to support our domestic law enforcement agencies with the personnel and resources they need; the commercial, statistical, and environmental activities of our Commerce Department; our foreign policy establishment; and such crucial agencies as the Federal Communications Commission (FCC), the Federal Trade Commission (FTC), the Securities and Exchange Commission (SEC), and the Small Business Administration (SBA).

Mr. Speaker, in the end, however most Members vote on the Omnibus Appropriations bill—and I recognize that many crucial programs would suffer under a long-term continuing resolution—I must emphasize that the resource allocation that has yielded Division B of the Omnibus, which funds the agencies in the jurisdiction of the Commerce, Justice, State, Judiciary, and Related Agencies Subcommittee, is grossly inadequate and may prove damaging to the national interest.

NOVEMBER 20, 2003.

Hon. FRANK R. WOLF,
*Chairman, Subcommittee on Commerce, Justice, State and Judiciary, Committee on Appropriations, Washington, DC.*

Hon. JOSÉ E. SERRANO,
*Ranking Member, Subcommittee on Commerce, Justice, State, and Judiciary, Committee on Appropriations, Washington, DC.*

DEAR CHAIRMAN WOLF AND CONGRESSMAN SERRANO: We write to thank for your tremendous leadership on behalf of America's families by supporting increased funding for the Legal Services Corporation in the Fiscal Year 2004 Commerce, Justice, State, the Judiciary and Related Agencies Appropriations Bill introduced in your Subcommittee.

However, we also write to express our regret that for the past several years this bill has included a restriction that severely limits the manner in which independent civil legal aid programs funded by LSC can spend their own private, state and local funds.

This ''private money'' restriction annually encumbers more than $300 million in non-federal money, and harms communities in two distinct ways. First, the restriction imposes costly government obstacles to private philanthropy. Second, the restriction closes the doors of justice to many low-income individuals and families unable to afford necessary legal representation in civil matters.

The undersigned groups write to express our support for amending the LSC appropriation in order to end this governmental interference with non-federal funding for legal aid nonprofits. We urge you to continue your tremendous leadership on behalf of America's families by guiding efforts to end this unfairness.

In particular, we hope you will support removal of the private money restriction because the restriction improperly interferes with the right of private philanthropies and other non-federal donors—including state and local governments—to determine the purposes for which their charitable donations will be used. In addition, the restriction interferes with the right of non-federal donors to select those local institutions best equipped to carry out the purposes of their charitable donations.

By removing the private money restriction, but keeping intact restrictions that control activities financed with federal LSC funds, Congress would properly place independent LSC recipients in the same position as nonprofit grantees of other federal entities which are permitted to use their non-federal funds free of unwarranted restrictions. This would bolster the mission of LSC as a model public-private partnership dedicated to supporting independent and accountable local programs that set their own priorities based on community need.

Furthermore, Congress's removal of the LSC private money restriction may well encourage increased charitable donations to the more than 150 independent LSC recipients that serve the working poor, veterans, the elderly, victims of domestic violence, family farmers and people with disabilities in every county and Congressional District in the Nation.

Thank you very much for your support and continued leadership on behalf of America's families.

Sincerely,

Brennen Center for Justice at NYU School of Law; International Union, UAW; National Legal Aid and Defender Association; Center for Law and Social Policy; National Organization of Legal Services Workers, UAW Local 2320; National Immigration Law Center; Open Society Policy Center; Association of the Bar of the City of New York; Community Service Society of New York;

National Council of La Raza; Council on Foundations Independent Sector; National Council of Nonprofit Associations; National Committee for Responsive Philanthropy; OMB Watch; Charity Lobbying in the Public Interest; Alliance for Justice; Nonprofit Coordinating Committee of New York.

---

COMMITTEE ON THE JUDICIARY,
*Washington, DC, September 23, 2003.*

Hon. JOSÉ SERRANO,
*Ranking Member, Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies, Committee on Appropriations, House of Representatives, Washington, DC.*

DEAR CONGRESSMAN SERRANO. We greatly appreciate your efforts to secure additional funding for the Legal Services Corporation in the 2004 Commerce, Justice, State, the Judiciary and Related Agencies Appropriations bill (CJS). You know as well as any of us the importance of providing affordable legal services to our country's most needy.

We write today because, like you, we are increasingly concerned about an unfair and unnecessary provision in the CJS Appropriations bill that restricts the use of private and other non-federal funds by independent legal service providers funds in part by LSC. The ''private money restriction'' encumbers more than $300 million annually in non-federal funds—money that could be used to provide critical legal assistance to our society's most vulnerable individuals and families. The private money restriction burdens independent legal service providers with unwarranted costs; it impedes private charitable initiatives, and it undermines our Nation's promise of equal justice for all.

It is our hope that the Committee on Appropriations will revisit the private money restriction when it considers the 2005 CJS Appropriations bill. We urge you to continue your leadership on behalf of America's families by guiding efforts in your Subcommittee to end this unfairness.

Sincerely,

John Conyers Jr., Howard L. Berman, Rick Boucher, Robert C. Scott, Zoe Lofgren, Maxine Waters, William D. Delahunt, Tammy Baldwin.

Adam B. Schiff, Jerrold Nadler, Melvin L. Watt, Sheila Jackson-Lee, Martin T. Meehan, Robert Wexler, Anthony D. Weiner, Linda T. Sanchez.

Mr. DUNCAN. Mr. Speaker, the conference report (108–401) for H.R. 2673, the Consolidated Appropriations Act of 2004, contains very important language within the FAA, operations section regarding improving our existing commercial air fleet's flight data and cockpit voice recorder standards.

Specifically, this language request that the FAA seriously review the potential of transferring the U.S. military's deployable flight data recorder technology into our commercial air fleet.

I am very pleased that this language was included as it reflects the goals I am seeking to implement within the legislation that I introduced earlier this year, H.R. 2632, the Safe Aviation Flight Enhancement (SAFE) Act.

Congress has previously showed interest in the deployable technology and requested within the FY2001 Transportation Appropriations Bill, that the FAA issue a report to Congress on the benefits and advisability of using deployable flight recorders in the commercial fleet. This report was issued in the December 4, 2001 Future Flight Data Collection Committee Final Report and detailed the United States military's successful use of the deployable recorder technology, concluding that it would be acceptable to incorporate the deployable recorder technology within the NTSB's 1999 recommendation to improve flight recorder standards.

The 1999 NTSB recommendations that the FAA's report is referring to were issued as a result of a history of delay in black box recovery and lost data due to crash damages in some of our countries most recent and devastating air accidents.

Following a series of air accidents where critical flight recorder information was lost, the NTSB issued recommendations A–99–16 through 18, which called on the FAA to require improved recorder capabilities and the installation of two sets of combination flight data and cockpit voice recorders in commercial aircraft to ensure the survival and recovery of at least one set of recorders.

It is important to note that the intention of the Conferee's language on deployable recorders within the FAA, operations section of the FY2004 Omnibus appropriations conference report is that the FAA evaluate the deployable technology within the context of incorporating the deployable recorder system as one of the two combination recorder systems recommended in the NTSB's 1999 recommendations.

I am hopeful that the FAA will move swiftly on this, since 4 years have passed and these recommendations have yet to be addressed.

The terrorist attacks of 9/11 opened the Nation's eyes to the face that our skies are vulnerable to more than mechanical or human error. One of our best examples of what can occur when we do not have immediate access to this information following a crash was demonstrated in the aftermath of the TWA 800 crash. This accident clearly illustrated the pressures investigators are under to rule out the potential of terrorism and quickly identify the safety concerns. At the outset of TWA 800 crash investigation, there was intense speculation that a ground-to-air missile was the cause of this disaster. For every day that went by as we search the ocean floor for the recorders, the speculation and questions mounted about the potential of terrorism. Ultimately, it took 7 days and millions of dollars to recover those fight recorders from the bottom of the ocean and eventually, investigators and explosive's experts led us to the understanding that it was an accidental fuel tank explosion, not terrorism that was responsible for the crash.

Post 9/11, we cannot afford to be faced with a similar situation of uncertainty. Our national security teams and transportation safety officials must have immediate access to the flight recorders to determine the appropriate response.

The deployable technology presents us with ability to ensure immediate and complete access to the flight recorders today, as our United States Navy has successfully tested, developed and used the deployable recorder technology for years on aircraft including the Navy's F/A–18EF Super Hornet fleet. The deployable technology is capable of meeting the needs of the commercial industry and is designed to ''deploy'' from the aircraft during a accident, which allows it to land outside of the crash impact site, thus avoiding becoming ensnared within the aircraft wreckage and the direct impact forces and fire intensity of the crash. The deployable recorder is also designed to float indefinitely in cases of a water crash.

The use of the deployable recorder in the commercial air fleet would provide the same benefits that it does for the military and would present an obvious way to maximize our ability to ensure the survivability and quick recoverability of flight recorders.

Again, I am pleased that Congress addressed this very important issue to encourage the FAA to move expeditiously in formulating regulations to address the need for improved flight recorders and that Congress would like the deployable technology to be considered within the context of the dual-combination recorder recommendation issued by the NTSB in 1999.

Such improvements will help us ensure that our safety and security officials will have immediate and complete access to the recorders following an aviation crash and make great strides in protecting the American people.

Mr. WELDON of Florida. Mr. Speaker, on July 22, 2003, I introduced an amendment to provide congressional support for the current U.S. Patent and Trademark Office (USPTO) policy and practice against approving patent claims directed to human organisms, including human embryos and human fetuses. The House of Representatives approved the amendment without objection on July 22, 2003, as section 801 of the Fiscal Year 2004 Commerce/Justice/State Appropriations Bill. The amendment, now included in the Omnibus appropriations bill as section 634 of H.R. 2673, reads as follows: ''None of the funds appropriated or otherwise made available under this Act may be sued to issue patents on claims directed to or encompassing a human organism.''

The current Patent Office policy is that ''non-human organisms, including animals'' are patentable subject matter under 35 U.S.C. 101, but that human organisms, including human embryos and human fetuses, are not patentable. Therefore, any claim directed to a living organism must include the qualification ''non-human'' to avoid rejection. This amendment provides unequivocal congressional support for this current practice of the U.S. patent office.

House and Senate appropriators agreed on report language in the manager's statement on section 634. The statement reads: ''The conferees have included a provision prohibiting funds to process patents of human organisms. The conferees concur with the intent of this provision as expressed in the colloquy between the provision's sponsor in the House and the ranking minority member of the House Committee on Appropriations as occurred on July 22, 2003, with respect to any existing patents on stem cells.''

The manager's statement refers to my discussion with Chairman DAVID OBEY, when I explained that the amendment ''only affects patenting human organisms, human embryos, human fetuses or human beings.'' In response to Chairman OBEY's inquiry, I pointed out that there are existing patents on stem cells, and that this amendment would not affect such patents.

Here I wish to elaborate further on the exact scope of this amendment. The amendment applies to patents on claims directed to or encompassing a human organism at any stage of development, including a human embryo, fetus, infant, child, adolescent, or adult, regardless of whether the organism was produced by technological methods (including, but not limited to, in vitro fertilization, somatic cell nuclear transfer, or parthenogenesis). This amendment applies to patents on human organisms regardless of where the organism is located, including, but not limited to, a laboratory or a human, animal, or artificial uterus.

Some have questioned whether the term ''organism'' could include ''stem cells''. The answer is no. While stem cells can be found in human organisms (at every stage of development), they are not themselves human organisms. This was considered the ''key question'' by Senator HARKIN at a December 2, 1998 hearing before the Senate Appropriations Subcommittee on Labor, Health and Human Services and Education regarding embryonic stem cell research. Dr. Harold Varmus, then director of the NIH testified ''that pulripotent stem cells are not organisms and are not embryos . . .'' Senator HARKIN noted: ''I asked all of the scientists who were here before the question of whether or not these stem cells are organisms. And I believe the record will show they all said no, it is not an organism.'' Dr. Thomas Okarma of the Geron Corporation stated: ''My view is that these cells are clearly not organisms . . . in fact as we have said, are not the cellular equivalent of an embryo.'' Dr. Arthur Caplan agreed with this distinction, saying that a stem cell is ''absolutely not an organism.'' There was a unanimous consensus on this point at the 1998 hearing, among witnesses who disagreed on many other moral and policy issues related to stem cell research.

The term ''human organism'' includes an organism of the human species that incorporates one or more genes taken from a non-human organism. It includes a human-animal hybrid organism (such as a human-animal hybrid organism formed by fertilizing a non-human egg with human sperm or a human egg with non-human sperm, or by combining a comparable number of cells taken respectively from human and non-human embryos). However, it does not include a non-human organism incorporating one or more genes taken from a human organism (such as a transgenic plant or animal). In this respect, as well, my amendment simply provides congressional support for the Patent Office's current policy and practice.

This amendment should not be construed to affect claims directed to or encompassing subject matter other than human organisms, including but not limited to claims directed to or encompassing the following: cells, tissues, organs, or other bodily components that are not

themselves human organisms (including, but not limited to, stem cells, stem cell lines, genes, and living or synthetic organs); hormones, proteins or other substances produced by human organisms; methods for creating, modifying, or treating human organisms, including but not limited to methods for creating human embryos through in vitro fertilization, somatic cell nuclear transfer, or parthenogensis; drugs or devices (including prosthetic devices) which may be used in or on human organisms.

Jamed Rogan, undersecretary of the U.S. Patent and Trademark Office, has stated in a November 20, 2003, letter to Senate appropriators: ''The USPTO understands the Weldon Amendment to provide unequivocal congressional backing for the long-standing USPTO policy of refusing to grant any patent containing a claim that encompasses any member of the species Homo sapiens at any stage of development . . . including a human embryo or human fetus . . . The USPTO's policy of rejecting patent application claims that encompass human lifeforms, which the Weldon Amendment elevates to an unequivocal congressional prohibition,, applies regardless of the manner and mechanism used to bring a human organism into existence (e.g., somatic cell nuclear transfer, in vitro fertilization, parthenogenesis).'' Undersecretary Rogan concludes: ''Given that the scope of Representative WELDON's amendment . . . is full consistent with our policy, we support its enactment.''

The advance of biotechnology provides enormous potential for developing innovative science and therapies for a host of medical needs. However, it is inappropriate to turn nascent individuals of the human species into profitable commodities to be owned, licensed, marketed and sold.

Congressional action is needed not to change the Patent Office's current policy and practice, but precisely to uphold it against any threat of legal challenge. A previous Patent Office policy against patenting living organisms in general was invalidated by the U.S. Supreme Court in 1980, on the grounds that the policy has no explicit support from Congress. In an age when the irresponsible use of biotechnology threatens to make humans themselves into items of property, of manufacture and commerce, Congress cannot let this happen again in the case of human organisms.

I urge my colleagues to support this Omnibus in defense of this important provision against human patenting.

Mr. WAXMAN. Mr. Speaker, I rise today to discuss the privatization provisions of this bill, provisions that govern when federal jobs are given to private contractors under an obscure Office of Management and Budget (OMB) Circular called A–76.

It is becoming increasingly clear that the Bush administration has declared war on federal employees. Under the guise of reform, it has stripped hundreds of thousands of federal employees of basic rights, like the right to appeal unfair treatment and the right to collective bargaining. It has opposed modest cost-of-living increases for rank and file employees while at the very same time supporting large cash bonuses for political employees.

But the Administration's most direct assault on federal employees is the effort to terminate federal jobs and hire private companies to perform the same work. The President's ''Competitive Sourcing Initiative'' is aggressively forcing federal agencies to allow private contractors to bid for hundreds of thousands of jobs currently being performed by federal employees. Earlier this year, the Administration rewrote the rules governing competitions between public employees and private sector contractors.

The House is on record as rejecting those new rules because those rules so blatantly favored contractors over federal employees. And on a bipartisan basis, appropriations conferees last month agreed to certain basic protections for all federal employees. Unfortunately, after the conference was closed on the Transportation Treasury Appropriations bill, OMB registered last minute objections, and the Republican leadership rewrote the bill to eliminate or truncate those basic protections for federal workers.

For example, the bill, before us no longer includes language giving federal employees the right to contest agency competitive sourcing decisions, and it no longer even requires that an agency achieve significant cost savings on all privatizations. Mr. Speaker, it is time to end the assault on federal workers. Vote no on this bill. We can do better.

Mrs. McCARTHY of New York. Mr. Speaker, like many of my colleagues, I have concerns with numerous provisions in this omnibus bill. Among them are three that may actually contribute to violent crime in our communities and aid terrorists. These NRA-backed provisions were added in the dead of night to the benefit of gun manufacturers and criminals who obtain guns illegally.

The first weakens the highly successful Brady Bill by requiring federal authorities to destroy all firearm purchase records within 24 hours instead of 90 days as under current law. This provision weakens law enforcement's ability to stop illegal gun purchases and rejects a July 2002 GAO study which concluded that a ''next-day destruction policy . . . would have public safety implications and could lessen the efficacy of current operations.'' Nearly one million illegal gun purchases have been stopped since the Brady law went into effect. Now is not the time to tie the hands of law enforcement officials who tirelessly work to keep guns out of the hands of criminals.

Another provision would protect ''bad apple'' gun dealers. For example, the snipers who terrorized Maryland, Virginia, and Washington, D.C. obtained the assault rifle used in their sniper attacks from a Tacoma, Washington gun store called Bull's Eye Shooter Supply. After the sniper suspects were apprehended and the gun was recovered and traced, Bull's Eye claimed to have no record of selling the gun, and did not even know it was missing until the shooting spree was over. The snipers' gun was just one of more than 238 firearms ''missing'' from Bull's Eye's inventory during the previous three years.

This provision would essentially block ATF from requiring gun dealers like Bull's Eye to take regular inventories of their firearms. In August 2000, ATF issued a proposed rule requiring licensed dealers to do annual physical inventories. The rulemaking proceeding is still pending. If anything, Congress should require ATF to issue this rule. Instead, this legislation would block ATF from ever issuing this requirement as a final rule. This would severely hamstring ATF's ability to address what it has stated is a serious problem.

And lastly, language was included to prevent public scrutiny of corrupt gun dealers.

ATF has indicated analysis of crime gun traces and multiple sale reports has yielded a series of gun ''trafficking indicators'' that can be linked to particular firearms dealers.

ATF has always made this information available to the public through Freedom of Information Act (''FOIA'') requests, which allow for vital public oversight of the effectiveness of the Agency. Under the provision in the omnibus appropriations bill, ATF will not be allowed to release trace or multiple sale data, thereby gutting the purposes of FOIA, and effectively shielding the most corrupt firearms dealers from public scrutiny.

The NRA lobbied hard for these favors which do nothing to keep American families safe, but rather advance another well-connected special interest. Worse, they could actually contribute to more illegal gun purchases, meaning more criminals with guns.

We should be working to prevent firearms from falling into the wrong hands. Instead, this Administration and Congressional leadership continues to roll back commonsense gun safety measures that save lives. We can, and must, do better.

Ms. JACKSON-LEE of Texas. Mr. Speaker, the House will consider the conference report on H.R. 2673, the Agriculture Appropriations bill for FY 2004. This has become the omnibus spending bill for enacting the remaining seven appropriations bills—Agriculture, VA–HUD, Labor-HHS, District of Columbia, Commerce-Justice-State, Foreign Operations, and Treasury-Transportation. The bill would fund, for the fiscal year that began two months ago, 11 of the 15 Cabinet departments, several independent government agencies, and the District of Columbia government—and makes up $328 billion of the total discretionary budget for the year. Currently, these departments are operating under a continuing resolution funding the government through January 31, 2004.

This measure is not only an irresponsible way to govern, but more importantly it represents misplaced priorities. This session of Congress has proven again that Republican policies are making it harder for Americans to succeed. Democrats want to put American families first. We will continue to fight to create jobs, make health care more affordable, honor our veterans, and return America to prosperity. The following highlights some of the deficiencies of the omnibus bill.

This measure excludes a provision to block Bush Administration regulations that would deny overtime pay to 8 million employees. This provision to protect the pay of middle-income Americans was agreed upon by a majority of both bodies, and yet was dropped in the backroom deals at the 11th hour at the insistence of the Bush Administration. At a time when people are working harder and longer just to make ends meet, this measure permits a cut in the pay of millions of workers, including firemen and policemen, licensed practical nurses, and air traffic controllers.

Even though education is a top priority of the American people, this measure provides $39 million less for education than the inadequate House bill, after subtracting the $318 million in earmarked projects added in conference. This measure fails to meet the promised education investment promised in the No Child Left Behind Act—providing $7.8 billion

less than was promised. Like the House-passed bill, this measure shortchanges help with the basics of math and reading by $6.2 billion compared to that promised in No Child Left Behind—leaving more than 2 million children behind. It also falls $751 million short for after-school centers promised in the No Child Left Behind Act. The additional funds would have provided expanded learning opportunities for 1 million children. The conference report bill falls $352 million short of the $3.3 billion promised (in real terms) to states for improving teacher quality; as a result, approximately 78,000 fewer teachers will receive high quality, federally-supported professional development. This conference report falls 45 percent short in special education funding promised under the IDEA—Individuals with Disabilities Education Act—reauthorization bill passed earlier this year.

Not only does it shortchange education reform, it contains private school vouchers which harm public schools. The measure includes $14 million for a new private school voucher program for the District of Columbia. Private school vouchers drain much-needed resources away from public education where all children can benefit, and reduces accountability.

Mr. Speaker, I am gratified by what is in the bill regarding veterans' health care, paid for by cutting funds to process veterans' benefits and compensation claims. The conference agreement provides $1.1 billion more than the President requested veterans' health care, but still fails to keep the promise made by Republicans in the budget resolution—taking into account the across-the-board cut and not counting rescinded funds. After Republicans voted to cut veterans' health care by $14 billion, they agreed to provide an additional $1.8 billion in the budget resolution because of Democratic pressure.

However, this conference agreement subjects all veterans' programs to a 0.59 percent across-the-board cut—so some of the increase in veterans' health care is in effect paid for through cuts to other veterans' programs. The most dramatic is the cut in funds needed to speed up processing of applications for veteran benefits and compensation. Currently, there are 448,000 claims pending, with the average time to provides a claim at 157 days. The across-the-board cut will reduce funding for the claims administration by $6 million—resulting in an estimated loss of 100 employees needed for veterans claims processing and benefits administration. Unfortunantly, State and Local Law Enforcement was also cut. State and local law enforcement is funded at $500 million below the FY 2003 level, even though state and local law enforcement are on the frontline in keeping our communities safe—dealing with crime and homeland security.

The Omnibus funds the Manufacturing Extension Partnership at just $39 million, a sharp decrease from the FY 2003 level of $106 million. The highly successful Manufacturing Extension Partnership offers small U.S. manufacturers a range of services from plant modernization to employee training. It particularly helps manufacturers adopt advanced manufacturing technologies—based on the latest R&D. These modernization efforts help our beleaguered small and mid-sized American manufacturers stay competitive.

The conference agreement abandons the bipartisan agreement of both bodies of Congress to block FCC regulations permitting broadcast networks to expand. In June, the FCC relazed several media ownership rules and raised the television station cap, saying broadcast networks can buy more stations and expand their reach to 45 percent of the national audience, up from 35 percent. Both the House and the Senate passed provisions to keep the cap at 35 percent, but the conference agreement specifies that the TV station cap will be raised to 39 percent of the national audience—allowing several networks to expand their reach and consolidate the industry. However, Mr. Chairman, even though I will not be supporting this bill, there are some very good things in this bill. I am glad for the AIDS funding which:

Provides a total of $1.646 billion global assistance to combat HIV/AIDs, tuberculosis and malaria, most of which is within the Child Survival and Health Programs Fund. $754 million in global assistance is anticipated in the Labor-HHS appropriations, bringing total funding to $2.4 billion;

International HIV/AIDS, TB and Malaria programs are funded at $754 million are increased $50 million over the request. I like the fact the bill has the Ryan White AIDS program which is increased by $64 million over FY03 with total funding of $2 billion; and

Housing Opportunities for Persons with AIDS (HOPWA) is funded at the president's request of $297 million, $7 million above last year.

SECTION 8 HOUSING

Disabled Housing—Section 811—is funded at the requested level of $250 million.

Includes $12.1 billion for Section 8 voucher renewals, $810 million more than FY03 and $205 million more than the request. This will fully fund all authorized vouchers based on a 96% lease up rate and the most current cost estimates.

HOPE VI MONEY

Appropriates $150,000,000 for the revitalization of severely distressed public housing program (HOPE VI), instead of $195,115,000 as proposed by the Senate and $50,000,000 as proposed by the House.

PUBLIC HOUSING MONEY

Modernization for public housing is funded $2.7 billion, the same as last year's level and $71 million above the request.

Public Housing Operating Subsidies are funded at $3.6 billion, $26 million above the request and $25 million above FY03.

COMMUNITY DEVELOPMENT BLOCK GRANTS

The Community Services Block Grant Act is funded at $735,686,000 including for making payments for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations.

ETHIOPIA

Under the ''Child Survival and Health Programs Fund'', $34,000,000 shall be made available for family planning, maternal and reproductive health activities in the Democratic Republic of the Congo, Ethiopia, Nigeria, Tanzania, Uganda, Haiti, Georgia, Azerbaijan, Russia, Albania, Romania, and Kazakhstan.

NASA

NASA is funded at the President's request of $15.5 billion, $80 million over last year.

VETERANS' HEALTH

Provides total resources of $28.6B for the Veterans Health Administration: $17.9 billion plus $1.6 billion from the collections fund for Medical Services; $5 billion for Medical Administration; $4 billion for Medical Facilities and $408 million for Medical Research—a total of $1.57 over the budget request.

Fully funds the President's request for Veterans State Extended Care Facilities bringing total funding to $102 million, $3 million above last year's level.

The conference agreement includes $57,000,000 from local funds for making refunds associated with disallowed Medicaid funding as proposed by both the House and Senate.

In conclusion, Mr. Speaker, it is unfortunate that the Democrats were locked out of the appropriations process and that the Democrats were not able to participate, which is one of the many reasons why I cannot support this legislation.

Mr. ROHRABACHER. Mr. Speaker, I am encouraged by the conferees direction regarding NASA at this critical time. In the wake of the Columbia tragedy, NASA's practice of over-promising, over-marketing, and under-estimating the costs for its programs cannot be tolerated any longer.

I applaud Chairman WALSH for his commitment in getting NASA to rethink its priorities relating to human space flight. We must now ensure that the return to flight of the Space Shuttle is not a return to business as usual. I support the Science Committee Chairman's position that we cannot perpetuate the Space Shuttle and Space Station indefinitely, and that any new program has to come with an affordable price tag. I do believe, however, that we need a bold vision for NASA. I think we should return to the Moon, but this time to stay.

When the notion of an Orbital Space Plane was introduced, I welcomed it as a significant sea change in NASA's approach to space transportation development. One year later, however, NASA is still struggling with what it has touted as a simple design. According to NASA, OSP doesn't replace the Shuttle, and it's not clear how OSP night support any future mission. At an estimated cost of $18 billion over the next decade, NASA should not go forward until there is consensus between the Administration and the Hill concerning the direction of the U.S. space program. For too long, we endured costly development programs that failed to deliver results. Unfortunately, OSP is poised to head down the same path. We have been down this road before.

Although the conference report calls for the NASA Administrator to report to Congress on a ISS re-supply plan by June 2004, the conferees do not go far enough in ensuring that Alternative Access to Station Program (AAS) remains viable. Current funding for this program runs out in January 2004, and the work of the private sector involved with this program could be potentially lost. It has been my belief that this program has the potential to address the national need for a viable, near-term cargo transfer capability as an alternative to the Space Shuttle. With the grounding of the Shuttle fleet, America is now at a vital crossroad concerning its ability to access space. NASA seems to be limiting its options in this regard to foreign launch capabilities. And to think several years ago we were concerned with the Russians in the Space Station Program's critical path. We must look to domestic, commercial solutions to address the critical need to re-supply the Space Station.

Given my concerns, however, the NASA portion of this appropriations package is a good first step to help NASA prepare for the next chapter in the American space experience.

Mrs. LOWEY. Mr. Speaker, I rise to address the fiscal year 2004 conference agreement on Foreign Operations. The agreement as contained in Division D of this omnibus package represents a bipartisan agreement, and most importantly, provides critical funding for a host of essential programs that are vital to our national security.

I want to thank Chairman KOLBE, and Senators MCCONNELL and LEAHY, for working with me to finalize this agreement. The Foreign Operations portion of this bill represents a fair agreement between the two Houses that stays within our overall allocation of $17.235 billion.

The agreement provides a total of $1.64 billion for HIV/AIDS, an increase over the House level of more than $200 million. We have provided $400 million for the Global Fund to Fight AIDS, TB and Malaria, as well as increased funding for bilateral programs. With the $150 million for the Fund in the Labor HHS bill, the total U.S. contribution to the Global Fund for 2004 will be $550 million.

Funds have been provided to the new Global AIDS coordinator, and we have clarified the authorities under which AIDS funds are provided in order to ensure that programs continue with a balanced approach to HIV/AIDS prevention, awareness and treatment.

It is my understanding that the Labor HHS bill provides $443 million in direct funding for AIDS programs, and an additional unspecified amount in the National Institutes of Health budget for AIDS research. I want to clarify that, while we will hear that total AIDS funding in 2004 will be $2.4 billion, my calculations put us at just over $2.3 billion.

The agreement increases Child Survival funding in every category from amounts provided last year, and funds Basic Education at $326 million. I want to thank Chairman KOLBE for joining with me to acknowledge the importance of Basic Education. Unfortunately our priorities had shifted away from Basic Education in the years leading up to September 11th. This level of funding will continue the reversal of that unfortunate trend by increasing funding by 30% over last year.

The agreement contains $650 million for the Millennium Challenge Corporation and the attendant authorization. While this corporation will be independent, we have built in requirements for the involvement of the State Department and USAID for coordination and decision-making. I have been opposed to the concept of creating a new independent agency, and I remain concerned that little to no attention has been paid to how these funds will be spent, monitored or audited.

The authorization provisions provide Congress with ample opportunity to consult with the Chairman of the Corporation as the effort moves forward.

An additional $350 million for the Millennium Challenge Corporation was added to this bill at the request of the President, and will be paid for with a combination of across-the-board cuts and rescission of unexpended balances from FY 2003 and prior supplementals.

I would like to note that there is no way that these additional funds—bringing the total provided for the MCC to $1 billion—can be spent wisely next year.

In putting together our recommendations for this bill, my top priorities were the core development and health accounts. The President has pledged that all funding for the Millennium Challenge Initiative would be in the form of increases above current foreign aid spending. Given that our 302(b) allocation was $1.7 billion below the President's request, we had to make some critical choices. The bottom line is that we could only afford $650 million for the Millennium Challenge Corporation in our bill.

Apparently, if a program is a ''Presidential Initiative,'' it is not subject to budget targets, or a rational approach to how much can actually be spent wisely in a given year. The addition of the extra $350 million clearly violates the President's pledge that all MCC funding be additive.

As we go forward, I intend to ensure that the President's pledge is kept. Outstanding White House commitments to increase other areas of foreign aid spending and currently unknown requirements for Iraq and Afghanistan will take foreign aid spending well over $20 billion next year. We cannot allow funding for this yet-to-be-formed MCC to take precedence over vital ongoing assistance programs.

The conference agreement contains funding for a host of different countries and programs, which I fully support. I want to thank the Chairman for including the requirement that organizations administering refugee programs adhere to a ''sexual code of conduct.'' Together with funds provided in the recent supplemental, we have made a total of $65 million available specifically for programs to meet the special needs of Afghan women. In addition $11 million is made available for women's leadership training.

With respect to the issues surrounding family planning and reproductive health, I regret that the bill does not reverse the current restrictive Bush Administration policies on family planning. Many of us wanted simply to require that organizations providing assistance in foreign countries not be subject to laws more restrictive than the requirements of U.S. law.

Unfortunately, inclusion of this language would have drawn a Presidential veto. The agreement does provide a total of $466 million for family planning, which is a substantial increase above last year. It also provides at least $34 million to the United Nations Population Fund (UNFPA), based on a Presidential certification. I hope that we can take the President at his word in terms of his commitment to work with China. We should work to reverse its objectionable family planning policies so that funds can flow to UNFPA and so that we do not punish poor women around the world because of the policies of one country.

The agreement contains full funding for Israel, Egypt and Jordan and appropriate conditions on Palestinian statehood and direct assistance. We have also included language urging the United Nations Relief Works Agency to implement the recommendations of the recent GAO report regarding terrorism.

The bill restricts military training to Indonesia unless the President certifies that the Indonesian military is fully cooperating in the FBI investigations into the killing of American citizens in Papua.

The bill funds the request for Colombia but requires certification on compliance with human rights standards and the safety of chemicals used in aerial spray eradication programs.

As with all conference reports, every element in the bill isn't perfect. However, I want to again thank Chairman KOLBE for his friendship and for working with me to accommodate many of my priorities.

Mr. HOLT. Mr. Speaker, I rise to thank the conferees of the Fiscal Year 2004 Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Bill for their support of a food biotechnology education program. I am aware of the difficult challenges the conferees faced while crafting this bill, and I am pleased that the conferees included language in the conference report that takes us one step closer to full implementation of this program.

I would like to specifically thank Chairman BONILLA, Ranking Member KAPTUR, Chairman GOODLATTE, and Ranking Member STENHOLM for their cooperation and assistance during this process. I hope that we can continue to work together to find funding for this much-needed education program.

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to express my opposition to the Omnibus Appropriation Bill on which we will be voting today. This is an important bill. It funds 11 federal agencies and appropriates more than $820 billion. And although it contains many important provisions that I support, I regret to say that the bad in this bill far outweighs the good. In process, it was undemocratically constructed, often over-riding the will of the majority in both houses. In substance, it is laden with individual pork projects that benefit few, while it under-funds critical and vital government programs that could benefit many more.

Let's first look at the process. A prohibition against the FCC change in the rules for media ownership was significally weakened in this Omnibus bill and the Labor Department's new overtime regulation was dropped entirely, despite the fact that both were agreed to by solid majorities in both Houses of Congress.

But these are not the only reasons I have decided to vote against this bill. I oppose this bill both because of the priorities it represents as well as for those it fails to represent.

Remember ''No Child Left Behind'', the President's education bill that passed with such fanfare earlier this year? This Omnibus bill provides a total of $24.5 billion for this program—$7.8 billion below the amount the Republicans promised for Fiscal Year 2004.

In addition to this broken promise, the Majority has left our veterans behind, too. The veterans medical programs portion of the bill provides $230 million less than Republicans promised in their own budget resolution and $1.7 billion below the amount proposed by veterans' organizations.

This bill does serious damage to several veteran programs. The most dramatic is the cut in funds needed to speed up the processing of applications for these benefits. At the present time, the Department is taking, on average, 157 days to process a claim. The Administration request, which the Committee funded, would have added no additional staff for processing claims. Veterans are not spared the 0.59 percent across the board cut. The cut will reduce funding for the administration of claims by $4 million, which will result in the estimated loss of 100 employees needed for claims processing.

Although the Department of Homeland Security is not funded in this legislation, Homeland Security will be significally affected by

two provisions in this bill. This legislation forces the rescission of $1.8 billion in prior year supplemental appropriations, including a significant portion of funds for the Department of Homeland Security.

Homeland Security will feel the sting of the 0.59 percent across-the-board cut and will have a dramatic impact on certain areas in particular. The planned increase of 570 Customs and Immigration agents for improving border protection will have to be cut by nearly two-thirds.

It is true that passing appropriations bills is about making choices, about identifying priorities. I happen to believe that funding Veterans' Services and Homeland Security to protect our borders with additional Customs and Border personnel is a critical piece to this Nation's future.

The Omnibus fails to provide for our children's education. It shuns our veterans in their time of need. It undermines the security of all of our citizens. It was done behind closed doors and thwarts decisions made earlier this year by both Houses.

This bill is a failure of process and substance. I fear this bill will fail the American people. I would urge my colleagues to reject the unfair process and the unwise policies that flawed process has produced.

Mr. DELAHUNT. Mr. Speaker, In a recent speech, the President described democracy as when ''governments respond to the will of the people, and not the will of an elite.''

Well, Well.

For the past four years, the House has voted to end the ban on travel by Americans to Cuba. This year, the Senate overwhelmingly supported an identical provision.

But it's not in the bill before us now.

The President wants to keep the embargo intact, and believes that respecting the right of Americans to travel to Cuba would be a concession to Castro. A majority in both the House and Senate disagree. Our fundamental rights as Americans should never be viewed as a bargaining chip.

When the Congress clashes with the White House, the President can do what he threatened to do: veto the bill. Sadly, his agents in Congress took a more cowardly path.

Quietly and secretly, they took the conference report and had the provision erased. No debate. No vote. No democracy. All so the President doesn't have to decide whether to fulfill or break his promises to veto the bill.

Recently, during his visit to Britain, the President said that democratic governments honor the aspirations and dignity of their own people. I submit that the best place to lead by example is in this Capitol building.

This is now bigger than the Cuba debate. This is about the fundamental credibility of the legislative branch of our government.

If the outcome is predetermined by the White House, no matter how many rules get broken in the process, then let's suspend the sermons on democracy. If the fix is in, let's stop pretending.

Senator HAGEL has said the White House treats Congress like a nuisance. I ask my colleagues, is that all we are?

If this institution is to be more than a mere nuisance, then allow democracy to work. Here. And now. When the Congress votes to end the Cuba travel ban, send the provision to the President. And let the system work as the founding fathers intended.

That would show what democracy is really all about.

Ms. MCCARTHY of Missouri. Mr. Speaker, I rise today in opposition to H.R. 2673, the Omnibus Appropriations Act of 2003. Despite the adequate funding provided for a number of district priorities, this legislation contains countless flawed provisions which will harm American families.

The Administration's proposal to dramatically alter overtime rules for American workers will make it substantially more difficult for American workers to make ends meet. This provision will take money away from Americans willing to work longer hours to provide for their families.

This legislation also features severe cuts to critical national priorities. State and local law enforcement is funded at $500 million below current levels when we are asking these heroes to do more every day to provide for our homeland security.

The bill also dramatically underfunds our educational needs. The No Child Left Behind Act will receive $7.7 billion less than was authorized by the Act thus there will be fewer resources for programs in teacher training, bilingual education, and Safe and Drug Free Schools. In my own district, the teachers and faculty of Primitivo Garcia Elementary School, located in Westside Kansas City, have been working hard to meet the demands of the No Child Left Behind Act. They are already struggling to help their students succeed with limited Title I resources. This legislation fails to offer the students and faculty of Primitivo and schools across the country the Federal support they need for our children. The measure also fails to address our nation's higher education needs. Programs such as the Pell Grant which offer higher education funding to the neediest American students will not receive enough funding to meet current demands.

The Omnibus measures also does serious funding damage to veteran programs. The most dramatic is the cut in funds needed to speed up the processing of applications for veteran benefits. Currently there are 448,000 claims pending, of which 95,000 have been in the system for more than 6 months without a disposition. On average the Department is taking 157 days to process a claim. The administration request would have added no additional staff for processing claims. The 0.59% across the board cut will reduce funding for the administration of claims by $4 million and that will result in the estimated loss of 100 employees needed for claims processing. This comes at a time when the number of claims is likely to skyrocket as Iraqi war veterans apply for benefits. In my district, the Kansas City VA Medical Center provides quality service to thousands of veterans each year. The hospital's need for skilled health care professionals continues to grow. This bill fails to provide adequate funding to meet these needs.

This legislation includes funding for a number of projects within the Kansas City area. Among the programs and departments receiving funding are a stormwater project in Belton, the Jackson County Sheriff's Department, the Cabot Westside Clinic and the Liberty Memorial Museum, which will use $100,000 for renovation and $50,000 for education. The Omnibus spending bill also includes more than $7 million for transportation projects, such as reconstruction of the Grandview triangle and expansion of the Lewis and Clark Expressway. Other recipients are the Kansas City Region Job Access Program, which will receive $500,000 for their programs to link low income families and welfare recipients to employment centers and employment related services; and the Kansas City Area Transportation Authority, which will use $4.7 million in funding for replacement, upgrades and improvements to basic transit infrastructure, including buses.

As much as I was encouraged that these items were included in the bill, many important projects in Kansas City and around the nation were left unfunded for partisan reasons. In my own district, funding for the St. Vincent Family Service Center's Operation Breakthrough, the Independence School District, and St. Mark's United Inner City Services, all of which received previous Federal funding, were all denied funding because of this partisan vendetta. This is a dangerous precedent and I would urge the appropriators to consider the value of projects independent of partisan politics. The American taxpayers deserve no less.

Mr. Speaker, I oppose this legislation. We can do better. Let's work together to protect the overtime of American workers, adequately provide for our students and veterans, and give communities the support they need.

Mr. STARK. Mr. Speaker, I rise in opposition to this irresponsible Omnibus spending bill. This Republican bill is a stealth attempt to impose an extremist agenda on America—an agenda that most Americans don't support. But, therein lies the Republican's deceitful strategy: to hide numerous controversial provisions in the minutia and complexity of a huge Omnibus bill, then ram it through with less than a few hours of debate.

Let's take a moment to see what this bill actually includes.

It will deny workers their right to overtime. It gives President Bush—despite all his false rhetoric about caring for working families—the green light to impose government regulations denying overtime pay to millions of hard-working Americans. That's right, it takes away worker protections for fair pay.

Does the bill then at least make sure workers who can't find jobs receive extended unemployment benefits? No. Nowhere in this bill is there a dime for working Americans who are unemployed. Why? Well, because Republicans simply refuse to extend unemployment benefits to the over 2 million Americans who are suffering from long-term extended unemployment. These are folks who have been out-of-work for 26 weeks or more unable to find a job. His father, when he was President, extended federal unemployment benefits for these people, but this President Bush doesn't see any need to be that compassionate.

While the President talks about recent minimal job growth as if it was ''mission accomplished'' on the economy, it isn't enough to make up for the millions of jobs that have disappeared since he took office. There are still 14 million Americans either out of work or making due with part time employment. We must do more to help these families survive. But, nothing is included in this last bill that Congress will consider this year.

Of course this Republican Omnibus doesn't stop at making life harder for working Americans or ignoring Americans out of work. It also goes after America's veterans. It cuts the budget for the Veterans Administration by $443 million. This includes a $15 million cut

for medical care. Putting veterans health care on a shoestring budget isn't the way to reward those who have fought for this country or those who have come back critically injured from their duty in Iraq.

This bill also hurts women's reproductive rights. It prevents federal employees from accessing reproductive health services under the health plans they pay into. It prohibits the District of Columbia from offering assistance for low-income women to access needed reproductive services. These women should not be singled out and prevented from exercising their constitutional right to reproductive choice. But, that is exactly the path this bill sets us on.

This bill shortchanges America's public schools. It does this by taking a first step toward a federal program of vouchers for private schools by creating a school voucher demonstration program for Washington, DC. It doesn't matter that this demonstration will take money away from the DC public school system which serves all DC's students, while providing necessary funds for only a few students to attend private schools.

This bill also undermines the diversity of our media marketplace by opening the door for the concentration of corporate power and influence over the public's airwaves. Even though the House and Senate each voted to maintain the existing Federal Communication Commission limitations on media ownership, this bill permits the FCC to allow greater concentration of media ownership. It will diminish the diversity of viewpoints and programming placing our very marketplace of ideas in the hands of a few major media conglomerates.

With Republicans controlling the House, the Senate and the White House, this type of appropriations process in which everything is thrown into one, huge bill should be unnecessary. But, the facts is that this bill exists because the Republican leadership could not get their job done. Congress did not pass 7 of the nation's 13 spending bills that are required to keep the government operating.

But, I also suspect that the Republican leadership has done this on purpose—using the Omnibus bill to all their extreme objectives enacted when they couldn't pass on their own. After all, the House already voted down destroying overtime pay for America's workers. The Senate had been unwilling to vote on school vouchers. And, both the House and Senate voted down new media ownership rules. Yet, they have all reared their ugly heads again in the Omnibus bill that will be the final business the House will consider this year.

If most Americans were allowed to hear a real debate on this shameful and irresponsible bill, they would urge us to vote it down. I urge my colleagues to do just that.

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

The SPEAKER pro tempore (Mr. LATOURETTE). Without objection, the previous question is ordered.

There was no objection.

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

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 242, nays 176, not voting 17, as follows:

[Roll No. 676]

YEAS—242

Ackerman
Aderholt
Akin
Alexander
Bachus
Baker
Ballenger
Barton (TX)
Bass
Beauprez
Bell
Bereuter
Berkley
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boucher
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carson (IN)
Carter
Case
Chocola
Clyburn
Coble
Cole
Cramer
Crane
Crenshaw
Crowley
Culberson
Cunningham
Davis (AL)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Emerson
English
Everett
Fattah
Feeney
Ferguson
Foley
Forbes
Ford
Frelinghuysen
Frost
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Greenwood
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Herger
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley (OR)
Houghton
Hulshof
Hunter
Hyde
Israel
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Lampson
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Manzullo
Marshall
McCarthy (NY)
McCotter
McCrery
McHugh
McInnis
McIntyre
McKeon
McNulty
Mica
Miller (MI)
Miller, Gary
Mollohan
Moore
Moran (KS)
Murphy
Murtha
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Ose
Oxley
Pastor
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Rothman
Rush
Sabo
Sandlin
Saxton
Schrock
Scott (GA)
Serrano
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Spratt
Sullivan
Sweeney
Tauzin
Thomas
Thornberry
Tiahrt
Tiberi
Turner (OH)
Upton
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Weiner
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (FL)

NAYS—176

Abercrombie
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Barrett (SC)
Bartlett (MD)
Becerra
Berman
Berry
Blackburn
Blumenauer
Boswell
Boyd
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Castle
Chabot
Clay
Collins
Conyers
Cooper
Costello
Cox
Cummings
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
DeMint
Deutsch
Dingell
Dooley (CA)
Duncan
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Flake
Fossella
Frank (MA)
Franks (AZ)
Garrett (NJ)
Gephardt
Green (WI)
Grijalva
Gutierrez
Gutknecht
Harman
Hastings (FL)
Hefley
Hensarling
Hill
Hinchey
Honda
Hostettler
Hoyer
Inslee
Isakson
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (FL)
Miller (NC)
Moran (VA)
Musgrave
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Otter
Owens
Pallone
Paul
Payne
Pelosi
Peterson (MN)
Petri
Pomeroy
Rangel
Rodriguez
Rohrabacher
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Stark
Stearns
Stenholm
Strickland
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Tierney
Toomey
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Waters
Watson
Watt
Woolsey

NOT VOTING—17

Burton (IN)
Carson (OK)
Cubin
Doggett
Filner
Fletcher
Gallegly
Janklow
Lantos
Lynch
Miller, George
Nadler
Pascrell
Taylor (NC)
Waxman
Wexler
Young (AK)

□ 1523

Ms. KILPATRICK, Mrs. NAPOLITANO, Mr. ROYCE, and Mr. TOOMEY changed their vote from ''yea'' to ''nay.''

Ms. CARSON of Indiana, Mr. GREEN of Texas, and Ms. HOOLEY of Oregon changed their vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 676, due to urgent constituent support commitments in my Congressional District, I missed the vote. Had I been present, I would have voted ''nay.''

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 850

Mr. BISHOP of Georgia. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 850.

The SPEAKER pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentleman from Georgia?

There was no objection.

## PRIVILEGES OF THE HOUSE—CIRCUMVENTING THE WILL OF THE HOUSE BY HOLDING VOTES OPEN BEYOND A REASONABLE PERIOD

Ms. PELOSI. Mr. Speaker, I rise to a question of privilege of the House and submit a resolution which is at the desk.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

PRIVILEGED RESOLUTION

Whereas on November 22nd, the Republican Leadership held open the vote on rollcall No. 669 on H.R. 1, the Prescription Drug Conference Report, for nearly three hours, the longest period of time in the history of electronic voting in the U.S. House of Representatives;

Whereas the normal period of time for a recorded vote is 15 minutes, and the Speaker of the House reiterated that policy on January 7, 2003 saying ''The Chair wishes to enunciate a clear policy with respect to the conduct of electronic votes . . . The Chair announced, and then strictly enforced, a policy of closing electronic votes as soon as possible after the guaranteed period of 15 minutes'', and in addition the Speaker pro tempore on November 22nd announced prior to the vote on Prescription Drugs that it would be a 15-minute vote;

Whereas the amount of time for the vote on H.R. 1 went far beyond anytime considered reasonable under established House practices and customs, and was a deliberate attempt to undermine the will of the House;

Whereas the opponents of H.R. 1, both Republicans and Democrats, were on the prevailing side for more than two and one-half hours and proponents never once held the lead during this period of time, and the sole purpose of holding this vote open was to reverse the position that a majority of the House of Representatives had already taken;

Whereas, according to press reports, a Member of Congress who is retiring was told on the House floor during this extended vote that ''business interests would give his son (who seeks to replace him) $100,000 in return for his father's vote. When he still declined, fellow Republican House members told him they would make sure Brad Smith never came to Congress'', and such an act is in violation of Section 201 of Title 18 of the United States Code, which prohibits bribery of public officials;

Whereas these actions impugn the dignity and integrity of House proceedings, bring dishonor on Members of Congress, and were a gross violation of the rights of Members who opposed this legislation: Therefore, be it

*Resolved*, That the House denounces this action in the strongest terms possible, rejects the practice of holding votes open beyond a reasonable period of time for the sole purpose of circumventing the will of the House, and directs the Speaker to take such steps as necessary to prevent any further abuse.

The SPEAKER pro tempore. The resolution constitutes a question of the privileges of the House under rule IX.

The minority leader, the gentlewoman from California (Ms. PELOSI), will be recognized for 30 minutes. It is the Chair's understanding that the gentlewoman from Connecticut (Mrs. JOHNSON) will be the designee of the majority leader and will also be recognized for 30 minutes.

The Chair recognizes the gentlewoman from California (Ms. PELOSI), the minority leader.

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

Mr. Speaker, for more than 200 years, and 200 years ago, the Founding Fathers designed this House of Representatives to serve as the people's House. In the Federalist Papers, James Madison wrote that it is essential to liberty that this House have an intimate sympathy with the people. In the century since, this body has earned its status as the greatest legislative body in the world. Yet perhaps never before have the actions of this body fallen so far short of both the ideals envisioned by the Founders and the sympathies of the people as during last month's vote on the Medicare prescription drug conference report, a vote that will surely be remembered as one of the lowest moments in the history of this august institution.

The American people expected a fair and open airing of issues affecting 40 million older Americans on Medicare, our mothers, our fathers, grandmothers, and grandfathers. Yet Republicans locked House Democrats out of the conference negotiations and, in doing so, locked out the 130 million Americans we represent.

This is a diverse country, but the Democratic Caucus is the only diverse caucus. By shutting out the Democrats, they deny the conference negotiators of the benefit of the thinking of the representatives of the African American community, Hispanic community, the Asian Pacific American community, the whole philosophical diversity within our caucus from the Blue Dogs to the New Dogs to our Progressive Democrats.

□ 1530

The American people expected genuine debate. Yet, Republicans limited floor discussion on the one of the most dramatic changes to Medicare in its history to a mere 2 hours, 2 hours. And this behavior is not limited and confined to the vote on Medicare.

For some reason, and I think it should be obvious what it is, the Republicans insist on having votes that are of great import to the American people, but where they are clearly on the wrong side of the issue, have these votes taken in the middle of the night.

On a Friday in March at 2:54 a.m., the House cut veterans benefits by three votes. At 2:39 a.m. on a Friday in April, House Republicans slashed education and health care by five votes. At 1:56 a.m. on a Friday in May, the House passed the ''leave no millionaire behind'' tax cut bill by a handful of votes. And at 3:30 a.m. on a Friday in June, the House GOP passed the Medicare privatization and prescription drug bill by one vote. At 12:57 a.m. on a Friday in July, the House passed a Head Start bill by one single vote. And that Head Start bill was to undermine and unravel a very successful Head Start initiative. And then after returning from a summer recess, at 12:12 a.m. on a Friday in October, the House voted $87 billion for Iraq, an issue the Democrats and Republicans were on both sides of the issue. So were the American people. They deserve to hear the debate in the light of day.

I thank the gentleman from Ohio (Mr. BROWN) for this information.

It degrades our democracy when Democrats have no role in the legislation. This legislation affects millions of Americans. No role in the conference negotiations. No chance to offer amendments. No alternatives and limited debates or discussion. It degrades our democracy when secret negotiations, such as those on the energy legislation, rip up provisions supported by both Houses and insert new provisions approved by neither House.

Mr. Speaker, this is not the House our Founders envisioned. Such behavior is unfair. It is un-American, and it is unacceptable. It is not for this that our Founding Fathers sacrificed their lives, their liberty and their sacred honor, so that we could have government of the few, by the few, for the few, behind closed doors.

Why are the Republicans so afraid to subject their agenda to the normal rules of debate? Republicans are afraid of fair and open debate because they know that the American people reject their radical agenda. As President Kennedy said, ''A nation that is afraid to let its people judge the truth and falsehood in an open market, is a nation that is afraid of its people.''

So afraid of the people were they that, again, this went into the dark of night when we even took the first vote at 3 o'clock in the morning.

A member of the majority in the other body, that would be a Republican in the other party, warned recently, ''If you have to twist people's arms over and over to vote for you on issue after issue, then you would be wise to reevaluate your positions.''

Of course, Republicans have no intention of reevaluating their reckless positions. As one newspaper editorial observed recently, ''It appears the Republicans want to govern the Nation by themselves.''

A government of the few, by the few, for the few.

The ancient Greeks had a word for such audacity, hubris. Hubris, the wanton arrogance that leads to the violation of accepted rules of conduct.

In the tragedies of antiquity, mortals who defy the Gods in this manner were punished for their hubris. Indeed, if there were ever an argument for why Republicans must get their punishment at the polls and be defeated at the polls next year, we need only look to their unprecedented abuse of power and their neglect of the will of the people.

Mr. Speaker, Democrats will not stand by while our democracy is denigrated. We will not be silenced. We will not be rolled over. As we preach democracy to the rest of the world and we talk about in glowing terms about our own democracy, we must also speak about the power of example, the example we set in the conduct of our legislative business for the rest of the world.

The Republicans are not setting a good example of democracy for the rest of the world. Republicans must know we will fight this abuse in the committees. We will fight this abuse on the floor. We will fight it every day and every way we can. We will carry this fight all the way to election day. On that day, the American people will reject the Republican's special interest and their shameless abuse of power.

With all regard that I have for the distinguished colleagues on the other side of the aisle who appear to be at the microphones, and I know that the time will be led by the gentlewoman from Connecticut (Mrs. JOHNSON), why is not a member of this House leadership on the Republican side on the floor to respond to this privileged resolution about how the leadership has conducted its business?

We all have a great deal of respect for the Speaker of the House. The majority leader is a forceful personality. The two of those orchestrated what happened that night. We would like them to at least extend the courtesy to Members to be present on the floor as the leader of this party on this floor to respond to the people's need to know as to why, why the will of the majority is not respected here.

We will return the people's House to the American people, and we will once again make this the revered institution worthy of its status as the greatest legislative body in the world.

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

The SPEAKER pro tempore (Mr. LATOURETTE). The gentlewoman from Connecticut (Mrs. JOHNSON) is the designee of the majority leader.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I regret that the gentlewoman does not consider me a forceful personality or a leader. But I am here to say that, as chairman of one of the major subcommittees that wrote this bill, I consider myself both a leader on Medicare modernization and reform and a forceful personality, because I am dedicated to this issue. I have worked hard on it. And I believe that I am better to be here than any of my leadership.

This was a joint effort. It was late at night. No question. It was a long vote. And it did inconvenience Members. No question. But the stakes were very high. The need of America's seniors for prescription drugs and a modernized Medicare that could deliver state of the art disease management to help those with chronic illness prevent their diseases from progressing. Yes, their need was urgent and intense. The opportunity was enormous. We could not abandon our responsibility to pass real Medicare prescription drug reform and modernization of Medicare's ability to keep pace with quality health care initiatives. And so, yes, we allowed ourselves to be masters of time.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding me time.

I would like to pay respects to my California colleague, the very distinguished minority leader, and I certainly respect her right to come forward with this privileged resolution. I would also like to thank my friend, the gentlewoman from Connecticut (Mrs. JOHNSON), for the stellar leadership she has provided, ensuring that we would not only bring about reform of Medicare, but make sure that we are able to provide access for our seniors to affordable prescription drugs.

Mr. Speaker, I think it is very important to note a couple of items. First, on the 2nd of April, 1789, the day after the first Congress was put into place, James Madison who was, in fact, a member of that first Committee on Rules, and I believe that as he talked about what my friend, the gentlewoman from California (Ms. PELOSI) referred to, that intimate sympathy with the people, he did appropriately refer to the fact that this is the greatest deliberative body known to man. And we do have an extraordinary responsibility here to implement the will of the people through this structure we have of a representative democracy.

Now, what I would like to say is that as we look back on that debate, that both of my friends, the gentlewoman from California (Ms. PELOSI) and the gentlewoman from Connecticut (Mrs. JOHNSON) have just addressed, I think it is important to note that our friend, the gentlewoman from California (Ms. PELOSI) came before the Committee on Rules and made a request that we extend the time that is provided under the rules of the House for the debate of a conference report.

Every single Member of this House is well aware of the fact that when a conference report is voted upon, there is a 1-hour provision for debate on that conference report. Now, request was made to extend that. And my friend, the gentlewoman from California (Ms. PELOSI), as she knows, made a rare appearance before the Committee on Rules and requested that we increase the amount of time for debate on that conference report. And in response to her request, the Committee on Rules chose to double the amount of time allowed for the conference report. That amount of time was granted.

I think it is also important to note that the 15-minute provision according to clause 2(a) of rule XX, Mr. Speaker, specifically says the minimum time for a record vote or a quorum call by electronic device shall be 15 minutes. And so I think that there is no one who is claiming that there was a violation of the rules of the House because this was, in fact, in compliance with the rules of the House. And I think that there needs to be recognition that during that 2 hour and 50 minute period a number of votes were changed. And I think it is important for the record to note for the record, Mr. Speaker, that the last three votes that were cast on that bill were, in fact, cast by members of the minority.

I would like to thank my friend for yielding me this time. What I have simply chosen to do here, Mr. Speaker, is make the record clear as to exactly what the rules of the House consist of on this matter.

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

Mr. Speaker, since the distinguished chairman of the Committee on Rules is in the well, I just wish to mention one thing, because in my comments I read a litany of concerns about very important votes were won by a handful or fewer votes in the dark of night. One of these I did not mention was the rule on the FAA bill that came to the floor, and I would like to ask the gentleman if he is proud of the way the Committee on Rules conducted itself on the FAA bill where it burned the book on rule making in this House.

Mr. DREIER. Mr. Speaker, will the gentlewoman yield?

Ms. PELOSI. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, I would respond to my friend by saying that I made it very clear in the record, when our friends were before the Committee on Rules, that I believe that it was wrong for us to proceed with consideration of the FAA conference report in the manner in which we did proceed with. And I said there, and the gentleman from Minnesota (Mr. OBERSTAR) has recognized here on the floor that I said, we will do everything possible to ensure that that does not happen again. And the majority leader, in the colloquy that he had with the gentleman from Maryland (Mr. HOYER) later that week, made it clear that he also wanted to ensure that it would not happen again.

I appreciate my friend for bringing that issue to the forefront.

Ms. PELOSI. Indeed, that rule was an abomination, and I am pleased that the gentleman recognizes that it was wrong.

Mr. Speaker, I yield 5 minutes to the gentleman from New York (Mr. RANGEL), the distinguished ranking member on the Committee on Ways and Means.

Mr. RANGEL. Mr. Speaker, I am really surprised that the eloquent chairman of the Committee on Rules with all of the power of words and influence he has, that after a seething attack on the majority, that he would come into the well and say, but it is all in the rules.

What our leader is talking about is more important than the Medicare bill. She is talking about the civility in this House of Representatives. Every one of us here today are not here just because we are so bright and so intelligent. We are here because some group of Americans have thought that we would represent their interests. They were not

talking about blacks and whites or Jews or gentiles or Asian Americans or Hispanics. They were talking about Representatives in the House of Representatives. And they invested in us the right to make judgments as to what would be in their best interest.

How in the world can you come to this floor and take this privilege which has been given to us to protect, not for ourselves but for the next group that will inherit the seats that we are privileged to serve in, and to say when the Speaker of this great House of Representatives, here where we truly represent the people, it is not based on every district being entitled to something because it is a State, it means that they come together. They fight. They argue. And they elect.

□ 1545

And then the Speaker decides who would be appointed to serve on the conference committee so that our voices would be heard with that of the other body. And when you have the votes, you have the votes; and that is the way it goes. If you do not like it, wait until November and then change it. But the audacity of the majority to say that when the Speaker appoints you to the conference it makes no difference what rank you are, it makes no difference if you are the dean of the House, it makes no difference if you are the senior member of the committee of jurisdiction, it makes no difference if the minority leader appoints you to represent, who, us? No, to represent the millions of people that we have been sent here to represent.

And to have the conference committee, to call it a bipartisan conference when they from time to time will let a staff person come in, is not only arrogance but it offends the very office of the Constitution to be able to say it. Now, I have the utmost respect for the gentlewoman from Connecticut (Mrs. JOHNSON) because she has said it right; she thought this precious bill was so important that the rules did not matter. It had to go through the middle of the night, whether there was a conference or not. We had to get this thing through.

Sure, my colleagues had to get it through because there was a goal beyond prescription drugs. And if that is what you want to do with Social Security, if that is what you want to do with health care, I can understand that; and that is why I am not a Republican. But for God's sake, do not disrupt the system. Do not tear away what was left to us. When you got the votes, by golly, use those votes and do what you want to do to your own Members; that does not offend me. But it does offend me if newer Members of Congress believe that is the way this House is supposed to operate.

Sometimes when I go on the other side and I sit with a friend that came here many, many years ago when I did, young Democratic Members say, what are you talking to them for? And I suspect that some of the Republicans that have been here a little while, when they come over here, some of the younger Republican Members would say, why are you talking to a Democrat? And what we would say is, we are talking about our kids or we are talking about our grandkids. We will fight in the committee and we will fight on the floor, but we respect each other.

It is a lack of respect not to me, you can look at me and know how many doors have been closed to me; it does not even bother me. Because in this great country, in this Republic, I can fight and I can win. But when you stack the rules against those who follow me and those who respect this institution; when you start saying it makes no difference who the Speaker assigns to a conference, because we decided that it is too important for us to let Democrats in, well, take a look and see who the Democrats are. Take a look at the diversity on this side. We did not make it this way. Democrats did.

Do you think there is a Republican way for solid health care? Do you think there is a Republican way for Social Security? A Republican way for a better America? Of course not. It is for us together to be working together to try to do it. Would Democrats have contaminated the precious bill, I ask the gentlewoman from Connecticut (Mrs. JOHNSON)? Would we have diverted so much attention for what you were doing, this brilliant piece of work that you did in the darkness of night, brought here early in the morning to have us out here waiting until you could scrub up enough votes?

It was wrong for this Congress, and it would be wrong for any Congress.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield myself such time as I may consume, and I would respond to the gentleman from New York that I do think it is extremely important when half the women, retired women, in America have the opportunity for the peace of mind of knowing that they will pay no more than $1 or $2 for a generic and $3 to $5 for a brand-name prescription and that is all, no matter how many or how high their drug bills go. Yes, I think it is very important not to let the clock outweigh the interest of half of America's retired senior women.

Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. TAUZIN), the chairman of the Committee on Energy and Commerce.

Mr. TAUZIN. Mr. Speaker, I thank the gentlewoman from Connecticut for yielding me this time; and, Mr. Speaker, let me first say that this has been a multiyear process. When we began our work in the Committee on Energy and Commerce, we entitled it Patients First, because essentially we wanted to make sure everything we did in the health care agenda thought about patients and did what we could to make patients' lives better in this country.

I recall when we got to the point where we began drafting and working on the Medicare prescription drug bill, when we talked across the aisle, as we often do in the Committee on Energy and Commerce, about whether we could build a consensus bill at the committee level or not, it was pretty clear that we could not; that there was a great difference of opinion as to how to shape Medicare reform and prescription drug legislation. And because there was this huge great difference of opinion, the ranking Democrat, my friend, the gentleman from Michigan (Mr. DINGELL), and I agreed we would have a great debate, and we did. We had many, many hours of debate. We had a 23-hour markup; 23 hours of markup and amendments that went on for a huge amount of time. And that literally, finally produced the Medicare bill that came to the floor along with the Committee on Ways and Means effort that became part of the conference report that we voted on.

This was not a one-night effort. This was not a 3½ hour effort in the middle of the evening. This was a multiyear, very greatly debated issue from top to bottom where we were deeply separated on approach. And I think my mother summed it up best when I talked to her about it after we passed the bill. The approach that we took, that we understand some of the other side did not agree with, and that is a legitimate difference of opinion, the approach we took was that we ought to empower seniors to make choices for themselves about how they got prescription drug coverage; to make choices for themselves about how the health care that they would need in their senior years would be delivered to them and how they would take this new benefit.

There were those on the other side who thought there ought to be one choice only, the Medicare choice. There were those on this side, on our side of the aisle, who believed that Medicare choice ought to be available, and we made sure that it is available, but other choices ought to come.

Now, that is what happened. We can argue about process and procedure all we want. The bottom line is we were separated by a great division, it was settled, and the American public are better for it.

Ms. PELOSI. Mr. Speaker, I yield myself such time as I may consume to note that it is interesting to hear Republican colleagues talk about how urgent this bill was to pass. Then why does it not become effective until 2006? Mr. Speaker, was it so urgent that the rumor had to be around there that they were offering $100,000 to Members to vote with them on the bill? Was it ever that urgent?

Mr. Speaker, I am very pleased to yield 7 minutes to the gentleman from Maryland (Mr. HOYER), our very distinguished whip, a champion for America's seniors, who fought, fought, fought for them on the floor of this House to defeat this Medicare bill. And defeat it he did, for 3 hours, until outside influences weighed in to reverse that outcome.

Mr. HOYER. Mr. Speaker, I thank the minority leader for yielding me this time.

Mr. Speaker, there are many of my colleagues who are new to this House and who do not know its history and do not know perhaps the words of your side of the aisle. So I want to give you a little history. I want to take you back to October 28, 1987. The House was considering a controversial Democratic budget reconciliation bill, which I tell the gentlewoman from Connecticut that we thought was very important. The vote stood at 206 to 205. Twenty-four Members had not voted.

The Speaker of the House, in attempting to pass what he believed to be a very important bill, kept the clock going for less than 30 minutes, a little more than 25; and a vote changed, and we prevailed. Your side was outraged. Let me remind you of some of the quotes.

I am the minority leader. Excuse me, I am the minority whip. I understand that. The minority whip at that time is now the Vice President of the United States, DICK CHENEY. He was angry. The vote was 206 to 205. This bill, for over 2 hours, had an absolute majority of the House of Representatives supporting it, with 218 Members opposing the bill, the proposition that we fought for.

Thirty minutes. And here is what Mr. CHENEY said about keeping the ballot open: ''The Democrats' tactics are the most grievous insult inflicted on the Republicans in my time in the House.'' October 1987. He was quoted as saying something else. ''It was,'' he said, ''the most arrogant, heavy-handed abuse of power I have ever seen in the 10 years I have been here.''

Less than 30 minutes, 206 to 205. The Vice President of the United States. The most arrogant abuse of power he had seen. And then the Republican minority whip referred to the Speaker as follows, and listen, my colleagues, particularly those who are new. Referring to the Speaker of the House, he said, ''He's a heavy-handed,'' and he used an epithet that we know as SOB, except he fully articulated it, ''and he doesn't know any other way to operate. And he will do anything he can to win at any price. There is no sense of comity left,'' said DICK CHENEY.

I tell the gentlewoman from Connecticut, this was an important bill, but so was the bill that Speaker Wright was following and trying to pass. DICK CHENEY, with less than 30 minutes, ''There is no comity left. The most heavy-handed arrogant abuse of power.''

That is what this is about, treating one another with respect and treating the American public with respect. My colleagues had an opportunity to offer their bill. It was offered, we voted on it; and 218 people voted no, and they stuck no for over 2 hours. But my colleagues refused to accept the judgment of democracy. You refused to accept the judgment of this House.

Bob Walker said, ''We found out the majority is perfectly willing to change its rules to crush the minority.'' I know this is not a rule, I say to the gentleman from California (Mr. DREIER); but I also know that at the beginning of this session, the Speaker, whom I respect and would never demean by addressing him in the terms that DICK CHENEY addressed our Speaker, this House's Speaker, said this at the beginning of this session: ''The Speaker's policy announced on January 4, 1995, will continue through the 108th Congress.'' That was Newt Gingrich.

On that occasion, referring to October 30, 1991, the House was considering a bill in the Committee of the Whole under a special rule that placed an overall time limit on the amendment process. We did it in 15 minutes. The Speaker concluded at the beginning of this session, ''Each occupant of the Chair will have the full support of the Speaker in striving to close each electronic vote at the earliest opportunity.'' In this instance it was almost 3 hours. Not 15 minutes, not 17 minutes, not 27 minutes, but 3 hours.

''I just want to serve notice,'' this gentleman said, ''if the majority, which clearly has the rights under sheer voting power, insists on stripping the right away from the minority, then we have an absolute obligation to take the necessary steps to communicate our dissatisfaction with that kind of legislative process and do everything possible to stop it.'' Newt Gingrich, August 5, 1991.

□ 1600

Those of you who are new to this House who believe in democracy, who believe that this is the people's House, ought to accord to every one of us, Democrats and Republicans, the respect due a person chosen to represent 650,000-plus Americans in this House, to put up our votes on that board, to have the majority prevail, but to have them prevail in a time frame that does not, as Mr. CHENEY referred to it, reflect ''the most arrogant, most heavy-handed abuse of power I have ever seen in my 10 years.''

My Republican friends, let me ask something: If keeping the ballot open for 25 minutes is the most arrogant abuse of power that Mr. CHENEY had ever seen, what is keeping it open 3 hours? Ask yourself that question, and then understand why this resolution is on this floor.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. GREENWOOD).

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

About 5 hours ago, I had what I consider to be one of the greatest moments of my 11-year congressional career as I got to watch the President of the United States sign into law a Medicare reform bill that will finally provide a prescription drug benefit to our seniors and our disabled.

For 38 years, every Congress, Republican, Democrat, every administration, Republican, Democrat, had failed to accomplish this. It was not because most Members of Congress did not want to do it. I dare say every single Democrat sitting in this House and serving in this House wanted to make sure that we got a prescription drug benefit delivered to our elderly and our disabled, and most Republicans wanted to do it for many years. And why did Congress fail year after year? Not because of lack of desire to get the job done, but because the job is extraordinarily difficult.

It is extraordinarily difficult to craft a bill that is conservative enough to get most Republicans and liberal enough to attract some Democrats. It is very, very hard to do. We had to thread a needle, we had to say to the liberal-most Members of Congress, we cannot make you happy, we cannot spend that much money. And we had to say to the most conservative Members of our party, we cannot make you happy. We had to say we are going to do this entitlement, we are going to expand this entitlement, and it is not going to make you happy. We had to thread the needle, and the eye of the needle in this case was so narrow and the size of what we were trying to accomplish so large that yes, it took us an extraordinary amount of time to get this vote done.

The Speaker did not violate a rule of the House. The Speaker is entitled to take as much time as he wishes for a vote. And in this case, in this case, the stakes were high, the cause was great. The gentlewoman from California (Ms. PELOSI) said she will take this message to the election. This is an election-year issue. I say to the gentlewoman, take that message; we will take the message that we provided seniors a benefit.

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

Mr. Speaker, if it is an election-year issue and the other side of the aisle is so proud of their work, why do they not make it effective now, just as they make their reckless tax cuts effective immediately and retroactively?

Mr. Speaker, the customs and traditions of this House have been violated, and there is no person in the leadership of this House to come here to defend the actions taken in this Chamber on November 22. I will say more about that in a moment.

Mr. Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. CLYBURN), the vice chairman of the House Democratic Caucus.

Mr. CLYBURN. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I thank her for her leadership on this and other issues in this great body.

Mr. Speaker, I was elected 11 years ago. Today I represent a congressional district of 668,000 people. It is an interesting congressional district, about

half and half urban and rural. There are people who run the gamut. I represent the poor precincts and census tracts in the congressional district, and I also represent some of the wealthiest.

Last week when I went back home after our Medicare prescription drug vote, and I was asked questions by my constituents, they were asking me things like is it true that in this prescription drug bill the Secretary of HHS is prevented from negotiating on my behalf for lower drug costs? And, of course, I answered them, That is my understanding of the bill. And they have been asking, Is it true that I cannot use my Medigap insurance to cover any shortfalls that may come as a result of prescription drug costs? And, of course, I answered them, It is my understanding that that is true.

And then they want to know from me, Why is it that I did not hear from you about the possibility of these issues before you cast a vote? You are there to represent my interests, and I would like to hear from you about these kinds of things before they come to a vote.

Then I was obliged to tell them that the bill was completed around 1:30 a.m. in the morning, and I was given less than a day to take a look at it, and we finally voted on this after they had gone to bed the next night around 3 a.m. in the morning. Then they want to know the ultimate: If this bill is not to be effective until 2006, what was the rush? What was the rush? There is no good answer for many of us to that question.

I just want to say to my friends on the other side of the aisle, I am the eldest son of a fundamentalist minister who taught me that it is important to maintain balance in one's life, as well as one's efforts. He taught me to be conservative. He said to me very often, if you make a dollar, you ought to be able to save a nickel. He taught me when you leave a room, you turn out the light, you conserve energy. But he also taught me from those Sunday mornings when he stood before his congregation and asked for an offering, he asked them to give liberally. And so I learned that we must balance our liberalism with conservatism, and our conservatism with liberalism, and with proper balance and proper discussions, with proper input from all sides, we will yield much better legislation and much better results. We did not have that opportunity with this bill to have input from all sides to try to get a better and more balanced result.

Mr. Speaker, I believe that the failure on the part of this body to do that sets us up, as the gentlewoman has said, for a very interesting election year, and I am hopeful that this legislation will become the centerpiece of our discussions next year because then we will have a better result.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it is because we felt the urgency of the need the preceding Member alluded to so eloquently, that not only did we have to pass this bill, but we had included in this bill a discount card that will mean that one-half of all low-income seniors all across America will get 100 percent of their drugs paid for in 6 months. There is urgency for this bill because the need for the subsidies are so great, and because of the average spending, we know that within 6 months, one-half of low-income seniors will be 100 percent protected.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. SHAW), a member of the Committee on Ways and Means and chairman of the Subcommittee on Social Security.

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

Mr. Speaker, I would point out to the minority leader, who has pounded on that 2006 date several times, every one of the Democrat bills that was out there had that same date. Why does it have that date? It has that date because it takes that long to gear up in order to get a bill moving, whether the Democratic bill or the Republican bill.

What is the urgency? I think the gentlewoman from Connecticut pointed this out, and that is within 6 months, low-income people are going to be getting a card that will help them.

This morning when the President signed this bill, he said this bill is going to help those who need help the most. That is exactly what it does. That is exactly what it does. That is the way it ought to be.

When one goes into a court of law, a court of equity, there is an expression, to seek equity, you must do equity. In other words, you have to go into court with clean hands. We have heard during this debate such terms as representing their constituents, neglecting the will of the people, and abuse of office. They have to come here with clean hands if they are to complain.

Did not the minority leader threaten their Members? Why was it one of the Members on the other side of the aisle who was holding out for 3 hours was completely surrounded every single moment by Members of the Democratic Party because he had not yet voted? Why is it that after the time was finally called, four Democrat Members came down to the well of the House and changed their vote?

If you want equity, you have to come with clean hands, and that was not done. We should have passed this bill last year, but the other body refused to take it up because it was under Democratic leadership.

What is the urgency of this bill? If one is a senior, poor, or if you have huge drug expenses and you cannot afford to buy your drugs, by God to that person it is urgent. It is urgent. I would have stayed here 2 or 3 more days if the clock was to be left open, because that is exactly how I felt. I felt this was so important to those people who desperately need this coverage.

I would guess we would have won way over the top within 15 minutes if the minority leader had simply told her Members, you are free on this vote, come here and represent the people, vote for the people, and the gentlewoman's very words, vote for those you represent. That is what we want. That is what we should have gotten; and if we had, we would have been out of here at 3:15, and that is the way it should have been.

I praise the Speaker and those of our leadership who kept the clock open. I understand why those who tried to suppress the vote on their own side and failed are upset. And it did take 3 hours to enlighten some of the Members; but it is important that Democrats came back and changed their vote also.

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

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON of New Mexico. Mr. Speaker, I have been in this House a little over 5 years, and we have managed three times in the House of Representatives to pass a prescription drug bill.

Finally, this year the Senate passed a bill, too, which gave us a historic opportunity to provide a desperately-needed benefit for the people that I represent, and the people that we all represent.

□ 1615

The truth is that Medicare is stuck in a 1960s model of health care, a system that will pay claims instead of improve the quality of people's health. We have a health care system that had to be changed because it will pay $28,000 to amputate the feet of a diabetic and will not pay $29.95 a month for the Glucophage so that they can keep their feet. This system needed reform desperately because the people who rely on it need that medicine. That meant that we had to work hard to find the common ground that could make it through the House and the Senate.

But it was about time. It was about time for a voluntary prescription drug benefit added to Medicare, supported by dozens of interest groups in this country, to provide some equity and some help, particularly to low-income folks who cannot afford their medicine and those who are very sick. That is what we did. This House as a whole and this institution will look back on this day when the President of the United States signed that bill as a tremendous change for health care for seniors in this country, and I thank God for it.

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

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. I thank the gentlewoman for yielding me this time.

Mr. Speaker, I want to remind my colleagues from the other side of the

aisle that just as in childbirth, our labors in the Congress often start in the morning sunshine and after long hours of painful work in the full light of day then result in a delivery of a beautiful baby in the dark of night. Had this debate commenced in the dark of night, then the delivery would no doubt have been in the light of day.

In any regard, Mr. Speaker, in passage of the Medicare Modernization and Prescription Drug Act of 2003, this President and the leadership of this House have delivered on a promise made to our beloved seniors. Indeed, Mr. Speaker, we, the Republican majority, are the promise keepers on this issue. I am proud to have voted as a physician Member of this body in the affirmative.

The gentleman from South Carolina talked about hearing from his constituents. Mr. Speaker, I have heard from my constituents as well, things like is it true that in this bill the neediest of our seniors, those who are living at or near the poverty level, are helped the most? Is it true that the new Medicare beneficiaries will begin to receive for the first time ever a complete physical examination? Is it true that in order to help save Medicare for our children and grandchildren, the wealthiest seniors will have to pay for the first time more of their part B premium? And finally, Mr. Speaker, is it true that it has taken 38 years to finally provide seniors with prescription drug coverage?

I answer to those seniors a resounding guilty as charged. I am proud of this bill. I thank the gentlewoman for giving me the opportunity to speak.

Ms. PELOSI. Mr. Speaker, I am pleased to yield 1 minute to the very distinguished gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, unfortunately, the majority party is running the Congress the way the Russians run basketball. You remember in 1972 in the Olympic championship in Munich where Americans won the game. We were ahead when the game was over and the clock had run down to zero. But then the Russians prevailed on saying, let's just put a little more time back on the clock. Just like the Republicans when this clock ran down to zero said, let's just put another 3 hours back down on the clock. When they asked the Russian coach how he could justify that outrage, he said, because it was an important game and we wanted to win. That is the explanation we get from the majority party when you corrupted the basic values of this House.

We have been searching for ways to describe this and you can say disappointing, you can say belittling; but the honest thing is it is a corruption of the traditions of this House, and it stinks to high heaven like a mackerel in the moonlight. Your Members need to come to the floor and explain this situation that not only were we violating the rules and the traditions regarding time, but that potentially there was bribery on the floor of this House. We need to get to the bottom of this and end this tyranny and corruption.

Ms. PELOSI. Mr. Speaker, the Republicans also run this Congress like the Republicans run Florida. They cannot accept the result of a vote.

With that, I am pleased to yield 1 minute to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Speaker, the 3-hour wheel of fortune that we witnessed the other day is reflective of the 3-week wheel of fortune, where the public interest and the public trust had been turned into a piggy bank for the special interests. There are 635 pharmaceutical industry lobbyists, a lobbyist and a half for every Member of Congress. If you walked down the hall, they were usually your shadow in this place. The reason we are talking about the process today is because the process was reflective of the policy and what happened and produced in this legislation, that is, the pharmaceutical industry when it came to dealing with the issue of price and affordability of prescription drugs, the will of the pharmaceutical industry was reflected but not the will of either our taxpayers or our senior citizens who are being forced into a system that requires that they pay 40 percent more than anybody in Canada and Europe.

What we can do for our veterans, we can do for our seniors and get them to use bulk negotiations, which is a free market. Everybody on this side always says, I wish the government would act more like a business. We try to get it to act like a business, and what do you do? You turn your back on it. We can use either way to affect the price here.

This is a debate that has now taken the public interest and the public trust and has turned it into a piggy bank for the special interests.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. FERGUSON).

Mr. FERGUSON. I thank the gentlewoman for yielding me this time.

Mr. Speaker, today was a historic day. The gentleman from Pennsylvania (Mr. GREENWOOD) mentioned earlier that President Bush signed into law the most sweeping improvements that our Medicare program has seen in almost 40 years. Soon, because of this legislation, millions of seniors will be able to afford the prescription medications which will dramatically change, improve, yes, and sometimes even save their lives. We should celebrate today that this bill has been signed into law and that finally after years of inaction and obstruction, the leadership of this Republican majority and the several thoughtful Democrats who joined us have kept our promise to our seniors.

But on this historic day, instead of high-minded debate and additional work to benefit our seniors and other Americans, what do we hear from some Members of this body? We hear complaining. We hear complaining because of an inconvenience. It would be an understatement to say that an elderly person who relies on their prescription medications struggles as they try to work through chemotherapy treatment for cancer. Similarly, one could say that it is a big inconvenience for a low-income senior who has to make decisions each month as to whether they will buy their prescription medication or buy their groceries. Indeed, I think each one of us would agree that it is inconvenient, really inconvenient for the 70-year-old woman who works not because she chooses to but because she cannot afford to retire and she continues to work because she needs to pay for her diabetes medication.

Yet the complaint today is not that rules were broken because, of course, we followed the rules of this House. But now what we hear is that it was inconvenient for us to be here working through the night, to be voting until almost 6 a.m. and to stay up all night. And, of course, it is inconvenient for us to do so. It is inconvenient to work all night. It is really inconvenient, of course, to lose a vote on a major piece of legislation. But I think it was worth some of the inconvenience on our part. I think it was worth some of the inconvenience to help some of the neediest and indeed some of the most vulnerable in our society, older Americans who have worked hard and who have sacrificed and who have paid their taxes and paid their dues and made sacrifices to create opportunities for every single one of us. Is it not worth a little bit of inconvenience for us to keep our promises to them? Inconvenient for us, yes. But is it worth it to keep our promises to our seniors? I say yes.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. ISAKSON).

Mr. ISAKSON. Mr. Speaker, I thank the gentlewoman from Connecticut for yielding me this time. I, having been a minority leader in the Georgia legislature for a long time, understand that role. But I have to clarify the opening remarks that were made by the leader from my perspective about the time, about the hours of the night and about the comment; and I think I have got it about right, that in the dark of night we passed legislation that benefited a few, referring, I think, to the tax legislation in the past.

Mr. Speaker, at 12:12, 12:15, 2:45, 3 a.m., and 6:45 in the morning, any morning, fishermen leave the wharves of San Francisco, California, to go fish for a living and pay taxes. In the district of the gentleman from New York (Mr. RANGEL), in the garment district they work in those hours for the prime time of the evening to feed their families and pay taxes. In every one of our districts in those hours of the dark of night, Americans who finance this country and run it work doing an important job.

I will submit to you, if you ask them, reforming a Medicare system is important. I think if you asked them if dealing with prescription drugs for their parents and their seniors is important, they would tell you. I do not think any one of us on the campaign trail would ever belittle a fisherman at 6:45 on San Francisco's wharf or someone in the garment district of the gentleman from New York (Mr. RANGEL). We can have our partisan arguments over procedure, but let us not ever belittle hard work for a good purpose because it is the American people that do that on the night shift every night that finance this country and allow you and I to be here.

I am proud to have stood up to cut their taxes and provide benefits to their parents.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield such time as he may consume to the gentleman from Virginia (Mr. CANTOR).

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

Mr. CANTOR. I thank the gentlewoman for yielding me this time.

Mr. Speaker, this is a great day for America. The American people are celebrating today because the President has signed into law one of the most, if not the most, dramatic improvements to the Medicare program since its inception. Finally, Mr. Speaker, seniors across this country will have an option of a prescription drug benefit. Finally, Mr. Speaker, seniors will be given a choice in designing and selecting a benefit of health care delivery under Medicare. And finally, Mr. Speaker, American families across this country will be able to benefit from health savings accounts, providing them an environment and incentive to save for their own family's health care needs in a tax-free environment.

No, Mr. Speaker, this is not about a system that is broken or a process that has gone awry. This debate today on the floor is about a Republican success, of a vision of how to improve health care for our senior citizens across this great Nation. This bill is about doing what is best for our constituents, in particular, our seniors, Mr. Speaker. America's largest senior advocacy group, the AARP, has endorsed this bill because it sees this bill as a way to move us forward and to bring Medicare into the modern era and provide our seniors with a greater health benefit.

□ 1630

Mr. Speaker, it is Republican-led policies that move this Nation forward today, not Democrat politics that we are witnessing on the floor this evening.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the gentleman for his eloquent remarks.

Ms. PELOSI. Mr. Speaker, I yield 1 minute to the very distinguished gentleman from Illinois (Mr. GUTIERREZ).

Mr. GUTIERREZ. Mr. Speaker, when I came here in 1993, the Republican majority, then the Republican minority, spoke about a balanced budget amendment and that we had to balance the budget not on the backs of future generations. We no longer hear about a balanced budget amendment. They came and they said if they would become the majority that we would have term limits so that Members of Congress could be people legislators and not stay here all of their lives. They no longer talk about term limits.

But astonishingly that night, I could understand those changes. Philosophically and politically they changed their mind and said it was okay to run deficits, it was okay to bust the budget, that these were okay things to do; that it was okay to tell the people that they were only to come here for three terms, 6 years, and then return to their districts, and that was okay but they had a change of mind.

But what happened that night was different because I never recall a single instance in which a member of the Republican majority said that I was offered a $100,000 bribe in order to break my promise to the people, to change my position on a public policy issue. And that is what the debate should be here about tonight, and until we get to the bottom of that matter, it is a shame and a blemish on this House.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield myself such time as I may consume.

This is a great day for America. Today President Bush signed a prescription drug bill that will deliver on a promise that this Congress has talked about for 4 years and has passed three different bills to try to achieve it.

Last year after we passed our second bill, the Senate, controlled by the Democrats, would not even allow a vote, would not even allow a vote. That is why when we had the opportunity to pass a bill that would provide, deliver, prescription drugs as a part of Medicare on the basis of voluntary participation to all seniors all across America, we were determined to take it. Furthermore, it is the first bill that counted all seniors in America as Medicare and seniors first and poor second. That is why we are taking all seniors off Medicaid, bringing them on Medicare's drug benefit so they will get the same benefit all across the country because they are seniors first and poor only second. The Senate bill did not do that. Our bill did that.

And we passed this bill and pushed it through and held the vote open because we wanted to make sure that that half of women retired, living on very low incomes, would get what this bill promises them, $1 or $2 copayments on generics and $3 or $5 on prescriptions, that is all.

But we had to pass this bill for another reason. It does more to improve payments for rural health care providers and to link rural health care to sophisticated medical centers than any legislative initiative from this body ever has done, and without it the physicians out now in the rural towns, who are my husband's age and who are about to retire, will not be replaceable. We will not be able to attract the next generation of physicians to rural health care without the really rather arbitrary policy changes in this bill that reflect our experience in rural health and its inability to attract providers. So we saved rural seniors from not having access to doctors, home health agencies, and hospitals. And, furthermore, we link through these regional health plans rural medicine more tightly into sophisticated medical centers. And, lastly, we passed disease management in this bill for the plans on a mandatory basis and for Medicare as an integral part of it in the years to come, and, thereby, for the first time, built preventative health care into the Medicare structure. It is currently, now, solely an illness treatment program.

With the new reforms the President signed today, and with great leadership from Secretary Tommy Thompson, who deserves tremendous credit, both for understanding the need for rural health to be linked into the modern delivery capability of technology, and who understood also the power that disease management is going to give us to help seniors with chronic illness prevent their chronic illnesses from progressing, and how urgent it is that when a plan like Medicare has one-third of its seniors with five chronic illnesses using 80 percent of program dollars that we do something about it, that we act. For 4 years we have talked and not acted. If acting required holding that vote open, and then we saw at the end, two Republicans changed to ''yes'' and two changed to ''no.'' What happened was that my friends on the other side of the aisle who understood the importance of this bill both to the quality of care seniors could achieve and to the revitalization of rural medicine then were free to lay their votes on table, and it was those additional votes that made the difference, and I thank them because bipartisanship is hard in this environment, and I understand it. But we did it for America's seniors. We did it together. The President signed it today, and it is an enormous victory for senior health care and the greatest step forward in women's health that this body has ever passed. And I am proud to stand here and say this Congress passed the modernization of Medicare and the inclusion of prescription drugs for our seniors with the President's help, and I thank him.

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

It is clear that the conduct of the Medicare prescription drug bill is indefensible, and that is why not one member of the elected leadership of the majority could show his face on this floor today to defend that behavior. It is clear.

If we had so much time that night that we could wait, why could we not

have time to debate? We had asked the Committee on Rules for more time for debate. Were the Republicans afraid that the American people would find out with further debate that they have a prohibition in the bill from this government negotiating for lower prices for prescription drugs for our seniors? Were they afraid that they would find out if they make $13,470 a year that they pay $4,000 of their first $5,000 for prescription drug benefits, $4,000 of their first $5,000?

I brought this privileged resolution to the floor not because the Republicans had once again abused their power and once again had abused their customs and traditions of this House. I brought this privileged resolution to the House because there were newspaper publications of rumors of bribery, of $100,000 on the floor of this House to a Member of Congress and a threat to that Member of Congress that his son would never come to Congress unless he voted with the Republicans.

The public deserves answers to that question. We will not let this rest. The Republican leadership can run, but they cannot hide from that rumor of bribery taking place on this floor of the House. The Member himself has asserted that, but we could not come to the floor until we had a written documentation of that assertion. That assertion is now documented.

Mr. Speaker, much has been said about the President's signing this historic legislation today. This is not historic legislation. This is an historic missed opportunity to do what is right for America's seniors. It is historic in this respect: 40 years ago when the Democratic Congress and the Democratic President made Medicare the law of the land, only 13 Republicans voted for the Medicare bill. They had been waging war. The Republicans had been waging war on Medicare for 40 years. They had their opportunity to have a full airing of the debate that night so the public could hear what they were up to with their Trojan horse of a piece of legislation. They did not have time to debate. They could not honor our request for more time to discuss this very historic and important legislation. They did have time for bribery on the floor of the House of Representatives.

So, Mr. Speaker, this is an issue about how we conduct the people's business, how we set an example for the rest of the world. It is an example of how people are not accountable for their behavior on this floor by having business conducted here in a way that brings shame and dishonor to this House and not even coming to this floor to listen to the debate or to defend that conduct. This is a very historic day indeed because this is a day when the American people are finding out that the Republicans will go to any length to be the handmaidens of the pharmaceutical industry. They will go to any length to be beholden to the HMOs and the insurance industry, that the Republicans will go to any length to justify the wrong actions that they are taking. So convinced of the correctness of their position that they think that any action is justified. Let that not be the rule that applies to any of us on either side of the aisle.

So, Mr. Speaker, with that I urge my colleagues to support our privileged resolution.

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

MOTION TO TABLE OFFERED BY MRS. JOHNSON OF CONNECTICUT

Mrs. JOHNSON of Connecticut. Mr. Speaker, I offer a motion.

The SPEAKER pro tempore (Mr. LATOURETTE). The Clerk will report the motion.

The Clerk read as follows:

Mrs. JOHNSON of Connecticut moves that the resolution be laid on the table.

The SPEAKER pro tempore. The motion is not debatable.

The question is on the motion to table offered by the gentlewoman by Connecticut (Mrs. JOHNSON).

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

Ms. PELOSI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 207, nays 182, not voting 45, as follows:

[Roll No. 677]

YEAS—207

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

NAYS—182

Abercrombie
Alexander
Allen
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Cardin
Cardoza
Carson (IN)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller (NC)
Mollohan
Moore
Moran (VA)
Murtha
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
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
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Weiner
Woolsey
Wu
Wynn

NOT VOTING—45

Ackerman
Andrews
Baca
Baker
Berman
Boucher
Burr
Burton (IN)
Calvert
Capuano
Carson (OK)
Cubin
Cunningham
Davis (FL)
Doggett
Dooley (CA)
Duncan
Everett
Filner
Fletcher
Gallegly
Gephardt
Gerlach
Istook
Janklow
Kennedy (RI)
Lantos
Larsen (WA)
Lynch
Manzullo
Menendez
Miller, Gary
Miller, George
Nadler
Oxley
Pascrell

| | | |
|---|---|---|
| Quinn | Stark | Waxman |
| Rohrabacher | Thornberry | Wexler |
| Schiff | Vitter | Young (AK) |

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1704

Messrs. FRANK of Massachusetts, DAVIS of Illinois, and HALL changed their vote from ''yea'' to ''nay.''

Messrs. OSBORNE, RYUN of Kansas, GREENWOOD, AKIN, BEAUPREZ, and TANCREDO, and Ms. HART changed their vote from ''nay'' to ''yea.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. FILNER. Mr. Speaker, on rollcall No. 677, due to urgent constituent support commitments in my congressional district, I missed the vote. Had I been present, I would have voted ''no.''

## PERSONAL EXPLANATION

Mr. PASCRELL. Mr. Speaker, the conference report for H.R. 2673 allows disastrous overtime regulations to go through, bows to pressure on FCC media ownership regulations, contains inadequate funding for the manufacturing extension partnership, and includes a flawed public school vouchers program. I have opposed all of these provisions in past votes. While I have strong concerns about these and other provisions contained in and left out of this omnibus appropriations bill, had I been in attendance, I would have cast an ''aye'' vote on rollcall No. 676 in support of the many important programs this bill funds.

I would have voted ''no'' on rollcall No. 677, the motion to table the Democratic Leader's Privileged Resolution.

## PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, due to official business outside the Washington, DC, area, I was unable to be present during rollcall votes 673–677. Had I been here I would have voted ''yea'' for rollcall votes 673–677.

## APPOINTMENT OF COMMITTEE OF TWO MEMBERS TO INFORM THE PRESIDENT THAT THE HOUSE HAS COMPLETED ITS BUSINESS OF THE SESSION

Mr. DELAY. Mr. Speaker, I offer a privileged resolution (H. Res. 476) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 476

*Resolved,* That a committee of two Members of the House be appointed to wait upon the President of the United States and inform him that the House of Representatives has completed its business of the session and is ready to adjourn, unless the President has some other communication to make to them.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 476, the Chair appoints the following Members of the House to the Committee to Notify the President:

The gentleman from Texas (Mr. DELAY);

the gentlewoman from California (Ms. PELOSI).

## AUTHORIZING THE SPEAKER, MAJORITY LEADER, AND MINORITY LEADER TO ACCEPT RESIGNATIONS AND TO MAKE APPOINTMENTS AUTHORIZED BY LAW OR BY THE HOUSE FOR THE REMAINDER OF THE 108TH CONGRESS

Mr. DELAY. Mr. Speaker, I ask unanimous consent that for the remainder of the 108th Congress, the Speaker, the Majority Leader, and the Minority Leader be authorized to accept resignations and to make appointments authorized by law or by the House.

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

There was no objection.

## GRANTING MEMBERS OF THE HOUSE PRIVILEGE TO EXTEND AND REVISE REMARKS IN CONGRESSIONAL RECORD UNTIL LAST EDITION IS PUBLISHED

Mr. DELAY. Mr. Speaker, I ask unanimous consent that Members may have until publication of the last edition of the CONGRESSIONAL RECORD authorized for the first session of the 108th Congress by the Joint Committee on Printing to revise and extend their remarks and to include brief, related extraneous material on any matter occurring before the adjournment of the first session sine die.

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

There was no objection.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3507

Ms. PELOSI. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 3507.

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

There was no objection.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. Res. 462

Mr. TERRY. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H. Res. 462.

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

There was no objection.

## CONTROLLING THE ASSAULT OF NON-SOLICITED PORNOGRAPHY AND MARKET ACT OF 2003

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 877) to regulate interstate commerce by imposing limitations and penalties on the transmission of unsolicited commercial electronic mail via the Internet, with a Senate amendment to the House amendment thereto, and concur in the Senate amendment to the House amendment.

The Clerk read the title of the Senate bill.

The Clerk read the Senate amendment to the House amendment, as follows:

Senate amendment to House amendment:

In lieu of the matter proposed to be inserted by the House amendment to the text of the bill, insert:

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003'', or the ''CAN-SPAM Act of 2003''.*

***SEC. 2. CONGRESSIONAL FINDINGS AND POLICY.***

*(a) FINDINGS.—The Congress finds the following:*

*(1) Electronic mail has become an extremely important and popular means of communication, relied on by millions of Americans on a daily basis for personal and commercial purposes. Its low cost and global reach make it extremely convenient and efficient, and offer unique opportunities for the development and growth of frictionless commerce.*

*(2) The convenience and efficiency of electronic mail are threatened by the extremely rapid growth in the volume of unsolicited commercial electronic mail. Unsolicited commercial electronic mail is currently estimated to account for over half of all electronic mail traffic, up from an estimated 7 percent in 2001, and the volume continues to rise. Most of these messages are fraudulent or deceptive in one or more respects.*

*(3) The receipt of unsolicited commercial electronic mail may result in costs to recipients who cannot refuse to accept such mail and who incur costs for the storage of such mail, or for the time spent accessing, reviewing, and discarding such mail, or for both.*

*(4) The receipt of a large number of unwanted messages also decreases the convenience of electronic mail and creates a risk that wanted electronic mail messages, both commercial and noncommercial, will be lost, overlooked, or discarded amidst the larger volume of unwanted messages, thus reducing the reliability and usefulness of electronic mail to the recipient.*

*(5) Some commercial electronic mail contains material that many recipients may consider vulgar or pornographic in nature.*

*(6) The growth in unsolicited commercial electronic mail imposes significant monetary costs on providers of Internet access services, businesses, and educational and nonprofit institutions that carry and receive such mail, as there is a finite volume of mail that such providers, businesses, and institutions can handle without further investment in infrastructure.*

*(7) Many senders of unsolicited commercial electronic mail purposefully disguise the source of such mail.*

*(8) Many senders of unsolicited commercial electronic mail purposefully include misleading information in the messages' subject lines in order to induce the recipients to view the messages.*

*(9) While some senders of commercial electronic mail messages provide simple and reliable ways for recipients to reject (or ''opt-out'' of) receipt of commercial electronic mail from such senders in the future, other senders provide no such ''opt-out'' mechanism, or refuse to honor the requests of recipients not to receive electronic mail from such senders in the future, or both.*

*(10) Many senders of bulk unsolicited commercial electronic mail use computer programs to gather large numbers of electronic mail addresses on an automated basis from Internet websites or online services where users must post their addresses in order to make full use of the website or service.*

*(11) Many States have enacted legislation intended to regulate or reduce unsolicited commercial electronic mail, but these statutes impose different standards and requirements. As a result, they do not appear to have been successful in addressing the problems associated with unsolicited commercial electronic mail, in part because, since an electronic mail address does not specify a geographic location, it can be extremely difficult for law-abiding businesses to know with which of these disparate statutes they are required to comply.*

*(12) The problems associated with the rapid growth and abuse of unsolicited commercial electronic mail cannot be solved by Federal legislation alone. The development and adoption of technological approaches and the pursuit of cooperative efforts with other countries will be necessary as well.*

*(b) CONGRESSIONAL DETERMINATION OF PUBLIC POLICY.—On the basis of the findings in subsection (a), the Congress determines that—*

*(1) there is a substantial government interest in regulation of commercial electronic mail on a nationwide basis;*

*(2) senders of commercial electronic mail should not mislead recipients as to the source or content of such mail; and*

*(3) recipients of commercial electronic mail have a right to decline to receive additional commercial electronic mail from the same source.*

***SEC. 3. DEFINITIONS.***

*In this Act:*

*(1) AFFIRMATIVE CONSENT.—The term ''affirmative consent'', when used with respect to a commercial electronic mail message, means that—*

*(A) the recipient expressly consented to receive the message, either in response to a clear and conspicuous request for such consent or at the recipient's own initiative; and*

*(B) if the message is from a party other than the party to which the recipient communicated such consent, the recipient was given clear and conspicuous notice at the time the consent was communicated that the recipient's electronic mail address could be transferred to such other party for the purpose of initiating commercial electronic mail messages.*

*(2) COMMERCIAL ELECTRONIC MAIL MESSAGE.—*

*(A) IN GENERAL.—The term ''commercial electronic mail message'' means any electronic mail message the primary purpose of which is the commercial advertisement or promotion of a commercial product or service (including content on an Internet website operated for a commercial purpose).*

*(B) TRANSACTIONAL OR RELATIONSHIP MESSAGES.—The term ''commercial electronic mail message'' does not include a transactional or relationship message.*

*(C) REGULATIONS REGARDING PRIMARY PURPOSE.—Not later than 12 months after the date of the enactment of this Act, the Commission shall issue regulations pursuant to section 13 defining the relevant criteria to facilitate the determination of the primary purpose of an electronic mail message.*

*(D) REFERENCE TO COMPANY OR WEBSITE.—The inclusion of a reference to a commercial entity or a link to the website of a commercial entity in an electronic mail message does not, by itself, cause such message to be treated as a commercial electronic mail message for purposes of this Act if the contents or circumstances of the message indicate a primary purpose other than commercial advertisement or promotion of a commercial product or service.*

*(3) COMMISSION.—The term ''Commission'' means the Federal Trade Commission.*

*(4) DOMAIN NAME.—The term ''domain name'' means any alphanumeric designation which is registered with or assigned by any domain name registrar, domain name registry, or other domain name registration authority as part of an electronic address on the Internet.*

*(5) ELECTRONIC MAIL ADDRESS.—The term ''electronic mail address'' means a destination, commonly expressed as a string of characters, consisting of a unique user name or mailbox (commonly referred to as the ''local part'') and a reference to an Internet domain (commonly referred to as the ''domain part''), whether or not displayed, to which an electronic mail message can be sent or delivered.*

*(6) ELECTRONIC MAIL MESSAGE.—The term ''electronic mail message'' means a message sent to a unique electronic mail address.*

*(7) FTC ACT.—The term ''FTC Act'' means the Federal Trade Commission Act (15 U.S.C. 41 et seq.).*

*(8) HEADER INFORMATION.—The term ''header information'' means the source, destination, and routing information attached to an electronic mail message, including the originating domain name and originating electronic mail address, and any other information that appears in the line identifying, or purporting to identify, a person initiating the message.*

*(9) INITIATE.—The term ''initiate'', when used with respect to a commercial electronic mail message, means to originate or transmit such message or to procure the origination or transmission of such message, but shall not include actions that constitute routine conveyance of such message. For purposes of this paragraph, more than one person may be considered to have initiated a message.*

*(10) INTERNET.—The term ''Internet'' has the meaning given that term in the Internet Tax Freedom Act (47 U.S.C. 151 nt).*

*(11) INTERNET ACCESS SERVICE.—The term ''Internet access service'' has the meaning given that term in section 231(e)(4) of the Communications Act of 1934 (47 U.S.C. 231(e)(4)).*

*(12) PROCURE.—The term ''procure'', when used with respect to the initiation of a commercial electronic mail message, means intentionally to pay or provide other consideration to, or induce, another person to initiate such a message on one's behalf.*

*(13) PROTECTED COMPUTER.—The term ''protected computer'' has the meaning given that term in section 1030(e)(2)(B) of title 18, United States Code.*

*(14) RECIPIENT.—The term ''recipient'', when used with respect to a commercial electronic mail message, means an authorized user of the electronic mail address to which the message was sent or delivered. If a recipient of a commercial electronic mail message has one or more electronic mail addresses in addition to the address to which the message was sent or delivered, the recipient shall be treated as a separate recipient with respect to each such address. If an electronic mail address is reassigned to a new user, the new user shall not be treated as a recipient of any commercial electronic mail message sent or delivered to that address before it was reassigned.*

*(15) ROUTINE CONVEYANCE.—The term ''routine conveyance'' means the transmission, routing, relaying, handling, or storing, through an automatic technical process, of an electronic mail message for which another person has identified the recipients or provided the recipient addresses.*

*(16) SENDER.—*

*(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''sender'', when used with respect to a commercial electronic mail message, means a person who initiates such a message and whose product, service, or Internet web site is advertised or promoted by the message.*

*(B) SEPARATE LINES OF BUSINESS OR DIVISIONS.—If an entity operates through separate lines of business or divisions and holds itself out to the recipient throughout the message as that particular line of business or division rather than as the entity of which such line of business or division is a part, then the line of business or the division shall be treated as the sender of such message for purposes of this Act.*

*(17) TRANSACTIONAL OR RELATIONSHIP MESSAGE.—*

*(A) IN GENERAL.—The term ''transactional or relationship message'' means an electronic mail message the primary purpose of which is—*

*(i) to facilitate, complete, or confirm a commercial transaction that the recipient has previously agreed to enter into with the sender;*

*(ii) to provide warranty information, product recall information, or safety or security information with respect to a commercial product or service used or purchased by the recipient;*

*(iii) to provide—*

*(I) notification concerning a change in the terms or features of;*

*(II) notification of a change in the recipient's standing or status with respect to; or*

*(III) at regular periodic intervals, account balance information or other type of account statement with respect to,*

*a subscription, membership, account, loan, or comparable ongoing commercial relationship involving the ongoing purchase or use by the recipient of products or services offered by the sender;*

*(iv) to provide information directly related to an employment relationship or related benefit plan in which the recipient is currently involved, participating, or enrolled; or*

*(v) to deliver goods or services, including product updates or upgrades, that the recipient is entitled to receive under the terms of a transaction that the recipient has previously agreed to enter into with the sender.*

*(B) MODIFICATION OF DEFINITION.—The Commission by regulation pursuant to section 13 may modify the definition in subparagraph (A) to expand or contract the categories of messages that are treated as transactional or relationship messages for purposes of this Act to the extent that such modification is necessary to accommodate changes in electronic mail technology or practices and accomplish the purposes of this Act.*

***SEC. 4. PROHIBITION AGAINST PREDATORY AND ABUSIVE COMMERCIAL E-MAIL.***

*(a) OFFENSE.—*

*(1) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following new section:*

***''§ 1037. Fraud and related activity in connection with electronic mail***

*''(a) IN GENERAL.—Whoever, in or affecting interstate or foreign commerce, knowingly—*

*''(1) accesses a protected computer without authorization, and intentionally initiates the transmission of multiple commercial electronic mail messages from or through such computer,*

*''(2) uses a protected computer to relay or retransmit multiple commercial electronic mail messages, with the intent to deceive or mislead recipients, or any Internet access service, as to the origin of such messages,*

*''(3) materially falsifies header information in multiple commercial electronic mail messages and intentionally initiates the transmission of such messages,*

*''(4) registers, using information that materially falsifies the identity of the actual registrant, for five or more electronic mail accounts or online user accounts or two or more domain names, and intentionally initiates the transmission of multiple commercial electronic mail messages from any combination of such accounts or domain names, or*

*''(5) falsely represents oneself to be the registrant or the legitimate successor in interest to the registrant of 5 or more Internet Protocol addresses, and intentionally initiates the transmission of multiple commercial electronic mail messages from such addresses,*

*or conspires to do so, shall be punished as provided in subsection (b).*

*''(b) PENALTIES.—The punishment for an offense under subsection (a) is—*

*''(1) a fine under this title, imprisonment for not more than 5 years, or both, if—*

*''(A) the offense is committed in furtherance of any felony under the laws of the United States or of any State; or*

*''(B) the defendant has previously been convicted under this section or section 1030, or under the law of any State for conduct involving the transmission of multiple commercial electronic mail messages or unauthorized access to a computer system;*

*''(2) a fine under this title, imprisonment for not more than 3 years, or both, if—*

*''(A) the offense is an offense under subsection (a)(1);*

*''(B) the offense is an offense under subsection (a)(4) and involved 20 or more falsified electronic mail or online user account registrations, or 10 or more falsified domain name registrations;*

*''(C) the volume of electronic mail messages transmitted in furtherance of the offense exceeded 2,500 during any 24-hour period, 25,000 during any 30-day period, or 250,000 during any 1-year period;*

*''(D) the offense caused loss to one or more persons aggregating $5,000 or more in value during any 1-year period;*

*''(E) as a result of the offense any individual committing the offense obtained anything of value aggregating $5,000 or more during any 1-year period; or*

*''(F) the offense was undertaken by the defendant in concert with 3 or more other persons with respect to whom the defendant occupied a position of organizer or leader; and*

*''(3) a fine under this title or imprisonment for not more than 1 year, or both, in any other case.*

*''(c) FORFEITURE.—*

*''(1) IN GENERAL.—The court, in imposing sentence on a person who is convicted of an offense under this section, shall order that the defendant forfeit to the United States—*

*''(A) any property, real or personal, constituting or traceable to gross proceeds obtained from such offense; and*

*''(B) any equipment, software, or other technology used or intended to be used to commit or to facilitate the commission of such offense.*

*''(2) PROCEDURES.—The procedures set forth in section 413 of the Controlled Substances Act (21 U.S.C. 853), other than subsection (d) of that section, and in Rule 32.2 of the Federal Rules of Criminal Procedure, shall apply to all stages of a criminal forfeiture proceeding under this section.*

*''(d) DEFINITIONS.—In this section:*

*''(1) LOSS.—The term 'loss' has the meaning given that term in section 1030(e) of this title.*

*''(2) MATERIALLY.—For purposes of paragraphs (3) and (4) of subsection (a), header information or registration information is materially falsified if it is altered or concealed in a manner that would impair the ability of a recipient of the message, an Internet access service processing the message on behalf of a recipient, a person alleging a violation of this section, or a law enforcement agency to identify, locate, or respond to a person who initiated the electronic mail message or to investigate the alleged violation.*

*''(3) MULTIPLE.—The term 'multiple' means more than 100 electronic mail messages during a 24-hour period, more than 1,000 electronic mail messages during a 30-day period, or more than 10,000 electronic mail messages during a 1-year period.*

*''(4) OTHER TERMS.—Any other term has the meaning given that term by section 3 of the CAN-SPAM Act of 2003.''.*

*(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 47 of title 18, United States Code, is amended by adding at the end the following:*

*''Sec.*
*''1037. Fraud and related activity in connection with electronic mail.''.*

*(b) UNITED STATES SENTENCING COMMISSION.—*

*(1) DIRECTIVE.—Pursuant to its authority under section 994(p) of title 28, United States Code, and in accordance with this section, the United States Sentencing Commission shall review and, as appropriate, amend the sentencing guidelines and policy statements to provide appropriate penalties for violations of section 1037 of title 18, United States Code, as added by this section, and other offenses that may be facilitated by the sending of large quantities of unsolicited electronic mail.*

*(2) REQUIREMENTS.—In carrying out this subsection, the Sentencing Commission shall consider providing sentencing enhancements for—*

*(A) those convicted under section 1037 of title 18, United States Code, who—*

*(i) obtained electronic mail addresses through improper means, including—*

*(I) harvesting electronic mail addresses of the users of a website, proprietary service, or other online public forum operated by another person, without the authorization of such person; and*

*(II) randomly generating electronic mail addresses by computer; or*

*(ii) knew that the commercial electronic mail messages involved in the offense contained or advertised an Internet domain for which the registrant of the domain had provided false registration information; and*

*(B) those convicted of other offenses, including offenses involving fraud, identity theft, obscenity, child pornography, and the sexual exploitation of children, if such offenses involved the sending of large quantities of electronic mail.*

*(c) SENSE OF CONGRESS.—It is the sense of Congress that—*

*(1) Spam has become the method of choice for those who distribute pornography, perpetrate fraudulent schemes, and introduce viruses, worms, and Trojan horses into personal and business computer systems; and*

*(2) the Department of Justice should use all existing law enforcement tools to investigate and prosecute those who send bulk commercial e-mail to facilitate the commission of Federal crimes, including the tools contained in chapters 47 and 63 of title 18, United States Code (relating to fraud and false statements); chapter 71 of title 18, United States Code (relating to obscenity); chapter 110 of title 18, United States Code (relating to the sexual exploitation of children); and chapter 95 of title 18, United States Code (relating to racketeering), as appropriate.*

***SEC. 5. OTHER PROTECTIONS FOR USERS OF COMMERCIAL ELECTRONIC MAIL.***

*(a) REQUIREMENTS FOR TRANSMISSION OF MESSAGES.—*

*(1) PROHIBITION OF FALSE OR MISLEADING TRANSMISSION INFORMATION.—It is unlawful for any person to initiate the transmission, to a protected computer, of a commercial electronic mail message, or a transactional or relationship message, that contains, or is accompanied by, header information that is materially false or materially misleading. For purposes of this paragraph—*

*(A) header information that is technically accurate but includes an originating electronic mail address, domain name, or Internet Protocol address the access to which for purposes of initiating the message was obtained by means of false or fraudulent pretenses or representations shall be considered materially misleading;*

*(B) a ''from'' line (the line identifying or purporting to identify a person initiating the message) that accurately identifies any person who initiated the message shall not be considered materially false or materially misleading; and*

*(C) header information shall be considered materially misleading if it fails to identify accurately a protected computer used to initiate the message because the person initiating the message knowingly uses another protected computer to relay or retransmit the message for purposes of disguising its origin.*

*(2) PROHIBITION OF DECEPTIVE SUBJECT HEADINGS.—It is unlawful for any person to initiate the transmission to a protected computer of a commercial electronic mail message if such person has actual knowledge, or knowledge fairly implied on the basis of objective circumstances, that a subject heading of the message would be likely to mislead a recipient, acting reasonably under the circumstances, about a material fact regarding the contents or subject matter of the message (consistent with the criteria used in enforcement of section 5 of the Federal Trade Commission Act (15 U.S.C. 45)).*

*(3) INCLUSION OF RETURN ADDRESS OR COMPARABLE MECHANISM IN COMMERCIAL ELECTRONIC MAIL.—*

*(A) IN GENERAL.—It is unlawful for any person to initiate the transmission to a protected computer of a commercial electronic mail message that does not contain a functioning return electronic mail address or other Internet-based mechanism, clearly and conspicuously displayed, that—*

*(i) a recipient may use to submit, in a manner specified in the message, a reply electronic mail message or other form of Internet-based communication requesting not to receive future commercial electronic mail messages from that sender at the electronic mail address where the message was received; and*

*(ii) remains capable of receiving such messages or communications for no less than 30 days after the transmission of the original message.*

*(B) MORE DETAILED OPTIONS POSSIBLE.—The person initiating a commercial electronic mail message may comply with subparagraph (A)(i) by providing the recipient a list or menu from which the recipient may choose the specific types of commercial electronic mail messages the recipient wants to receive or does not want to receive from the sender, if the list or menu includes an option under which the recipient may choose not to receive any commercial electronic mail messages from the sender.*

*(C) TEMPORARY INABILITY TO RECEIVE MESSAGES OR PROCESS REQUESTS.—A return electronic mail address or other mechanism does not fail to satisfy the requirements of subparagraph (A) if it is unexpectedly and temporarily unable to receive messages or process requests due to a technical problem beyond the control of the sender if the problem is corrected within a reasonable time period.*

*(4) PROHIBITION OF TRANSMISSION OF COMMERCIAL ELECTRONIC MAIL AFTER OBJECTION.—*

*(A) IN GENERAL.—If a recipient makes a request using a mechanism provided pursuant to paragraph (3) not to receive some or any commercial electronic mail messages from such sender, then it is unlawful—*

*(i) for the sender to initiate the transmission to the recipient, more than 10 business days after the receipt of such request, of a commercial electronic mail message that falls within the scope of the request;*

*(ii) for any person acting on behalf of the sender to initiate the transmission to the recipient, more than 10 business days after the receipt of such request, of a commercial electronic mail message with actual knowledge, or knowledge fairly implied on the basis of objective circumstances, that such message falls within the scope of the request;*

*(iii) for any person acting on behalf of the sender to assist in initiating the transmission to the recipient, through the provision or selection of addresses to which the message will be sent, of a commercial electronic mail message with actual knowledge, or knowledge fairly implied on the basis of objective circumstances, that such message would violate clause (i) or (ii); or*

*(iv) for the sender, or any other person who knows that the recipient has made such a request, to sell, lease, exchange, or otherwise transfer or release the electronic mail address of*

*the recipient (including through any transaction or other transfer involving mailing lists bearing the electronic mail address of the recipient) for any purpose other than compliance with this Act or other provision of law.*

*(B) SUBSEQUENT AFFIRMATIVE CONSENT.—A prohibition in subparagraph (A) does not apply if there is affirmative consent by the recipient subsequent to the request under subparagraph (A).*

*(5) INCLUSION OF IDENTIFIER, OPT-OUT, AND PHYSICAL ADDRESS IN COMMERCIAL ELECTRONIC MAIL.—*

*(A) It is unlawful for any person to initiate the transmission of any commercial electronic mail message to a protected computer unless the message provides—*

*(i) clear and conspicuous identification that the message is an advertisement or solicitation;*

*(ii) clear and conspicuous notice of the opportunity under paragraph (3) to decline to receive further commercial electronic mail messages from the sender; and*

*(iii) a valid physical postal address of the sender.*

*(B) Subparagraph (A)(i) does not apply to the transmission of a commercial electronic mail message if the recipient has given prior affirmative consent to receipt of the message.*

*(6) MATERIALLY.—For purposes of paragraph (1), the term ''materially'', when used with respect to false or misleading header information, includes the alteration or concealment of header information in a manner that would impair the ability of an Internet access service processing the message on behalf of a recipient, a person alleging a violation of this section, or a law enforcement agency to identify, locate, or respond to a person who initiated the electronic mail message or to investigate the alleged violation, or the ability of a recipient of the message to respond to a person who initiated the electronic message.*

*(b) AGGRAVATED VIOLATIONS RELATING TO COMMERCIAL ELECTRONIC MAIL.—*

*(1) ADDRESS HARVESTING AND DICTIONARY ATTACKS.—*

*(A) IN GENERAL.—It is unlawful for any person to initiate the transmission, to a protected computer, of a commercial electronic mail message that is unlawful under subsection (a), or to assist in the origination of such message through the provision or selection of addresses to which the message will be transmitted, if such person had actual knowledge, or knowledge fairly implied on the basis of objective circumstances, that—*

*(i) the electronic mail address of the recipient was obtained using an automated means from an Internet website or proprietary online service operated by another person, and such website or online service included, at the time the address was obtained, a notice stating that the operator of such website or online service will not give, sell, or otherwise transfer addresses maintained by such website or online service to any other party for the purposes of initiating, or enabling others to initiate, electronic mail messages; or*

*(ii) the electronic mail address of the recipient was obtained using an automated means that generates possible electronic mail addresses by combining names, letters, or numbers into numerous permutations.*

*(B) DISCLAIMER.—Nothing in this paragraph creates an ownership or proprietary interest in such electronic mail addresses.*

*(2) AUTOMATED CREATION OF MULTIPLE ELECTRONIC MAIL ACCOUNTS.—It is unlawful for any person to use scripts or other automated means to register for multiple electronic mail accounts or online user accounts from which to transmit to a protected computer, or enable another person to transmit to a protected computer, a commercial electronic mail message that is unlawful under subsection (a).*

*(3) RELAY OR RETRANSMISSION THROUGH UNAUTHORIZED ACCESS.—It is unlawful for any person knowingly to relay or retransmit a commercial electronic mail message that is unlawful under subsection (a) from a protected computer or computer network that such person has accessed without authorization.*

*(c) SUPPLEMENTARY RULEMAKING AUTHORITY.—The Commission shall by regulation, pursuant to section 13—*

*(1) modify the 10-business-day period under subsection (a)(4)(A) or subsection (a)(4)(B), or both, if the Commission determines that a different period would be more reasonable after taking into account—*

*(A) the purposes of subsection (a);*

*(B) the interests of recipients of commercial electronic mail; and*

*(C) the burdens imposed on senders of lawful commercial electronic mail; and*

*(2) specify additional activities or practices to which subsection (b) applies if the Commission determines that those activities or practices are contributing substantially to the proliferation of commercial electronic mail messages that are unlawful under subsection (a).*

*(d) REQUIREMENT TO PLACE WARNING LABELS ON COMMERCIAL ELECTRONIC MAIL CONTAINING SEXUALLY ORIENTED MATERIAL.—*

*(1) IN GENERAL.—No person may initiate in or affecting interstate commerce the transmission, to a protected computer, of any commercial electronic mail message that includes sexually oriented material and—*

*(A) fail to include in subject heading for the electronic mail message the marks or notices prescribed by the Commission under this subsection; or*

*(B) fail to provide that the matter in the message that is initially viewable to the recipient, when the message is opened by any recipient and absent any further actions by the recipient, includes only—*

*(i) to the extent required or authorized pursuant to paragraph (2), any such marks or notices;*

*(ii) the information required to be included in the message pursuant to subsection (a)(5); and*

*(iii) instructions on how to access, or a mechanism to access, the sexually oriented material.*

*(2) PRIOR AFFIRMATIVE CONSENT.—Paragraph (1) does not apply to the transmission of an electronic mail message if the recipient has given prior affirmative consent to receipt of the message.*

*(3) PRESCRIPTION OF MARKS AND NOTICES.—Not later than 120 days after the date of the enactment of this Act, the Commission in consultation with the Attorney General shall prescribe clearly identifiable marks or notices to be included in or associated with commercial electronic mail that contains sexually oriented material, in order to inform the recipient of that fact and to facilitate filtering of such electronic mail. The Commission shall publish in the Federal Register and provide notice to the public of the marks or notices prescribed under this paragraph.*

*(4) DEFINITION.—In this subsection, the term ''sexually oriented material'' means any material that depicts sexually explicit conduct (as that term is defined in section 2256 of title 18, United States Code), unless the depiction constitutes a small and insignificant part of the whole, the remainder of which is not primarily devoted to sexual matters.*

*(5) PENALTY.—Whoever knowingly violates paragraph (1) shall be fined under title 18, United States Code, or imprisoned not more than 5 years, or both.*

***SEC. 6. BUSINESSES KNOWINGLY PROMOTED BY ELECTRONIC MAIL WITH FALSE OR MISLEADING TRANSMISSION INFORMATION.***

*(a) IN GENERAL.—It is unlawful for a person to promote, or allow the promotion of, that person's trade or business, or goods, products, property, or services sold, offered for sale, leased or offered for lease, or otherwise made available through that trade or business, in a commercial electronic mail message the transmission of which is in violation of section 5(a)(1) if that person—*

*(1) knows, or should have known in the ordinary course of that person's trade or business, that the goods, products, property, or services sold, offered for sale, leased or offered for lease, or otherwise made available through that trade or business were being promoted in such a message;*

*(2) received or expected to receive an economic benefit from such promotion; and*

*(3) took no reasonable action—*

*(A) to prevent the transmission; or*

*(B) to detect the transmission and report it to the Commission.*

*(b) LIMITED ENFORCEMENT AGAINST THIRD PARTIES.—*

*(1) IN GENERAL.—Except as provided in paragraph (2), a person (hereinafter referred to as the ''third party'') that provides goods, products, property, or services to another person that violates subsection (a) shall not be held liable for such violation.*

*(2) EXCEPTION.—Liability for a violation of subsection (a) shall be imputed to a third party that provides goods, products, property, or services to another person that violates subsection (a) if that third party—*

*(A) owns, or has a greater than 50 percent ownership or economic interest in, the trade or business of the person that violated subsection (a); or*

*(B)(i) has actual knowledge that goods, products, property, or services are promoted in a commercial electronic mail message the transmission of which is in violation of section 5(a)(1); and*

*(ii) receives, or expects to receive, an economic benefit from such promotion.*

*(c) EXCLUSIVE ENFORCEMENT BY FTC.—Subsections (f) and (g) of section 7 do not apply to violations of this section.*

*(d) SAVINGS PROVISION.—Except as provided in section 7(f)(8), nothing in this section may be construed to limit or prevent any action that may be taken under this Act with respect to any violation of any other section of this Act.*

***SEC. 7. ENFORCEMENT GENERALLY.***

*(a) VIOLATION IS UNFAIR OR DECEPTIVE ACT OR PRACTICE.—Except as provided in subsection (b), this Act shall be enforced by the Commission as if the violation of this Act were an unfair or deceptive act or practice proscribed under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).*

*(b) ENFORCEMENT BY CERTAIN OTHER AGENCIES.—Compliance with this Act shall be enforced—*

*(1) under section 8 of the Federal Deposit Insurance Act (12 U.S.C. 1818), in the case of—*

*(A) national banks, and Federal branches and Federal agencies of foreign banks, by the Office of the Comptroller of the Currency;*

*(B) member banks of the Federal Reserve System (other than national banks), branches and agencies of foreign banks (other than Federal branches, Federal agencies, and insured State branches of foreign banks), commercial lending companies owned or controlled by foreign banks, organizations operating under section 25 or 25A of the Federal Reserve Act (12 U.S.C. 601 and 611), and bank holding companies, by the Board;*

*(C) banks insured by the Federal Deposit Insurance Corporation (other than members of the Federal Reserve System) insured State branches of foreign banks, by the Board of Directors of the Federal Deposit Insurance Corporation; and*

*(D) savings associations the deposits of which are insured by the Federal Deposit Insurance Corporation, by the Director of the Office of Thrift Supervision;*

*(2) under the Federal Credit Union Act (12 U.S.C. 1751 et seq.) by the Board of the National Credit Union Administration with respect to any Federally insured credit union;*

*(3) under the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) by the Securities and Exchange Commission with respect to any broker or dealer;*

*(4) under the Investment Company Act of 1940 (15 U.S.C. 80a–1 et seq.) by the Securities and Exchange Commission with respect to investment companies;*

*(5) under the Investment Advisers Act of 1940 (15 U.S.C. 80b–1 et seq.) by the Securities and Exchange Commission with respect to investment advisers registered under that Act;*

*(6) under State insurance law in the case of any person engaged in providing insurance, by the applicable State insurance authority of the State in which the person is domiciled, subject to section 104 of the Gramm-Bliley-Leach Act (15 U.S.C. 6701), except that in any State in which the State insurance authority elects not to exercise this power, the enforcement authority pursuant to this Act shall be exercised by the Commission in accordance with subsection (a);*

*(7) under part A of subtitle VII of title 49, United States Code, by the Secretary of Transportation with respect to any air carrier or foreign air carrier subject to that part;*

*(8) under the Packers and Stockyards Act, 1921 (7 U.S.C. 181 et seq.) (except as provided in section 406 of that Act (7 U.S.C. 226, 227)), by the Secretary of Agriculture with respect to any activities subject to that Act;*

*(9) under the Farm Credit Act of 1971 (12 U.S.C. 2001 et seq.) by the Farm Credit Administration with respect to any Federal land bank, Federal land bank association, Federal intermediate credit bank, or production credit association; and*

*(10) under the Communications Act of 1934 (47 U.S.C. 151 et seq.) by the Federal Communications Commission with respect to any person subject to the provisions of that Act.*

*(c) EXERCISE OF CERTAIN POWERS.—For the purpose of the exercise by any agency referred to in subsection (b) of its powers under any Act referred to in that subsection, a violation of this Act is deemed to be a violation of a Federal Trade Commission trade regulation rule. In addition to its powers under any provision of law specifically referred to in subsection (b), each of the agencies referred to in that subsection may exercise, for the purpose of enforcing compliance with any requirement imposed under this Act, any other authority conferred on it by law.*

*(d) ACTIONS BY THE COMMISSION.—The Commission shall prevent any person from violating this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act. Any entity that violates any provision of that subtitle is subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act in the same manner, by the same means, and with the same jurisdiction, power, and duties as though all applicable terms and provisions of the Federal Trade Commission Act were incorporated into and made a part of that subtitle.*

*(e) AVAILABILITY OF CEASE-AND-DESIST ORDERS AND INJUNCTIVE RELIEF WITHOUT SHOWING OF KNOWLEDGE.—Notwithstanding any other provision of this Act, in any proceeding or action pursuant to subsection (a), (b), (c), or (d) of this section to enforce compliance, through an order to cease and desist or an injunction, with section 5(a)(1)(C), section 5(a)(2), clause (ii), (iii), or (iv) of section 5(a)(4)(A), section 5(b)(1)(A), or section 5(b)(3), neither the Commission nor the Federal Communications Commission shall be required to allege or prove the state of mind required by such section or subparagraph.*

*(f) ENFORCEMENT BY STATES.—*

*(1) CIVIL ACTION.—In any case in which the attorney general of a State, or an official or agency of a State, has reason to believe that an interest of the residents of that State has been or is threatened or adversely affected by any person who violates paragraph (1) or (2) of section 5(a), who violates section 5(d), or who engages in a pattern or practice that violates paragraph (3), (4), or (5) of section 5(a), of this Act, the attorney general, official, or agency of the State, as parens patriae, may bring a civil action on behalf of the residents of the State in a district court of the United States of appropriate jurisdiction—*

*(A) to enjoin further violation of section 5 of this Act by the defendant; or*

*(B) to obtain damages on behalf of residents of the State, in an amount equal to the greater of—*

*(i) the actual monetary loss suffered by such residents; or*

*(ii) the amount determined under paragraph (3).*

*(2) AVAILABILITY OF INJUNCTIVE RELIEF WITHOUT SHOWING OF KNOWLEDGE.—Notwithstanding any other provision of this Act, in a civil action under paragraph (1)(A) of this subsection, the attorney general, official, or agency of the State shall not be required to allege or prove the state of mind required by section 5(a)(1)(C), section 5(a)(2), clause (ii), (iii), or (iv) of section 5(a)(4)(A), section 5(b)(1)(A), or section 5(b)(3).*

*(3) STATUTORY DAMAGES.—*

*(A) IN GENERAL.—For purposes of paragraph (1)(B)(ii), the amount determined under this paragraph is the amount calculated by multiplying the number of violations (with each separately addressed unlawful message received by or addressed to such residents treated as a separate violation) by up to $250.*

*(B) LIMITATION.—For any violation of section 5 (other than section 5(a)(1)), the amount determined under subparagraph (A) may not exceed $2,000,000.*

*(C) AGGRAVATED DAMAGES.—The court may increase a damage award to an amount equal to not more than three times the amount otherwise available under this paragraph if—*

*(i) the court determines that the defendant committed the violation willfully and knowingly; or*

*(ii) the defendant's unlawful activity included one or more of the aggravating violations set forth in section 5(b).*

*(D) REDUCTION OF DAMAGES.—In assessing damages under subparagraph (A), the court may consider whether—*

*(i) the defendant has established and implemented, with due care, commercially reasonable practices and procedures designed to effectively prevent such violations; or*

*(ii) the violation occurred despite commercially reasonable efforts to maintain compliance the practices and procedures to which reference is made in clause (i).*

*(4) ATTORNEY FEES.—In the case of any successful action under paragraph (1), the court, in its discretion, may award the costs of the action and reasonable attorney fees to the State.*

*(5) RIGHTS OF FEDERAL REGULATORS.—The State shall serve prior written notice of any action under paragraph (1) upon the Federal Trade Commission or the appropriate Federal regulator determined under subsection (b) and provide the Commission or appropriate Federal regulator with a copy of its complaint, except in any case in which such prior notice is not feasible, in which case the State shall serve such notice immediately upon instituting such action. The Federal Trade Commission or appropriate Federal regulator shall have the right—*

*(A) to intervene in the action;*

*(B) upon so intervening, to be heard on all matters arising therein;*

*(C) to remove the action to the appropriate United States district court; and*

*(D) to file petitions for appeal.*

*(6) CONSTRUCTION.—For purposes of bringing any civil action under paragraph (1), nothing in this Act shall be construed to prevent an attorney general of a State from exercising the powers conferred on the attorney general by the laws of that State to—*

*(A) conduct investigations;*

*(B) administer oaths or affirmations; or*

*(C) compel the attendance of witnesses or the production of documentary and other evidence.*

*(7) VENUE; SERVICE OF PROCESS.—*

*(A) VENUE.—Any action brought under paragraph (1) may be brought in the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.*

*(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—*

*(i) is an inhabitant; or*

*(ii) maintains a physical place of business.*

*(8) LIMITATION ON STATE ACTION WHILE FEDERAL ACTION IS PENDING.—If the Commission, or other appropriate Federal agency under subsection (b), has instituted a civil action or an administrative action for violation of this Act, no State attorney general, or official or agency of a State, may bring an action under this subsection during the pendency of that action against any defendant named in the complaint of the Commission or the other agency for any violation of this Act alleged in the complaint.*

*(9) REQUISITE SCIENTER FOR CERTAIN CIVIL ACTIONS.—Except as provided in section 5(a)(1)(C), section 5(a)(2), clause (ii), (iii), or (iv) of section 5(a)(4)(A), section 5(b)(1)(A), or section 5(b)(3), in a civil action brought by a State attorney general, or an official or agency of a State, to recover monetary damages for a violation of this Act, the court shall not grant the relief sought unless the attorney general, official, or agency establishes that the defendant acted with actual knowledge, or knowledge fairly implied on the basis of objective circumstances, of the act or omission that constitutes the violation.*

*(g) ACTION BY PROVIDER OF INTERNET ACCESS SERVICE.—*

*(1) ACTION AUTHORIZED.—A provider of Internet access service adversely affected by a violation of section 5(a)(1), 5(b), or 5(d), or a pattern or practice that violates paragraph (2), (3), (4), or (5) of section 5(a), may bring a civil action in any district court of the United States with jurisdiction over the defendant—*

*(A) to enjoin further violation by the defendant; or*

*(B) to recover damages in an amount equal to the greater of—*

*(i) actual monetary loss incurred by the provider of Internet access service as a result of such violation; or*

*(ii) the amount determined under paragraph (3).*

*(2) SPECIAL DEFINITION OF ''PROCURE''.—In any action brought under paragraph (1), this Act shall be applied as if the definition of the term ''procure'' in section 3(12) contained, after ''behalf'' the words ''with actual knowledge, or by consciously avoiding knowing, whether such person is engaging, or will engage, in a pattern or practice that violates this Act''.*

*(3) STATUTORY DAMAGES.—*

*(A) IN GENERAL.—For purposes of paragraph (1)(B)(ii), the amount determined under this paragraph is the amount calculated by multiplying the number of violations (with each separately addressed unlawful message that is transmitted or attempted to be transmitted over the facilities of the provider of Internet access service, or that is transmitted or attempted to be transmitted to an electronic mail address obtained from the provider of Internet access service in violation of section 5(b)(1)(A)(i), treated as a separate violation) by—*

*(i) up to $100, in the case of a violation of section 5(a)(1); or*

*(ii) up to $25, in the case of any other violation of section 5.*

*(B) LIMITATION.—For any violation of section 5 (other than section 5(a)(1)), the amount determined under subparagraph (A) may not exceed $1,000,000.*

*(C) AGGRAVATED DAMAGES.—The court may increase a damage award to an amount equal to not more than three times the amount otherwise available under this paragraph if—*

*(i) the court determines that the defendant committed the violation willfully and knowingly; or*

*(ii) the defendant's unlawful activity included one or more of the aggravated violations set forth in section 5(b).*

*(D) REDUCTION OF DAMAGES.—In assessing damages under subparagraph (A), the court may consider whether—*

*(i) the defendant has established and implemented, with due care, commercially reasonable practices and procedures designed to effectively prevent such violations; or*

*(ii) the violation occurred despite commercially reasonable efforts to maintain compliance with the practices and procedures to which reference is made in clause (i).*

*(4) ATTORNEY FEES.—In any action brought pursuant to paragraph (1), the court may, in its discretion, require an undertaking for the payment of the costs of such action, and assess reasonable costs, including reasonable attorneys' fees, against any party.*

***SEC. 8. EFFECT ON OTHER LAWS.***

*(a) FEDERAL LAW.—(1) Nothing in this Act shall be construed to impair the enforcement of section 223 or 231 of the Communications Act of 1934 (47 U.S.C. 223 or 231, respectively), chapter 71 (relating to obscenity) or 110 (relating to sexual exploitation of children) of title 18, United States Code, or any other Federal criminal statute.*

*(2) Nothing in this Act shall be construed to affect in any way the Commission's authority to bring enforcement actions under FTC Act for materially false or deceptive representations or unfair practices in commercial electronic mail messages.*

*(b) STATE LAW.—*

*(1) IN GENERAL.—This Act supersedes any statute, regulation, or rule of a State or political subdivision of a State that expressly regulates the use of electronic mail to send commercial messages, except to the extent that any such statute, regulation, or rule prohibits falsity or deception in any portion of a commercial electronic mail message or information attached thereto.*

*(2) STATE LAW NOT SPECIFIC TO ELECTRONIC MAIL.—This Act shall not be construed to preempt the applicability of—*

*(A) State laws that are not specific to electronic mail, including State trespass, contract, or tort law; or*

*(B) other State laws to the extent that those laws relate to acts of fraud or computer crime.*

*(c) NO EFFECT ON POLICIES OF PROVIDERS OF INTERNET ACCESS SERVICE.—Nothing in this Act shall be construed to have any effect on the lawfulness or unlawfulness, under any other provision of law, of the adoption, implementation, or enforcement by a provider of Internet access service of a policy of declining to transmit, route, relay, handle, or store certain types of electronic mail messages.*

***SEC. 9. DO-NOT-E-MAIL REGISTRY.***

*(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Commission shall transmit to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce a report that—*

*(1) sets forth a plan and timetable for establishing a nationwide marketing Do-Not-E-Mail registry;*

*(2) includes an explanation of any practical, technical, security, privacy, enforceability, or other concerns that the Commission has regarding such a registry; and*

*(3) includes an explanation of how the registry would be applied with respect to children with e-mail accounts.*

*(b) AUTHORIZATION TO IMPLEMENT.—The Commission may establish and implement the plan, but not earlier than 9 months after the date of enactment of this Act.*

***SEC. 10. STUDY OF EFFECTS OF COMMERCIAL ELECTRONIC MAIL.***

*(a) IN GENERAL.—Not later than 24 months after the date of the enactment of this Act, the Commission, in consultation with the Department of Justice and other appropriate agencies, shall submit a report to the Congress that provides a detailed analysis of the effectiveness and enforcement of the provisions of this Act and the need (if any) for the Congress to modify such provisions.*

*(b) REQUIRED ANALYSIS.—The Commission shall include in the report required by subsection (a)—*

*(1) an analysis of the extent to which technological and marketplace developments, including changes in the nature of the devices through which consumers access their electronic mail messages, may affect the practicality and effectiveness of the provisions of this Act;*

*(2) analysis and recommendations concerning how to address commercial electronic mail that originates in or is transmitted through or to facilities or computers in other nations, including initiatives or policy positions that the Federal Government could pursue through international negotiations, fora, organizations, or institutions; and*

*(3) analysis and recommendations concerning options for protecting consumers, including children, from the receipt and viewing of commercial electronic mail that is obscene or pornographic.*

***SEC. 11. IMPROVING ENFORCEMENT BY PROVIDING REWARDS FOR INFORMATION ABOUT VIOLATIONS; LABELING.***

*The Commission shall transmit to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce—*

*(1) a report, within 9 months after the date of enactment of this Act, that sets forth a system for rewarding those who supply information about violations of this Act, including—*

*(A) procedures for the Commission to grant a reward of not less than 20 percent of the total civil penalty collected for a violation of this Act to the first person that—*

*(i) identifies the person in violation of this Act; and*

*(ii) supplies information that leads to the successful collection of a civil penalty by the Commission; and*

*(B) procedures to minimize the burden of submitting a complaint to the Commission concerning violations of this Act, including procedures to allow the electronic submission of complaints to the Commission; and*

*(2) a report, within 18 months after the date of enactment of this Act, that sets forth a plan for requiring commercial electronic mail to be identifiable from its subject line, by means of compliance with Internet Engineering Task Force Standards, the use of the characters ''ADV'' in the subject line, or other comparable identifier, or an explanation of any concerns the Commission has that cause the Commission to recommend against the plan.*

***SEC. 12. RESTRICTIONS ON OTHER TRANSMISSIONS.***

*Section 227(b)(1) of the Communications Act of 1934 (47 U.S.C. 227(b)(1)) is amended, in the matter preceding subparagraph (A), by inserting '', or any person outside the United States if the recipient is within the United States'' after ''United States''.*

***SEC. 13. REGULATIONS.***

*(a) IN GENERAL.—The Commission may issue regulations to implement the provisions of this Act (not including the amendments made by sections 4 and 12). Any such regulations shall be issued in accordance with section 553 of title 5, United States Code.*

*(b) LIMITATION.—Subsection (a) may not be construed to authorize the Commission to establish a requirement pursuant to section 5(a)(5)(A) to include any specific words, characters, marks, or labels in a commercial electronic mail message, or to include the identification required by section 5(a)(5)(A) in any particular part of such a mail message (such as the subject line or body).*

***SEC. 14. APPLICATION TO WIRELESS.***

*(a) EFFECT ON OTHER LAW.—Nothing in this Act shall be interpreted to preclude or override the applicability of section 227 of the Communications Act of 1934 (47 U.S.C. 227) or the rules prescribed under section 3 of the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6102).*

*(b) FCC RULEMAKING.—The Federal Communications Commission, in consultation with the Federal Trade Commission, shall promulgate rules within 270 days to protect consumers from unwanted mobile service commercial messages. The Federal Communications Commission, in promulgating the rules, shall, to the extent consistent with subsection (c)—*

*(1) provide subscribers to commercial mobile services the ability to avoid receiving mobile service commercial messages unless the subscriber has provided express prior authorization to the sender, except as provided in paragraph (3);*

*(2) allow recipients of mobile service commercial messages to indicate electronically a desire not to receive future mobile service commercial messages from the sender;*

*(3) take into consideration, in determining whether to subject providers of commercial mobile services to paragraph (1), the relationship that exists between providers of such services and their subscribers, but if the Commission determines that such providers should not be subject to paragraph (1), the rules shall require such providers, in addition to complying with the other provisions of this Act, to allow subscribers to indicate a desire not to receive future mobile service commercial messages from the provider—*

*(A) at the time of subscribing to such service; and*

*(B) in any billing mechanism; and*

*(4) determine how a sender of mobile service commercial messages may comply with the provisions of this Act, considering the unique technical aspects, including the functional and character limitations, of devices that receive such messages.*

*(c) OTHER FACTORS CONSIDERED.—The Federal Communications Commission shall consider the ability of a sender of a commercial electronic mail message to reasonably determine that the message is a mobile service commercial message.*

*(d) MOBILE SERVICE COMMERCIAL MESSAGE DEFINED.—In this section, the term ''mobile service commercial message'' means a commercial electronic mail message that is transmitted directly to a wireless device that is utilized by a subscriber of commercial mobile service (as such term is defined in section 332(d) of the Communications Act of 1934 (47 U.S.C. 332(d))) in connection with such service.*

***SEC. 15. SEPARABILITY.***

*If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of this Act and the application of such provision to other persons or circumstances shall not be affected.*

***SEC. 16. EFFECTIVE DATE.***

*The provisions of this Act, other than section 9, shall take effect on January 1, 2004.*

Mr. TAUZIN (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment to the House amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. SENSENBRENNER. Mr. Speaker, I rise in support of the bill S. 877, as returned by the

Senate with technical changes. I urge my colleagues to pass once more and send it on to the President.

The House of Representatives passed this legislation previously on November 21, 2003. The changes made herein to the language are not substantive departures from what previously passed the House, but are merely necessary to correct minor errors in the drafting to accurately reflect the will of Congress.

Taking the final legislative step today necessary to put into law a unified federal approach to the problem of unsolicited commercial email or ''spam'' represents an important moment in protecting children and the ''inboxes'' of millions of Americans.

The bill provides consumers with more information and choices to stop receiving all forms of unwanted commercial email and provides federal and state officials and providers on Internet access with the tools to go after spammers. As I noted previously, the criminal provisions contained in this legislation are central to its purpose. In order to provide a credible deterrent against spamming, this legislation establishes enhanced criminal penalties for predatory spamming and provides law enforcement personnel far more authority to prosecute spammers whose electronic presence can shift with a keystroke.

I believe this legislation will take a bite out of spam and spammers, and it will have some effect in reducing the type and amount of spam that online users deal with today. However, it is not a panacea. In the midst of speaking about the positive things that S. 877 does, it is important to put all concerned on notice that no legislation, no matter how severe, can stop spam entirely. The most hard core group of problematic spammers already operate sometimes in defiance of multiple laws and it will take time and effort to track down even those within the reach of U.S. jurisdiction. Furthermore, policy makers should be wary of any ''soundbite'' legislative or regulatory approach to this problem that promises to end all spam—because such an approach would surely have drastic consequences for free speech and the legitimate forms of e-mail that consumers want and use.

Consumers and their Internet service providers can do far more to protect the nation's inboxes from unsolicited e-mail than any law that can be passed here or in state capitals. Already, consumers who take full advantage of existing firewalls, blocking software, and ''challenge/response'' protocols enjoy a dramatically reduced amount of spam—and many of these options are free or included in the package of services offered by their Internet access provider.

Ultimately, spam will be stopped by a combination of new technology, consumer awareness, ISP filtering, and trusted sender systems for legitimate senders of commercial e-mail—with laws and regulation merely setting the outer boundaries of illegitimate e-mail practices. In the interim, this legislation will help fill the gap. I encourage those plagued by unwanted e-mail today to take advantage of the practices and technologies that are proven to reduce spam as well as the remedies provided under this law and others.

Mr. Speaker, I am pleased that the House today is sending the final version of this important anti-fraud and consumer protection measure on to the President, and the President has indicated he will sign the bill. I urge my colleagues to support the legislation.

Mr. MARKEY. Mr. Speaker, I rise in support of S. 877, spam legislation that we bring to the House Floor today in a final version that incorporates technical and other changes since the House sent to the Senate a compromise bill on November 21.

Mr. Speaker, as I noted in remarks back in November, this legislation reflects a series of agreements between advocates for the two alternative House spam bills—one offered by Chairman TAUZIN, and the other offered by Ms. WILSON and Mr. GREEN of which I am an original cosponsor, as well as a series of compromises with our Senate counterparts. While not a perfect bill, I believe it merits support.

Mr. Speaker, this legislation now contains the Markey amendment on wireless spam, which originated in the House amendments to the Senate-passed bill. The reason I offered this amendment for inclusion in the House-passed bill is that I wanted wireless consumers to have greater protection than that which was accorded in the version of S. 877 which the Senate passed previously.

Indeed, during the summer the Energy and Commerce Committee held a hearing on spam at which I raised the prospect of wireless spam and the likelihood that it was a problem wireless consumers were beginning to see. At that time, neither the Tauzin-Burr spam bill, nor the Wilson-Green spam bill, continued wireless specific provisions to address this issue head-on.

Unsolicited wireless text messages have plagued wireless users in Europe, South Korea, and Japan over the last few years as wireless companies in such countries have offered wireless messaging services. According to published reports that came to our attention as we were deliberating upon the spam issue, NTT DoCoMo estimated that its wireless network processes some 800 million wireless spam messages a day.

As cumbersome and annoying as spam to a desktop computer is, at least a consumer can turn off their computer and walk away. Wireless spam is even more intrusive because spam to wireless phones is the kind of spam that follows you wherever you go and according to U.S. wireless carriers, is already on the rise.

For this reason, in order to safeguard consumer privacy in a way that reflects the more intrusive nature of wireless spam to the user than spam is to a desktop computer, which is immobile and for which the user may pay some type of ''per message'' fee, the bill tasks the FCC with tackling this issue now, before it overwhelms users and network operators alike. The same type of rules that are applicable to commercial e-mail messages sent to personal computers will clearly also apply to those sent to wireless devices, including mobile phones, and the general provisions of the bill would apply to wireless messages as they would to similar messages sent to a desktop computer. Section 14 of the bill builds upon this legislative foundation and puts in place additional protections and modifications. It requires an FCC rulemaking to assess and put in place additional consumer protections. The bill doesn't needlessly or unduly burden wireline network operators—and wireless carriers should not see such burdens implemented as part of Section 14 to the extent to which they are acting as carriers. Of course, these same wireless carriers may also be senders of spam themselves, and the bill spells out how such messages should be dealt with and includes the FCC proceeding in Section 14 to address issues particular to wireless services.

Again, Mr. Speaker, Federal spam legislation ought to reflect the particular characteristics of wireless technology and use, and this bill will allow the FCC to promulgate rules requiring a consumer ''opt-in'' for certain wireless e-mail messages. In addition, this proceeding permits the FCC to examine the nature of a consumer's relationship with their wireless phone and service to take into account the potentially unique technical characteristics which may warrant wireless-specific rules.

In addition, the wireless spam provision requests that the FCC consider the ability of an initiator of spam to reasonably determine whether an electronic mail message is a mobile service commercial message. Obviously, as wireless service evolves, more and more consumers will receive Internet e-mails via their commercial mobile service provider's network and directly to their wireless device. If a person has an e-mail address from their commercial mobile service provider and it can be readily identified as a wireless address, such as name@verizonwireless.net or name@wireless.net, then the reasonable ability of a potential spammer to recognize that as such is relatively easy. Hopefully, commercial mobile service providers—and consumers—will see the benefit of having an e-mail address that can be reasonably determined to be a wireless address, so that the prospect of massive amounts of spam to consumers over wireless networks can be thwarted and consumers can enjoy the benefits of entities needing their express prior authorization before sending them wireless spam.

Spam sent to a desktop computer e-mail address, and which is then forwarded over a wireless network to a wireless device, i.e., delivered ''indirectly'' from the initiator to the wireless device, would be treated by the rest of this bill and not by the additional Section 14 wireless-specific provisions we subject to an FCC rulemaking.

This legislation also represents an improvement in other areas over the Senate-passed bill. For example, the compromise doubles the damage caps in the Senate bill. It also eliminates the knowledge standards for the Federal Communications Commission (FCC), the Federal Trade Commission (FTC) and state Attorney General injunctive relief. The bill provides for rulemaking authority to clarify and tighten the definition of what constitutes a ''commercial e-mail.'' Requires that identifiers and a postal address must be on all commercial e-mails to desktop computers. Finally, the bill also shortens the time frame from which an ''opt-out'' request would become enforceable.

All of these represent important improvements over the Senate bill.

I want to commend Chairman TAUZIN and Ranking Member DINGELL for their excellent work in this area. I want to salute Representatives HEATHER WILSON and GENE GREEN for spearheading House spam efforts in this session as well as in the previous Congress as the lead sponsors of the House bill.

I yield back the balance of my time.

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

There was no objection.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 877.

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

There was no objection.

## DEFENSE PRODUCTION ACT REAUTHORIZATION OF 2003

Mr. NEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1680), to reauthorize the Defense Production Act of 1950, and for other purposes, with a Senate amendment to the House amendment thereto, and concur in the Senate amendment to the House amendment.

The Clerk read the title of the Senate bill.

The Clerk read the Senate amendment to the House amendment, as follows:

Senate amendment to House amendment:

Page 6, strike line 1 and all that follows over to and including line 2 on page 7, of the House engrossed amendment, and insert:

***SEC. 7. REPORT ON IMPACT OF OFFSETS ON DOMESTIC CONTRACTORS AND LOWER TIER SUBCONTRACTORS.***

*(a) EXAMINATION OF IMPACT REQUIRED.—*

*(1) IN GENERAL.—As part of the annual report required under section 309(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2099(a)), the Secretary of Commerce (in this section referred to as the ''Secretary'') shall—*

*(A) detail the number of foreign contracts involving domestic contractors that use offsets, industrial participation agreements, or similar arrangements during the preceding 5-year period;*

*(B) calculate the aggregate, median, and mean values of the contracts and the offsets, industrial participation agreements, and similar arrangements during the preceding 5-year period; and*

*(C) describe the impact of international or foreign sales of United States defense products and related offsets, industrial participation agreements, and similar arrangements on domestic prime contractors and, to the extent practicable, the first 3 tiers of domestic contractors and subcontractors during the preceding 5-year period in terms of domestic employment, including any job losses, on an annual basis.*

*(2) USE OF INTERNAL DOCUMENTS.—To the extent that the Department of Commerce is already in possession of relevant data, the Department shall use internal documents or existing departmental records to carry out paragraph (1).*

*(3) INFORMATION FROM NON-FEDERAL ENTITIES.—*

*(A) EXISTING INFORMATION.—In carrying out paragraph (1), the Secretary shall only require a non-Federal entity to provide information that is available through the existing data collection and reporting systems of that non-Federal entity.*

*(B) FORMAT.—The Secretary may require a non-Federal entity to provide information to the Secretary in the same form that is already provided to a foreign government in fulfilling an offset arrangement, industrial participation agreement, or similar arrangement.*

*(b) REPORT.—*

*(1) IN GENERAL.—Before the end of the 8-month period beginning on the date of enactment of this Act, the Secretary shall submit to Congress a report containing the findings and conclusions of the Secretary with regard to the examination made pursuant to subsection (a).*

*(2) COPIES OF REPORT.—The Secretary shall also transmit copies of the report prepared under paragraph (1) to the United States Trade Representative and the interagency team established pursuant to section 123(c) of the Defense Production Act Amendments of 1992 (50 U.S.C. App. 2099 note).*

*(c) RESPONSIBILITIES REGARDING CONSULTATION WITH FOREIGN NATIONS.—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.—*

*''(A) IN GENERAL.—It is the policy of Congress that the President shall designate a chairman of an interagency team comprised of the Secretary of Commerce, Secretary of Defense, United States Trade Representative, Secretary of Labor, and Secretary of State to consult with foreign nations on limiting the adverse effects of offsets in defense procurement without damaging the economy or the defense industrial base of the United States or United States defense production or defense preparedness.*

*''(B) MEETINGS.—The President shall direct the interagency team to meet on a quarterly basis.*

*''(C) REPORTS.—The President shall direct the interagency team to submit to Congress an annual report, to be included as part of the report required under section 309(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2099(a)), that describes the results of the consultations of the interagency team under subparagraph (A) and the meetings of the interagency team under subparagraph (B).*

*''(2) RECOMMENDATIONS FOR MODIFICATIONS.—The interagency team shall submit to the President any recommendations for modifications of any existing or proposed memorandum of understanding between officials acting on behalf of the United States and 1 or more foreign countries (or any instrumentality of a foreign country) relating to—*

*''(A) research, development, or production of defense equipment; or*

*''(B) the reciprocal procurement of defense items.''.*

Mr. NEY (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment to the House amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

Mr. CARDIN. Mr. Speaker, reserving the right to object, because I believe we are getting near the end of the business of this session of Congress, and at least on this side, we are not aware of whether the majority will allow unanimous consent requests in regard to the unemployment compensation extensions.

As my colleagues know, at the end of this month, we will expire the Federal Unemployment Compensation Program, and 80,000 to 90,000 individuals a week will exhaust their State unemployment benefits and will not be entitled to any Federal relief.

So I was wondering if the gentleman could just advise us as to whether the majority is prepared to allow unanimous consent requests, since there are no further recorded votes, I believe, anticipated today, so that we could at least bring up the extension of the unemployment compensation benefits to deal with the people who cannot find employment.

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

Mr. CARDIN. I yield to the gentleman from Ohio.

Mr. NEY. Mr. Speaker, on this particular issue I am actually standing in for the gentleman from Ohio (Chairman OXLEY) on this particular unanimous consent bill. As far as the rest, that goes above my pay grade, but I am sure that our side will be more than happy to talk to your side.

Mr. OXLEY. Mr. Speaker, I rise in strong support of S. 1680, the Defense Production Act Reauthorization of 2003, and urge its adoption. The bill before the House is largely the same as H.R. 1280, and passed last spring by the Committee on Financial Services, and is the result of broad bipartisan and bicameral efforts to reauthorize and update this important Act.

Mr. Speaker, when the House acts today to send the bill to the President, it will be completing Congressional action that should have taken place no later than the end of September. The authorities in this Act are too important for the Nation to have been without them for the nine weeks.

That said, Mr. Speaker, what is before the House today is a very good product. First and foremost, it reauthorizes the Defense Production Act for five years. This is important for two reasons: Firstly, as the nation faces the uncertain times ahead, it will be important for the President to have the authorities in the Act, and secondly, because it will give Congress an opportunity to consider some much-needed modernization of the DPA decoupled from reauthorization cycle. It is my intent to ask the President to take the next year to ponder what sorts of modernization of the DPA is necessary, with the idea that any action on those or other recommendations would take place in the first session of the next Congress.

The bill we are considering today also adds as a specific goal of the DPA the protection of the nation's critical infrastructure. Given the increasing dependence of the nation's defense, financial services and in fact the fabric of our daily lives on our critical infrastructure, I believe this addition is both wise and important.

Finally, in addition to some other minor additions, the bill before us increases on a one-time basis the funding ceiling for a program to enhance the nation's ability to produce radiation-hardened electronics for use in, for example, defense satellites. This program is an example of one of the most important aspects of the DPA: creating a U.S. defense production capability where none now exists.

Most important of all of these, Mr. Speaker, is the reauthorization itself. The DPA is the tool that the President uses to meet a specific national security need—protective gear for our troops overseas, or specialized communications equipment—should we have a shortfall in

supplies. The DPA is also one of the President's prime tools should there be another terrorist attack, and can be important in the case of natural disasters.

I hope, Mr. Speaker, that we can undertake any needed reforms of the Act at the beginning of the first session of the next Congress, and then extend the authorization beyond 2008 at that point, so that these important authorities remain available to protect America, Americans and, and American interests, uninterrupted.

In closing, Mr. Speaker, I would like to commend the excellent and diligent work of the gentleman from New York (Mr. KING), Chairman of the Subcommittee on Domestic and International Monetary Policy, Trade and Technology, the gentlelady from New York, (Mrs. MALONEY), and the ranking member of the full Committee, the gentleman from Massachusetts (Mr. FRANK), for their assistance in passing this important bill. With that, I yield back the balance of my time and urge immediate passage of S. 1680.

Mr. CARDIN. Mr. Speaker, I withdraw my reservation of objection at this point, and maybe we will have a chance a little bit later to talk about this.

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

There was no objection.

A motion to reconsider was laid on the table.

## PARLIAMENTARY INQUIRY

Ms. HOOLEY of Oregon. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state her parliamentary inquiry.

Ms. HOOLEY of Oregon. If the majority leadership agrees with our leadership to bring the unemployment extension bill under unanimous consent, would such a bill be in order for consideration today?

The SPEAKER pro tempore. Under the guidelines consistently issued by successive Speakers, as recorded on page 729 of the House Rules Manual, the Chair is constrained not to entertain the gentlewoman's request until it has been cleared by the bipartisan floor and committee leaderships.

Ms. HOOLEY of Oregon. Mr. Speaker, continuing my inquiry, it is my understanding that the leadership on our side of the aisle would agree to such a unanimous consent agreement on considering an unemployment bill. Can the Chair tell us if the majority leadership has taken a similar position?

The SPEAKER pro tempore. The Chair is not aware of any clearance by the bipartisan leaderships.

Ms. HOOLEY of Oregon. Mr. Speaker, I ask the Chair to recognize me to make a unanimous consent request for the House to consider H.R. 3568, the Emergency Unemployment Compensation Act, recognizing that families will begin to lose unemployment benefits a few days after Christmas unless Congress acts today.

The SPEAKER pro tempore. The Chair will repeat, under the guidelines consistently issued by successive Speakers, as recorded on page 729 of the House Rules Manual, the Chair is constrained not to entertain the gentlewoman's request until it has been cleared by the bipartisan floor and committee leaderships.

## GENERAL LEAVE

Mr. NEY. 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 S. 1680.

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

There was no objection.

## AUTHORIZING PRINTING AS HOUSE DOCUMENT TRANSCRIPTS OF PROCEEDINGS OF ''THE CHANGING NATURE OF THE HOUSE SPEAKERSHIP: THE CANNON CENTENARY CONFERENCE''

Mr. NEY. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of the concurrent resolution (H. Con. Res. 345) authorizing the printing as a House document of the transcripts of the proceedings of ''The Changing Nature of the House Speakership: The Cannon Centenary Conference,'' sponsored by the Congressional Research Service on November 12, 2003, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 345

*Resolved by the House of Representatives (the Senate concurring),*

**SECTION 1. PRINTING OF DOCUMENT.**

(a) IN GENERAL.—The transcripts of the proceedings of ''The Changing Nature of the House Speakership: The Cannon Centenary Conference'', sponsored by the Congressional Research Service on November 12, 2003, shall be printed as a House document, in a style and manner determined by the Joint Committee on Printing.

(b) ADDITONAL COPIES FOR HOUSE AND SENATE.—There shall be printed for the use of the House of Representatives and the Senate such aggregate number of copies of the document printed under subsection (a) as the Joint Committee on Printing determines to be appropriate, except that the maximum number of copies which may be printed shall be the number for which the aggregate printing cost does not exceed $65,000.

Mr. LARSON of Connecticut. Mr. Speaker, I am pleased to support the concurrent resolution sponsored by the distinguished Chairman of the Joint Committee on Printing and the House Administration Committee, the gentleman from Ohio [Mr. NEY]. On November 12, 2003, it was my pleasure to attend the Congressional Research Service's conference exploring the transformation of the House speakership during the last 100 years. I was able to attend nearly all of this very interesting conference and was able to gain a much greater understanding of the way the speakership has changed over the years as well as the history of this great institution. I am hopeful that by printing the remarks made at this event and distributing copies to our colleagues, they will also be able to similarly benefit from it as well.

Entitled ''The Changing Nature of the House Speakership: The Cannon Centenary Conference,'' the symposium offered those of us keenly interested in the history of this institution a remarkable insight into the development of the speakership in the modern period. Under the leadership of Daniel Mulhollan, the Director of the Congressional Research Service, participants enjoyed remarks by our distinguished present speaker [Mr. HASTERT], and all the living former speakers, Newt Gingrich, Tom Foley, and Jim Wright. Several other former members of the House, and a number of scholars, delivered remarks, including Dr. Robert Remini, author of the preeminent biographer of Henry Clay, a seminar figure in the development of the speakership during the 19th Century. Dr. Remini's presentation was, as always, especially thoughtful and entertaining, whetting the appetite of all of us eager to read the congressionally authorized history of the House, which he is now writing.

The resolution provides for the printing of the transcript of the conference as a House document, thus ensuring that the remarks and other materials discussed in this historic event will remain available for present and future Members, scholars, and others intrigued by the ongoing history of this honorable institution in which we have the pleasure to serve today.

I want to thank Dan Mulhollan and CRS for organizing the conference, and all who participated. I would also like to commend the chairman and his very able majority staff director for the Joint Committee on Printing, Maria Sophia Robinson, for introducing this printing resolution. I would also like to note the hard work of Mike Harrison who covers Joint Committee on Printing matters for me and whom I consider to be the minority staff director of the Joint Committee for the House. Just last month we expedited a housekeeping bill to resolve a longstanding problem affecting the CONGRESSIONAL RECORD Index Office. I am delighted that we have again moved so quickly to take up another issue under our joint committee's jurisdiction, I would like to call on my colleagues to join in urging the passage of this resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of H. Con. Res. 345.

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

There was no objection.

MENTAL HEALTH PARITY REAUTHORIZATION ACT OF 2003

Mr. SAM JOHNSON of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1929) to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to extend the mental health benefits parity provisions for an additional year, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

Mr. OWENS. Mr. Speaker, reserving the right to object, although I do not intend to object, but I respectfully ask the gentleman to explain his request, and I yield to him for that purpose.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I thank the gentleman for yielding.

I am pleased to be here to manage House passage of S. 1929, the Mental Health Parity Reauthorization Act of 2003. As chairman of the Subcommittee on Employer-Employee Relations with jurisdiction over employer-provided health care, the issue of mental health parity falls within the purview of this subcommittee. In fact, almost 2 years ago, we held the first House hearing on the issue of mental health.

In 1996, Congress enacted the Mental Health Parity Act to prevent employers and health insurers from establishing annual and lifetime limits on health insurance coverage for mental health benefits, unless similar limits were also established for medical and surgical health coverage. Today, the House will take an important step to extend mental health parity benefits for another year by passing this bipartisan reauthorization legislation, which will be ready for President Bush's signature once we pass it.

Over the past 7 years, the parity law has made significant improvements in mental health coverage. It has done so by striking a good balance, providing important mental health benefits to patients without placing unworkable mandates on employers. The legislation we pass today will preserve current law mental health parity benefits for another year, through December 31, 2004.

□ 1715

Mental health parity benefits offered through the Employee Retirement Income Security Act, ERISA, and Public Health Services Act, were set to expire this December 31. In the coming year, my subcommittee will continue to examine the issue of mental health parity, as expanding this law is one of the many substantive changes proposed for our Nation's health care system.

Before endorsing any changes to current law, the House must carefully study the issue and consequences it may have on our Nation's employer-provided health care system. Any changes to the mental health parity law must be made in a balanced manner that does not jeopardize workers' existing health care benefits or discourage employers from voluntarily providing quality benefits to their employees. Because, as we all know, when employers' costs go up, workers often lose coverage. If the expanded mental health parity law is too burdensome and expensive, it is very likely employers will simply stop offering any type of mental health coverage.

Health insurance costs rose by 15 percent, the highest increase in a decade. In this environment, it is incumbent upon the Congress to carefully study the impact of new mandates before moving forward. However, reauthorization of the 1996 act is an important step to ensure that patients continue to have access to mental health care if they need it. Because of this, I am pleased to offer my strong support to S. 1929. I urge my colleagues to support this important bill.

Mr. OWENS. Mr. Speaker, I thank the gentleman from Texas (Mr. SAM JOHNSON) for his explanation. And continuing under my reservation, I rise in strong support of S. 1929, which extends the Mental Health Parity Act of 1996 for another year.

The original bill was pioneered and introduced by a great champion of mental health, a person of compassion and vision, the late Senator Paul Wellstone.

This legislation is based on a very simple idea: all health insurance plans should provide the same degree of coverage for mental health benefits as provided for medical and surgical benefits. The 1996 act did not require employers to offer mental health benefits; but it was, nevertheless, a huge step forward in the fight to ensure access for all Americans to comprehensive health care. Under the 1996 act, if mental health care benefits are provided, they have to be equal to those offered for medical care.

In particular, both aggregate lifetime caps and annual caps on mental health benefits had to be equal to those caps for the medical and surgical benefits, but if, and only if, the employer offered mental health benefits.

The 1996 act applies to both fully insured state-regulated health plans and self-insured plans. The act does not preempt State statutes that may provide stronger protections for mental health parity.

The 1996 act did not provide a complete parity. Employers and insurers can still restrict mental health benefits by imposing higher copayments and deductibles for mental health benefits than for medical benefits. There remains much room for improvement. We need to expand mental health parity to cover substance abuse disorders, to stop employers from charging different deductibles and co-payments to mental health services, and to stop employers from imposing different limits for inpatient stays and outpatient visits for mental health benefits. Much work remains to be done; but without this action today, the Mental Health Parity Act will expire on December 31.

I urge my colleagues to support this reauthorization of the Mental Health Parity Act, extend these provisions for at least another year; and I urge us to all redouble our efforts to pass comprehensive mental health care parity in the coming year.

Mr. Speaker, further reserving the right to object, I yield to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, continuing the objection, I do not intend to maintain my objection. I thank the distinguished gentleman from New York (Mr. OWENS), and I thank the distinguished gentleman from Texas (Mr. SAM JOHNSON). I simply want to add my support to what we are doing here today.

I come from Texas; but I know all of our colleagues, wherever they come from, realize that the lack of mental health services and intervention services is really a silent killer. The fact that we are extending the mental health benefits and the mental health parity provision is extremely important to those families who live in silence, suffering, a loved one with mental illness in need of mental health services or the individual themselves.

And I will simply say that we can do no less than to pay tribute to our fallen colleague, Senator Paul Wellstone, who lived his legislative career around the ideas of providing more legislative assistance in creating mental health parity. I hope that we will work in the next year for a comprehensive mental health parity package for all of America.

Let me just simply say on behalf of the work of the Mental Health Association, let me thank them for pressing the point about these needs. I would hope, Mr. Speaker, that as we support this particular legislation today, it will give us enough momentum and enough inspiration to realize that these individuals with broken lives cannot survive without our assistance and without intervention and mental health services.

Mr. Speaker, I do not intend to object, and I yield back to the gentleman from New York (Mr. OWENS), removing my objection.

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

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1929

*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 ''Mental Health Parity Reauthorization Act of 2003''.

**SEC. 2. EXTENSION OF MENTAL HEALTH PROVISIONS.**

(a) ERISA.—Section 712(f) of the Employee Retirement Income Security Act of 1974 (29

U.S.C. 1185a(f)) is amended by striking ''December 31, 2003'' and inserting ''December 31, 2004''.

(b) PHSA.—Section 2705(f) of the Public Health Service Act (42 U.S.C. 300gg–5(f)) is amended by striking ''December 31, 2003'' and inserting ''December 31, 2004''.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. SAM JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on and include extraneous material on S. 1929.

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

There was no objection.

## RURAL ALASKA ACCESS RIGHTS ACT OF 1999

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the Senate bill (S. 1683) to make technical changes to the Alaska National Interest Lands Conservation Act, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

The Clerk read the Senate bill as follows:

S. 1683

*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 referred to as the ''Rural Alaska Access Rights Act of 1999''.

**SEC. 2. AMENDMENT OF ACT.**

The Alaska National Interest Lands Conservation Act (Public Law 96–487; 94 Stat. 2371) is amended as follows:

(a) Section 101 is amended by adding a new subsection (e) as follows:

''(e) All Federal public land managers in Alaska, or a region that includes Alaska, shall participate in an Alaska National Interest Lands Conservation Act (ANILCA) training class, as outlined in this legislation, to be completed within 120 days after enactment. All future appointed Federal public land managers in Alaska, or a region containing Alaska, shall complete ANILCA training within 60 days of assuming their position.''.

(b) Section 103(c) is amended by inserting ''validly selected or'' in the second sentence before the word ''conveyed''.

(c) In section 1102, add a new subsection (5) at the end as follows:

''(5) The term 'compatible with the uses for which the unit was established' means activities which would not cause significant adverse impacts on conservation system units purposes.''.

(d) Section 1105 is amended by designating the existing language as subsection (a) and inserting a new subsection (b) as follows:

''(b) any alternative route that may be identified by the head of the Federal agency shall not be less economically feasible and prudent than the route being sought by the applicant.''.

(e) Section 1109 is amended by deleting ''access.'' and inserting in lieu thereof: ''access, including rights-of-way established under Revised Statute 2477.''.

(f) The second sentence of section 1110(a) is amended by adding ''specifically and tangibly'' before the word ''detrimental''.

(g) The second sentence in section 1110(a) is amended by striking ''area'' and inserting in lieu thereof: ''area: except that (1) reasonable regulations shall not include any requirements for the demonstration of pre-existing use and (2) the Secretary shall limit any prohibitions to the smallest area practicable and to the shortest period of time. No prohibition may be imposed prior to formal consultation with and consideration of the views of the State of Alaska.''.

(h) The last sentence of section 1110(b) is amended by inserting ''may include easements, right-of-way, or other interests in land or permits and'' after ''such rights''.

(i) In the last sentence of section 1110(b), strike ''lands.'' and insert in lieu thereof: ''lands, except that the Secretary may not impose any unreasonable fees or charges on those seeking to exercise their rights under this subsection. Individuals or entities possessing rights under this subsection shall not be subject to the requirement of sections 1104, 1105, 1106, and 1107 of this Act.''.

(j) Section 1301(d) is amended by striking ''permit'' in the final sentence and inserting in lieu thereof ''shall enable''.

(k) Section 1303(a)(1)(D) is amended by striking ''located.'' and inserting in lieu thereof: ''located, except that the applicant may not be required to waive, forfeit, or relinquish any possessory or personal interests in a cabin or structure.''.

(l) Section 1303(a)(2)(D) is amended by striking ''located.'' and inserting in lieu thereof: ''located, except that the applicant may not be required to waive, forfeit, or relinquish any possessory or personal interests in a cabin or structure.''.

(m) Section 1303(b)(3)(D) is amended by striking ''located.'' and inserting in lieu thereof: ''located, except that the applicant may not be required to waive, forfeit, or relinquish any possessory or personal interests in a cabin or structure.''.

(n) Section 1303 is amended by adding a new subsection (e) as follows:

''(e)(1) All permits, permit renewals, or renewal or continuation of valid leases issued pursuant to this section shall provide for repair, maintenance, and replacement activities and may authorize alterations to cabins and similar structure that do not constitute a significant impairment of unit purposes. Reasonable access, including access by aircraft, shall be afforded to permittees and lessees for these purposes.

''(2) Fees for all permits and leases issued pursuant to this section shall be reasonable and consistent with purpose of maintaining and facilitating authorized use. Reasonable fees are those that enable the issuing agency to recover and may not exceed permit or lease processing costs.

''(3) For purposes of this section, a claimant shall include persons who have regularly used a cabin related to the provision of authorized fishing or hunting services.''.

(o) Section 1307 (a) is amended by adding a new sentence at the end as follows: ''Inability to provide the service for up to a five year period shall not constitute a relinquishment of a right under this section.''.

(p) Section 1313 is amended by adding at the end of the first sentence: ''A purpose of all preserve units is to provide for fish and wildlife dependent recreation including fishing and hunting.''.

(q) Section 1314 (c) is amended by striking ''law.'' at the end of the first sentence and inserting the following: ''law except that the taking of fish and wildlife for sport as well as subsistence purposes shall be permitted on each unit of the Refuge system in Alaska. The Secretary may designate zones where and periods when no hunting, fishing, and trapping may be permitted for reasons of public safety, administration, floral and faunal protection, or public use and enjoyment. Except in emergencies, any regulations prescribing such restrictions relating to hunting, fishing, or trapping shall be put into effect only after consultation with the appropriate state agency having responsibility over hunting, fishing, and trapping.''.

(r) Section 1315 is amended by adding a new subsection ''(g)'' as follows:

''(g) Notwithstanding any other provision of law, within National Forest Wilderness Areas and National Forest Monument areas as designated in this Act, the Secretary of Agriculture shall permit or otherwise regulate helicopter use and landings.''.

(s) Section 1316 (a) is amended in the first sentence by deleting ''equipment'' and inserting in lieu thereof: ''equipment, including motorized and mechanical equipment,''.

(t) Section 1316 (a) is amended in the second sentence by striking ''consistent with the protection'' and inserting in lieu thereof: ''not inconsistent with the conservation''.

(u) Section 1316 (a) is amended by striking ''permittee.'' in the last sentence and inserting in lieu thereof: ''permittee except that structures and facilities may be allowed to stand from season to season.''.

(v) Section 1316 (b) is amended by inserting ''significantly'' before the word ''detrimental''.

(w) Section 1317 (c) is amended by deleting ''section.'' and inserting in lieu thereof: ''section except that the Secretary shall not establish management directives, guidelines, policies or prescriptions for the purpose of administering any study area to preserve Wilderness values prior to action by Congress on recommendations, if any, for wilderness designation of a study area.''.

(x) Section 1319 is amended by designating the existing text as subsection ''(a)'' and adding the following subsection (b):

''(b) Nothing in this Act shall be construed as limiting or restricting the power and authority of the State of Alaska except as expressly provided herein.''.

(y) The first sentence of Section 1326 (a) is amended by striking ''withdraws'' in the first sentence and inserting in lieu thereof: ''withdraws, redesignates or reclassifies into a different or additional land management category''.

The SPEAKER pro tempore. The gentlewoman from Virginia (Mrs. JO ANN DAVIS) is recognized for 1 hour.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first I want to say that this is an identical bill to one that I also introduced into the House, and I am very pleased that we are taking up the Senate bill so that we can get it out and do what is right for the law enforcement officers.

Mr. Speaker, I rise today to speak in favor of S. 1683 a bill introduced by Senator GEORGE VOINOVICH to require the Federal Government to conduct study reviewing the pay and benefits for our 128,000 federal law enforcement officers.

This legislation is identical to a bill I introduced this year, H.R. 3205. We are considering the Senate version of this bill, ''The Federal Law Enforcement Pay and Benefits Parity Act of 2003,'' which was approved by the Senate shortly before Thanksgiving, in an effort to speed up enactment of this important piece of legislation. I want to thank the leadership for bringing this matter to the floor today.

It has become obvious over the last 2 years, but bears repeating: Federal law enforcement officers are part of our first line of defense in defending the Nation.

The legislation would require that the government reexamine how we compensate these brave men and women—with the goals of eliminating disparities among various law enforcement agencies, improving recruitment and retention, and ensuring that the Federal Government is keeping pace with State and local law enforcement agencies in terms of compensation.

For an example of why we need to investigate this matter, look no farther than the creation of the Transportation Security Administration, following the September 11th terrorist attacks.

The TSA needed to hire tens of thousands of people very quickly, and the agency wound up cherry picking from other federal agencies, luring law enforcement officers with offers of better pay and benefits. This left the other agencies short-handed, and many still report recruiting problems.

And very shortly, the Homeland Security Department is slated to establish its new pay system, which could once again attract law enforcement officers away from other agencies.

The Civil Service and Agency Organization Subcommittee, which I chair, held a hearing on July 23rd on the subject of law enforcement compensation. It became clear to us that the Federal Government is facing a serious problem in recruiting, retaining and rewarding its law enforcement personnel.

Having the Office of Personnel Management conduct a detailed analysis of the problem and offer some possible solutions is the first step toward fixing this problem.

In addition to requiring OPM to review the classification, compensation and benefits of federal law enforcement officers, S. 1683 also requires the establishment of an employee exchange program involving Federal, State and local law enforcement agents as a way of sharing best practices and maintaining a well-trained force.

Once again, I want to thank the leadership for bringing this bill to the floor today. I urge passage of S. 1683, ''The Federal Law Enforcement Pay and Benefits Parity Act of 2003.''

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

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## FURTHER CONTINUING APPROPRIATIONS, FISCAL YEAR 2004

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations be discharged from further consideration of the joint resolution (H.J. Res. 82) making further continuing appropriations for the fiscal year 2004, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

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

Mr. OBEY. Mr. Speaker, reserving the right to object, I do so for the purpose of yielding to the gentleman from Florida (Mr. YOUNG) so that he may explain what changes this entails to the continuing resolution.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding. And I would say technically this vehicle is a continuing resolution that goes to January 31, which is the same date as the existing CR. The difference is there were two anomalies that the administration needed to be included, so we would use this as a vehicle.

The two anomalies are these: the first CR is a loan limitation at $3.8 billion for FHA loan commitments. The administration basically ignored this ceiling and committed $5 billion in new mortgage loan guarantees. The program shut down last week because the guaranteed limitation was exceeded. This resolution would set a new guarantee limitation at $7.7 billion, the fiscal year 2003 level.

Exceeding the guarantee limitation level represents an antideficiency act violation. Language is included in the resolution to require certification from the director of the Office of Management and Budget regarding compliance with the terms and conditions set forth in the first CR.

The second anomaly deals with the FAA operations account staff offices. The resolution would allow operations at an annual rate of $141.4 million for the FAA office of security and investigations. Without this authority, furlows of some of the 443 staff would be necessary. The office did not receive a direct fiscal year 2003 appropriation, therefore this special authority is necessary under a CR. The office is responsible for enforcement programs working with ONDCP, TSA, and State and local governments and performs credential and background investigations of employees and contractors in support of the FHA mission.

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

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

There was no objection.

The Clerk read the joint resolution, as follows:

H.J. RES. 82

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 121 of Public Law 108–84 is amended by striking ''$3,800,000,000'' and inserting ''$7,667,000,000'': *Provided,* That the amendment made by this section shall take effect only after a certification by the Director of the Office of Management and Budget is submitted to the Committees on Appropriations of the House of Representatives and the Senate that the use of the authority provided pursuant to this section will not result in commitments to guarantee new loans for the entire fiscal year at a level in excess of the limitation set forth in the fiscal year 2003 appropriations Act and that the apportionment of loan commitment authority provided for the Federal Housing Administration, General and Special Risk Insurance Fund and the Federal Housing Administration, Mutual Mortgage Insurance Fund is in compliance with the terms and conditions set forth in Public Law 108–84: *Provided further,* That the authority provided under the amendment made by this section shall only apply to new commitments issued after enactment of this section: *Provided further,* That nothing in this section may be construed to pardon or release an officer or employee of the United States Government for an act or acts in violation of section 1341 of title 31, United States Code (the Antideficiency Act) or any other applicable law that occurred prior to enactment of this section.

SEC. 2. Public Law 108–84, as amended, is further amended by adding at the end the following new section:

''SEC. 131. Subject to sections 107(c) and 108 of this joint resolution, for the Federal Aviation Administration Operations Account Staff Offices line of business, at a rate of operations not to exceed $141,411,000.''.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members have five legislative days in which to revise and extend their remarks and that I may include extraneous material on H.J. Res. 82.

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

There was no objection.

## PERMISSION FOR COMMITTEE ON GOVERNMENT REFORM TO HAVE UNTIL DECEMBER 19, 2003, TO FILE INVESTIGATIVE REPORT

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be permitted to file an investigative report by December 19, 2003.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

## CARTER G. WOODSON HOME NATIONAL HISTORIC SITE ACT

Mr. RENZI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1012) to establish the Carter G. Woodson Home National Historic Site in the District of Columbia, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate Amendment:

Strike out all after the enacting clause and insert:

***SECTION 1. SHORT TITLE.***

*This Act may be cited as the ''Carter G. Woodson Home National Historic Site Act''.*

***SEC. 2. DEFINITIONS.***

*As used in this Act:*

*(1) CARTER G. WOODSON HOME.—The term ''Carter G. Woodson Home'' means the property located at 1538 Ninth Street, Northwest, in the District of Columbia, as depicted on the map.*

*(2) HISTORIC SITE.—The term ''historic site'' means the Carter G. Woodson Home National Historic Site.*

*(3) MAP.—The term ''map'' means the map entitled ''Carter G. Woodson Home National Historic Site'', numbered 876/82338–A and dated July 22, 2003.*

*(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.*

***SEC. 3. CARTER G. WOODSON HOME NATIONAL HISTORIC SITE.***

*(a) ESTABLISHMENT.—Upon acquisition by the Secretary of the Carter G. Woodson Home, or interests therein, the Secretary shall establish the historic site as a unit of the National Park System by publication of a notice to that effect in the Federal Register.*

*(b) ADDITIONS TO HISTORIC SITE.—*

*(1) IN GENERAL.—The Secretary may acquire any of the 3 properties immediately north of the Carter G. Woodson Home located at 1540, 1542, and 1544 Ninth Street, Northwest, described on the map as ''Potential Additions to National Historic Site'', for addition to the historic site.*

*(2) BOUNDARY REVISION.—Upon the acquisition of any of the properties described in paragraph (1), the Secretary shall revise the boundaries of the historic site to include the property.*

*(c) AVAILABILITY OF MAP.—The map shall be available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.*

*(d) ACQUISITION AUTHORITY.—The Secretary may acquire the Carter G. Woodson Home or any of the properties described in subsection (b)(1), including interests therein, and any improvements to the land by donation, purchase from a willing seller with donated or appropriated funds, or exchange.*

*(e) ADMINISTRATION.—(1) The Secretary shall administer the historic site in accordance with this Act and with laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (16 U.S.C. 1, 2–4) and the Act of August 21, 1935 (16 U.S.C. 461 et seq.).*

*(2) GENERAL MANAGEMENT PLAN.—The Secretary shall prepare a general management plan for the historic site not later than three years after the date on which funds are made available for that purpose.*

***SEC. 4. COOPERATIVE AGREEMENTS.***

*(a) IN GENERAL.—The Secretary may enter into cooperative agreements with public or private entities to provide public interpretation and education of African-American heritage in the Shaw area of the District of Columbia.*

*(b) REHABILITATION.—In order to achieve cost efficiencies in the restoration of properties within the historic site, the Secretary may enter into an agreement with public or private entities to restore and rehabilitate the Carter G. Woodson Home and other properties within the boundary of the historic site, subject to such terms and conditions as the Secretary deems necessary.*

*(c) AGREEMENT WITH THE ASSOCIATION FOR THE STUDY OF AFRICAN-AMERICAN LIFE AND HISTORY.—In order to reestablish the historical connection between the Carter G. Woodson Home and the association Dr. Woodson founded, and to facilitate interpretation of Dr. Woodson's achievements, the Secretary may enter into an agreement with The Association for the Study of African-American Life and History that allows the association to use a portion of the historic site for its own administrative purposes. Such agreement shall ensure that the association's use of a portion of the historic site is consistent with the administration of the historic site, including appropriate public access and rent, and such other terms and conditions as the Secretary deems necessary.*

***SEC. 5. AUTHORIZATION OF APPROPRIATIONS.***

*There are authorized to be appropriated such sums as are necessary to carry out this Act.*

Mr. RENZI (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

## CAPTIVE WILDLIFE SAFETY ACT

Mr. RENZI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1006) to amend the Lacey Act Amendments of 1981 to further the conservation of certain wildlife species, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate Amendments:

(1) Page 2, strike out lines 11 through 14 and insert:

*''(g) PROHIBITED WILDLIFE SPECIES.—The term 'prohibited wildlife species' means any live species of lion, tiger, leopard, cheetah, jaguar, or cougar or any hybrid of such species.''.*

(2) Page 3, line 1, strike out [live animal of a]

(3) Page 3, strike out lines 20 through 22 and insert:

*''(A) is licensed or registered, and inspected, by the Animal and Plant Health Inspection Service or any other Federal agency with respect to that species;*

(4) Page 4, line 12, after ''animals'' insert: *listed in section 2(g)*

(5) Page 4, line 14, after ''animals'' insert: *listed in section 2(g)*

(6) Page 5, line 3, strike out all after ''State.''

(7) Page 5, after line 3, insert:

*''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (a)(2)(C) $3,000,000 for each of fiscal years 2004 through 2008.''.*

Mr. RENZI (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments be considered as read and printed in the RECORD.

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

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

## EXCHANGE OF CERTAIN LANDS IN THE COCONINO AND TONTO NATIONAL FORESTS IN ARIZONA

Mr. RENZI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 622) to provide for the exchange of certain lands in the Coconino and Tonto National Forests in Arizona, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate Amendments:

(1) Page 3, line 23, after ''1976'' insert: *(43 U.S.C. 1701 et seq.)*

(2) Page 4, line 17, after ''NON-FEDERAL'' insert: *LAND*

(3) Page 5, line 6, after ''16,'' insert: *and*

(4) Page 5, line 17, strike out [of the] and insert: *of*

(5) Page 5, line 22, after ''FLPMA'' insert: *(43 U.S.C. 1716(b))*

(6) Page 7, line 3, strike out [a map] and insert: *the map*

(7) Page 10, line 1, after ''TO'' insert: *NATIONAL*

(8) Page 10, line 3, strike out [3(d)(1)] and insert: *3(b)(1)*

Mr. RENZI (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments be considered as read and printed in the RECORD.

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

There was no objection.

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

There was no objection.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. RENZI. 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. 1012, H.R. 1006, and H.R. 622.

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

There was no objection.

## PRESERVING INDEPENDENCE OF FINANCIAL INSTITUTION EXAMINATIONS ACT OF 2003

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of the Senate bill (S. 1947) to prohibit the offer of credit by a financial institution to a financial institution examiner, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1947

*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 ''Preserving Independence of Financial Institution Examinations Act of 2003''.

**SEC. 2. OFFER AND ACCEPTANCE OF CREDIT.**

(a) IN GENERAL.—Title 18, United States Code, is amended by striking sections 212 and 213 and inserting the following:

**"§ 212. Offer of loan or gratuity to financial institution examiner**

''(a) IN GENERAL.—Except as provided in subsection (b), whoever, being an officer, director or employee of a financial institution, makes or grants any loan or gratuity, to any examiner or assistant examiner who examines or has authority to examine such bank, branch, agency, organization, corporation, association, or institution—

''(1) shall be fined under this title, imprisoned not more than 1 year, or both; and

''(2) may be fined a further sum equal to the money so loaned or gratuity given.

''(b) REGULATIONS.—A Federal financial institution regulatory agency may prescribe regulations establishing additional limitations on the application for and receipt of credit under this section and on the application and receipt of residential mortgage loans under this section, after consulting with each other Federal financial institution regulatory agency.

''(c) DEFINITIONS.—In this section:

''(1) EXAMINER.—The term 'examiner' means any person—

''(A) appointed by a Federal financial institution regulatory agency or pursuant to the laws of any State to examine a financial institution; or

''(B) elected under the law of any State to conduct examinations of any financial institutions.

''(2) FEDERAL FINANCIAL INSTITUTION REGULATORY AGENCY.—The term 'Federal financial institution regulatory agency' means—

''(A) the Office of the Comptroller of the Currency;

''(B) the Board of Governors of the Federal Reserve System;

''(C) the Office of Thrift Supervision;

''(D) the Federal Deposit Insurance Corporation;

''(E) the Federal Housing Finance Board;

''(F) the Farm Credit Administration;

''(G) the Farm Credit System Insurance Corporation; and

''(H) the Small Business Administration.

''(3) FINANCIAL INSTITUTION.—The term 'financial institution' does not include a credit union, a Federal Reserve Bank, a Federal home loan bank, or a depository institution holding company.

''(4) LOAN.—The term 'loan' does not include any credit card account established under an open end consumer credit plan or a loan secured by residential real property that is the principal residence of the examiner, if—

''(A) the applicant satisfies any financial requirements for the credit card account or residential real property loan that are generally applicable to all applicants for the same type of credit card account or residential real property loan;

''(B) the terms and conditions applicable with respect to such account or residential real property loan, and any credit extended to the examiner under such account or residential real property loan, are no more favorable generally to the examiner than the terms and conditions that are generally applicable to credit card accounts or residential real property loans offered by the same financial institution to other borrowers cardholders in comparable circumstances under open end consumer credit plans or for residential real property loans; and

''(C) with respect to residential real property loans, the loan is with respect to the primary residence of the applicant.

**"§ 213. Acceptance of loan or gratuity by financial institution examiner**

''(a) IN GENERAL.—Whoever, being an examiner or assistant examiner, accepts a loan or gratuity from any bank, branch, agency, organization, corporation, association, or institution examined by the examiner or from any person connected with it, shall—

''(1) be fined under this title, imprisoned not more than 1 year, or both;

''(2) may be fined a further sum equal to the money so loaned or gratuity given; and

''(3) shall be disqualified from holding office as an examiner.

''(b) DEFINITIONS.—In this section, the terms 'examiner', 'Federal financial institution regulatory agency', 'financial institution', and 'loan' have the same meanings as in section 212.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections of chapter 11 of title 18, United States Code, is amended by striking the matter relating to sections 212 and 213 and inserting the following:

''212. Offer of loan or gratuity to financial institution examiner.

''213. Acceptance of loan or gratuity by financial institution examiner.''.

Mr. SENSENBRENNER. Mr. Speaker, on November 24, 2003, the Senate passed unanimously S. 1947, the "Preserving Independence of Financial Institution Examinations Act of 2003." This bipartisan legislation was introduced by Senator HATCH and Senator LEAHY, the Chairman and ranking Member on the Senate Judiciary Committee. The bill would update two provisions of the Federal Criminal Code enacted in the mid-1900s.

As the Nation's banking system has consolidated, it has become extremely difficult for bank examiners to obtain credit cards or mortgages for themselves because of these outdated provisions. This affects the hiring, retention, morale, and work of our Nation's bank examiners.

To alleviate this problem, the bill would amend sections 212 and 213 of title 18 of the United States Code to reflect the changes in our Nation's banking system. Under current law, these sections prohibit examiners from borrowing from banks they have examined, and prohibit a financial institution from extending credit to anyone who examines or has authority to examine that institution. These provisions have been interpreted to cover all kinds of borrowing, including standard credit cards and mortgages.

In a December 4, 2003, letter the Legal Division of the Board of Governors of the Federal Reserve System explained that:

[under current law] . . . an examiner could commit a crime by obtaining a department store credit card that is ultimately issued by a bank the examiner examined five years ago. Examiners also have encountered difficulty in obtaining home mortgage and other loans at the best available rates because of restrictions on the range of permissible lenders.

The proposed legislation updates the Criminal Code allowing for narrow exceptions to the statutes for bank examiners who hold credit cards and residential home mortgage loans on standard terms from the banks they are examining.

I urge my colleagues to support this legislation.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. SMITH of Texas. 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 materials on S. 1947.

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

There was no objection.

## ARCHERY REVENUE REFORM AND OPPORTUNITY FOR WORKERS ACT

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means be discharged from further consideration of the bill (H.R. 3652) to amend the Internal Revenue Code of 1986 to modify the taxation of imported archery products, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

H.R. 3652

*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 ''Archery Revenue Reform and Opportunity for Workers Act''.

**SEC. 2. MODIFIED TAXATION OF IMPORTED ARCHERY PRODUCTS.**

(a) BOWS.—Paragraph (1) of section 4161(b) of the Internal Revenue Code of 1986 (relating to bows) is amended to read as follows:

''(1) BOWS.—

''(A) IN GENERAL.—There is hereby imposed on the sale by the manufacturer, producer, or importer of any bow which has a peak draw weight of 30 pounds or more, a tax equal to 11 percent of the price for which so sold.

''(B) ARCHERY EQUIPMENT.—There is hereby imposed on the sale by the manufacturer, producer, or importer—

''(i) of any part or accessory suitable for inclusion in or attachment to a bow described in subparagraph (A), and

''(ii) of any quiver or broadhead suitable for use with an arrow described in paragraph (2),

a tax equal to 11 percent of the price for which so sold.''.

(b) ARROWS.—Subsection (b) of section 4161 of the Internal Revenue Code of 1986 (relating to bows and arrows, etc.) is amended by redesignating paragraph (3) as paragraph (4) and inserting after paragraph (2) the following:

''(3) ARROWS.—

''(A) IN GENERAL.—There is hereby imposed on the sale by the manufacturer, producer, or importer of any arrow, a tax equal to 12 percent of the price for which so sold.

''(B) EXCEPTION.—In the case of any arrow of which the shaft or any other component has been previously taxed under paragraph (1) or (2)—

''(i) section 6416(b)(3) shall not apply, and

''(ii) the tax imposed by subparagraph (A) shall be an amount equal to the excess (if any) of—

''(I) the amount of tax imposed by this paragraph (determined without regard to this subparagraph), over

''(II) the amount of tax paid with respect to the tax imposed under paragraph (1) or (2) on such shaft or component.

''(C) ARROW.—For purposes of this paragraph, the term 'arrow' means any shaft described in paragraph (2) to which additional components are attached.''.

(c) CONFORMING AMENDMENTS.—Section 4161(b)(2) of the Internal Revenue Code is amended—

(1) by inserting ''(other than broadheads)'' after ''point'', and

(2) by striking ''ARROWS.—'' in the heading and inserting ''ARROW COMPONENTS.—''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to articles sold by the manufacturer, producer, or importer after February 15, 2004.

Mr. RYAN of Wisconsin. Mr. Speaker, along with my colleague, Representative MATHESON, I am pleased to introduce the Archery Revenue Reform and Opportunity for Workers Act of 2003 (ARROW Act).

Our bill will protect Americans jobs by fixing a mistake in the tax code that allows archery equipment to be imported into the United States without paying the excise tax that American manufacturers pay. Our bill will close this loophole now.

The excise tax on domestically produced arrows is 12.4 percent. The revenue from this excise tax is dedicated to the Pittman-Robertson Aid for Wildlife Restoration Fund that finances the States' wildlife conservation and habitat restoration programs. In 1997, a change in the excise tax inadvertently created a loophole that allows arrows manufactured outside of the United States to be sold in the United States without paying the tax paid by American manufacturers.

Sales of imported arrows and arrow shafts have increased from less than $1 million in 1997 to over $12 million in 2002. By avoiding the excise tax, foreign manufacturers have displaced more than one-third of our domestic production.

The loss of U.S. jobs and the negative impact on domestic small businesses will continue to accelerate, as year-to-date imports through June 30 have increased 35 percent over the same time period in 2002. In addition to the loss of jobs, this loophole is draining funding from the States' conservation and game management programs.

This legislation will close the loophole that allows imported arrows to avoid the excise tax paid by domestic manufacturers. While keeping the current 12.4 percent tax on arrow components, the proposal will impose a tax of 12 percent on the first sale of an arrow assembled from untaxed components. U.S. manufacturers and foreign manufacturers will be treated equally.

Current law also taxes non-hunters, contrary to congressional intent. To relieve non-hunters from the requirement to pay for wildlife management, the legislation would eliminate the current-law tax on bows with draw weights of less than 30 pounds. Those bows are not suitable or, in many States, legal for hunting. To preserve the revenue for the Wildlife Restoration Fund, the bill would retain the current tax on bows that are suitable for hunting.

Finally, the ARROW Act will clarify that broadheads are an accessory taxed at 11 percent rather than as an arrow component taxed at 12.4 percent. This will correct the ambiguity in the 1997 act that led to the misclassification of broadheads.

I urge my colleagues to pass the Archery Revenue Reform and Opportunity for Workers Act today. This bill will save American jobs and protect funding for the Wildlife Restoration Program (the Pittman-Robertson fund) by simplifying administration and compliance with the excise tax and closing the unintended loophole that allows arrows assembled outside the United States to avoid the excise tax imposed on domestic manufacturers.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. RYAN of Wisconsin. 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. 3652.

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

There was no objection.

□ 1730

## SERVICEMEMBERS CIVIL RELIEF ACT

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 100) to restate, clarify, and revise the Soldiers' and Sailors' Civil Relief Act of 1940, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate Amendment:

Strike out all after the enacting clause and insert:

***SECTION 1. RESTATEMENT OF ACT.***

*The Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 501 et seq.) is amended to read as follows:*

***''SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

*''(a) SHORT TITLE.—This Act may be cited as the 'Servicemembers Civil Relief Act'.*

*''(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:*


*''Sec. 1. Short title; table of contents.*
*''Sec. 2. Purpose.*

*''TITLE I—GENERAL PROVISIONS*

*''Sec. 101. Definitions.*
*''Sec. 102. Jurisdiction and applicability of Act.*
*''Sec. 103. Protection of persons secondarily liable.*
*''Sec. 104. Extension of protections to citizens serving with allied forces.*
*''Sec. 105. Notification of benefits.*
*''Sec. 106. Extension of rights and protections to Reserves ordered to report for military service and to persons ordered to report for induction.*
*''Sec. 107. Waiver of rights pursuant to written agreement.*
*''Sec. 108. Exercise of rights under Act not to affect certain future financial transactions.*
*''Sec. 109. Legal representatives.*

*''TITLE II—GENERAL RELIEF*

*''Sec. 201. Protection of servicemembers against default judgments.*
*''Sec. 202. Stay of proceedings when servicemember has notice.*
*''Sec. 203. Fines and penalties under contracts.*
*''Sec. 204. Stay or vacation of execution of judgments, attachments, and garnishments.*
*''Sec. 205. Duration and term of stays; codefendants not in service.*
*''Sec. 206. Statute of limitations.*
*''Sec. 207. Maximum rate of interest on debts incurred before military service.*

*''TITLE III—RENT, INSTALLMENT CONTRACTS, MORTGAGES, LIENS, ASSIGNMENT, LEASES*

*''Sec. 301. Evictions and distress.*
*''Sec. 302. Protection under installment contracts for purchase or lease.*
*''Sec. 303. Mortgages and trust deeds.*
*''Sec. 304. Settlement of stayed cases relating to personal property.*
*''Sec. 305. Termination of residential or motor vehicle leases.*
*''Sec. 306. Protection of life insurance policy.*
*''Sec. 307. Enforcement of storage liens.*
*''Sec. 308. Extension of protections to dependents.*

*''TITLE IV—LIFE INSURANCE*

*''Sec. 401. Definitions.*
*''Sec. 402. Insurance rights and protections.*
*''Sec. 403. Application for insurance protection.*
*''Sec. 404. Policies entitled to protection and lapse of policies.*
*''Sec. 405. Policy restrictions.*
*''Sec. 406. Deduction of unpaid premiums.*
*''Sec. 407. Premiums and interest guaranteed by United States.*
*''Sec. 408. Regulations.*
*''Sec. 409. Review of findings of fact and conclusions of law.*

*''TITLE V—TAXES AND PUBLIC LANDS*

*''Sec. 501. Taxes respecting personal property, money, credits, and real property.*
*''Sec. 502. Rights in public lands.*
*''Sec. 503. Desert-land entries.*
*''Sec. 504. Mining claims.*
*''Sec. 505. Mineral permits and leases.*
*''Sec. 506. Perfection or defense of rights.*
*''Sec. 507. Distribution of information concerning benefits of title.*
*''Sec. 508. Land rights of servicemembers.*
*''Sec. 509. Regulations.*
*''Sec. 510. Income taxes.*
*''Sec. 511. Residence for tax purposes.*

*''TITLE VI—ADMINISTRATIVE REMEDIES*

*''Sec. 601. Inappropriate use of Act.*
*''Sec. 602. Certificates of service; persons reported missing.*
*''Sec. 603. Interlocutory orders.*

*''TITLE VII—FURTHER RELIEF*

*''Sec. 701. Anticipatory relief.*
*''Sec. 702. Power of attorney.*
*''Sec. 703. Professional liability protection.*
*''Sec. 704. Health insurance reinstatement.*
*''Sec. 705. Guarantee of residency for military personnel.*
*''Sec. 706. Business or trade obligations.*


***''SEC. 2. PURPOSE.***

*''The purposes of this Act are—*

*''(1) to provide for, strengthen, and expedite the national defense through protection extended by this Act to servicemembers of the United States to enable such persons to devote their entire energy to the defense needs of the Nation; and*

*''(2) to provide for the temporary suspension of judicial and administrative proceedings and transactions that may adversely affect the civil rights of servicemembers during their military service.*

***''TITLE I—GENERAL PROVISIONS***

***''SEC. 101. DEFINITIONS.***

*''For the purposes of this Act:*

*''(1) SERVICEMEMBER.—The term 'servicemember' means a member of the uniformed services, as that term is defined in section 101(a)(5) of title 10, United States Code.*

*''(2) MILITARY SERVICE.—The term 'military service' means—*

''(A) in the case of a servicemember who is a member of the Army, Navy, Air Force, Marine Corps, or Coast Guard—

''(i) active duty, as defined in section 101(d)(1) of title 10, United States Code, and

''(ii) in the case of a member of the National Guard, includes service under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under section 502(f) of title 32, United States Code, for purposes of responding to a national emergency declared by the President and supported by Federal funds;

''(B) in the case of a servicemember who is a commissioned officer of the Public Health Service or the National Oceanic and Atmospheric Administration, active service; and

''(C) any period during which a servicemember is absent from duty on account of sickness, wounds, leave, or other lawful cause.

''(3) PERIOD OF MILITARY SERVICE.—The term 'period of military service' means the period beginning on the date on which a servicemember enters military service and ending on the date on which the servicemember is released from military service or dies while in military service.

''(4) DEPENDENT.—The term 'dependent', with respect to a servicemember, means—

''(A) the servicemember's spouse;

''(B) the servicemember's child (as defined in section 101(4) of title 38, United States Code); or

''(C) an individual for whom the servicemember provided more than one-half of the individual's support for 180 days immediately preceding an application for relief under this Act.

''(5) COURT.—The term 'court' means a court or an administrative agency of the United States or of any State (including any political subdivision of a State), whether or not a court or administrative agency of record.

''(6) STATE.—The term 'State' includes—

''(A) a commonwealth, territory, or possession of the United States; and

''(B) the District of Columbia.

''(7) SECRETARY CONCERNED.—The term 'Secretary concerned'—

''(A) with respect to a member of the armed forces, has the meaning given that term in section 101(a)(9) of title 10, United States Code;

''(B) with respect to a commissioned officer of the Public Health Service, means the Secretary of Health and Human Services; and

''(C) with respect to a commissioned officer of the National Oceanic and Atmospheric Administration, means the Secretary of Commerce.

''(8) MOTOR VEHICLE.—The term 'motor vehicle' has the meaning given that term in section 30102(a)(6) of title 49, United States Code.

**"SEC. 102. JURISDICTION AND APPLICABILITY OF ACT.**

''(a) JURISDICTION.—This Act applies to—

''(1) the United States;

''(2) each of the States, including the political subdivisions thereof; and

''(3) all territory subject to the jurisdiction of the United States.

''(b) APPLICABILITY TO PROCEEDINGS.—This Act applies to any judicial or administrative proceeding commenced in any court or agency in any jurisdiction subject to this Act. This Act does not apply to criminal proceedings.

''(c) COURT IN WHICH APPLICATION MAY BE MADE.—When under this Act any application is required to be made to a court in which no proceeding has already been commenced with respect to the matter, such application may be made to any court which would otherwise have jurisdiction over the matter.

**"SEC. 103. PROTECTION OF PERSONS SECONDARILY LIABLE.**

''(a) EXTENSION OF PROTECTION WHEN ACTIONS STAYED, POSTPONED, OR SUSPENDED.—Whenever pursuant to this Act a court stays, postpones, or suspends (1) the enforcement of an obligation or liability, (2) the prosecution of a suit or proceeding, (3) the entry or enforcement of an order, writ, judgment, or decree, or (4) the performance of any other act, the court may likewise grant such a stay, postponement, or suspension to a surety, guarantor, endorser, accommodation maker, comaker, or other person who is or may be primarily or secondarily subject to the obligation or liability the performance or enforcement of which is stayed, postponed, or suspended.

''(b) VACATION OR SET-ASIDE OF JUDGMENTS.—When a judgment or decree is vacated or set aside, in whole or in part, pursuant to this Act, the court may also set aside or vacate, as the case may be, the judgment or decree as to a surety, guarantor, endorser, accommodation maker, comaker, or other person who is or may be primarily or secondarily liable on the contract or liability for the enforcement of the judgment or decree.

''(c) BAIL BOND NOT TO BE ENFORCED DURING PERIOD OF MILITARY SERVICE.—A court may not enforce a bail bond during the period of military service of the principal on the bond when military service prevents the surety from obtaining the attendance of the principal. The court may discharge the surety and exonerate the bail, in accordance with principles of equity and justice, during or after the period of military service of the principal.

''(d) WAIVER OF RIGHTS.—

''(1) WAIVERS NOT PRECLUDED.—This Act does not prevent a waiver in writing by a surety, guarantor, endorser, accommodation maker, comaker, or other person (whether primarily or secondarily liable on an obligation or liability) of the protections provided under subsections (a) and (b). Any such waiver is effective only if it is executed as an instrument separate from the obligation or liability with respect to which it applies.

''(2) WAIVER INVALIDATED UPON ENTRANCE TO MILITARY SERVICE.—If a waiver under paragraph (1) is executed by an individual who after the execution of the waiver enters military service, or by a dependent of an individual who after the execution of the waiver enters military service, the waiver is not valid after the beginning of the period of such military service unless the waiver was executed by such individual or dependent during the period specified in section 106.

**"SEC. 104. EXTENSION OF PROTECTIONS TO CITIZENS SERVING WITH ALLIED FORCES.**

''A citizen of the United States who is serving with the forces of a nation with which the United States is allied in the prosecution of a war or military action is entitled to the relief and protections provided under this Act if that service with the allied force is similar to military service as defined in this Act. The relief and protections provided to such citizen shall terminate on the date of discharge or release from such service.

**"SEC. 105. NOTIFICATION OF BENEFITS.**

''The Secretary concerned shall ensure that notice of the benefits accorded by this Act is provided in writing to persons in military service and to persons entering military service.

**"SEC. 106. EXTENSION OF RIGHTS AND PROTECTIONS TO RESERVES ORDERED TO REPORT FOR MILITARY SERVICE AND TO PERSONS ORDERED TO REPORT FOR INDUCTION.**

''(a) RESERVES ORDERED TO REPORT FOR MILITARY SERVICE.—A member of a reserve component who is ordered to report for military service is entitled to the rights and protections of this title and titles II and III during the period beginning on the date of the member's receipt of the order and ending on the date on which the member reports for military service (or, if the order is revoked before the member so reports, or the date on which the order is revoked).

''(b) PERSONS ORDERED TO REPORT FOR INDUCTION.—A person who has been ordered to report for induction under the Military Selective Service Act (50 U.S.C. App. 451 et seq.) is entitled to the rights and protections provided a servicemember under this title and titles II and III during the period beginning on the date of receipt of the order for induction and ending on the date on which the person reports for induction (or, if the order to report for induction is revoked before the date on which the person reports for induction, on the date on which the order is revoked).

**"SEC. 107. WAIVER OF RIGHTS PURSUANT TO WRITTEN AGREEMENT.**

''(a) IN GENERAL.—A servicemember may waive any of the rights and protections provided by this Act. In the case of a waiver that permits an action described in subsection (b), the waiver is effective only if made pursuant to a written agreement of the parties that is executed during or after the servicemember's period of military service. The written agreement shall specify the legal instrument to which the waiver applies and, if the servicemember is not a party to that instrument, the servicemember concerned.

''(b) ACTIONS REQUIRING WAIVERS IN WRITING.—The requirement in subsection (a) for a written waiver applies to the following:

''(1) The modification, termination, or cancellation of—

''(A) a contract, lease, or bailment; or

''(B) an obligation secured by a mortgage, trust, deed, lien, or other security in the nature of a mortgage.

''(2) The repossession, retention, foreclosure, sale, forfeiture, or taking possession of property that—

''(A) is security for any obligation; or

''(B) was purchased or received under a contract, lease, or bailment.

''(c) COVERAGE OF PERIODS AFTER ORDERS RECEIVED.—For the purposes of this section—

''(1) a person to whom section 106 applies shall be considered to be a servicemember; and

''(2) the period with respect to such a person specified in subsection (a) or (b), as the case may be, of section 106 shall be considered to be a period of military service.

**"SEC. 108. EXERCISE OF RIGHTS UNDER ACT NOT TO AFFECT CERTAIN FUTURE FINANCIAL TRANSACTIONS.**

''Application by a servicemember for, or receipt by a servicemember of, a stay, postponement, or suspension pursuant to this Act in the payment of a tax, fine, penalty, insurance premium, or other civil obligation or liability of that servicemember shall not itself (without regard to other considerations) provide the basis for any of the following:

''(1) A determination by a lender or other person that the servicemember is unable to pay the civil obligation or liability in accordance with its terms.

''(2) With respect to a credit transaction between a creditor and the servicemember—

''(A) a denial or revocation of credit by the creditor;

''(B) a change by the creditor in the terms of an existing credit arrangement; or

''(C) a refusal by the creditor to grant credit to the servicemember in substantially the amount or on substantially the terms requested.

''(3) An adverse report relating to the creditworthiness of the servicemember by or to a person engaged in the practice of assembling or evaluating consumer credit information.

''(4) A refusal by an insurer to insure the servicemember.

''(5) An annotation in a servicemember's record by a creditor or a person engaged in the practice of assembling or evaluating consumer credit information, identifying the servicemember as a member of the National Guard or a reserve component.

''(6) A change in the terms offered or conditions required for the issuance of insurance.

**"SEC. 109. LEGAL REPRESENTATIVES.**

''(a) REPRESENTATIVE.—A legal representative of a servicemember for purposes of this Act is either of the following:

''(1) An attorney acting on the behalf of a servicemember.

''(2) An individual possessing a power of attorney.

''(b) APPLICATION.—Whenever the term 'servicemember' is used in this Act, such term shall be treated as including a reference to a legal representative of the servicemember.

**"TITLE II—GENERAL RELIEF**

**"SEC. 201. PROTECTION OF SERVICEMEMBERS AGAINST DEFAULT JUDGMENTS.**

''(a) APPLICABILITY OF SECTION.—This section applies to any civil action or proceeding in which the defendant does not make an appearance.

''(b) AFFIDAVIT REQUIREMENT.—

''(1) PLAINTIFF TO FILE AFFIDAVIT.—In any action or proceeding covered by this section, the court, before entering judgment for the plaintiff, shall require the plaintiff to file with the court an affidavit—

''(A) stating whether or not the defendant is in military service and showing necessary facts to support the affidavit; or

''(B) if the plaintiff is unable to determine whether or not the defendant is in military service, stating that the plaintiff is unable to determine whether or not the defendant is in military service.

''(2) APPOINTMENT OF ATTORNEY TO REPRESENT DEFENDANT IN MILITARY SERVICE.—If in an action covered by this section it appears that the defendant is in military service, the court may not enter a judgment until after the court appoints an attorney to represent the defendant. If an attorney appointed under this section to represent a servicemember cannot locate the servicemember, actions by the attorney in the case shall not waive any defense of the servicemember or otherwise bind the servicemember.

''(3) DEFENDANT'S MILITARY STATUS NOT ASCERTAINED BY AFFIDAVIT.—If based upon the affidavits filed in such an action, the court is unable to determine whether the defendant is in military service, the court, before entering judgment, may require the plaintiff to file a bond in an amount approved by the court. If the defendant is later found to be in military service, the bond shall be available to indemnify the defendant against any loss or damage the defendant may suffer by reason of any judgment for the plaintiff against the defendant, should the judgment be set aside in whole or in part. The bond shall remain in effect until expiration of the time for appeal and setting aside of a judgment under applicable Federal or State law or regulation or under any applicable ordinance of a political subdivision of a State. The court may issue such orders or enter such judgments as the court determines necessary to protect the rights of the defendant under this Act.

''(4) SATISFACTION OF REQUIREMENT FOR AFFIDAVIT.—The requirement for an affidavit under paragraph (1) may be satisfied by a statement, declaration, verification, or certificate, in writing, subscribed and certified or declared to be true under penalty of perjury.

''(c) PENALTY FOR MAKING OR USING FALSE AFFIDAVIT.—A person who makes or uses an affidavit permitted under subsection (b) (or a statement, declaration, verification, or certificate as authorized under subsection (b)(4)) knowing it to be false, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.

''(d) STAY OF PROCEEDINGS.—In an action covered by this section in which the defendant is in military service, the court shall grant a stay of proceedings for a minimum period of 90 days under this subsection upon application of counsel, or on the court's own motion, if the court determines that—

''(1) there may be a defense to the action and a defense cannot be presented without the presence of the defendant; or

''(2) after due diligence, counsel has been unable to contact the defendant or otherwise determine if a meritorious defense exists.

''(e) INAPPLICABILITY OF SECTION 202 PROCEDURES.—A stay of proceedings under subsection (d) shall not be controlled by procedures or requirements under section 202.

''(f) SECTION 202 PROTECTION.—If a servicemember who is a defendant in an action covered by this section receives actual notice of the action, the servicemember may request a stay of proceeding under section 202.

''(g) VACATION OR SETTING ASIDE OF DEFAULT JUDGMENTS.—

''(1) AUTHORITY FOR COURT TO VACATE OR SET ASIDE JUDGMENT.—If a default judgment is entered in an action covered by this section against a servicemember during the servicemember's period of military service (or within 60 days after termination of or release from such military service), the court entering the judgment shall, upon application by or on behalf of the servicemember, reopen the judgment for the purpose of allowing the servicemember to defend the action if it appears that—

''(A) the servicemember was materially affected by reason of that military service in making a defense to the action; and

''(B) the servicemember has a meritorious or legal defense to the action or some part of it.

''(2) TIME FOR FILING APPLICATION.—An application under this subsection must be filed not later than 90 days after the date of the termination of or release from military service.

''(h) PROTECTION OF BONA FIDE PURCHASER.—If a court vacates, sets aside, or reverses a default judgment against a servicemember and the vacating, setting aside, or reversing is because of a provision of this Act, that action shall not impair a right or title acquired by a bona fide purchaser for value under the default judgment.

**"SEC. 202. STAY OF PROCEEDINGS WHEN SERVICEMEMBER HAS NOTICE.**

''(a) APPLICABILITY OF SECTION.—This section applies to any civil action or proceeding in which the defendant at the time of filing an application under this section—

''(1) is in military service or is within 90 days after termination of or release from military service; and

''(2) has received notice of the action or proceeding.

''(b) STAY OF PROCEEDINGS.—

''(1) AUTHORITY FOR STAY.—At any stage before final judgment in a civil action or proceeding in which a servicemember described in subsection (a) is a party, the court may on its own motion and shall, upon application by the servicemember, stay the action for a period of not less than 90 days, if the conditions in paragraph (2) are met.

''(2) CONDITIONS FOR STAY.—An application for a stay under paragraph (1) shall include the following:

''(A) A letter or other communication setting forth facts stating the manner in which current military duty requirements materially affect the servicemember's ability to appear and stating a date when the servicemember will be available to appear.

''(B) A letter or other communication from the servicemember's commanding officer stating that the servicemember's current military duty prevents appearance and that military leave is not authorized for the servicemember at the time of the letter.

''(c) APPLICATION NOT A WAIVER OF DEFENSES.—An application for a stay under this section does not constitute an appearance for jurisdictional purposes and does not constitute a waiver of any substantive or procedural defense (including a defense relating to lack of personal jurisdiction).

''(d) ADDITIONAL STAY.—

''(1) APPLICATION.—A servicemember who is granted a stay of a civil action or proceeding under subsection (b) may apply for an additional stay based on continuing material affect of military duty on the servicemember's ability to appear. Such an application may be made by the servicemember at the time of the initial application under subsection (b) or when it appears that the servicemember is unavailable to prosecute or defend the action. The same information required under subsection (b)(2) shall be included in an application under this subsection.

''(2) APPOINTMENT OF COUNSEL WHEN ADDITIONAL STAY REFUSED.—If the court refuses to grant an additional stay of proceedings under paragraph (1), the court shall appoint counsel to represent the servicemember in the action or proceeding.

''(e) COORDINATION WITH SECTION 201.—A servicemember who applies for a stay under this section and is unsuccessful may not seek the protections afforded by section 201.

''(f) INAPPLICABILITY TO SECTION 301.—The protections of this section do not apply to section 301.

**"SEC. 203. FINES AND PENALTIES UNDER CONTRACTS.**

''(a) PROHIBITION OF PENALTIES.—When an action for compliance with the terms of a contract is stayed pursuant to this Act, a penalty shall not accrue for failure to comply with the terms of the contract during the period of the stay.

''(b) REDUCTION OR WAIVER OF FINES OR PENALTIES.—If a servicemember fails to perform an obligation arising under a contract and a penalty is incurred arising from that nonperformance, a court may reduce or waive the fine or penalty if—

''(1) the servicemember was in military service at the time the fine or penalty was incurred; and

''(2) the ability of the servicemember to perform the obligation was materially affected by such military service.

**"SEC. 204. STAY OR VACATION OF EXECUTION OF JUDGMENTS, ATTACHMENTS, AND GARNISHMENTS.**

''(a) COURT ACTION UPON MATERIAL AFFECT DETERMINATION.—If a servicemember, in the opinion of the court, is materially affected by reason of military service in complying with a court judgment or order, the court may on its own motion and shall on application by the servicemember—

''(1) stay the execution of any judgment or order entered against the servicemember; and

''(2) vacate or stay an attachment or garnishment of property, money, or debts in the possession of the servicemember or a third party, whether before or after judgment.

''(b) APPLICABILITY.—This section applies to an action or proceeding commenced in a court against a servicemember before or during the period of the servicemember's military service or within 90 days after such service terminates.

**"SEC. 205. DURATION AND TERM OF STAYS; CODEFENDANTS NOT IN SERVICE.**

''(a) PERIOD OF STAY.—A stay of an action, proceeding, attachment, or execution made pursuant to the provisions of this Act by a court may be ordered for the period of military service and 90 days thereafter, or for any part of that period. The court may set the terms and amounts for such installment payments as is considered reasonable by the court.

''(b) CODEFENDANTS.—If the servicemember is a codefendant with others who are not in military service and who are not entitled to the relief and protections provided under this Act, the plaintiff may proceed against those other defendants with the approval of the court.

''(c) INAPPLICABILITY OF SECTION.—This section does not apply to sections 202 and 701.

**"SEC. 206. STATUTE OF LIMITATIONS.**

''(a) TOLLING OF STATUTES OF LIMITATION DURING MILITARY SERVICE.—The period of a servicemember's military service may not be included in computing any period limited by law, regulation, or order for the bringing of any action or proceeding in a court, or in any board, bureau, commission, department, or other agency of a State (or political subdivision of a State)

*or the United States by or against the servicemember or the servicemember's heirs, executors, administrators, or assigns.*

*''(b) REDEMPTION OF REAL PROPERTY.—A period of military service may not be included in computing any period provided by law for the redemption of real property sold or forfeited to enforce an obligation, tax, or assessment.*

*''(c) INAPPLICABILITY TO INTERNAL REVENUE LAWS.—This section does not apply to any period of limitation prescribed by or under the internal revenue laws of the United States.*

***''SEC. 207. MAXIMUM RATE OF INTEREST ON DEBTS INCURRED BEFORE MILITARY SERVICE.***

*''(a) INTEREST RATE LIMITATION.—*

*''(1) LIMITATION TO 6 PERCENT.—An obligation or liability bearing interest at a rate in excess of 6 percent per year that is incurred by a servicemember, or the servicemember and the servicemember's spouse jointly, before the servicemember enters military service shall not bear interest at a rate in excess of 6 percent per year during the period of military service.*

*''(2) FORGIVENESS OF INTEREST IN EXCESS OF 6 PERCENT.—Interest at a rate in excess of 6 percent per year that would otherwise be incurred but for the prohibition in paragraph (1) is forgiven.*

*''(3) PREVENTION OF ACCELERATION OF PRINCIPAL.—The amount of any periodic payment due from a servicemember under the terms of the instrument that created an obligation or liability covered by this section shall be reduced by the amount of the interest forgiven under paragraph (2) that is allocable to the period for which such payment is made.*

*''(b) IMPLEMENTATION OF LIMITATION.—*

*''(1) WRITTEN NOTICE TO CREDITOR.—In order for an obligation or liability of a servicemember to be subject to the interest rate limitation in subsection (a), the servicemember shall provide to the creditor written notice and a copy of the military orders calling the servicemember to military service and any orders further extending military service, not later than 180 days after the date of the servicemember's termination or release from military service.*

*''(2) LIMITATION EFFECTIVE AS OF DATE OF ORDER TO ACTIVE DUTY.—Upon receipt of written notice and a copy of orders calling a servicemember to military service, the creditor shall treat the debt in accordance with subsection (a), effective as of the date on which the servicemember is called to military service.*

*''(c) CREDITOR PROTECTION.—A court may grant a creditor relief from the limitations of this section if, in the opinion of the court, the ability of the servicemember to pay interest upon the obligation or liability at a rate in excess of 6 percent per year is not materially affected by reason of the servicemember's military service.*

*''(d) INTEREST.—As used in this section, the term 'interest' includes service charges, renewal charges, fees, or any other charges (except bona fide insurance) with respect to an obligation or liability.*

***''TITLE III—RENT, INSTALLMENT CONTRACTS, MORTGAGES, LIENS, ASSIGNMENT, LEASES***

***''SEC. 301. EVICTIONS AND DISTRESS.***

*''(a) COURT-ORDERED EVICTION.—*

*''(1) IN GENERAL.—Except by court order, a landlord (or another person with paramount title) may not—*

*''(A) evict a servicemember, or the dependents of a servicemember, during a period of military service of the servicemember, from premises—*

*''(i) that are occupied or intended to be occupied primarily as a residence; and*

*''(ii) for which the monthly rent does not exceed $2,400, as adjusted under paragraph (2) for years after 2003; or*

*''(B) subject such premises to a distress during the period of military service.*

*''(2) HOUSING PRICE INFLATION ADJUSTMENT.—(A) For calendar years beginning with 2004, the amount in effect under paragraph (1)(A)(ii) shall be increased by the housing price inflation adjustment for the calendar year involved.*

*''(B) For purposes of this paragraph—*

*''(i) The housing price inflation adjustment for any calendar year is the percentage change (if any) by which—*

*''(I) the CPI housing component for November of the preceding calendar year, exceeds*

*''(II) the CPI housing component for November of 1984.*

*''(ii) The term 'CPI housing component' means the index published by the Bureau of Labor Statistics of the Department of Labor known as the Consumer Price Index, All Urban Consumers, Rent of Primary Residence, U.S. City Average.*

*''(3) PUBLICATION OF HOUSING PRICE INFLATION ADJUSTMENT.—The Secretary of Defense shall cause to be published in the Federal Register each year the amount in effect under paragraph (1)(A)(ii) for that year following the housing price inflation adjustment for that year pursuant to paragraph (2). Such publication shall be made for a year not later than 60 days after such adjustment is made for that year.*

*''(b) STAY OF EXECUTION.—*

*''(1) COURT AUTHORITY.—Upon an application for eviction or distress with respect to premises covered by this section, the court may on its own motion and shall, if a request is made by or on behalf of a servicemember whose ability to pay the agreed rent is materially affected by military service—*

*''(A) stay the proceedings for a period of 90 days, unless in the opinion of the court, justice and equity require a longer or shorter period of time; or*

*''(B) adjust the obligation under the lease to preserve the interests of all parties.*

*''(2) RELIEF TO LANDLORD.—If a stay is granted under paragraph (1), the court may grant to the landlord (or other person with paramount title) such relief as equity may require.*

*''(c) PENALTIES.—*

*''(1) MISDEMEANOR.—Except as provided in subsection (a), a person who knowingly takes part in an eviction or distress described in subsection (a), or who knowingly attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.*

*''(2) PRESERVATION OF OTHER REMEDIES AND RIGHTS.—The remedies and rights provided under this section are in addition to and do not preclude any remedy for wrongful conversion (or wrongful eviction) otherwise available under the law to the person claiming relief under this section, including any award for consequential and punitive damages.*

*''(d) RENT ALLOTMENT FROM PAY OF SERVICEMEMBER.—To the extent required by a court order related to property which is the subject of a court action under this section, the Secretary concerned shall make an allotment from the pay of a servicemember to satisfy the terms of such order, except that any such allotment shall be subject to regulations prescribed by the Secretary concerned establishing the maximum amount of pay of servicemembers that may be allotted under this subsection.*

*''(e) LIMITATION OF APPLICABILITY.—Section 202 is not applicable to this section.*

***''SEC. 302. PROTECTION UNDER INSTALLMENT CONTRACTS FOR PURCHASE OR LEASE.***

*''(a) PROTECTION UPON BREACH OF CONTRACT.—*

*''(1) PROTECTION AFTER ENTERING MILITARY SERVICE.—After a servicemember enters military service, a contract by the servicemember for—*

*''(A) the purchase of real or personal property (including a motor vehicle); or*

*''(B) the lease or bailment of such property,*

*may not be rescinded or terminated for a breach of terms of the contract occurring before or during that person's military service, nor may the property be repossessed for such breach without a court order.*

*''(2) APPLICABILITY.—This section applies only to a contract for which a deposit or installment has been paid by the servicemember before the servicemember enters military service.*

*''(b) PENALTIES.—*

*''(1) MISDEMEANOR.—A person who knowingly resumes possession of property in violation of subsection (a), or in violation of section 107 of this Act, or who knowingly attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.*

*''(2) PRESERVATION OF OTHER REMEDIES AND RIGHTS.—The remedies and rights provided under this section are in addition to and do not preclude any remedy for wrongful conversion otherwise available under law to the person claiming relief under this section, including any award for consequential and punitive damages.*

*''(c) AUTHORITY OF COURT.—In a hearing based on this section, the court—*

*''(1) may order repayment to the servicemember of all or part of the prior installments or deposits as a condition of terminating the contract and resuming possession of the property;*

*''(2) may, on its own motion, and shall on application by a servicemember when the servicemember's ability to comply with the contract is materially affected by military service, stay the proceedings for a period of time as, in the opinion of the court, justice and equity require; or*

*''(3) may make other disposition as is equitable to preserve the interests of all parties.*

***''SEC. 303. MORTGAGES AND TRUST DEEDS.***

*''(a) MORTGAGE AS SECURITY.—This section applies only to an obligation on real or personal property owned by a servicemember that—*

*''(1) originated before the period of the servicemember's military service and for which the servicemember is still obligated; and*

*''(2) is secured by a mortgage, trust deed, or other security in the nature of a mortgage.*

*''(b) STAY OF PROCEEDINGS AND ADJUSTMENT OF OBLIGATION.—In an action filed during, or within 90 days after, a servicemember's period of military service to enforce an obligation described in subsection (a), the court may after a hearing and on its own motion and shall upon application by a servicemember when the servicemember's ability to comply with the obligation is materially affected by military service—*

*''(1) stay the proceedings for a period of time as justice and equity require, or*

*''(2) adjust the obligation to preserve the interests of all parties.*

*''(c) SALE OR FORECLOSURE.—A sale, foreclosure, or seizure of property for a breach of an obligation described in subsection (a) shall not be valid if made during, or within 90 days after, the period of the servicemember's military service except—*

*''(1) upon a court order granted before such sale, foreclosure, or seizure with a return made and approved by the court; or*

*''(2) if made pursuant to an agreement as provided in section 107.*

*''(d) PENALTIES.—*

*''(1) MISDEMEANOR.—A person who knowingly makes or causes to be made a sale, foreclosure, or seizure of property that is prohibited by subsection (c), or who knowingly attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.*

*''(2) PRESERVATION OF OTHER REMEDIES.—The remedies and rights provided under this section are in addition to and do not preclude any remedy for wrongful conversion otherwise available under law to the person claiming relief under this section, including consequential and punitive damages.*

***''SEC. 304. SETTLEMENT OF STAYED CASES RELATING TO PERSONAL PROPERTY.***

*''(a) APPRAISAL OF PROPERTY.—When a stay is granted pursuant to this Act in a proceeding*

*to foreclose a mortgage on or to repossess personal property, or to rescind or terminate a contract for the purchase of personal property, the court may appoint three disinterested parties to appraise the property.*

*''(b) EQUITY PAYMENT.—Based on the appraisal, and if undue hardship to the servicemember's dependents will not result, the court may order that the amount of the servicemember's equity in the property be paid to the servicemember, or the servicemember's dependents, as a condition of foreclosing the mortgage, repossessing the property, or rescinding or terminating the contract.*

***''SEC. 305. TERMINATION OF RESIDENTIAL OR MOTOR VEHICLE LEASES.***

*''(a) TERMINATION BY LESSEE.—The lessee on a lease described in subsection (b) may, at the lessee's option, terminate the lease at any time after—*

*''(1) the lessee's entry into military service; or*

*''(2) the date of the lessee's military orders described in paragraph (1)(B) or (2)(B) of subsection (b), as the case may be.*

*''(b) COVERED LEASES.—This section applies to the following leases:*

*''(1) LEASES OF PREMISES.—A lease of premises occupied, or intended to be occupied, by a servicemember or a servicemember's dependents for a residential, professional, business, agricultural, or similar purpose if—*

*''(A) the lease is executed by or on behalf of a person who thereafter and during the term of the lease enters military service; or*

*''(B) the servicemember, while in military service, executes the lease and thereafter receives military orders for a permanent change of station or to deploy with a military unit for a period of not less than 90 days.*

*''(2) LEASES OF MOTOR VEHICLES.—A lease of a motor vehicle used, or intended to be used, by a servicemember or a servicemember's dependents for personal or business transportation if—*

*''(A) the lease is executed by or on behalf of a person who thereafter and during the term of the lease enters military service under a call or order specifying a period of not less than 180 days (or who enters military service under a call or order specifying a period of 180 days or less and who, without a break in service, receives orders extending the period of military service to a period of not less than 180 days); or*

*''(B) the servicemember, while in military service, executes the lease and thereafter receives military orders for a permanent change of station outside of the continental United States or to deploy with a military unit for a period of not less than 180 days.*

*''(c) MANNER OF TERMINATION.—*

*''(1) IN GENERAL.—Termination of a lease under subsection (a) is made—*

*''(A) by delivery by the lessee of written notice of such termination, and a copy of the servicemember's military orders, to the lessor (or the lessor's grantee), or to the lessor's agent (or the agent's grantee); and*

*''(B) in the case of a lease of a motor vehicle, by return of the motor vehicle by the lessee to the lessor (or the lessor's grantee), or to the lessor's agent (or the agent's grantee), not later than 15 days after the date of the delivery of written notice under subparagraph (A).*

*''(2) DELIVERY OF NOTICE.—Delivery of notice under paragraph (1)(A) may be accomplished—*

*''(A) by hand delivery;*

*''(B) by private business carrier; or*

*''(C) by placing the written notice in an envelope with sufficient postage and with return receipt requested, and addressed as designated by the lessor (or the lessor's grantee) or to the lessor's agent (or the agent's grantee), and depositing the written notice in the United States mails.*

*''(d) EFFECTIVE DATE OF LEASE TERMINATION.—*

*''(1) LEASE OF PREMISES.—In the case of a lease described in subsection (b)(1) that provides for monthly payment of rent, termination of the lease under subsection (a) is effective 30 days after the first date on which the next rental payment is due and payable after the date on which the notice under subsection (c) is delivered. In the case of any other lease described in subsection (b)(1), termination of the lease under subsection (a) is effective on the last day of the month following the month in which the notice is delivered.*

*''(2) LEASE OF MOTOR VEHICLES.—In the case of a lease described in subsection (b)(2), termination of the lease under subsection (a) is effective on the day on which the requirements of subsection (c) are met for such termination.*

*''(e) ARREARAGES AND OTHER OBLIGATIONS AND LIABILITIES.—Rents or lease amounts unpaid for the period preceding the effective date of the lease termination shall be paid on a prorated basis. In the case of the lease of a motor vehicle, the lessor may not impose an early termination charge, but any taxes, summonses, and title and registration fees and any other obligation and liability of the lessee in accordance with the terms of the lease, including reasonable charges to the lessee for excess wear, use and mileage, that are due and unpaid at the time of termination of the lease shall be paid by the lessee.*

*''(f) RENT PAID IN ADVANCE.—Rents or lease amounts paid in advance for a period after the effective date of the termination of the lease shall be refunded to the lessee by the lessor (or the lessor's assignee or the assignee's agent) within 30 days of the effective date of the termination of the lease.*

*''(g) RELIEF TO LESSOR.—Upon application by the lessor to a court before the termination date provided in the written notice, relief granted by this section to a servicemember may be modified as justice and equity require.*

*''(h) PENALTIES.—*

*''(1) MISDEMEANOR.—Any person who knowingly seizes, holds, or detains the personal effects, security deposit, or other property of a servicemember or a servicemember's dependent who lawfully terminates a lease covered by this section, or who knowingly interferes with the removal of such property from premises covered by such lease, for the purpose of subjecting or attempting to subject any of such property to a claim for rent accruing subsequent to the date of termination of such lease, or attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.*

*''(2) PRESERVATION OF OTHER REMEDIES.—The remedy and rights provided under this section are in addition to and do not preclude any remedy for wrongful conversion otherwise available under law to the person claiming relief under this section, including any award for consequential or punitive damages.*

***''SEC. 306. PROTECTION OF LIFE INSURANCE POLICY.***

*''(a) ASSIGNMENT OF POLICY PROTECTED.—If a life insurance policy on the life of a servicemember is assigned before military service to secure the payment of an obligation, the assignee of the policy (except the insurer in connection with a policy loan) may not exercise, during a period of military service of the servicemember or within one year thereafter, any right or option obtained under the assignment without a court order.*

*''(b) EXCEPTION.—The prohibition in subsection (a) shall not apply—*

*''(1) if the assignee has the written consent of the insured made during the period described in subsection (a);*

*''(2) when the premiums on the policy are due and unpaid; or*

*''(3) upon the death of the insured.*

*''(c) ORDER REFUSED BECAUSE OF MATERIAL AFFECT.—A court which receives an application for an order required under subsection (a) may refuse to grant such order if the court determines the ability of the servicemember to comply with the terms of the obligation is materially affected by military service.*

*''(d) TREATMENT OF GUARANTEED PREMIUMS.—For purposes of this subsection, premiums guaranteed under the provisions of title IV of this Act shall not be considered due and unpaid.*

*''(e) PENALTIES.—*

*''(1) MISDEMEANOR.—A person who knowingly takes an action contrary to this section, or attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.*

*''(2) PRESERVATION OF OTHER REMEDIES.—The remedy and rights provided under this section are in addition to and do not preclude any remedy for wrongful conversion otherwise available under law to the person claiming relief under this section, including any consequential or punitive damages.*

***''SEC. 307. ENFORCEMENT OF STORAGE LIENS.***

*''(a) LIENS.—*

*''(1) LIMITATION ON FORECLOSURE OR ENFORCEMENT.—A person holding a lien on the property or effects of a servicemember may not, during any period of military service of the servicemember and for 90 days thereafter, foreclose or enforce any lien on such property or effects without a court order granted before foreclosure or enforcement.*

*''(2) LIEN DEFINED.—For the purposes of paragraph (1), the term 'lien' includes a lien for storage, repair, or cleaning of the property or effects of a servicemember or a lien on such property or effects for any other reason.*

*''(b) STAY OF PROCEEDINGS.—In a proceeding to foreclose or enforce a lien subject to this section, the court may on its own motion, and shall if requested by a servicemember whose ability to comply with the obligation resulting in the proceeding is materially affected by military service—*

*''(1) stay the proceeding for a period of time as justice and equity require; or*

*''(2) adjust the obligation to preserve the interests of all parties.*

*The provisions of this subsection do not affect the scope of section 303.*

*''(c) PENALTIES.—*

*''(1) MISDEMEANOR.—A person who knowingly takes an action contrary to this section, or attempts to do so, shall be fined as provided in title 18, United States Code, or imprisoned for not more than one year, or both.*

*''(2) PRESERVATION OF OTHER REMEDIES.—The remedy and rights provided under this section are in addition to and do not preclude any remedy for wrongful conversion otherwise available under law to the person claiming relief under this section, including any consequential or punitive damages.*

***''SEC. 308. EXTENSION OF PROTECTIONS TO DEPENDENTS.***

*''Upon application to a court, a dependent of a servicemember is entitled to the protections of this title if the dependent's ability to comply with a lease, contract, bailment, or other obligation is materially affected by reason of the servicemember's military service.*

## *''TITLE IV—LIFE INSURANCE*

***''SEC. 401. DEFINITIONS.***

*''For the purposes of this title:*

*''(1) POLICY.—The term 'policy' means any individual contract for whole, endowment, universal, or term life insurance (other than group term life insurance coverage), including any benefit in the nature of such insurance arising out of membership in any fraternal or beneficial association which—*

*''(A) provides that the insurer may not—*

*''(i) decrease the amount of coverage or require the payment of an additional amount as premiums if the insured engages in military service (except increases in premiums in individual term insurance based upon age); or*

*''(ii) limit or restrict coverage for any activity required by military service; and*

*''(B) is in force not less than 180 days before the date of the insured's entry into military*

*service and at the time of application under this title.*

*''(2) PREMIUM.—The term 'premium' means the amount specified in an insurance policy to be paid to keep the policy in force.*

*''(3) INSURED.—The term 'insured' means a servicemember whose life is insured under a policy.*

*''(4) INSURER.—The term 'insurer' includes any firm, corporation, partnership, association, or business that is chartered or authorized to provide insurance and issue contracts or policies by the laws of a State or the United States.*

***''SEC. 402. INSURANCE RIGHTS AND PROTECTIONS.***

*''(a) RIGHTS AND PROTECTIONS.—The rights and protections under this title apply to the insured when—*

*''(1) the insured,*

*''(2) the insured's legal representative, or*

*''(3) the insured's beneficiary in the case of an insured who is outside a State,*

*applies in writing for protection under this title, unless the Secretary of Veterans Affairs determines that the insured's policy is not entitled to protection under this title.*

*''(b) NOTIFICATION AND APPLICATION.—The Secretary of Veterans Affairs shall notify the Secretary concerned of the procedures to be used to apply for the protections provided under this title. The applicant shall send the original application to the insurer and a copy to the Secretary of Veterans Affairs.*

*''(c) LIMITATION ON AMOUNT.—The total amount of life insurance coverage protection provided by this title for a servicemember may not exceed $250,000, or an amount equal to the Servicemember's Group Life Insurance maximum limit, whichever is greater, regardless of the number of policies submitted.*

***''SEC. 403. APPLICATION FOR INSURANCE PROTECTION.***

*''(a) APPLICATION PROCEDURE.—An application for protection under this title shall—*

*''(1) be in writing and signed by the insured, the insured's legal representative, or the insured's beneficiary, as the case may be;*

*''(2) identify the policy and the insurer; and*

*''(3) include an acknowledgement that the insured's rights under the policy are subject to and modified by the provisions of this title.*

*''(b) ADDITIONAL REQUIREMENTS.—The Secretary of Veterans Affairs may require additional information from the applicant, the insured and the insurer to determine if the policy is entitled to protection under this title.*

*''(c) NOTICE TO THE SECRETARY BY THE INSURER.—Upon receipt of the application of the insured, the insurer shall furnish a report concerning the policy to the Secretary of Veterans Affairs as required by regulations prescribed by the Secretary.*

*''(d) POLICY MODIFICATION.—Upon application for protection under this title, the insured and the insurer shall have constructively agreed to any policy modification necessary to give this title full force and effect.*

***''SEC. 404. POLICIES ENTITLED TO PROTECTION AND LAPSE OF POLICIES.***

*''(a) DETERMINATION.—The Secretary of Veterans Affairs shall determine whether a policy is entitled to protection under this title and shall notify the insured and the insurer of that determination.*

*''(b) LAPSE PROTECTION.—A policy that the Secretary determines is entitled to protection under this title shall not lapse or otherwise terminate or be forfeited for the nonpayment of a premium, or interest or indebtedness on a premium, after the date on which the application for protection is received by the Secretary.*

*''(c) TIME APPLICATION.—The protection provided by this title applies during the insured's period of military service and for a period of two years thereafter.*

***''SEC. 405. POLICY RESTRICTIONS.***

*''(a) DIVIDENDS.—While a policy is protected under this title, a dividend or other monetary benefit under a policy may not be paid to an insured or used to purchase dividend additions without the approval of the Secretary of Veterans Affairs. If such approval is not obtained, the dividends or benefits shall be added to the value of the policy to be used as a credit when final settlement is made with the insurer.*

*''(b) SPECIFIC RESTRICTIONS.—While a policy is protected under this title, cash value, loan value, withdrawal of dividend accumulation, unearned premiums, or other value of similar character may not be available to the insured without the approval of the Secretary. The right of the insured to change a beneficiary designation or select an optional settlement for a beneficiary shall not be affected by the provisions of this title.*

***''SEC. 406. DEDUCTION OF UNPAID PREMIUMS.***

*''(a) SETTLEMENT OF PROCEEDS.—If a policy matures as a result of a servicemember's death or otherwise during the period of protection of the policy under this title, the insurer in making settlement shall deduct from the insurance proceeds the amount of the unpaid premiums guaranteed under this title, together with interest due at the rate fixed in the policy for policy loans.*

*''(b) INTEREST RATE.—If the interest rate is not specifically fixed in the policy, the rate shall be the same as for policy loans in other policies issued by the insurer at the time the insured's policy was issued.*

*''(c) REPORTING REQUIREMENT.—The amount deducted under this section, if any, shall be reported by the insurer to the Secretary of Veterans Affairs.*

***''SEC. 407. PREMIUMS AND INTEREST GUARANTEED BY UNITED STATES.***

*''(a) GUARANTEE OF PREMIUMS AND INTEREST BY THE UNITED STATES.—*

*''(1) GUARANTEE.—Payment of premiums, and interest on premiums at the rate specified in section 406, which become due on a policy under the protection of this title is guaranteed by the United States. If the amount guaranteed is not paid to the insurer before the period of insurance protection under this title expires, the amount due shall be treated by the insurer as a policy loan on the policy.*

*''(2) POLICY TERMINATION.—If, at the expiration of insurance protection under this title, the cash surrender value of a policy is less than the amount due to pay premiums and interest on premiums on the policy, the policy shall terminate. Upon such termination, the United States shall pay the insurer the difference between the amount due and the cash surrender value.*

*''(b) RECOVERY FROM INSURED OF AMOUNTS PAID BY THE UNITED STATES.—*

*''(1) DEBT PAYABLE TO THE UNITED STATES.—The amount paid by the United States to an insurer under this title shall be a debt payable to the United States by the insured on whose policy payment was made.*

*''(2) COLLECTION.—Such amount may be collected by the United States, either as an offset from any amount due the insured by the United States or as otherwise authorized by law.*

*''(3) DEBT NOT DISCHARGEABLE IN BANKRUPTCY.—Such debt payable to the United States is not dischargeable in bankruptcy proceedings.*

*''(c) CREDITING OF AMOUNTS RECOVERED.—Any amounts received by the United States as repayment of debts incurred by an insured under this title shall be credited to the appropriation for the payment of claims under this title.*

***''SEC. 408. REGULATIONS.***

*''The Secretary of Veterans Affairs shall prescribe regulations for the implementation of this title.*

***''SEC. 409. REVIEW OF FINDINGS OF FACT AND CONCLUSIONS OF LAW.***

*''The findings of fact and conclusions of law made by the Secretary of Veterans Affairs in administering this title are subject to review on appeal to the Board of Veterans' Appeals pursuant to chapter 71 of title 38, United States Code, and to judicial review only as provided in chapter 72 of such title.*

***''TITLE V—TAXES AND PUBLIC LANDS***

***''SEC. 501. TAXES RESPECTING PERSONAL PROPERTY, MONEY, CREDITS, AND REAL PROPERTY.***

*''(a) APPLICATION.—This section applies in any case in which a tax or assessment, whether general or special (other than a tax on personal income), falls due and remains unpaid before or during a period of military service with respect to a servicemember's—*

*''(1) personal property (including motor vehicles); or*

*''(2) real property occupied for dwelling, professional, business, or agricultural purposes by a servicemember or the servicemember's dependents or employees—*

*''(A) before the servicemember's entry into military service; and*

*''(B) during the time the tax or assessment remains unpaid.*

*''(b) SALE OF PROPERTY.—*

*''(1) LIMITATION ON SALE OF PROPERTY TO ENFORCE TAX ASSESSMENT.—Property described in subsection (a) may not be sold to enforce the collection of such tax or assessment except by court order and upon the determination by the court that military service does not materially affect the servicemember's ability to pay the unpaid tax or assessment.*

*''(2) STAY OF COURT PROCEEDINGS.—A court may stay a proceeding to enforce the collection of such tax or assessment, or sale of such property, during a period of military service of the servicemember and for a period not more than 180 days after the termination of, or release of the servicemember from, military service.*

*''(c) REDEMPTION.—When property described in subsection (a) is sold or forfeited to enforce the collection of a tax or assessment, a servicemember shall have the right to redeem or commence an action to redeem the servicemember's property during the period of military service or within 180 days after termination of or release from military service. This subsection may not be construed to shorten any period provided by the law of a State (including any political subdivision of a State) for redemption.*

*''(d) INTEREST ON TAX OR ASSESSMENT.—Whenever a servicemember does not pay a tax or assessment on property described in subsection (a) when due, the amount of the tax or assessment due and unpaid shall bear interest until paid at the rate of 6 percent per year. An additional penalty or interest shall not be incurred by reason of nonpayment. A lien for such unpaid tax or assessment may include interest under this subsection.*

*''(e) JOINT OWNERSHIP APPLICATION.—This section applies to all forms of property described in subsection (a) owned individually by a servicemember or jointly by a servicemember and a dependent or dependents.*

***''SEC. 502. RIGHTS IN PUBLIC LANDS.***

*''(a) RIGHTS NOT FORFEITED.—The rights of a servicemember to lands owned or controlled by the United States, and initiated or acquired by the servicemember under the laws of the United States (including the mining and mineral leasing laws) before military service, shall not be forfeited or prejudiced as a result of being absent from the land, or by failing to begin or complete any work or improvements to the land, during the period of military service.*

*''(b) TEMPORARY SUSPENSION OF PERMITS OR LICENSES.—If a permittee or licensee under the Act of June 28, 1934 (43 U.S.C. 315 et seq.), enters military service, the permittee or licensee may suspend the permit or license for the period of military service and for 180 days after termination of or release from military service.*

*''(c) REGULATIONS.—Regulations prescribed by the Secretary of the Interior shall provide for*

*such suspension of permits and licenses and for the remission, reduction, or refund of grazing fees during the period of such suspension.*

***"SEC. 503. DESERT-LAND ENTRIES.***

*''(a) DESERT-LAND RIGHTS NOT FORFEITED.—A desert-land entry made or held under the desert-land laws before the entrance of the entryman or the entryman's successor in interest into military service shall not be subject to contest or cancellation—*

*''(1) for failure to expend any required amount per acre per year in improvements upon the claim;*

*''(2) for failure to effect the reclamation of the claim during the period the entryman or the entryman's successor in interest is in the military service, or for 180 days after termination of or release from military service; or*

*''(3) during any period of hospitalization or rehabilitation due to an injury or disability incurred in the line of duty.*

*The time within which the entryman or claimant is required to make such expenditures and effect reclamation of the land shall be exclusive of the time periods described in paragraphs (2) and (3).*

*''(b) SERVICE-RELATED DISABILITY.—If an entryman or claimant is honorably discharged and is unable to accomplish reclamation of, and payment for, desert land due to a disability incurred in the line of duty, the entryman or claimant may make proof without further reclamation or payments, under regulations prescribed by the Secretary of the Interior, and receive a patent for the land entered or claimed.*

*''(c) FILING REQUIREMENT.—In order to obtain the protection of this section, the entryman or claimant shall, within 180 days after entry into military service, cause to be filed in the land office of the district where the claim is situated a notice communicating the fact of military service and the desire to hold the claim under this section.*

***"SEC. 504. MINING CLAIMS.***

*''(a) REQUIREMENTS SUSPENDED.—The provisions of section 2324 of the Revised Statutes of the United States (30 U.S.C. 28) specified in subsection (b) shall not apply to a servicemember's claims or interests in claims, regularly located and recorded, during a period of military service and 180 days thereafter, or during any period of hospitalization or rehabilitation due to injuries or disabilities incurred in the line of duty.*

*''(b) REQUIREMENTS.—The provisions in section 2324 of the Revised Statutes that shall not apply under subsection (a) are those which require that on each mining claim located after May 10, 1872, and until a patent has been issued for such claim, not less than $100 worth of labor shall be performed or improvements made during each year.*

*''(c) PERIOD OF PROTECTION FROM FORFEITURE.—A mining claim or an interest in a claim owned by a servicemember that has been regularly located and recorded shall not be subject to forfeiture for nonperformance of annual assessments during the period of military service and for 180 days thereafter, or for any period of hospitalization or rehabilitation described in subsection (a).*

*''(d) FILING REQUIREMENT.—In order to obtain the protections of this section, the claimant of a mining location shall, before the end of the assessment year in which military service is begun or within 60 days after the end of such assessment year, cause to be filed in the office where the location notice or certificate is recorded a notice communicating the fact of military service and the desire to hold the mining claim under this section.*

***"SEC. 505. MINERAL PERMITS AND LEASES.***

*''(a) SUSPENSION DURING MILITARY SERVICE.—A person holding a permit or lease on the public domain under the Federal mineral leasing laws who enters military service may suspend all operations under the permit or lease for the duration of military service and for 180 days thereafter. The term of the permit or lease shall not run during the period of suspension, nor shall any rental or royalties be charged against the permit or lease during the period of suspension.*

*''(b) NOTIFICATION.—In order to obtain the protection of this section, the permittee or lessee shall, within 180 days after entry into military service, notify the Secretary of the Interior by registered mail of the fact that military service has begun and of the desire to hold the claim under this section.*

*''(c) CONTRACT MODIFICATION.—This section shall not be construed to supersede the terms of any contract for operation of a permit or lease.*

***"SEC. 506. PERFECTION OR DEFENSE OF RIGHTS.***

*''(a) RIGHT TO TAKE ACTION NOT AFFECTED.—This title shall not affect the right of a servicemember to take action during a period of military service that is authorized by law or regulations of the Department of the Interior, for the perfection, defense, or further assertion of rights initiated or acquired before entering military service.*

*''(b) AFFIDAVITS AND PROOFS.—*

*''(1) IN GENERAL.—A servicemember during a period of military service may make any affidavit or submit any proof required by law, practice, or regulation of the Department of the Interior in connection with the entry, perfection, defense, or further assertion of rights initiated or acquired before entering military service before an officer authorized to provide notary services under section 1044a of title 10, United States Code, or any superior commissioned officer.*

*''(2) LEGAL STATUS OF AFFIDAVITS.—Such affidavits shall be binding in law and subject to the same penalties as prescribed by section 1001 of title 18, United State Code.*

***"SEC. 507. DISTRIBUTION OF INFORMATION CONCERNING BENEFITS OF TITLE.***

*''(a) DISTRIBUTION OF INFORMATION BY SECRETARY CONCERNED.—The Secretary concerned shall issue to servicemembers information explaining the provisions of this title.*

*''(b) APPLICATION FORMS.—The Secretary concerned shall provide application forms to servicemembers requesting relief under this title.*

*''(c) INFORMATION FROM SECRETARY OF THE INTERIOR.—The Secretary of the Interior shall furnish to the Secretary concerned information explaining the provisions of this title (other than sections 501, 510, and 511) and related application forms.*

***"SEC. 508. LAND RIGHTS OF SERVICEMEMBERS.***

*''(a) NO AGE LIMITATIONS.—Any servicemember under the age of 21 in military service shall be entitled to the same rights under the laws relating to lands owned or controlled by the United States, including mining and mineral leasing laws, as those servicemembers who are 21 years of age.*

*''(b) RESIDENCY REQUIREMENT.—Any requirement related to the establishment of a residence within a limited time shall be suspended as to entry by a servicemember in military service until 180 days after termination of or release from military service.*

*''(c) ENTRY APPLICATIONS.—Applications for entry may be verified before a person authorized to administer oaths under section 1044a of title 10, United States Code, or under the laws of the State where the land is situated.*

***"SEC. 509. REGULATIONS.***

*''The Secretary of the Interior may issue regulations necessary to carry out this title (other than sections 501, 510, and 511).*

***"SEC. 510. INCOME TAXES.***

*''(a) DEFERRAL OF TAX.—Upon notice to the Internal Revenue Service or the tax authority of a State or a political subdivision of a State, the collection of income tax on the income of a servicemember falling due before or during military service shall be deferred for a period not more than 180 days after termination of or release from military service, if a servicemember's ability to pay such income tax is materially affected by military service.*

*''(b) ACCRUAL OF INTEREST OR PENALTY.—No interest or penalty shall accrue for the period of deferment by reason of nonpayment on any amount of tax deferred under this section.*

*''(c) STATUTE OF LIMITATIONS.—The running of a statute of limitations against the collection of tax deferred under this section, by seizure or otherwise, shall be suspended for the period of military service of the servicemember and for an additional period of 270 days thereafter.*

*''(d) APPLICATION LIMITATION.—This section shall not apply to the tax imposed on employees by section 3101 of the Internal Revenue Code of 1986.*

***"SEC. 511. RESIDENCE FOR TAX PURPOSES.***

*''(a) RESIDENCE OR DOMICILE.—A servicemember shall neither lose nor acquire a residence or domicile for purposes of taxation with respect to the person, personal property, or income of the servicemember by reason of being absent or present in any tax jurisdiction of the United States solely in compliance with military orders.*

*''(b) MILITARY SERVICE COMPENSATION.—Compensation of a servicemember for military service shall not be deemed to be income for services performed or from sources within a tax jurisdiction of the United States if the servicemember is not a resident or domiciliary of the jurisdiction in which the servicemember is serving in compliance with military orders.*

*''(c) PERSONAL PROPERTY.—*

*''(1) RELIEF FROM PERSONAL PROPERTY TAXES.—The personal property of a servicemember shall not be deemed to be located or present in, or to have a situs for taxation in, the tax jurisdiction in which the servicemember is serving in compliance with military orders.*

*''(2) EXCEPTION FOR PROPERTY WITHIN MEMBER'S DOMICILE OR RESIDENCE.—This subsection applies to personal property or its use within any tax jurisdiction other than the servicemember's domicile or residence.*

*''(3) EXCEPTION FOR PROPERTY USED IN TRADE OR BUSINESS.—This section does not prevent taxation by a tax jurisdiction with respect to personal property used in or arising from a trade or business, if it has jurisdiction.*

*''(4) RELATIONSHIP TO LAW OF STATE OF DOMICILE.—Eligibility for relief from personal property taxes under this subsection is not contingent on whether or not such taxes are paid to the State of domicile.*

*''(d) INCREASE OF TAX LIABILITY.—A tax jurisdiction may not use the military compensation of a nonresident servicemember to increase the tax liability imposed on other income earned by the nonresident servicemember or spouse subject to tax by the jurisdiction.*

*''(e) FEDERAL INDIAN RESERVATIONS.—An Indian servicemember whose legal residence or domicile is a Federal Indian reservation shall be taxed by the laws applicable to Federal Indian reservations and not the State where the reservation is located.*

*''(f) DEFINITIONS.—For purposes of this section:*

*''(1) PERSONAL PROPERTY.—The term 'personal property' means intangible and tangible property (including motor vehicles).*

*''(2) TAXATION.—The term 'taxation' includes licenses, fees, or excises imposed with respect to motor vehicles and their use, if the license, fee, or excise is paid by the servicemember in the servicemember's State of domicile or residence.*

*''(3) TAX JURISDICTION.—The term 'tax jurisdiction' means a State or a political subdivision of a State.*

***"TITLE VI—ADMINISTRATIVE REMEDIES***

***"SEC. 601. INAPPROPRIATE USE OF ACT.***

*''If a court determines, in any proceeding to enforce a civil right, that any interest, property, or contract has been transferred or acquired with the intent to delay the just enforcement of such right by taking advantage of this Act, the court shall enter such judgment or make such order as might lawfully be entered or made concerning such transfer or acquisition.*

**"SEC. 602. CERTIFICATES OF SERVICE; PERSONS REPORTED MISSING.**

''(a) PRIMA FACIE EVIDENCE.—In any proceeding under this Act, a certificate signed by the Secretary concerned is prima facie evidence as to any of the following facts stated in the certificate:

''(1) That a person named is, is not, has been, or has not been in military service.

''(2) The time and the place the person entered military service.

''(3) The person's residence at the time the person entered military service.

''(4) The rank, branch, and unit of military service of the person upon entry.

''(5) The inclusive dates of the person's military service.

''(6) The monthly pay received by the person at the date of the certificate's issuance.

''(7) The time and place of the person's termination of or release from military service, or the person's death during military service.

''(b) CERTIFICATES.—The Secretary concerned shall furnish a certificate under subsection (a) upon receipt of an application for such a certificate. A certificate appearing to be signed by the Secretary concerned is prima facie evidence of its contents and of the signer's authority to issue it.

''(c) TREATMENT OF SERVICEMEMBERS IN MISSING STATUS.—A servicemember who has been reported missing is presumed to continue in service until accounted for. A requirement under this Act that begins or ends with the death of a servicemember does not begin or end until the servicemember's death is reported to, or determined by, the Secretary concerned or by a court of competent jurisdiction.

**"SEC. 603. INTERLOCUTORY ORDERS.**

''An interlocutory order issued by a court under this Act may be revoked, modified, or extended by that court upon its own motion or otherwise, upon notification to affected parties as required by the court.

**"TITLE VII—FURTHER RELIEF**

**"SEC. 701. ANTICIPATORY RELIEF.**

''(a) APPLICATION FOR RELIEF.—A servicemember may, during military service or within 180 days of termination of or release from military service, apply to a court for relief—

''(1) from any obligation or liability incurred by the servicemember before the servicemember's military service; or

''(2) from a tax or assessment falling due before or during the servicemember's military service.

''(b) TAX LIABILITY OR ASSESSMENT.—In a case covered by subsection (a), the court may, if the ability of the servicemember to comply with the terms of such obligation or liability or pay such tax or assessment has been materially affected by reason of military service, after appropriate notice and hearing, grant the following relief:

''(1) STAY OF ENFORCEMENT OF REAL ESTATE CONTRACTS.—

''(A) In the case of an obligation payable in installments under a contract for the purchase of real estate, or secured by a mortgage or other instrument in the nature of a mortgage upon real estate, the court may grant a stay of the enforcement of the obligation—

''(i) during the servicemember's period of military service; and

''(ii) from the date of termination of or release from military service, or from the date of application if made after termination of or release from military service.

''(B) Any stay under this paragraph shall be—

''(i) for a period equal to the remaining life of the installment contract or other instrument, plus a period of time equal to the period of military service of the servicemember, or any part of such combined period; and

''(ii) subject to payment of the balance of the principal and accumulated interest due and unpaid at the date of termination or release from the applicant's military service or from the date of application in equal installments during the combined period at the rate of interest on the unpaid balance prescribed in the contract or other instrument evidencing the obligation, and subject to other terms as may be equitable.

''(2) STAY OF ENFORCEMENT OF OTHER CONTRACTS.—

''(A) In the case of any other obligation, liability, tax, or assessment, the court may grant a stay of enforcement—

''(i) during the servicemember's military service; and

''(ii) from the date of termination of or release from military service, or from the date of application if made after termination or release from military service.

''(B) Any stay under this paragraph shall be—

''(i) for a period of time equal to the period of the servicemember's military service or any part of such period; and

''(ii) subject to payment of the balance of principal and accumulated interest due and unpaid at the date of termination or release from military service, or the date of application, in equal periodic installments during this extended period at the rate of interest as may be prescribed for this obligation, liability, tax, or assessment, if paid when due, and subject to other terms as may be equitable.

''(c) AFFECT OF STAY ON FINE OR PENALTY.—When a court grants a stay under this section, a fine or penalty shall not accrue on the obligation, liability, tax, or assessment for the period of compliance with the terms and conditions of the stay.

**"SEC. 702. POWER OF ATTORNEY.**

''(a) AUTOMATIC EXTENSION.—A power of attorney of a servicemember shall be automatically extended for the period the servicemember is in a missing status (as defined in section 551(2) of title 37, United States Code) if the power of attorney—

''(1) was duly executed by the servicemember—

''(A) while in military service; or

''(B) before entry into military service but after the servicemember—

''(i) received a call or order to report for military service; or

''(ii) was notified by an official of the Department of Defense that the person could receive a call or order to report for military service;

''(2) designates the servicemember's spouse, parent, or other named relative as the servicemember's attorney in fact for certain, specified, or all purposes; and

''(3) expires by its terms after the servicemember entered a missing status.

''(b) LIMITATION ON POWER OF ATTORNEY EXTENSION.—A power of attorney executed by a servicemember may not be extended under subsection (a) if the document by its terms clearly indicates that the power granted expires on the date specified even though the servicemember, after the date of execution of the document, enters a missing status.

**"SEC. 703. PROFESSIONAL LIABILITY PROTECTION.**

''(a) APPLICABILITY.—This section applies to a servicemember who—

''(1) after July 31, 1990, is ordered to active duty (other than for training) pursuant to sections 688, 12301(a), 12301(g), 12302, 12304, 12306, or 12307 of title 10, United States Code, or who is ordered to active duty under section 12301(d) of such title during a period when members are on active duty pursuant to any of the preceding sections; and

''(2) immediately before receiving the order to active duty—

''(A) was engaged in the furnishing of healthcare or legal services or other services determined by the Secretary of Defense to be professional services; and

''(B) had in effect a professional liability insurance policy that does not continue to cover claims filed with respect to the servicemember during the period of the servicemember's active duty unless the premiums are paid for such coverage for such period.

''(b) SUSPENSION OF COVERAGE.—

''(1) SUSPENSION.—Coverage of a servicemember referred to in subsection (a) by a professional liability insurance policy shall be suspended by the insurance carrier in accordance with this subsection upon receipt of a written request from the servicemember by the insurance carrier.

''(2) PREMIUMS FOR SUSPENDED CONTRACTS.—A professional liability insurance carrier—

''(A) may not require that premiums be paid by or on behalf of a servicemember for any professional liability insurance coverage suspended pursuant to paragraph (1); and

''(B) shall refund any amount paid for coverage for the period of such suspension or, upon the election of such servicemember, apply such amount for the payment of any premium becoming due upon the reinstatement of such coverage.

''(3) NONLIABILITY OF CARRIER DURING SUSPENSION.—A professional liability insurance carrier shall not be liable with respect to any claim that is based on professional conduct (including any failure to take any action in a professional capacity) of a servicemember that occurs during a period of suspension of that servicemember's professional liability insurance under this subsection.

''(4) CERTAIN CLAIMS CONSIDERED TO ARISE BEFORE SUSPENSION.—For the purposes of paragraph (3), a claim based upon the failure of a professional to make adequate provision for a patient, client, or other person to receive professional services or other assistance during the period of the professional's active duty service shall be considered to be based on an action or failure to take action before the beginning of the period of the suspension of professional liability insurance under this subsection, except in a case in which professional services were provided after the date of the beginning of such period.

''(c) REINSTATEMENT OF COVERAGE.—

''(1) REINSTATEMENT REQUIRED.—Professional liability insurance coverage suspended in the case of any servicemember pursuant to subsection (b) shall be reinstated by the insurance carrier on the date on which that servicemember transmits to the insurance carrier a written request for reinstatement.

''(2) TIME AND PREMIUM FOR REINSTATEMENT.—The request of a servicemember for reinstatement shall be effective only if the servicemember transmits the request to the insurance carrier within 30 days after the date on which the servicemember is released from active duty. The insurance carrier shall notify the servicemember of the due date for payment of the premium of such insurance. Such premium shall be paid by the servicemember within 30 days after receipt of that notice.

''(3) PERIOD OF REINSTATED COVERAGE.—The period for which professional liability insurance coverage shall be reinstated for a servicemember under this subsection may not be less than the balance of the period for which coverage would have continued under the insurance policy if the coverage had not been suspended.

''(d) INCREASE IN PREMIUM.—

''(1) LIMITATION ON PREMIUM INCREASES.—An insurance carrier may not increase the amount of the premium charged for professional liability insurance coverage of any servicemember for the minimum period of the reinstatement of such coverage required under subsection (c)(3) to an amount greater than the amount chargeable for such coverage for such period before the suspension.

''(2) EXCEPTION.—Paragraph (1) does not prevent an increase in premium to the extent of any general increase in the premiums charged by that carrier for the same professional liability coverage for persons similarly covered by such insurance during the period of the suspension.

''(e) CONTINUATION OF COVERAGE OF UNAFFECTED PERSONS.—This section does not—

''(1) require a suspension of professional liability insurance protection for any person who is not a person referred to in subsection (a) and who is covered by the same professional liability insurance as a person referred to in such subsection; or

''(2) relieve any person of the obligation to pay premiums for the coverage not required to be suspended.

''(f) STAY OF CIVIL OR ADMINISTRATIVE ACTIONS.—

''(1) STAY OF ACTIONS.—A civil or administrative action for damages on the basis of the alleged professional negligence or other professional liability of a servicemember whose professional liability insurance coverage has been suspended under subsection (b) shall be stayed until the end of the period of the suspension if—

''(A) the action was commenced during the period of the suspension;

''(B) the action is based on an act or omission that occurred before the date on which the suspension became effective; and

''(C) the suspended professional liability insurance would, except for the suspension, on its face cover the alleged professional negligence or other professional liability negligence or other professional liability of the servicemember.

''(2) DATE OF COMMENCEMENT OF ACTION.—Whenever a civil or administrative action for damages is stayed under paragraph (1) in the case of any servicemember, the action shall have been deemed to have been filed on the date on which the professional liability insurance coverage of the servicemember is reinstated under subsection (c).

''(g) EFFECT OF SUSPENSION UPON LIMITATIONS PERIOD.—In the case of a civil or administrative action for which a stay could have been granted under subsection (f) by reason of the suspension of professional liability insurance coverage of the defendant under this section, the period of the suspension of the coverage shall be excluded from the computation of any statutory period of limitation on the commencement of such action.

''(h) DEATH DURING PERIOD OF SUSPENSION.—If a servicemember whose professional liability insurance coverage is suspended under subsection (b) dies during the period of the suspension—

''(1) the requirement for the grant or continuance of a stay in any civil or administrative action against such servicemember under subsection (f)(1) shall terminate on the date of the death of such servicemember; and

''(2) the carrier of the professional liability insurance so suspended shall be liable for any claim for damages for professional negligence or other professional liability of the deceased servicemember in the same manner and to the same extent as such carrier would be liable if the servicemember had died while covered by such insurance but before the claim was filed.

''(i) DEFINITIONS.—For purposes of this section:

''(1) ACTIVE DUTY.—The term 'active duty' has the meaning given that term in section 101(d)(1) of title 10, United States Code.

''(2) PROFESSION.—The term 'profession' includes occupation.

''(3) PROFESSIONAL.—The term 'professional' includes occupational.

**''SEC. 704. HEALTH INSURANCE REINSTATEMENT.**

''(a) REINSTATEMENT OF HEALTH INSURANCE.—A servicemember who, by reason of military service as defined in section 703(a)(1), is entitled to the rights and protections of this Act shall also be entitled upon termination or release from such service to reinstatement of any health insurance that—

''(1) was in effect on the day before such service commenced; and

''(2) was terminated effective on a date during the period of such service.

''(b) NO EXCLUSION OR WAITING PERIOD.—The reinstatement of health care insurance coverage for the health or physical condition of a servicemember described in subsection (a), or any other person who is covered by the insurance by reason of the coverage of the servicemember, shall not be subject to an exclusion or a waiting period, if—

''(1) the condition arose before or during the period of such service;

''(2) an exclusion or a waiting period would not have been imposed for the condition during the period of coverage; and

''(3) if the condition relates to the servicemember, the condition has not been determined by the Secretary of Veterans Affairs to be a disability incurred or aggravated in the line of duty (within the meaning of section 105 of title 38, United States Code).

''(c) EXCEPTIONS.—Subsection (a) does not apply to a servicemember entitled to participate in employer-offered insurance benefits pursuant to the provisions of chapter 43 of title 38, United States Code.

''(d) TIME FOR APPLYING FOR REINSTATEMENT.—An application under this section must be filed not later than 120 days after the date of the termination of or release from military service.

**''SEC. 705. GUARANTEE OF RESIDENCY FOR MILITARY PERSONNEL.**

''For the purposes of voting for any Federal office (as defined in section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431)) or a State or local office, a person who is absent from a State in compliance with military or naval orders shall not, solely by reason of that absence—

''(1) be deemed to have lost a residence or domicile in that State, without regard to whether or not the person intends to return to that State;

''(2) be deemed to have acquired a residence or domicile in any other State; or

''(3) be deemed to have become a resident in or a resident of any other State.

**''SEC. 706. BUSINESS OR TRADE OBLIGATIONS.**

''(a) AVAILABILITY OF NON-BUSINESS ASSETS TO SATISFY OBLIGATIONS.—If the trade or business (without regard to the form in which such trade or business is carried out) of a servicemember has an obligation or liability for which the servicemember is personally liable, the assets of the servicemember not held in connection with the trade or business may not be available for satisfaction of the obligation or liability during the servicemember's military service.

''(b) RELIEF TO OBLIGORS.—Upon application to a court by the holder of an obligation or liability covered by this section, relief granted by this section to a servicemember may be modified as justice and equity require.''.

**SEC. 2. CONFORMING AMENDMENTS.**

(a) MILITARY SELECTIVE SERVICE ACT.—Section 14 of the Military Selective Service Act (50 U.S.C. App. 464) is repealed.

(b) TITLE 5, UNITED STATES CODE.—

(1) Section 5520a(k)(2)(A) of title 5, United States Code, is amended by striking ''Soldiers' and Sailors' Civil Relief Act of 1940'' and inserting ''Servicemembers Civil Relief Act''; and

(2) Section 5569(e) of title 5, United States Code, is amended—

(A) in paragraph (1), by striking ''provided by the Soldiers' and Sailors' Civil Relief Act of 1940'' and all that follows through ''of such Act'' and inserting ''provided by the Servicemembers Civil Relief Act, including the benefits provided by section 702 of such Act but excluding the benefits provided by sections 104, 105, and 106, title IV, and title V (other than sections 501 and 510) of such Act''; and

(B) in paragraph (2)(A), by striking ''person in the military service'' and inserting ''servicemember''.

(c) TITLE 10, UNITED STATES CODE.—Section 1408(b)(1)(D) of title 10, United States Code, is amended by striking ''Soldiers' and Sailors' Civil Relief Act of 1940'' and inserting ''Servicemembers Civil Relief Act''.

(d) INTERNAL REVENUE CODE.—Section 7654(d)(1) of the Internal Revenue Code of 1986 is amended by striking ''Soldiers' and Sailors' Civil Relief Act'' and inserting ''Servicemembers Civil Relief Act''.

(e) PUBLIC HEALTH SERVICE ACT.—Section 212(e) of the Public Health Service Act (42 U.S.C. 213(e)) is amended by striking ''Soldiers' and Sailors' Civil Relief Act of 1940'' and inserting ''Servicemembers Civil Relief Act''.

(f) ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—Section 8001 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701) is amended by striking ''section 514 of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 574)'' in the matter preceding paragraph (1) and inserting ''section 511 of the Servicemembers Civil Relief Act''.

(g) NOAA COMMISSIONED OFFICER CORPS ACT OF 2002.—Section 262(a)(2) of National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3072(a)(2)) is amended to read as follows:

''(2) The Servicemembers Civil Relief Act.''.

**SEC. 3. EFFECTIVE DATE.**

The amendment made by section 1 shall apply to any case that is not final before the date of the enactment of this Act.

Mr. SMITH of New Jersey (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore (Mr. NEY). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from New Jersey?

Mr. MICHAUD. Reserving the right to object, Mr. Speaker, I will not object.

Mr. Speaker, I rise in strong support of H.R. 100, the Servicemen Civil Relief Act. I would like to thank the gentleman from New Jersey (Mr. SMITH) and the ranking member, the gentleman from Illinois (Mr. EVANS) and their staff for their work with the other body to finalize this legislation.

H.R. 100 restates, modernizes and improves the Soldiers' and Sailors' Civil Relief Act, recognizing the importance of women in military service. The title is changed to Servicemembers' Civil Relief Act.

With our Nation at war in Iraq and Afghanistan, our Nation's servicemembers are in need of an updated law. This bill will allow for strengthening and expediting the national defense and otherwise exercising the military obligations without undue concern as to the impact of their military service on their civil obligations.

I am pleased this legislation includes recognition of the Federal protection recently extended to members of the National Guard called up for a national purpose under Title 32 of the United States Code.

When our men and women are protecting and serving the Nation, they should be entitled to the protection of the Nation's laws. H.R. 100 provides other legal and administrative protection for our men and women in uniform. It would increase rental eviction

protection from $1,200 to $2,400 which will help those serving in high-rent areas of the country.

It would also allow for termination of real property leases in certain situations providing professional liability protections, health insurance, and guaranteed residencies for military purposes.

Mr. Speaker, I know that servicemembers from my State of Maine will appreciate the benefits provided by this bill. I fully support H.R. 100 and urge my colleagues to pass this measure.

Mr. SMITH of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. MICHAUD. I yield to the gentleman from New Jersey.

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank my good friend and colleague from Maine for his explanation and for his good work on this legislation, as well as our good friend and colleague, the gentleman from Illinois (Mr. EVANS), the ranking member on the full committee.

Mr. Speaker, when the House considered this legislation last May 7, we passed it unanimously. We sent it over to the Senate. And we are glad we bring before the body a bill today with a Senate amendment that makes some very important statements, restatements as well as some new law with regard to the Soldiers' and Sailors' Relief Act which was first passed back in 1940.

This legislation, as my friend just pointed out, is really an historic restatement. It strengthens a law that is critically important to all of our reserve components as well as our active-duty members of our Armed Services.

The amendment to H.R. 100 would raise the level of eviction protections to reflect the increase in the cost of rental housing in high-cost urban areas. The current act only applies to leases of less than $1,200 a month. The House-Senate compromise would increase the amount to $2,400; and the amount would be increased every year as necessary in accordance with the Consumer Price Index housing component so that the protection stays current.

It also requires the Department of Defense to annually publish the amount of rental coverage in their Federal Register within 60 days of the CPI's publication to provide public notice of the level of probation.

The compromise also provides specific protections for assets of a servicemember from attachment to satisfy business debts for which the servicemember is personally liable, as long as the assets are not held in connection with the business.

The compromise also includes provisions to allow servicemembers who are being called to active duty and by certain active-duty servicemembers to terminate motor vehicle leases which are increasingly commonplace and in use without an early termination penalty. When this was first passed in 1940s, obviously, nobody had even heard of leases like this. They are, like I said, a way of life today.

Section 207 of the bill would clarify that for the 6 percent interest cap being continued from current law, any interest above the cap is forgiven and the servicemember's monthly payment must be reduced.

I want to clarify that the committee intends for the provisions language of the interest rate reduction, to permit lenders to follow Fannie Mae and Freddie Mac's current implementation guidance, allowing lenders to reamortize the loan using a 6 percent interest rate or to apply the 6 percent interest rate using the original amortization schedule.

Mr. Speaker, I want to very strongly commend the Office of Legislative Counsel of both the House and the Senate, the committee counsel and the representatives of the Judge Advocates General of the military departments who participated in the drafting of this historic legislation to update the act.

From my own staff, I want to thank Kingston Smith, who is sitting to my right, Summer Larson, Geoffrey Collver, Mary Ellen McCarthy and Patrick Ryan who spent many long hours reviewing and analyzing this legislation.

From the Senate staff, the late Dave Goetz, Chris McNamee, Mary Schoelen, and Bill Tuerk who performed a very similar task. Bob Cover from the Office of Legislative Counsel spent many years, not months, years, working on this legislation. The actual preparation of the bill was truly a collaborative bipartisan effort that would not have been accomplished without the technical and practical expertise of these outstanding individuals.

I want to thank majority leader, the gentleman from Texas (Mr. DELAY) and Brett Loper for ensuring that this vital legislation made it to the floor today. Again, we passed this last May. We had hope to have this out sometime in June. We are finally getting to it at the end of the session, not because of a delay in the House, but, thankfully, the Senate did act, and now we have a good bill before us.

I want to thank the gentleman from South Carolina (Mr. BROWN) who is our subcommittee chairman, the ranking member, the gentleman from Maine (Mr. MICHAUD) who spoke earlier, and, of course, my friend and colleague, the gentleman from Illinois (Mr. EVANS) for his work.

It is a good bill. I hope Members will support it.

Mr. EVANS. Mr. Speaker, I rise in support of H.R. 100, as amended, a bill to modernize, restate and improve upon the Soldiers' and Sailors' Civil Relief Act, which provides protections from civil liability to persons serving in the Armed Forces. To be known as the Servicemembers Civil Relief Act, this measures recognizes the increasing presence of women in military service.

I thank Members and staff on both sides of the aisle who have worked diligently with the other body in finalizing this bill. It has truly been a bipartisan and bicameral effort. I also want to acknowledge the considerable contributions of the Department of Defense, especially the Air Force, the American Bar Association, and the National Institute of Military Justice in assisting the Committee with the preparation of this bill.

I note that the bill maintains the prohibition of interest in excess of 6 percent on debts incurred before military service. This provision is intended to assure that our servicemembers have smaller periodic payments on debts acquired prior to military service during the time when they are serving on active duty. I expect that this provision will be applied in a manner consistent with generally accepted mortgage practices, so that the monthly payment on the adjusted mortgage will be consistent from month to month. I am aware that there are concerns that the language could be interpreted in a manner which would result in different monthly mortgage obligations from month to month. It is my understanding that the committees do not intend to alter common industry practice of setting a monthly mortgage payment which does not change form month to month.

I am particularly pleased that the bill takes into account the high cost of rent in areas such as San Diego and Honolulu, where military families may occupy off-base rental housing. The bill also provides for an annual adjustment in these rental amounts according to changes in the Consumer Price Index (CPI) for residential rental housing. By providing for automatic increases linked to changes in the housing CPI, servicemembers and their families will continue to receive adequate protection as housing costs increase.

The amended bill would permit servicemembers to terminate leases of motor vehicles when they are deployed outside the continental United States. In today's society, leasing of motor vehicles is common. When a person enters active military service or receives permanent change of station orders after entering into a long-term lease of a motor vehicle, the servicemember can suffer significant financial harm if he or she is unable to take the motor vehicle to the new station.

This provision will allow a servicemember stationed at Pearl Harbor, for example, to terminate a motor vehicle lease and avoid additional financial liability for a motor vehicle which will not be needed during a deployment to the Persian Gulf. It will allow an Illinois reservist called up for active duty in Alaska to terminate an automobile lease. In order for this provision to be effective, the servicemember must be ordered deployed for not less than 180 days.

I recognize that it was not possible to include every suggestion that was offered in the course of this bill's consideration. I trust that the Committee will continue its good work in this area and address additional bills concerning the Servicemembers Civil Relief Act in the next session of this Congress.

Today, our service men and women are fighting in Iraq, Afghanistan and around the world. This bill will help them to fulfill their responsibilities, secure in the knowledge that their rights will be protected by an up to date civil protection act.

H.R. 100, as amended, is a good bill, and I urge all Members to show their support for our troops by voting for it.

Mr. BUYER. Mr. Speaker, today I rise in support of H.R. 100, the Servicemembers Civil

Relief Act. The purpose of this legislation is to update the 1940 Act to strengthen the protections it provides to those serving in the military. H.R. 100 also updates the language in the Act so that it is easier to understand.

Earlier this year, I introduced H.R. 3024, which amends the Soldiers' and Sailors' Civil Relief Act of 1940, to provide protections to servicemembers who terminate motor vehicle or residential leases entered into before permanent change or station or deployment orders for motor vehicle leases. I am pleased that H.R. 3024 was included in the compromise worked out by the House and Senate in its revision of the 1940 Soldiers' and Sailors Civil Relief Act. I believe it is an important and necessary addition to the current law.

The men and women of the National Guard and Reserves continue to answer the call. We must not short change them in any way when they are called to serve. They should be allowed to terminate their automobile leases without penalty.

Again, I thank the Members in both the House and Senate for including this provision in the final package. I also want to thank the Auto Alliance for its input and cooperation in helping to craft this bill. As a current member of the U.S. Army Reserves and Co-Chair of the Guard and Reserve Caucus, I urge my colleagues to vote in favor of H.R. 100.

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

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

There was no objection.

A motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. MICHAUD. 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. 100.

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

There was no objection.

## REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. DELAY. Mr. Speaker, your committee appointed to inform the President that the House is ready to adjourn and to ask him if he has any further communications to make to the House has performed that duty. The President has directed us to say that he has no further communications to make to the House.

## HONORING BARBER CONABLE

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

Mr. LEACH. Mr. Speaker, it is with sadness I would like to formally report to the House the passing of one of our most distinguished Members of the 20th century, Barber Conable of New York.

Barber retired from the House over a decade ago, so many current Members are not familiar with Barber except by his reputation.

Let me just stress that Barber Conable was the quintessential public servant. In Congress he was an expert on all matters of taxation. He led the Republican Party on the Committee on Ways and Means, rising to be the ranking member. He was identified with particular issues such as reductions in capital gains, also for the development of revenue sharing.

Prior to serving in the Congress, he was in the United States Military, having served in both World War II and the Korean conflict, and he rose to the rank of Colonel. After leaving the Congress of the United States, where he, by the way, had been a close friend of the former President of the United States, George Bush, he was appointed to head the World Bank. He came to be known as a leader of the bank as interested for the world environment as well as for world economic growth.

All of us in life have been privileged to have mentors. I would just simply say in this body this Member never considered anyone more a model legislator and mentor than Barber Conable. He was simply the most decent, the most thoughtful, the most intelligent, and the least political individual I have served with.

To his wife, Charlotte, and family, I know I speak for many Members who are friends and staff on this Hill in extending our shared grief and best wishes.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3151 and H.R. 3583

Ms. NORTON. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 3151 and H.R. 3583.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

## HONORING EDWIN PENCE

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

Mr. BAIRD. Mr. Speaker, those of us on the Democratic side of the aisle, when we arrived today, we were missing a familiar and friendly face. Ed Pence has been a loyal and valued servant to this country for 25 years. He has reached out to numerous people and he will be greatly missed. He retires at the end of this year.

In October of 1978, Ed joined the Capitol Police Force and dedicated over 20 years to protecting our safety and that of the visiting public. He is respected throughout the Capitol because of his professionalism, his compassion, and his friendly nature.

Ed also had a brief stint in the gentleman from Missouri's (Mr. GEPHARDT) office before joining the Sergeant of Arms Office as a trusted member of the Chamber security staff.

During this time, Ed has proven himself a trusted source of knowledge by monitoring floor activity and advising Members on upcoming votes. Ed was the man we turned to when we were planning our day or asking questions about the procedures of the day.

Mr. Speaker, Ed's dedication, work ethic, and devotion to this institution is worthy of the highest commendation. I respectfully ask that you and my other distinguished colleagues join me in congratulating Ed Pence on his well-deserved retirement, thanking him for his service, and wishing him continued success in all of his future endeavors.

## ANNUAL REPORT OF THE UNITED STATES RAILROAD RETIREMENT BOARD—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Transportation and Infrastructure and the Committee on Ways and Means:

*To the Congress of the United States:*

I transmit herewith the Annual Report of the Railroad Retirement Board presented for forwarding to you for the fiscal year ending September 30, 2002, consistent with the provisions of section 7(b)(6) of the Railroad Retirement Act and section 12(1) of the Railroad Unemployment Insurance Act.

GEORGE W. BUSH.

THE WHITE HOUSE, *December 8, 2003.*

## COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
*Washington, DC, December 8, 2003.*

Hon. J. DENNIS HASTERT,
*Speaker, House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: Under Clause 2(g) of Rule II of the Rules of the U.S. House of Representatives, I herewith designate Mr. Gerasimos C. Vans, Deputy Clerk, to sign any and all papers and do all other acts for me under the name of the Clerk of the House which he would be authorized to do by virtue of this designation, except such as are provided by statute, in case of my temporary absence or disability.

If Mr. Vans should not be able to act in my behalf for any reason, then Mr. Daniel J. Strodel, Assistant to the Clerk, or Ms. Marjorie C. Kelaher, Assistant to the Clerk, should similarly perform such duties under the same conditions as are authorized by this designation.

These designations shall remain in effect for the 108th Congress or until modified by me.

With best wishes, I am,

Sincerely,

JEFF TRANDAHL,
*Clerk.*

□ 1745

## AUTHORIZING SPEAKER TO DISPENSE WITH ORGANIZATIONAL AND LEGISLATIVE BUSINESS ON ANY DAY HOUSE CONVENES PURSUANT TO SECTION 2 OF HOUSE JOINT RESOLUTION 80

Mr. MCCOTTER. Mr. Speaker, I ask unanimous consent that on any day when the House convenes pursuant to section 2 of House Joint Resolution 80, the Speaker may dispense with organizational and legislative business.

The SPEAKER pro tempore (Mr. RENZI). Is there objection to the request of the gentleman from Michigan?

There was no objection.

## COMMUNICATION FROM DISTRICT DIRECTOR OF HONORABLE FRANK PALLONE, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Paul Dement, District Director of the Honorable FRANK PALLONE, Member of Congress:

HOUSE OF REPRESENTATIVES,
*Washington, DC, November 24, 2003.*

Hon. J. DENNIS HASTERT,
*Speaker, House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena for documents issued by the Superior Court of New Jersey, Ocean County.

After consultation with the Office of General Counsel, I have determined that it is consistent with the precedents and privileges of the House to notify the party that issued the subpoena that I do not have any responsive documents.

Sincerely,

PAUL DEMENT,
*District Director.*

## COMMUNICATION FROM THE HONORABLE WALTER B. JONES OF NORTH CAROLINA, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable WALTER B. JONES of North Carolina, Member of Congress:

HOUSE OF REPRESENTATIVES,
*Washington, DC, December 2, 2003.*

Hon. J. DENNIS HASTERT,
*Speaker, House of Representatives,*
*Washington, DC.*

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena for testimony issued by the Superior Court of Pender County, North Carolina.

After consultation with the Office of General Counsel, I have determined that, because I received the subpoena after the date requested for testimony, the subpoena is moot and no Rule VIII determinations are required.

Sincerely,

WALTER B. JONES,
*Member of Congress.*

## SPECIAL ORDERS

The SPEAKER pro tempore. 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.

## COMMENDING JUDY W. STEVENS FOR HER WORK AND DEDICATION TO ECONOMIC DEVELOPMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. HAYES) is recognized for 5 minutes.

Mr. HAYES. Mr. Speaker, today I rise to congratulate and praise an individual who has dedicated herself to improving North Carolina. Judy Stevens is a remarkable person in many ways, and I want to acknowledge her accomplishments and efforts in economic development.

Judy grew up in Star, North Carolina, located in Montgomery County. She attended East Montgomery High School and continued her education at Randolph Community College. She is a certified economic developer from the Economic Development Institute, which is administered by the University of Oklahoma.

Judy began her work in the economic development field when she accepted a job as administrative assistant for the director of the Montgomery County Economic Development Corporation in 1992. With her strong knowledge of the county and its people, combined with her knowledge of economic development, she quickly excelled at her job; so fast, that by 1993 she became the director of the EDC.

Any good leader knows that success depends upon the efforts of many. Judy created the Committee of 100, a group of business leaders throughout the county who were willing to invest time and money in recruiting new businesses to Montgomery County. Long-term success depends on future leadership. She established the Leadership Montgomery Program for Adults and Youth through the Montgomery County Chamber of Congress, which is currently in its 10th year.

Judy Stevens is someone who understands that economic development success requires cooperation across political jurisdictional lines. In her own county, Judy is currently working on a project to develop a regional wastewater system for the towns of Boscpe, Star, and Troy. In the past, this type of cooperation was not common. However, with Judy's determination and leadership, folks are willing to come to the table and work for the good of the entire area.

Most recently, Judy has taken on a much larger task by leading the eighth district's Comprehensive Economic Development Strategy, CEDS, project. CEDS is a program sponsored by the Economic Development Administration, which seeks to develop a regional plan of action to attract investment and to create jobs. The committee is comprised of local economic development, education, and chamber officials.

Judy has worked tirelessly with the members of the CEDS committee to develop a final recommendation to present to EDA. I am pleased to tell you that because of her effort and strong leadership, the community has come to consensus on a proposal that will serve as a blueprint for regional economic development for the Eighth District of North Carolina and the rest of the country. I look forward to working with her and the CEDS committee as we put this plan into action.

Judy's hard work and talent have been recognized across the State. In 1999, she was named Economic Developer of the Year for North Carolina by the North Carolina Economic Developers Association. This recognition displays the type of commitment and dedication Judy puts into her job and into her community.

Mr. Speaker, I cannot tell you how much I appreciate Judy Stevens' tireless dedication and her desire to increase the quality of life for Montgomery County, the eighth district, and North Carolina as a whole. She has gone above and beyond the call of duty to help create and sustain economic development; and as a citizen of North Carolina, I join many in sincerely thanking her.

I would also like to acknowledge Judy's family that has been there backing her in every effort and success. Judy has a loving family. The Stevens family includes her husband, Gerald, along with their two sons, a daughter, and three grandsons. I am sure they are as proud as I am of her many accomplishments and her dedication to her profession.

## MERRY CHRISTMAS, PhRMA

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. Mr. Speaker, President Bush signed the Medicare bill today, ending an ugly legislative process driven by the interests of a constituency near and dear to the Republican leadership in this House. Not America's seniors. I am talking about the prescription drug industry.

The vast quantities of time and money that the drug companies invested in selling this bill were well spent. This bill is a Christmas wish come true for every drug manufacturer in our Nation. Under the new bill, drug industry profits are expected to increase by $140 billion, a 40 percent increase in already the world's most profitable industry.

This industry, the world's most profitable industry, successfully used its

675 lobbyists in this town, about 1.3 lobbyist for every Member of the House, and used its tens of millions of dollars of campaign contributions to win a giant increase in profits at the expense of taxpayers in this country and at the expense of America's senior citizens. The drug companies on this year's Fortune 500 list posted profits of 17 percent, 5½ times the average profit margin of other Fortune 500 firms.

Not only does the Medicare bill signed today by President Bush dramatically expand the drug industry's market, it ensures that drug companies will be able to charge American taxpayers almost any price they want for medicines covered by Medicare. The word on the street in Washington is that the drug industry, PhRMA, Pharmaceutical Research and Manufacturers Association, PhRMA, is going to contribute $100 million to President Bush's reelection campaign.

That is why this bill specifically prohibits the government from negotiating fair prices for press medicines. That is right, the Federal Government is not allowed under this bill to even bargain for better drug prices on behalf of seniors or on behalf of American taxpayers. It is what the drug industry wants. And the drug industry in this body always gets what it wants.

The bill the President signed into law relies on the same price discount mechanisms private insurers use, the same mechanisms that have led to double-digit increases in prescription drug costs year after year after year. It is what the drug industry wants. And the drug industry always gets what it wants in the Republican-controlled U.S. House of Representatives. In the private market, prescription drug costs are the fastest-growing component of health care cost increases. Prescription drug costs in the private market increased over 18 percent last year.

The bill rejects also the bipartisan will of a commanding majority in this House, who actually did stand up against a Republican leadership and against President Bush, who actually stood up to the drug lobby in July. Two hundred forty-three of us, many from that sides of the aisle, the gentleman from Texas (Mr. PAUL) and many others, voted to give American consumers the choice to buy safe, effective and much more affordable medicine imported from Canada. The legislation that President Bush signed today not only ignores that vote; it negates it. It drives a nail in the coffin of prescription drug importation. Why? It is what the drug industry wanted, and the drug industry always gets what it wants in this institution.

Once again, American consumers lose; the drug industry wins. Drug companies routinely charge American consumers three, four, five times what they charge Canadian customers for the same medicine. As I said earlier, the world on the street in Washington is that PhRMA, the Prescription drug trade association, is going to give $100 million to the Bush-Cheney reelection effort.

The drug industry is already 5½ times more profitable than the Fortune 500 average, yet they would have us believe any reduction in prices would jeopardize their research and development. The level of U.S. drug prices are not necessary; they are highway robbery. This bill helps to ensure that American consumers, American employers, and American taxpayers keep paying those high prices.

Merry Christmas, PhRMA.

## REGARDING THE FIRST SESSION OF THE 108TH CONGRESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. HASTERT) is recognized for 5 minutes.

Mr. HASTERT. Mr. Speaker, I rise this evening with sadness at the passing of Joe Skeen. Joe Skeen was a friend of mine, a great member of this Congress for many years from New Mexico, somebody who served this Congress with great love, with great compassion, and a steady hand. We will all miss him. He chose not to run in the last Congress, but he was a great friend; and his funeral will be this coming Thursday, and later on we will have a session to honor him.

Mr. Speaker, I also rise this evening to give an end-of-the-session assessment of the first session of the 108th Congress, to recount our accomplishments and to review what we have left to do.

This session of Congress commenced as we were engaged in a struggle against terrorism and as our economy struggled in a near recession. We opened this session with three major goals: first, to make our Nation safer from terrorists and those states that support them; second, to grow our economy and create jobs for American workers; and, third, to make America a better place to live for all of our citizens. We have had a notable success in all three areas.

First, we have made this country more secure from foreign threats. The Congress passed and the President signed three different supplemental appropriation bills to support our efforts on the war on terror. This helped pay for the war in Iraq and for our continued efforts in Afghanistan. And, of course, the American people are greatly concerned for the safety of our troops in both places, but we must continue to support our brave men and women as they fight to defend our freedom and to defeat the terrorists who want to bring death and destruction to our homeland.

Saddam Hussein's Iraqi regime and the Taliban's Afghan regime actively supported terrorist organizations. Al-Qaeda trained in both countries. Now, both countries are making the tough, but vitally important, transition to democratic government. Changing terrorist-supporting dictatorships into democracies is hard work, but it is important work for our national security.

We also passed defense appropriations and authorization bills that included necessary long-term funding for our defense efforts and included a pay increase for our troops and a historic change in the disabled veterans compensation. For the first time since the Civil War, many disabled veterans will be able to receive both their disability payments and their retirement benefits.

The President also signed into law the Military Family Tax Relief Act, which provides overdue tax relief targeted to our dedicated servicemen and their families.

September 11 also proved that we must be vigilant on our home front. That is why we created the Department of Homeland Security in the last Congress. In this session we created a Select Committee on Homeland Security and a Subcommittee on Homeland Security of the Committee on Appropriations so that this Department would have the proper funding and oversight. Indeed, the Congress completed work on the first appropriation bill dedicated solely to homeland security this year.

The second challenge we faced at the beginning of this year was a slowing economy. The economy faced the twin shocks of a bursting high-tech bubble and the terrorist attacks on New York and Washington. Those shocks undermined both business and consumer confidence, while shattering investor confidence. We had to do something about it. We passed the President's economic growth package aimed at restoring confidence in the business, consumer, and investor sectors. Coupled with the earlier tax cut signed into law in 2001, these tax relief bills accomplished all three goals. It gave small businesses the relief they needed to buy more equipment and incentives to expand their businesses. It returned more money to consumers so that they could spend more. And it inspired investors to return back to the markets.

The results have been better than expected. The economic growth rate hit 8.2 percent in the last quarter. Manufacturing output is at the highest levels in 2 decades. The Dow Jones has reached its highest level in 18 months. And the job rate shows the best signs of improvement in 2 years.

□ 1800

Aside from the war and the economy, our Nation faced other challenges.

Health care costs continue to be one of the top concerns of our citizens. We passed historic reform of the Medicare system that will now include a prescription drug benefit for the first time in history. I am very proud that we kept our promise to senior citizens by delivering this most important reform.

The prescription drug benefit means that never again will low-income seniors have to face the choice between putting food on the table or paying for

life-saving prescription drugs. It also means that seniors with high-cost drugs will have an insurance benefit that will protect them. Finally, the average senior will get their drug costs reduced by up to 60 percent because of this far-reaching reform.

Included in this historic legislation was historic assistance for rural and urban hospitals, as well as other important health care reforms. I am most proud of the new health savings accounts, tax-free savings accounts that allows consumers to have more control over their health care costs. These health savings accounts will revolutionize the health care market in this country, giving consumers better health care at a lower price.

Aside from health care, we faced another domestic crisis, the lack of comprehensive energy policy. From the rolling brownouts of California to the New York City blackouts, from the turbulence of the natural gas market to the persistent problems of higher gasoline prices, energy policy became a front-burner issue.

So working with the White House, we put together a comprehensive energy policy aimed at making our Nation more energy independent. This legislation did several things. It created incentives to get the most out of our natural resources, from promoting greater energy efficiency, to encouraging the use of renewal fuels such as ethanol. It encouraged greater reliability for electricity by providing for open access of transmission lines, while improving the transparency of electricity markets.

This energy policy has another salutary effect. It will create jobs. The latest estimates are that it will create up to a million jobs. We passed the energy conference report by a large bipartisan margin in the House, and we are waiting for final action by the other body. It is my hope that this vitally important legislation will not get caught up in the flurry of lobbying by the trial lawyers. I urge my colleagues on the other side of the rotunda to drop the delaying tactics and send this conference report to the President.

Another perennial issue is education. In the 107th Congress, we passed the President's No Child Left Behind legislation aimed at increasing accountability and demanding results when it comes to educating our children. This year, we kept our promise by increasing education funding to $4.1 billion, the highest Federal contribution to education in history. Clearly, we are keeping our promise to the parents and teachers and children of America.

Finally, we passed a series of legislation initiatives designed to make this Nation a better place to live. We passed the Do Not Call and Do Not Spam bills, aimed at stopping consumers from being harassed through the phone and through computer by telemarketers. We passed the Amber Alert bill, to help keep our children be safe from kidnappers. We passed historic levels of funding to combat AIDS. We passed the President's Healthy Forests Initiative, to protect communities from out-of-control forest fires. We passed the Fair Credit Reporting Act so that consumers have better access to their consumer reports to protect against the persistent problems of credit card fraud.

In other words, we delivered good legislation for the American people. As we get ready for the second session of the 108th Congress, we still have some work to do. We still have a highway bill to pass. Nothing is more important to our Nation's economic well-being than a modern transportation system. I want to get this bill done by early next spring.

We need to complete the work on the welfare reform bill. When we reformed welfare in 1996, we helped millions of Americans get a hand up rather than a hand out. Millions of Americans woke up in the morning and went to work rather than woke up and went to the welfare office. They got a job and got a paycheck. We need to reauthorize this bill, and we need to reauthorize it soon.

We also must find a way to get the budget back to balance. The attacks of September 11, the war against terrorism, and the struggling economy have all led to deficit numbers that, while manageable, must be controlled. This year's nondefense, nonhomeland security discretionary budget increased by a 3 percent margin, a relatively small increase, but one that can be improved. Our budget chairman, the gentleman from Iowa (Mr. NUSSLE), has worked hard to find ways where we can control Federal spending. As we debate next year's budget, we will work to find ways to cut the budget deficit in half through lower spending.

But as we work to control spending, we must also work to ensure that the economy stays on track. The tax cuts were enacted to help spur recovery. We must keep them in place to ensure that they finish the job. Those who want to raise taxes and thus threaten our recovery and job creation are just wrong. We have already seen that as the economy grows, the budget deficit falls. Keeping the economy growing is a sensible way to get the budget back to balance.

Finally, we need to start the debate in this Nation on how to reform our tax laws. Not only is our tax system too complicated, it also hurts our Nation's competitiveness. If our companies cannot compete, we lose jobs here in America. As we reform the Foreign Sales Corporation Tax, as required by the recent WTO decision, we must also start a discussion on how we create the best tax system possible to meet the needs of the people of this country in the 21st century.

I want to thank all Members for their patience and for their perseverance. Public service in the Congress is not an easy vocation, and it is especially hard on families. I thank all Members for their service to this Nation. I would also like to thank the dedicated staff and especially the floor staff, the clerks and the pages, who work long and hard to make this place efficient and workable. Thank you for your fine service to this Nation. I wish you all a happy holiday season, and God bless you all.

## TURNING OUR BACKS ON HUNGRY CHILDREN

The SPEAKER pro tempore (Mr. RENZI). Under a previous order of the House, the gentleman from Massachusetts (Mr. MCGOVERN) is recognized for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, I would like to take a moment to talk about one small program in the omnibus appropriations bill which I believe is a reflection of America's commitment to defeat terrorism, or rather its lack of commitment. It is a reflection of America's commitment to address hunger, poverty, illiteracy and ignorance; or rather, its lack of commitment; and that reflects America's commitment to help educate the children of the world, especially girls; or rather, its lack of commitment.

Tucked away inside the agriculture appropriations section of the omnibus bill is $50 million for the George McGovern-Robert Dole International Food for Education Program. McGovern-Dole began as a $300 million pilot program in 2001, providing nutritious meals to nearly 7 million children in 38 countries. The catch, these children had to attend school in order to get the meals. The McGovern-Dole program sends wheat from Illinois, Minnesota and Oregon to feed children at schools in Bolivia and Lebanon. It sends corn, milk and soybeans from Kansas and Wisconsin to feed school children in Nicaragua and Guatemala. And it sends lentils from Idaho and Washington to children we have helped return to school in Afghanistan. Beans from Colorado, rice from Texas and Louisiana, cooking oil from Florida and Tennessee, the blood, sweet and tears of America's farmers find their way to children attending humble schools around the world.

Providing food to malnourished children in schools is one of the most effective strategies to fight hunger and poverty. Where programs are offered, enrollment and attendance rates increase significantly, particularly for girls. Instead of working or searching for food to combat hunger, children have the chance to go to school. Providing food at school is a simple, but effective, means to improve literacy and help poor children break out of poverty.

The McGovern-Dole program helps us achieve many of our foreign policy goals, and communicates America's compassion to those around the world. At the end of the day, it will be programs like McGovern-Dole that will ultimately triumph over poverty and terror.

Earlier this year, in February 2003, the United States Department of Agriculture evaluated this program, and the conclusions were overwhelmingly positive. In addition to significantly reducing the incidence of hunger among school-age children, the program was also found to promote educational opportunity, especially for girls, among some of the poorest populations in the world.

Sadly, in fiscal year 2003, McGovern-Dole received only $100 million in funding, reducing the number of children served to scarcely more than 2 million world-wide in just 28 countries. In fiscal year 2004, President Bush only asked for $50 million, and if this allocation remains unaltered, the United States will literally be taking food out of the mouths of yet another one million hungry children and forcing their families to remove them from school.

The senior Senator from Kansas and chairman of the Senate Intelligence Committee, PAT ROBERTS, a leading proponent of the McGovern-Dole program in the other body, has stated on a number of occasions his belief that this program serves our national security interests by attacking the breeding grounds of terrorism, hunger, poverty, ignorance and despair, while at the same time ensuring that children receive meals in settings where they receive a quality education, rather than hate-filled indoctrination.

I could not agree more. But rather than expanding this program to reach even more school-aged children, to help stabilize communities devastated by HIV–AIDS, and to support HIV–AIDS orphans so they might contribute to the future of their nations rather than burden them, we are cutting it again.

On November 26, the United Nations Food and Agriculture Organization released its 2003 report on hunger. It found that after falling steadily during the 1990s, hunger is again on the rise. In the developing world, the number of malnourished people grew by an average of 4.5 million a year for the past 3 years. The report also found that hunger exacerbates the AIDS crisis, drives rural people into the cities, and forces women and children to trade sex for food and money.

Yet over the past 3 years, we have cut funding for the McGovern-Dole school feeding program so it is now one-sixth of what it once was. This is a disgrace, plain and simple.

Mr. Speaker, we are going in the wrong direction, not just for the children of the world, but for the security of our own Nation. I call on President Bush and congressional leadership to restore full funding in fiscal year 2005 to the George McGovern-Robert Dole International Food for Education Program.

## A WORTHWHILE PROPOSAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PAUL) is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, much has been written lately about several attempts to craft an alternative peace plan in the decades-old Israeli-Palestinian dispute. The best-known of these recent plans, the Geneva Initiative, was conceived and written by representatives of both sides of the conflict but without the involvement of governments or politicians. As such, it is a fresh approach that should provide a lesson to those who continue to believe that peace is something that can only be crafted by government officials or bribed or bullied by the international community.

We do know this: After decades of conflict and tens of billions of U.S. tax dollars spent, U.S. Government involvement in the Israeli-Palestinian peace process has led nowhere. The latest U.S. Government-initiated plan for peace, the road map, appears to be a map to nowhere. This does not surprise me much. With a seemingly endless amount of money to bribe the two leaders of the two opposing sides to remain engaged in the process, is it any wonder why the two parties never arrive at peace?

But people on both sides are becoming more and more frustrated at the endless impasse and endless government and bureaucrat-written peace agreements that go nowhere.

□ 1815

That is why plans like this should be of such interest. Initially conceived by an obscure Swiss professor, the project was joined by former Israeli Justice Minister, Yossi Beilin, former Palestinian Authority Information Minister, Yasser Abed Rabbo, and by other prominent officials like former President Jimmy Carter. The negotiations led to the creation of a 50-page detailed accord.

I do not know whether the product is perfect. I have not studied the minute details of the proposal. But what I do know is that politicians, governments, and special interests promote war at the expense of those who have to fight them. Wars end when the victims finally demand peace, and that is what we are beginning to see. According to one recent survey, a majority among both the Israeli and Palestinian populations support this new initiative. That is encouraging. To his credit, President Bush has demonstrated an open mind toward this alternative approach. He declared the Geneva Initiative ''productive'' and added that the United States ''appreciates people discussing peace.'' Secretary of State Colin Powell echoed the President when he resisted hard-line pressure to ignore the proposed accord stating, ''I have an obligation to listen to individuals who have interesting ideas.'' This is also encouraging.

Predictably, though, this new approach is not as welcomed by those governments, politicians, and special interests who have a stake in dragging out the process indefinitely. Palestinian Authority President Yasser Arafat has been lukewarm at best. Extremist Arab organizations who have a special interest in continuing the violence have also rejected the Geneva Initiative. Israeli Prime Minister Ariel Sharon has rejected the initiative out of hand. Said Mr. Sharon, ''Geneva is an attempt to do something only a government can do.''

But the point is that governments have little incentive to finally end conflicts such as these. The United States is in places like Kosovo and Bosnia indefinitely in the name of peacekeeping and peace processes. The same will be true of our involvement in Afghanistan and Iraq. It is not until foreign involvement ceases, that means our continued meddling in the Middle East, and the people directly involved demand peace, do real working solutions begin to emerge. The Geneva Initiative is therefore a positive step toward peace in the Middle East. Let us step back and get out of the way.

## CONSOLIDATED APPROPRIATIONS CONFERENCE REPORT LEAVES MANY VICTIMS IN ITS WAKE

The SPEAKER pro tempore (Mr. RENZI). Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

Ms. NORTON. Mr. Speaker, yesterday was December 7, known as the Day of Infamy, so named by the great President Franklin Delano Roosevelt. Mr. Speaker, I suggest this evening that this day is a kind of day of infamy for this House, particularly with the passage of this conference report. This conference report contains within it so many violations of basic democracy in this House that this day will not soon be forgotten, which is why I make the analogy that I did.

The conference report leaves many victims in its wake. Let me name just a few of them. It is a 50/50 country. But if you were not of the majority party, if you are among the independents, you had little participation in this final product. Or if you happened to live in the wrong State or the wrong district, even though it might be closely held, you will look long and hard before finding your place in this conference report.

And help you, help you if you are in the low or middle classes of our country because you have been sacrificed time and time again in this report to big corporations, to wealthy Americans. If you are among the millions of what I call the disfavored elderly who will get little or no help from the prescription drug Medicare bill, you will not find yourselves among the bills we have passed this year on prescription drugs. The most unfortunate of you are the long-term unemployed. Unbelievably, this is the second Christmas Congress has gone home to leave the long-term unemployed with no relief to face the Christmas and the new year with a

rough, rather than a happy, holiday. I do not know how the House could have done that, at least for these long-term unemployed.

But the victims, Mr. Speaker, are also in this body and in the Senate. The Republicans themselves are going to have to face the music when they go home to face the 8 million who will lose their overtime pay and be informed of it just in time for Christmas. It is going to be some Christmas for them. This Republican House voted decisively to eliminate their overtime pay, but they must have heard from them because when it came time for the motion to instruct, all of a sudden we had a majority with us against the provision to eliminate overtime pay. What happened? Their own majority reversed them. So now they have got to go back home and try to say, I was for you, but I am in the party that was against you. How do you explain that?

On the Senate side, there are any number of provisions, which is why this conference report is likely to go nowhere before Christmas. Let me just pluck one analogous example. The Senate has surely heard from the American people on vouchers. They just did not have the votes to do anything on D.C. vouchers. Why? Because everybody's school district is being cut because of 3 years of a poor economy under this President. Because our promise to fund disabled children is an unkept promise of the decades. Because our promise to fund No Child Left Behind is $9 billion in the hole. The Senate was not about to vote for any D.C. vouchers. What happened? Passed one House, never passed the other, pops up in this bill. You think that is democracy? If it happened only one time to one or two bills, that would be one thing. Sprinkled throughout, this bill is just strewn with this kind of undemocratic authoritarian dealing, more typical of countries that we criticize. But the villain in this piece has seldom been spoken of because it is not only the Republican majority, Mr. Speaker; it is the Republican President. We do not see his face here, but we have felt his big footprint, his one-man approach to this bill; and he has offended many members of both parties, especially in the Senate.

I predict this day that this bill will not get through the other body. I do not think the Senate is about to bless a bill that imposes the will of one man of the majority on the House and the Senate alike. This term we have changed the very character of this House. We need to come back no longer seeking comity and bipartisanship. We need to make the goal of the House to return to its ancient democratic traditions.

## MARKING THE PASSING OF JOHN LENNON AND ACCLAIMING THE ACCOMPLISHMENTS OF BOB SEGER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. MCCOTTER) is recognized for 5 minutes.

Mr. MCCOTTER. Mr. Speaker, I rise today to mourn and mark the passing of John Lennon and to acclaim the accomplishments of Bob Seger, both of them musicians and artists, performers and poets.

First, on a sorrowful note, today observes the 23rd commemoration of the murder of John Winston Ono Lennon, M.B.E. Let us mark and continue to mourn his passage not merely with words but with his music and then with every agonizing echo of the deafening silence left in the wake of his senseless loss. Our heartfelt condolences go out to his widow and his sons.

On a joyous note, however, I also rise to celebrate the achievements of one who has followed and honored Mr. Lennon's legacy, Michigan's own Bob Seger. Rising from his working-class roots, Bob Seger has reached the pinnacle of the rock and roll world. For after his loyal fans conducted a petition drive and collected nearly 4,500 signatures, Mr. Seger is finally being duly recognized and inducted into the Rock and Roll Hall of Fame. He could not be more deserving.

Mr. Seger's life's work, his art, has been a celebration of working Americans, our lives, our loves, our losses and, most importantly, the little victories which hearten and heal and lead us all ever onward in this arduous journey of life. He is a musician, an entertainer, and a poet who speaks not only to our ears but also to our hearts.

Once the romantic poet William Wordsworth explained the essence of artistic virtue: ''And then a wish: My best and favorite aspiration mounts with yearning toward some philosophical song of truth which cherishes our daily lives.''

For over 30 years, Mr. Seger has sung this philosophical song of truth, cherishing our daily lives. Let us now honor his.

## SENIORS ARE LOSERS IN MEDICARE BILL SIGNED TODAY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. First, just a moment to my friends from New Mexico just to indicate my deepest sympathy for the loss of Joe Skeen.

I believe that there is an opportunity in this Congress to work together. I am disappointed that what we have done today clearly indicates that we have missed our chances on some occasions, missed a chance to come together as a House and Senate; and certainly over the last couple of weeks the story that will be written in history will be one that will raise a question as to whose interests have been promoted in this body.

As I look at this article from Robert Novak, ''GOP Pulled No Punches in Struggle for Medicare Bill,'' even without reading the entire text, it tells the story. My concern about the Medicare bill that was signed today is the fact that seniors are the losers. Seniors in my district when I came home during the Thanksgiving break, not understanding what we had just done, were looking for relief. They did not understand that this bill does not take place for financial reasons until 2006. They did not understand why hundreds of thousands, or at least tens of thousands of seniors in Texas would lose their retirement benefits. Or some of the seniors that use the Medicaid resources will also lose those resources.

They did not understand why they could not have a guaranteed prescription drug benefit under Medicare. They did not understand why they would be forced ultimately to go into a privatized HMO. And they certainly did not understand why the government would be forced to not negotiate the lowest price for prescription drugs which makes common sense. In this time of friendly Christmas shopping and holiday shopping, everybody is looking for a deal. They cannot understand why we have a law that says that the government cannot look for a deal. And so it saddens me that a bill was signed that really does not help our seniors and that we have captured the essence of a disregard for House rules with a 4-hour vote open almost and that in essence the GOP decided to pull no punches. Whether it means putting up another Member against a wall, whatever it meant, it meant that the interests of our seniors was not handled.

Mr. Speaker, I hope that we will come back in January in 2004 and we will get down to work and we will actually put on the table a reform, a revision to what has been signed. Because, frankly, I believe that we are digging ourselves a deep hole. And 2006 will not come soon enough for that hole to get bigger and bigger and bigger. This is not a good bill. Good intentions, but certainly not a good bill.

Mr. Speaker, I said that there were several things that I wanted to mention this evening, and I briefly want to mention the fact that a Texan, certainly somebody that we all know and certainly we know of his great expertise, Jim Baker, has been asked to help in the Iraqi debt. I will be sending out a letter and asking my colleagues to join me that we have a similar envoy to help relieve the debt of the nation of Haiti that in the early years of our historical beginnings fought in the revolution against the French. Haiti is almost crumbling under the weight of debt. I believe what you can do unto one you can do unto another, particularly one that is in this hemisphere. We cannot tolerate any longer the kind of burden that Haiti is facing, and it seems inequitable that you would help Iraq and not help Haiti. And so I hope the President will join me and welcome that opportunity and be able to do so.

□ 1830

Let me just briefly say that in Texas today we funeralized a very great Federal judge, and I want to give my deepest sympathy to the family of Judge John Hannah for his great service and leadership, and I hope to pay him tribute in the days to come when we return back to Washington.

I want to finish, Mr. Speaker, on something that is really very devastating. We fought very long and hard all the way to the Supreme Court to preserve the understanding that affirmative action was not quotas, it simply was an outreach, and we were affirmed by a United Supreme Court in the Michigan case that race can be a factor in helping to diversify in this Nation and give opportunity. Lo and behold, Texas A&M decided in the last couple of days in the face of the Michigan case to slap the face of the United States Supreme Court and eliminate the element of race in their decisions for admissions. This is a university that has 82 percent white, 2 percent black, 9 percent Hispanic, and 3 percent Asian American in a State that is increasingly diverse, the State of Texas. My challenge to Dr. Gates, the chancellor, is to reform this misdirected policy, come back to the 21st Century, engage those of us who understand what affirmative action is, an outreach and not a handout, and begin to accept the law of the land that affirmative action is the law, and that we can use race as an element. It is time to address the question of these outrageous numbers: 2 percent black, 9 percent Hispanic, and 2 percent Asian American. I hope that we will resolve this crisis in Texas.

Mr. Speaker, I rise today in dismay, disappointment, and ashamed as an American and as a Representative of the State of Texas—the ''Lone Star State.'' As a Member of the House Judiciary Committee and as Representative of Texas' 18th Congressional District, I must remark at the proposal made by Texas A&M University President Robert Gates last Thursday to remove race as a factor in granting admission or scholarships to the institution. I am extremely disappointed that Texas A&M voted to adopt this policy change and that it even considered not following the landmark precedent set by the Grutter v. Bollinger [University of] Michigan decision. Refusing to follow the positive precedent of this case marks the maintenance of a de jure racially imbalanced system, which is the wrong kind of message to send.

This large and prominent university already suffers from a significantly disparate racial student body ratio—for Fall 2003, the ratio was 82 percent white, 2 percent black, 9 percent Hispanic, and 3 percent Asian-American. Changing its admissions policy to remove race as a factor will almost certainly yield even lower diversity. it would take a tremendous amount of outreach and quite a few ''special scholarships'' to correct this trend. When this Nation's highest court pronounced that race could be used as one of many factors in admissions and scholarships, the University of Texas, Rice University, and several other Texas institutions quickly implemented this policy because of its clear beneficial effects on equality in education. Given that Texas A&M Board of Regents has opted to incorporate President Gates' proposal, the university will stand in a minority position with respect to its express commitment to creating a more diverse student body.

It took some time for this nation to advance the principles that came from the great Brown v. Board of Education decision to the clear statement set forth in the University of Michigan case. To ignore the forward progress made by this court is a slap in the face of the Civil Rights Movement.

TAMU ADMISSIONS MEMO

In a memo dated December 7, 2003, the University's new admissions policy is summarized. Instead of using the standards that have been set forth by the nation's highest Court—responsible for pronouncing the law of the land, Texas A&M claims that:

> [g]ains in minority enrollment will come through enhanced outreach, not changes in admission policies, requirements and standards. Every student now and in the future can be confident he or she arrived at Texas A&M on his or her own individual merits.

Furthermore, the University promises that

> [it] will work aggressively to increase the number of minorities from all backgrounds who apply to Texas A&M, and . . . [intends] to be far more aggressive in trying to persuade those [they] admit actually to enroll—to join the Aggie family. And, [they promise to] continue [their] efforts to ensure that once they arrive, they find a welcoming campus and remain [there] to graduate.

I find it interesting that while this University has promised to do all of the above things to create a welcoming environment and to ensure that minorities who are admitted will actually enroll, it has sat idly while its current student body has done just the opposite—students hold campus-wide ''bake sales'' where they give disparate prices to ethnic minorities—''brownies, 25 cents for whites, $2.00 for negroes—however, you can receive a rebate by way of outreach and special scholarships.''

Its plan to increase its minority enrollment profile from the paltry ratio of 82 percent white, 2 percent black, 9 percent Hispanic, and 3 percent Asian-American consists of outreach programs, identifying former students from targeted high schools, and a scholarship for first-generation college students whose family income is $40,000 or less. Again, it shocks me that such a non-aggressive strategy is chosen when the highest Court in America has made the statement that affirmative action is the most effective way to correct the banes of disparate enrollment percentages. The problem and the ugly imbalance that we see today was caused, in part, by the very philosophy that disagrees with the benefits of using race as a factor in admissions.

Ironically, the clearest case of ignoring this Nation's efforts to eradicate racial injustice in education has occurred in the State of Texas. In Orlando, Florida, Governor Bush's ''One Florida'' plan, an admissions policy program that eliminates quotas for minority college enrollment, fell short of being an effective replacement for race-based admissions, according to a study conducted by Harvard University. The study showed that the number of minority students enrolled in Florida's colleges and universities had mostly stayed the same or increased slightly since the 1999 initiative went into effect.

At Harvard College, the Class of 2007 is comprised of: 65.1 percent Caucasian, 17.4 percent Asian-American, 8.4 percent African-American, 3.0 percent Hispanic-American, 3.6 percent Mexican-American, 0.8 percent Native American, 1.2 percent Puerto Rican, and 0.5 percent Other. Of the 5,300 undergraduates at Yale College, 30 percent are students of color. Its 2002 class profile was: 74 percent Caucasian, 13 percent Asian, 7.5 percent African American, 5 percent Hispanic-Latino, and < 1 percent Native American. These Ivy League institutions, which have historically had lower percentages of minority enrollment, can boast improved numbers and can say that these numbers will continue to improve with the legal precedent set by Grutter v. Bollinger. These institutions have not abandoned this country's commitment to establishing diversity.

Historically, Texas public universities have fallen behind in issues of racial segregation. For example, the Texas Constitution mandated segregated schools until 1954 and the UT Law School had scholarships ''for whites only'' until 1969. Similarly, this State has struggled to comply with legislative attempts to correct the negative trend. In 1950, the Court in Sweatt v. Painter ruled that Texas could not satisfy its Fourteenth Amendment responsibilities by creating a separate law school for blacks. These developmental shortcomings led to an investigation by the federal Office of Civil Rights (OCR) in 1973 as to the State's efforts to eliminate all vestiges of a de jure racially dual education system.

Unfortunately, the Texas A&M policy marks a return of the vestiges of de jure educational discrimination consistent with Hopwood v. Texas. We now must form a new Civil Rights movement to ensure that the de facto contravention of a Supreme Court decision does not hinder the progress of this Nation.

## THE EUROPEAN UNION'S UNITED STAND AGAINST DRUG ABUSE

The SPEAKER pro tempore (Mr. RENZI). Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 5 minutes.

AN UNPRECEDENTED YEAR OF ACCOMPLISHMENT BY CONGRESS

Mr. SOUDER. Mr. Speaker, first before I make the basic remarks I came down to the floor to make, I think it is important to make a couple of comments on the appropriations process that has been, I believe, somewhat misrepresented in some of the comments we have heard today.

I want to thank the gentleman from California (Chairman LEWIS) and his subcommittee, the gentleman from Florida (Chairman YOUNG) of the full committee, our esteemed late colleague Mr. Skeen, who all understood that the appropriations process is extremely difficult. We all come in with all these requests. We believe that everybody else's requests are pork except for ours. We try to have a budget resolution that we try to hold everybody in. This year we were fairly successful, but when we have the war in Iraq and other pressures, we inevitably go over. I had been a staffer for many years and then a Member of Congress. I do not

know when we have ever been within the budget guidelines, and we have done better than normal.

But the impression has been given that somehow this was an unprecedented, terrible thing and it was just Republicans and we jammed it. The unfortunate sad truth is if it was just Republicans, this bill would have failed today because we had a bunch of Republicans who did not back the Republican conference report. What we had were 58 Democrats who voted for this bill. Nearly one-third of the Democratic Party backed a bill that was just described as an awful, bipartisan, unprecedented effort, backed, by the way, by one-third of the Democrats. So I think it is really important to make sure in the RECORD that the things that the gentleman from Illinois (Speaker HASTERT) talked about today were, yes, very tough votes in many cases, took us a while to close the Medicare vote, but, in fact, it was an unprecedented year of accomplishment both in the Committee on Appropriations by the authorizers and in most cases, in almost every case, a bipartisan effort in spite of the fact that often the Democratic leadership pleaded with their Members not to make it bipartisan, but they saw the merits of the bill, and today 58 Democrats voted for this conference report.

I have at times been a critic of some of the drug policies of Europe, and I wanted to rise today and recognize and applaud the European Union for agreeing to toughen antidrug laws and urging actions to end drug tourism on the continent.

After more than 2 years of negotiations, EU ministers reached a landmark agreement on November 27 to toughen antidrug laws and to harmonize the continent's laws to make the bloc more efficient in the fight against illegal drugs. The laws cover all types of drug dealing, ranging from local networks to large-scale international operations.

Under the agreed rules, offering, selling, or producing drugs would be sanctioned with maximum jail terms of at least 1 to 3 years. In cases involving large-scale international drug trafficking, sanctions should be at least 5 to 10 years. Member states also agreed on a declaration stressing the importance of fighting drug tourism.

The EU's united stand against drug abuse strengthens global efforts to prevent drug abuse and to put away drug pushers and others including terrorists who financially benefit from destructive drug addiction. It is disappointing that the EU agreement will allow the so-called ''coffee shops'' in the Netherlands where marijuana can be legally abused to remain open. I am, however, encouraged that the Netherlands is investigating possible approaches that would end U.S. drug tourism to Amsterdam.

Dutch Justice Minister Piet Hein Donner has stated that the Netherlands Government is considering rules under which ''coffee shops'' would only be allowed to sell drugs to Dutch residents as part of its obligation to dissuade tourists from going to Amsterdam for drugs. Under his proposal, only Dutch residents with identity cards would be allowed to use the cannabis cafes. This move would protect Americans visiting Amsterdam from the dangers of engaging in drug abuse. Currently, foreign tourists, including Americans, make up about 40 percent of ''coffee shop'' sales in Amsterdam, according to the London Times.

I also hope that this agreement will further our international efforts to control the trafficking of ecstasy and other dangerous synthetic drugs. In recent years, traffickers have set up their illegal manufacturing operations in countries, predominantly the Netherlands, and also to some degree in Belgium, in the hopes of avoiding tough penalties if they are caught. This agreement should send a clear signal to the drug cartels that Europe and the U.S. will continue to work together to break up these international drug rings.

Furthermore, I am encouraged that the Netherlands has also agreed to increase its sanctions for the possession of small quantities of marijuana to a year from 1 month. These are important steps in the Netherlands that I hope will eventually lead to stiffer penalties for all drug abuse.

It is increasingly clear that every nation must play a role in educating the public as to why drug abuse is harmful and in preventing drug addiction. As long as one country tolerates the production, sale, or distribution of any illegal drugs, other nations, communities, and families are vulnerable to the threats caused by drug abuse that is easily transported across borders. The EU's commitment to not tolerate drug abuse and drug tourism protects not only the families and communities of Europe but also the families and communities here and elsewhere in the world.

Again, I applaud this agreement and look forward to working with these and other countries to strengthen international drug laws and to protect children from the dangers of drug abuse and addiction.

---

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. HARRIS) is recognized for 5 minutes.

(Ms. HARRIS 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 gentlewoman from California (Ms. WATSON) is recognized for 5 minutes.

(Ms. WATSON 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 Hawaii (Mr. CASE) is recognized for 5 minutes.

(Mr. CASE 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. WAXMAN) is recognized for 5 minutes.

(Mr. WAXMAN 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 Jersey (Mr. HOLT) is recognized for 5 minutes.

(Mr. HOLT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

---

## HONORING CONGRESSMAN JOE SKEEN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentlewoman from New Mexico (Mrs. WILSON) is recognized for 60 minutes as the designee of the majority leader.

### GENERAL LEAVE

Mrs. WILSON of New Mexico. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to submit statements on my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Mrs. WILSON of New Mexico. Mr. Speaker, this is what is called special orders, and it is an opportunity for Members to come to the floor of the House and talk about a particular topic, and today it is our sad duty to honor a friend and colleague of many in this House. Congressman Joe Skeen passed away last night in Roswell, New Mexico, after a long battle with Parkinson's disease, and this is an opportunity tonight for many of his friends to come to honor him.

Mr. Speaker, Joe Skeen retired in January of this year after 22 years of service in the House, and the 2nd District of New Mexico is now represented by the gentleman from New Mexico (Mr. PEARCE), my good friend, and I yield to the gentleman from southern New Mexico.

Mr. PEARCE. Mr. Speaker, I thank the gentlewoman from New Mexico for organizing this tribute.

The Nation has lost a leader, and New Mexico has lost a friend. Joseph Richard Skeen was born in Roswell, Chaves County, New Mexico, June 30, 1927. He was an Aggie. He attended Texas A&M University and graduated with a bachelor of science degree in 1950. He served the country honorably in the United States Navy from 1945 to 1946, and then I do not know what happened. I think he saw the light because

he joined the United States Air Force Reserve and served from 1949 to 1952. But the real light that he saw in his life was Mary Helen Jones, whom he married November 17, 1945. Their two children, Elisa Livingston, and her son, Ross; Mikell Lee Skeen and his wife, the former Gail Edwards, their two sons, Clint and Tyler, all deserve our thoughts and our prayers.

He began to serve immediately in positions throughout the State that reflected his agriculture desires and his agriculture background. He became a member of the New Mexico State Senate in 1960 and served until 1970. He served as chairman of the New Mexico Republican Party from 1962 to 1965. In 1980 he was just the second candidate to be elected on a write-in vote to the United States House of Representatives. He was elected to attend succeeding terms in Congress and did retire January 3, 2003, at the end of the 107th Congress.

He was the longest-serving Member from New Mexico to the House of Representatives, serving 22 years. Mr. Skeen lost two of the closest gubernatorial races that the State of New Mexico has ever seen in 1974 and again in 1978. Mr. Skeen's seniority, built up by his long tenure in the House of Representatives, accounted for his ranking by Roll Call Magazine in 2000 as one of the ten most powerful Members in the 435–Member U.S. House of Representatives.

Mr. Skeen was the first New Mexico House Member to serve on the House Committee on Appropriations and later served as chairman of two of the most powerful subcommittees that affect New Mexico, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Subcommittee of the Committee on Appropriations and the Interior Subcommittee of the Committee on Appropriations. Mr. Skeen was influential in the sponsorship, support, and passage of the Waste Isolation Pilot Plant, one of the premier DOE facilities in the Nation located in the 2nd District of New Mexico. Mr. Skeen was the primary sponsor of many legislative projects benefitting New Mexico State University, New Mexico Tech, Holloman Air Force Base, and White Sands Missile Range. New Mexico began to recognize its favorite son even before today. New Mexico Tech named their library after Joe Skeen. New Mexico State University named their new agriculture research building after Joe and Mary Skeen. Chaves County named their new administrative building after Joe Skeen. The State of New Mexico has named Highway 70 the Joe Skeen Highway.

Mr. Skeen was a strong supporter of rural New Mexico and all its requirements: roads, schools, medical care, electricity, and water and sewage treatment plants. He was impartial when it came to serving the people of New Mexico. He served them all. His offices in New Mexico provided critical assistance for those people who needed help with Social Security, veterans' medical care programs, immigration assistance, and a host of other government programs and services.

Joe fulfilled his ombudsman role eagerly and efficiently with the help of his capable and effective staffs in Washington, Roswell, and Las Cruces. He was tremendously respected. His friendly demeanor and quiet sense of humor seemed to disarm those folks with grudges and helped all citizens realize that by working together, we can solve the people's problems. Joe used to say, let us talk about what we can agree on and work from there.

Some of the popular quotes in New Mexico from Mr. Skeen were: ''The chances of that happening are between slim and none, and slim just left town.''

''Do not tell me about what you disagree with me on. Tell me where you and I agree, and let's work from there.''

''Before I leave this earth, I hope the Good Lord gives me the opportunity to serve as a member of the majority party in Congress.'' That opportunity came to Mr. Skeen.

About his ranch he said, ''We raise cattle for prestige, and we raise sheep for profit.''

And, finally, ''I will be forever indebted to those actions of those many citizens who stood in line until midnight to write my name in the congressional ballot. I will never forget and will work hard to make sure their views are heard in the House of Representatives.''

The people of New Mexico will never forget Mr. Skeen. He is a man of the people. The people in the 2nd District have expressed their love and concern as I traveled the district this year campaigning to replace Mr. Skeen. And as I won the office, I realized that no one can replace Mr. Skeen. I can simply fill the spot that he was in.

As I took my place in this national Congress and heard from his many friends, I realized that he was just as respected nationally as he was in the State. The State has lost a friend. The Nation has lost a leader. Joe Skeen was our friend.

□ 1845

Mr. Speaker, I yield to the gentleman from Texas (Mr. DELAY), the distinguished majority leader.

Mr. DELAY. Mr. Speaker, I appreciate the gentlewoman coming down and holding this Special Order in memory of Joe Skeen, and I appreciate the comments of the gentleman from New Mexico (Mr. PEARCE). That was a very wonderfully put eulogy for an incredible man.

I met Joe Skeen for the first time when I first ran for office in 1984 in a primary. It was a big primary, a lot of Republicans running. Joe Skeen came in on my behalf and really did not know me from Adam. He had heard about me. He loved Texas A&M. I think, with all due respect, he loved Texas as much as he loved New Mexico, because he loved coming to Texas. He came at a particularly tough time in my campaign and just wowed the folks in Houston, Texas.

He wowed them through his incredible wit. He was one of the funniest men I knew. In his wit, he always had a point he was trying to make, and somebody ought to really write a book, a compilation of Joe Skeen's speeches, because they were poignant, they were to the point, but, at the same time, they had a wonderful American flavor and an American wit that was so Joe Skeen.

From that day forward, Joe Skeen became a very dear friend of mine, as he is a friend to every Member of this House. He never met a person he did not like, and he never met a person he did not make a friend out of. The man was a stalwart in this House. Whenever you needed something, you could always go to Joe Skeen, and he would do everything in his power to see that it was accomplished.

Joe Skeen had the incredible character and integrity and moral strength that Members drew from. In his later years, when he got that dreadful Parkinson's disease, he was in here on the floor suffering from that disease and still doing his job to the very last minute. And it shows.

The man was committed to his constituency in New Mexico. He loved the people of New Mexico, and I had a great time in going out and campaigning for Joe Skeen, because you could see his real love for the land, for the ranchers and farmers, for New Mexico. He really had a strong, strong feeling for the people that he served, and he had a servant's heart.

He was a man that we will sorely miss, and we have already missed him this year. Joe Skeen is one of those very special characters that very seldom come through this House, that has enriched the House, has enriched this Nation. He is a true, true leader that will be sorely missed.

So to Mary and his family we give all our sympathy, and hope they will understand how much we miss him and the legacy that he has left by serving in this House. We greatly appreciate the service and character of the man Joe Skeen.

Mrs. WILSON of New Mexico. Mr. Speaker, I yield to the gentleman from California (Mr. LEWIS), a dear friend of Joe Skeen over the years, the chairman of the Committee on Appropriations Subcommittee on Defense, who served alongside Joe as one of the other cardinals.

Mr. LEWIS of California. Mr. Speaker, I thank the gentlewoman from New Mexico, who has put together this time, and the gentleman from New Mexico (Mr. PEARCE), Joe's colleague and friend from their own district in beautiful downtown New Mexico.

It is a sad moment for me to come and attempt in a few moments to share

with the family and friends of Joe the impact he has had on my life, the Congress of the United States, and, indeed, upon, I think, people way beyond his wonderful State.

Joe was a giant, great man who cared so much for the work of public affairs that it took every bit of his being to impact those issues that were so important to his people; a phenomenal guy who I came to know early upon his career by way of introduction from a mutual friend, Kevin Billings, who said, ''Jerry, you have got to meet this guy, because he is a guy who ought to be on your Committee on Appropriations,'' a committee that I love. From that moment on, as Joe and I began to get to know each other, many of us worked to see that he early on took a spot on that committee.

During his service there, as has been said, both first as a member, but, beyond that, as chairman of the subcommittee that deals with agriculture, so important to his State, the Subcommittee on Interior, Joe demonstrated his unusual capability to mix the demands and needs of his own people with those requirements of members of his subcommittee, as well as the needs and priorities of the country.

He is going to be sorely missed by his wife, Mary, and his son and daughter. I want them to know that he will be missed just as much, every bit as much, by the people who work in this House.

Shortly after I met Joe, I became enamored of his sense of humor. While we all know of him as a great man, we also know of his immense capability. When you would have a tendency to take yourself perhaps a bit too seriously, by a kind of twist of a word, a sleight of hand almost, his sense of humor would bring you back to the real world, where we can find solution by way of compromise in this House, for, no doubt about it, when we finally get our best work done, it is work that is done with men and women challenging each other, measuring the pros and cons that lead to solution, and compromise is absolutely a requirement.

I remember when Joe first came to me, we were talking about a couple of his problems and discussing the fact that when he was first involved in politics, there were not too many Republicans available in his territory in New Mexico. He kind of smiled when he told me they held their meetings in a telephone booth. In the old days in San Bernardino County in California, many a person suggested to me that if I really wanted to be in politics, I had better find a party other than the Republican Party, for similarly we had a telephone booth that did not have very much room in it.

Joe demonstrated clearly that he was going to make a difference in his State and his party in his State. It has been suggested by Steve and others that he ran those very, very close races and almost became Governor of the State of New Mexico. Well, what guy is good enough to go about getting elected to the United States Congress by way of write-in vote? To say the least, it is tough enough to get elected, but to have enough people care about you and know of your leadership skills to actually drive hard enough to get people to write your name in to be successful in races that are so intensely sought after?

Joe reminds me in many, many ways of his sense of humor by the dealings we had on another venture. We used to kid each other about Mexican food, because, you know, frankly I think those people, citizens of Mexican descent in our country, who are of the best lines come from beautiful downtown California, and he thought in turn that our food could not begin to compare in terms of Mexican food with that of New Mexico. So we challenged each other about that, first lightly, and he talked about his tamales early on and I was talking about enchiladas and tacos, et cetera. I just could not believe the tacos they produced in Washington, DC.

But in this challenge, we began to invite friends, first it was just our two staffs together, and then we would get people down the hall, and the program became a regular annual event called ''Tamales on the Terrace.''

The family of Joe Skeen goes beyond just the family we have mentioned here. The family also involves Selma Sierra, who was the person who was in charge of helping us put together Tamales on the Terrace. The terrace, by the way, is just outside the back door of my office, and it looks at the Capitol and a couple of other buildings.

The last time we held this gathering, we had to turn people away. There were 300 or 400 people there the last 2 or 3 years. The last event was a very, very special event indeed, because we were especially attempting to pay tribute to Joe Skeen as he was getting prepared to leave the Congress.

Suzanne Eisold, his administrative assistant, was a person who my wife, who helps me run my own office, has worked very closely with, for she helped put wheels on both of our operations. To be successful in this business you need help; and, without any doubt, he had that extra special quality of attracting the best of people around him to make sure that the best of work was done on behalf of his own people and the causes he was concerned with.

It has been said that appropriators are the people around here who must get their work done, because, without it, government cannot continue; and often times controversy stops many a bill around here.

Well, Joe was one of those workhorses who was able to get the toughest of business done in the appropriations process. His bills went to the President's desk and successfully had a huge impact upon the future of America's public lands by way of interior, and certainly had a fantastic impact upon prioritizing the way our appropriation dollars impact farmers, not just in New Mexico, but also in the country.

There is a great building in Sacramento that reminds me of the last trip I took to New Mexico to be with Joe. This great Federal building in Sacramento has on the face of it a statement to be remembered by those who think about Joe forever. It says, ''Bring me men to match my mountains.'' That last trip that took me to Joe's hometown was for the dedication of a Federal building there, and I would hope that the people of New Mexico, whenever they go and look at that Federal building or have business there, will remember just how great this man was.

If we, indeed, have had a Will Rogers of modern days, Joe Skeen of New Mexico is that Will Rogers; and indeed he is the mountain of a man who has come from New Mexico.

Mrs. WILSON of New Mexico. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I am pleased to yield to my colleague from northern New Mexico (Mr. UDALL).

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. UDALL of New Mexico. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, both my wife, Jill, and I were saddened to learn about Joe's death. Joe Skeen served New Mexico with distinction and dedication. During the 4 years we served together in Congress, I found Joe to be a true gentleman and statesman.

One of the stories that I like to tell about Joe Skeen was how he got here. He was only the third Member of the House in the history of this House to be elected by a write-in vote.

My wife was the Deputy Attorney General, and she was assigned to represent the State of New Mexico and the Secretary of State in the legal case that determined that he had to be a write-in. There was only a Democrat on the ballot. He was beloved by New Mexicans, and my wife and I were in the court that day when there was a ruling.

Representative Skeen understood that she had a job to do. He respected that. He never held it against us. He was always a gentleman. He had a great sense of humor; and he knew, because he was so loved in the State, that whether he got on the ballot or not, he was going to get elected, which in fact he did.

One of the things I respected about him the most was his bipartisanship; and I think every Member of Congress, Democrat and Republican, every Member of this House, loved him for that. He loved this institution. He had a great sense of humor. He did not take this place where we do the serious business of the country too seriously, and he would always have a good story or a quip.

I just want to say to Mary, the children and the rest of the family that all of us in the House of Representatives that served with him loved him very much, and we send Mary and his family our heart-felt condolences.

Jill and I were saddened to learn about Joe's death. Joe Skeen served New Mexico with distinction and dedication. During the 4 years we served together in Congress, I found Joe to be a true gentleman and statesman.

It is difficult to capture with words the impact and significance that Joe has meant, not only to New Mexicans, but to the citizens of the United States and the institution of the Congress as well. During his tenure as New Mexico's longest serving U.S. House Member, he built a dedicated and talented staff on Capitol Hill. He was renowned for his tireless work on behalf of agrarian interests. Although he didn't get the credit he deserved, he also helped steer millions of Federal dollars to our State.

I was proud to work with Joe on legislation that helped return mineral rights to Acoma Pueblo. That bill, now Federal law, was easily steered through Congress by Joe's knowledge of the legislative process. While we were ultimately not as successful as we would have liked, we also fought together to change the dairy sections of the 2002 farm bill that were unfair to our State's strong milk and cheese industry. Through it all, I enjoyed working with him every step of the way.

Throughout his years of service, he was a model of integrity and truth. The way he approached his job is the way every elected official should—as a highly principled individual who stuck to his beliefs. He walked his talk. While we didn't agree on everything, he always did what he believed in his heart to be true, and he always worked in a bipartisan way to accomplish important work.

His good will and sense of humor will be missed by all who knew him. We send our sympathy to his family and friends.

Mrs. WILSON of New Mexico. Mr. Speaker, I thank my colleague from northern New Mexico.

Mr. Speaker, all of us are going to miss Joe Skeen. All of us have our Joe Skeen stories and things that make us chuckle when we are walking around this place remembering him.

Joe was a sheep rancher. He has a ranch between Ruidoso and Roswell in the Hondo River Valley, which is a long way from just about everywhere. In fact, his ranch is 17 miles from pavement in the rural part of New Mexico.

□ 1900

In a lot of ways, Joe was a man of the West, a gentleman. He loved New Mexico, loved its rural way of life, and fought in this body for those ways of life to be protected. He opposed grazing fee increases and defended property rights and water rights. And even while he served here in the Congress and got accustomed to wearing soft-soled shoes on these granite floors instead of his preferred cowboy boots, he continued to ride and work the ranch with Mary and the kids and just one hired hand.

I can remember times here when they were doing State of the Union, and Joe always sat in the same place in this House. Whenever you needed to find Joe Skeen, you always knew where he would sit, in the back row in the far right, over in the corner. He was there, no matter what. And during the State of the Union one year, I heard a big ''yippee'' and a whistle from the back right corner of this room, and everyone in the whole room knew it was Joe Skeen. There is probably only one guy who can whistle and ''yippee'' like that, and who had the guts to do it on the floor of the House of Representatives during the State of the Union.

Joe Skeen said what he thought, and he said it in a direct way, and he stuck by his guns. He kept his word. He was a gentleman of the West.

When I was elected, I came here in a special election, and I had only 17 hours between when they counted the last votes and when I was on an airplane to fly here to Washington with my family. I did not even know where my predecessor's office was or how to get a key. There was a reception after the swearing in here on the House floor in Joe Skeen's Agriculture appropriations room. I was completely lost and somebody helped me find this reception, and my vote card was not even cool from the laminating machine when those bells went off. Not only did I not know what I was supposed to do, I had no idea where I was or where I was supposed to go or how to get there. And Joe Skeen said, ''Come on, gal, you are coming with me.'' And for the next 5 years of my service here, so many times I was with him.

In 1960 when Joe Skeen started out in the State Senate, I was not even born, but he took responsibility for the stewardship of the next generation of young legislators from New Mexico.

Joe Skeen was a physical man. He was a rancher and a flyer and a cowboy, and that made it particularly hard for his friends and staff and family to see the ravages of Parkinson's in his later years.

There is a statue here in the House. It is in the hallway between this new modern Chamber that we use today and the old House. It is a statue of Will Rogers. Will Rogers was a man who understood the American spirit, a man who loved his country deeply, a man with a tremendous dry sense of humor that caused us to understand ourselves so much better. Joe Skeen was a lot like Will Rogers, and whenever I walk by that statue, I will always think of Joe.

Humor is a bridge between people over the things that divide us, and Joe Skeen had so much of it. I once walked up to him on the floor of this House and I said to him, my son was 5 years old at the time, and I said, Joe, my son Joshua thinks he wants to be a farmer, and Joe said, well, you send him to me, I will knock some sense into him. There is no money in it. And we had a good laugh. Everyone in this body has had a good laugh with Joe Skeen.

Our thoughts and prayers go out tonight to Mary, to his children, the many staff members who have worked with him over the years, and to the wonderful people of New Mexico who were served so well by him.

Mr. EVANS. Mr. Speaker, I would like to remember my friend and former colleague, Congressman Joe Skeen, who passed away recently in his home State of New Mexico.

Mr. Skeen was truly a giant in New Mexico politics, serving 22 years and entering the class just before mine. His is a great story of a rancher who won his first term through a write-in campaign and continued to win the next 10 terms.

I will remember Joe's work, especially on Parkinson's disease. He and I worked together as co-chairs of the Congressional Working Group on Parkinson's Disease. Although we differed on many issues, Joe and I agreed on the importance of working to eradicate this disease. We have both been personally affected by it.

I am glad that Joe was able to spend time with his family on his beloved ranch after serving a long and distinguished career. He will be missed by us on both sides of the aisle for his candor and hard work on issues of importance to New Mexicans and all Americans.

Mr. CROWLEY. Mr. Speaker, I would like to take this time and commemorate the life of former New Mexico Representative Joe Skeen. Joe lost his battle with Parkinson's disease on Sunday at the age of 76, and I would like to send my deepest condolences to his wife and family.

Joe was elected into the halls of Congress in 1980 as a write-in candidate. He served 11 terms which was more than any other New Mexico Member of Congress has ever served. He was chairman of the Interior and Related Agencies Subcommittee of the Appropriations Committee, and accomplished much during his tenure for New Mexico and our great Nation. I had the honor of working with Joe for a long time, and know of his love for the open lands of the western U.S.

As a Member of Congress, I honor Joe and mourn his passing, but also celebrate his life and his achievements.

Joe will forever be missed in the House of Representatives, in his great State of New Mexico and in this country, which he loved so much.

Mr. BONILLA. Mr. Speaker, it is with heavy heart I submit the following statement. Chairman Joe Skeen, our former colleague form the State of New Mexico, passed away on Sunday evening due to complications from Parkinson's disease.

Chairman Joseph ''Joe'' Richard Skeen was born in Roswell, Chaves County, NM, June 30, 1927, and graduated from O'Dea High School in Seattle, WA, in 1944. He went on to receive a B.S. from Texas A&M University in 1950. After fulfilling a commitment to the United States Navy and spending time in the United States Air Force Reserve, Joe turned his sights to public service and the causes of the rural residents of the State of New Mexico. Joe served his State as a member of the New Mexico State Senate, chairman of the New Mexico Republican Party, and as a delegate to both the New Mexico and National Republican conventions numerous times from 1962 to 1970. In 1980 Joe was elected to the 97th Congress as a write-in candidate, only the third in history. Chairman Skeen served longer than any other New Mexican in the House of Representatives, from 1981 to 2000. He was

also the first New Mexican to serve on the House Appropriations Committee, and served with distinction as the chairman of both the Agriculture and Interior Subcommittees.

A great family, a fine State, and a grateful Nation all lost a wonderful champion, colleague and friend on Sunday. Joe will be missed often and I hope that we who continue in his place, may carry on the tradition of caring and service, which Chairman Skeen truly exemplified.

Mr. ORTIZ. Mr. Speaker, I rise to join my colleagues in fond memories of our friend and colleague, Joe Skeen, easily one of the most even-handed, honest, fair legislators elected to the House of Representatives.

Joe was only a little more senior than me, but his route here was considerably more entertaining than most of ours. Joe was elected as a write-in candidate over another write-in candidate and the nephew of the sitting governor. He made history, becoming the third Member ever to win election to Congress without being on a ballot.

For the next 22 years, Joe served with us in Congress, making excellent representation for his home district in New Mexico the standard of his service. He chaired the Appropriations Subcommittee on Agriculture and Rural Development. Those he represented in New Mexico could have had no better steward in Congress.

He was tireless in representing the needs of ranchers and farmers in his role as an appropriations cardinal.

Joe was my friend, and he was my neighbor on the third floor of Rayburn where we would often visit in each other's office.

He spoke Spanish, and he spoke the all-important language of bipartisanship. Joe Skeen was the best example of how a member of this House should comport themselves in any circumstance. He did more than just talk the talk, he walked the walk on bipartisanship, an art often lost in the House of Representatives today.

He was a pragmatist, and he was a guy who really enjoyed life, teasing colleagues and playing practical jokes. He was truly a gentleman, and he made our work here in the halls of Congress more pleasant when he was involved.

I join my colleagues here in the House in offering our collective and individual sympathies to Joe's wife Mary and their two children. The House has been a poorer place for Joe's absence. He was a great legislator and an exceptional man.

## AMERICAN DREAM DOWNPAYMENT ACT

Mr. LEACH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (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, and for other purposes, and ask for its immediate consideration in the House.

The SPEAKER pro tempore (Mr. RENZI). The Chair has been informed that this request has been cleared by both leaderships under the Speaker's guidelines.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 811

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

**SECTION 1. TABLE OF CONTENTS.**

The table of contents for this Act is as follows:

Sec. 1. Table of contents.

TITLE I—DOWNPAYMENT ASSISTANCE

Sec. 101. Short title.
Sec. 102. Downpayment assistance initiative.

TITLE II—INTERGENERATIONAL HOUSING ASSISTANCE

Sec. 201. Short title.
Sec. 202. Definitions.
Sec. 203. Demonstration program for elderly housing for intergenerational families.
Sec. 204. Training for HUD personnel regarding grandparent-headed and relative-headed families issues.
Sec. 205. Study of housing needs of grandparent-headed and relative-headed families.

TITLE III—ADJUSTABLE RATE SINGLE FAMILY MORTGAGES AND LOAN LIMIT ADJUSTMENTS

Sec. 301. Hybrid arms.
Sec. 302. FHA multifamily loan limit adjustments.

TITLE IV—HOPE VI PROGRAM REAUTHORIZATION

Sec. 401. Short title.
Sec. 402. Hope VI program reauthorization.
Sec. 403. Hope VI grants for assisting affordable housing through main street projects.

TITLE V—COMMUNITY DEVELOPMENT BLOCK GRANTS

Sec. 501. Funding for insular areas.

### TITLE I—DOWNPAYMENT ASSISTANCE

**SEC. 101. SHORT TITLE.**

This title may be cited as the ''American Dream Downpayment Act''.

**SEC. 102. DOWNPAYMENT ASSISTANCE INITIATIVE.**

(a) DOWNPAYMENT ASSISTANCE INITIATIVE.—Subtitle E of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12821) is amended to read as follows:

**''Subtitle E—Other Assistance**

**''SEC. 271. DOWNPAYMENT ASSISTANCE INITIATIVE.**

''(a) DEFINITIONS.—In this section:

''(1) DOWNPAYMENT ASSISTANCE.—The term ''downpayment assistance'' means assistance to help a family acquire a principal residence.

''(2) HOME REPAIRS.—The term ''home repairs'' means capital improvements or repairs that—

''(A) are identified in an appraisal or home inspection completed in conjunction with a home purchase; or

''(B) are completed within 1 year of the purchase of a home, and are necessary to bring the housing into compliance with health and safety housing codes of the unit of general local government in which the housing is located, including the remediation of lead paint or other home health hazards.

''(3) PARTICIPATING JURISDICTION.—The term ''participating jurisdiction'' means a State or unit of general local government designated under section 216.

''(4) STATE.—The term ''State'' means any State of the United States and the District of Columbia.

''(b) GRANT AUTHORITY.—The Secretary may award grants to participating jurisdictions to assist low-income families to achieve homeownership, in accordance with this section.

''(c) ELIGIBLE ACTIVITIES.—

''(1) IN GENERAL.—

''(A) DOWNPAYMENT ASSISTANCE.—Subject to subparagraph (B), grants awarded under this section may be used only for downpayment assistance toward the purchase of single family housing (including 1 to 4 unit family dwelling units, condominium units, cooperative units, and manufactured housing units which are located on land which is owned by the manufactured housing unit owner, owned as a cooperative, or is subject to a leasehold interest with a term equal to at least the term of the mortgage financing on the unit, and manufactured housing lots) by low-income families who are first-time home-buyers.

''(B) HOME REPAIRS.—Not more than 20 percent of the grant funds provided under subsection (d) to a participating jurisdiction may be used to provide assistance to low-income, first-time home-buyers for home repairs.

''(2) LIMITATIONS.—

''(A) AMOUNT OF ASSISTANCE.—The amount of assistance provided to any low-income families under paragraph (1) shall not exceed the greater of—

''(i) 6 percent of the purchase price of a single family housing unit; or

''(ii) $10,000.

''(B) PARTICIPATION.—A participating jurisdiction may not use any amount of a grant awarded under this section to provide funding to an entity or organization that provides downpayment assistance if the activities of that entity or organization are financed in whole or in part, directly or indirectly, by contributions, service fees, or other payments from the sellers of housing.

''(d) FORMULA ALLOCATION.—

''(1) IN GENERAL.—For each fiscal year, the Secretary shall allocate any amounts made available for assistance under this section to each State that is a participating jurisdiction in an amount equal to a percentage of the total allocation that is equal to the percentage of the national total of low-income households residing in rental housing in the State, as determined on the basis of the most recent census data compiled by the Bureau of the Census.

''(2) PARTICIPATING JURISDICTIONS OTHER THAN STATES.—

''(A) IN GENERAL.—Subject to subparagraph (B), for each fiscal year, of the amount allocated to each State under paragraph (1), the Secretary shall further allocate from such amount to each participating jurisdiction located within such State an amount equal to the percentage of the allocation made to the State under paragraph (1) that is equal to the percentage of the State-wide total of low-income households residing in rental housing in such participating jurisdiction, as determined on the basis of the most recent census data compiled by the Bureau of the Census.

''(B) LIMITATION.—

''(i) IN GENERAL.—Direct allocations made under subparagraph (A) shall be made to a local participating jurisdiction only if—

''(I) the participating jurisdiction has a total population of 150,000 individuals or more, as determined on the basis of the most recent census data compiled by the Bureau of the Census; or

''(II) the participating jurisdiction would receive an allocation of $50,000 or more.

''(ii) REVERSION.—Any allocation that would have otherwise been made to a participating jurisdiction that does not meet the requirements of clause (i) shall revert back to the State in which the participating jurisdiction is located.

''(e) REALLOCATION.—If any amounts allocated to a participating jurisdiction under this section become available for reallocation, the amounts shall be reallocated to other participating jurisdictions in accordance with subsection (d).

''(f) APPLICABILITY OF OTHER PROVISIONS.—

''(1) IN GENERAL.—Except as otherwise provided in this section, grants made under this section shall not be subject to the provisions of this title.

''(2) APPLICABLE PROVISIONS.—In addition to the requirements of this section, grants made under this section shall be subject to the provisions of title I, sections 215(b), 218, 219, 221, 223, 224, and 226(a) of subtitle A of this title, and subtitle F of this title.

''(3) REFERENCES.—In applying the requirements of subtitle A referred to in paragraph (2)—

''(A) any references to funds under subtitle A shall be considered to refer to amounts made available for assistance under this section; and

''(B) any references to funds allocated or reallocated under section 217 or 217(d) shall be considered to refer to amounts allocated or reallocated under subsection (d) or (e) of this section, respectively.

''(g) HOUSING STRATEGY.—To be eligible to receive a grant under this section in any fiscal year, a participating jurisdiction shall include in its comprehensive housing affordability strategy developed under section 105 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12705) for such fiscal year—

''(1) a description of the anticipated use of any grant received under this section;

''(2) a plan for conducting targeted outreach to residents and tenants of public housing, trailer parks, and manufactured housing, and to other families assisted by public housing agencies, for the purpose of ensuring that grant amounts provided under this section to a participating jurisdiction are used for downpayment assistance for such residents, tenants, and families; and

''(3) a description of the actions to be taken to ensure the suitability of families receiving downpayment assistance under this section to undertake and maintain homeownership.

''(h) REPORT.—Not later than June 30, 2006, the Comptroller General of the United States shall submit a report containing a State-by-State analysis of the impact of grants awarded under this section to—

''(1) the Committee on Banking, Housing, and Urban Affairs of the Senate; and

''(2) the Committee on Financial Services of the House of Representatives.

''(i) SUNSET.—The Secretary shall have no authority to make grants under this Act after December 31, 2007.

''(j) RELOCATION ASSISTANCE AND DOWNPAYMENT ASSISTANCE.—The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894) shall not apply to downpayment assistance under this section.

''(k) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $200,000,000 for each of fiscal years 2004 through 2007.''.

## TITLE II—INTERGENERATIONAL HOUSING ASSISTANCE

### SEC. 201. SHORT TITLE.

This title may be cited as the ''Living Equitably: Grandparents Aiding Children and Youth Act of 2003'' or the ''LEGACY Act of 2003''.

### SEC. 202. DEFINITIONS.

In this title:

(1) CHILD.—The term ''child'' means an individual who—

(A) is not attending school and is not more than 18 years of age; or

(B) is attending school and is not more than 19 years of age.

(2) COVERED FAMILY.—The term ''covered family'' means a family that—

(A) includes a child; and

(B) has a head of household who is—

(i) a grandparent of the child who is raising the child; or

(ii) a relative of the child who is raising the child.

(3) ELDERLY PERSON.—The term ''elderly person'' has the same meaning as in section 202(k) of the Housing Act of 1959 (12 U.S.C. 1701q(k)).

(4) GRANDPARENT.—

(A) IN GENERAL.—The term ''grandparent'' means, with respect to a child, an individual who is a grandparent or stepgrandparent of the child by blood or marriage, regardless of the age of such individual.

(B) CASE OF ADOPTION.—In the case of a child who was adopted, the term includes an individual who, by blood or marriage, is a grandparent or stepgrandparent of the child as adopted.

(5) INTERGENERATIONAL DWELLING UNIT.—The term ''intergenerational dwelling unit'' means a qualified dwelling unit that is reserved for occupancy only by an intergenerational family.

(6) INTERGENERATIONAL FAMILY.—The term ''intergenerational family'' means a covered family that has a head of household who is an elderly person.

(7) PRIVATE NONPROFIT ORGANIZATION.—The term ''private nonprofit organization'' has the same meaning as in section 202(k) of the Housing Act of 1959 (12 U.S.C. 1701q(k)).

(8) QUALIFIED DWELLING UNIT.—The term ''qualified dwelling unit'' means a dwelling unit that—

(A) has not fewer than 2 separate bedrooms;

(B) is equipped with design features appropriate to meet the special physical needs of elderly persons, as needed; and

(C) is equipped with design features appropriate to meet the special physical needs of young children, as needed.

(9) RAISING A CHILD.—The term ''raising a child'' means, with respect to an individual, that the individual—

(A) resides with the child; and

(B) is the primary caregiver for the child—

(i) because the biological or adoptive parents of the child do not reside with the child or are unable or unwilling to serve as the primary caregiver for the child; and

(ii) regardless of whether the individual has a legal relationship to the child (such as guardianship or legal custody) or is caring for the child informally and has no such legal relationship with the child.

(10) RELATIVE.—

(A) IN GENERAL.—The term ''relative'' means, with respect to a child, an individual who—

(i) is not a parent of the child by blood or marriage; and

(ii) is a relative of the child by blood or marriage, regardless of the age of the individual.

(B) CASE OF ADOPTION.—In the case of a child who was adopted, the term ''relative'' includes an individual who, by blood or marriage, is a relative of the family who adopted the child.

(11) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

### SEC. 203. DEMONSTRATION PROGRAM FOR ELDERLY HOUSING FOR INTERGENERATIONAL FAMILIES.

(a) DEMONSTRATION PROGRAM.—The Secretary shall carry out a demonstration program (referred to in this section as the ''demonstration program'') to provide assistance for intergenerational dwelling units for intergenerational families in connection with the supportive housing program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q).

(b) INTERGENERATIONAL DWELLING UNITS.—The Secretary shall provide assistance under this section only to private nonprofit organizations selected under subsection (d) for use only for expanding the supply of intergenerational dwelling units, which units shall be provided—

(1) by designating and retrofitting, for use as intergenerational dwelling units, existing dwelling units that are located within a project assisted under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

(2) through development of buildings or projects comprised solely of intergenerational dwelling units; or

(3) through the development of an annex or addition to an existing project assisted under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), that contains intergenerational dwelling units, including through the development of elder cottage housing opportunity units that are small, freestanding, barrier free, energy efficient, removable dwelling units located adjacent to a larger project or dwelling.

(c) PROGRAM TERMS.—Assistance provided pursuant to this section shall be subject to the provisions of section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), except that—

(1) notwithstanding subsection (d)(1) of that section 202 or any provision of that section restricting occupancy to elderly persons, any intergenerational dwelling unit assisted under the demonstration program may be occupied by an intergenerational family;

(2) subsections (e) and (f) of that section 202 shall not apply;

(3) in addition to the requirements under subsection (g) of that section 202, the Secretary shall—

(A) ensure that occupants of intergenerational dwelling units assisted under the demonstration program are provided a range of services that are tailored to meet the needs of elderly persons, children, and intergenerational families; and

(B) coordinate with the heads of other Federal agencies as may be appropriate to ensure the provision of such services; and

(4) the Secretary may waive or alter any other provision of that section 202 necessary to provide for assistance under the demonstration program.

(d) SELECTION.—The Secretary shall—

(1) establish application procedures for private nonprofit organizations to apply for assistance under this section; and

(2) to the extent that amounts are made available pursuant to subsection (f), select not less than 2 and not more than 4 projects that are assisted under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q) for assistance under this section, based on the ability of the applicant to develop and operate intergenerational dwelling units and national geographical diversity among those projects funded.

(e) REPORT.—Not later than 36 months after the date of enactment of this Act, the Secretary shall submit a report to Congress that—

(1) describes the demonstration program; and

(2) analyzes the effectiveness of the demonstration program.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $10,000,000 to carry out this section.

(g) SUNSET.—The demonstration program carried out under this section shall terminate 5 years after the date of enactment of this Act.

**SEC. 204. TRAINING FOR HUD PERSONNEL REGARDING GRANDPARENT-HEADED AND RELATIVE-HEADED FAMILIES ISSUES.**

Section 7 of the Department of Housing and Urban Development Act (42 U.S.C. 3535) is amended by adding at the end the following:

''(t) TRAINING REGARDING ISSUES RELATING TO GRANDPARENT-HEADED AND RELATIVE-HEADED FAMILIES.—The Secretary shall ensure that all personnel employed in field offices of the Department who have responsibilities for administering the housing assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) or the supportive housing program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q), and an appropriate number of personnel in the headquarters office of the Department who have responsibilities for those programs, have received adequate training regarding how covered families (as that term is defined in section 202 of the LEGACY Act of 2003) can be served by existing affordable housing programs.''.

**SEC. 205. STUDY OF HOUSING NEEDS OF GRANDPARENT-HEADED AND RELATIVE-HEADED FAMILIES.**

(a) IN GENERAL.—The Secretary and the Director of the Bureau of the Census jointly shall—

(1) conduct a study to determine an estimate of the number of covered families in the United States and their affordable housing needs; and

(2) submit a report to Congress regarding the results of the study conducted under paragraph (1).

(b) REPORT AND RECOMMENDATIONS.—The report required under subsection (a) shall—

(1) be submitted to Congress not later than 12 months after the date of enactment of this Act; and

(2) include recommendations by the Secretary and the Director of the Bureau of the Census regarding how the major assisted housing programs of the Department of Housing and Urban Development, including the supportive housing for the elderly program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q) can be used and, if appropriate, amended or altered, to meet the affordable housing needs of covered families.

## TITLE III—ADJUSTABLE RATE SINGLE FAMILY MORTGAGES AND LOAN LIMIT ADJUSTMENTS

**SEC. 301. HYBRID ARMS.**

(a) IN GENERAL.—Section 251(d)(1)(C) of the National Housing Act (12 U.S.C. 1715z–16(d)(1)(C)) is amended by striking ''five'' and inserting ''3''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to mortgages executed on or after the date of the enactment of this title.

**SEC. 302. FHA MULTIFAMILY LOAN LIMIT ADJUSTMENTS.**

(a) SHORT TITLE.—This section may be cited as the ''FHA Multifamily Loan Limit Adjustment Act of 2003''.

(b) MAXIMUM MORTGAGE AMOUNT LIMIT FOR MULTIFAMILY HOUSING IN HIGH-COST AREAS.—Sections 207(c)(3), 213(b)(2)(B)(i), 220(d)(3)(B)(iii)(III), 221(d)(3)(ii)(II), 221(d)(4)(ii)(II), 231(c)(2)(B), and 234(e)(3)(B) of the National Housing Act (12 U.S.C. 1713(c)(3), 1715e(b)(2)(B)(i), 1715k(d)(3)(B)(iii)(II), 1715l(d)(3)(ii)(III), 1715l(d)(4)(ii)(II), 1715v(c)(2)(B)), and 1715y(e)(3)(B)) are each amended—

(1) by striking ''110 percent'' and inserting ''140 percent''; and

(2) by inserting '', or 170 percent in high cost areas,'' after ''140 percent''.

(c) CATCH-UP ADJUSTMENTS TO CERTAIN MAXIMUM MORTGAGE AMOUNT LIMITS.—

(1) SECTION 207 LIMITS.—Section 207(c)(3)(A) of the National Housing Act (12 U.S.C. 1713(c)(3)(A)) is amended by striking ''$11,250'' and inserting ''$17,460''.

(2) SECTION 213 LIMITS.—Section 213(b)(2)(A) of the National Housing Act (12 U.S.C. 1715e(b)(2)(A)) is amended—

(A) by striking ''$38,025'' and inserting ''$41,207'';

(B) by striking ''$42,120'' and inserting ''$47,511'';

(C) by striking ''$50,310'' and inserting ''$57,300'';

(D) by striking ''$62,010'' and inserting ''$73,343'';

(E) by striking ''$70,200'' and inserting ''$81,708'';

(F) by striking ''$49,140'' and inserting ''$49,710'';

(G) by striking ''$60,255'' and inserting ''$60,446'';

(H) by striking ''$75,465'' and inserting ''$78,197''; and

(I) by striking ''$85,328'' and inserting ''$85,836''.

(d) REHABILITATION AND NEIGHBORHOOD CONSERVATION HOUSING MORTGAGE INSURANCE.—Section 220(d)(3)(B)(iii) of the National Housing Act (12 U.S.C. 1715k(d)(3)(B)(iii) is amended—

(1) by striking ''with respect to dollar amount limitations applicable to rehabilitation projects described in subclause (II),'' and inserting ''; (III)''; and

(2) by redesignating subclauses (III) and (IV) as subclauses (IV) and (V), respectively.

## TITLE IV—HOPE VI PROGRAM REAUTHORIZATION

**SEC. 401. SHORT TITLE.**

This title may be cited as the ''HOPE VI Program Reauthorization and Small Community Mainstreet Rejuvenation and Housing Act of 2003''.

**SEC. 402. HOPE VI PROGRAM REAUTHORIZATION.**

(a) SELECTION CRITERIA.—Section 24(e)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437v(e)(2)) is amended—

(1) by striking the matter preceding subparagraph (A) and inserting the following:

''(2) SELECTION CRITERIA.—The Secretary shall establish criteria for the award of grants under this section and shall include among the factors—'';

(2) in subparagraph (B), by striking ''large-scale'';

(3) in subparagraph (D)—

(A) by inserting ''and ongoing implementation'' after ''development''; and

(B) by inserting '', except that the Secretary may not award a grant under this section unless the applicant has involved affected public housing residents at the beginning and during the planning process for the revitalization program, prior to submission of an application'' before the semicolon at the end;

(4) in subparagraph (H), by striking ''and'' at the end;

(5) by redesignating subparagraph (I) as subparagraph (L); and

(6) by inserting after subparagraph (H) the following:

''(I) the extent to which the plan minimizes permanent displacement of current residents of the public housing site who wish to remain in or return to the revitalized community and provides for community and supportive services to residents prior to any relocation;

''(J) the extent to which the plan sustains or creates more project-based housing units available to persons eligible for public housing in markets where the plan shows there is demand for the maintenance or creation of such units;

''(K) the extent to which the plan gives to existing residents priority for occupancy in dwelling units which are public housing dwelling units, or for residents who can afford to live in other units, priority for those units in the revitalized community; and''.

(b) DEFINITION OF SEVERELY DISTRESSED PUBLIC HOUSING.—Section 24(j)(2)(A)(iii) of the United States Housing Act of 1937 (42 U.S.C. 1437v(j)(2)(A)(iii)) is amended—

(1) in subclause (I), by striking ''or'' at the end;

(2) in subclause (II), by inserting ''or'' after the semicolon at the end; and

(3) by inserting at the end the following:

''(III) is lacking in sufficient appropriate transportation, supportive services, economic opportunity, schools, civic and religious institutions, and public services, resulting in severe social distress in the project;''.

(c) STUDY OF ELDERLY AND DISABLED PUBLIC HOUSING NEEDS.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to Congress regarding the extent of severely distressed elderly and non-elderly disabled public housing, and recommendations for improving that housing through the HOPE VI program or other means, taking into account the special needs of the residents.

(d) AUTHORIZATION OF APPROPRIATIONS.—Paragraph (1) of section 24(m) of the United States Housing Act of 1937 (42 U.S.C. 1437v(m)(1)) is amended by striking '', 2001, and 2002'' and inserting ''through 2006''.

(e) EXTENSION OF PROGRAM.—Section 24(n) of the United States Housing Act of 1937 (42 U.S.C. 1437v(n)) is amended by striking ''September 30, 2004'' and inserting ''September 30, 2006''.

**SEC. 403. HOPE VI GRANTS FOR ASSISTING AFFORDABLE HOUSING THROUGH MAIN STREET PROJECTS.**

(a) PURPOSES.—Section 24(a) of the United States Housing Act of 1937 (42 U.S.C. 1437v(a)) is amended by adding after and below paragraph (4) the following:

''It is also the purpose of this section to provide assistance to smaller communities for the purpose of facilitating the development of affordable housing for low-income families that is undertaken in connection with a main street revitalization or redevelopment project in such communities.''.

(b) GRANTS FOR ASSISTING AFFORDABLE HOUSING DEVELOPED THROUGH MAIN STREET PROJECTS IN SMALLER COMMUNITIES.—Section 24 of the United States Housing Act of 1937 (42 U.S.C. 1437v) is amended—

(1) by redesignating subsection (n) as subsection (o); and

(2) by inserting after subsection (m) the following new subsection:

''(n) GRANTS FOR ASSISTING AFFORDABLE HOUSING DEVELOPED THROUGH MAIN STREET PROJECTS IN SMALLER COMMUNITIES.—

''(1) AUTHORITY AND USE OF GRANT AMOUNTS.—The Secretary may make grants under this subsection to smaller communities. Such grant amounts shall be used by smaller communities only to provide assistance to carry out eligible affordable housing activities under paragraph (4) in connection with an eligible project under paragraph (2).

''(2) ELIGIBLE PROJECT.—For purposes of this subsection, the term 'eligible project' means a project that—

''(A) the Secretary determines, under the criteria established pursuant to paragraph (3), is a main street project;

''(B) is carried out within the jurisdiction of smaller community receiving the grant; and

''(C) involves the development of affordable housing that is located in the commercial area that is the subject of the project.

''(3) MAIN STREET PROJECTS.—The Secretary shall establish requirements for a project to be consider a main street project for purposes of this section, which shall require that the project—

''(A) has as its purpose the revitalization or redevelopment of a historic or traditional commercial area;

''(B) involves investment, or other participation, by the government for, and private entities in, the community in which the project is carried out; and

''(C) complies with such historic preservation guidelines or principles as the Secretary shall identify to preserve significant historic or traditional architectural and design features in the structures or area involved in the project.

''(4) ELIGIBLE AFFORDABLE HOUSING ACTIVITIES.—For purposes of this subsection, the activities described in subsection (d)(1) shall be considered eligible affordable housing activities, except that—

''(A) such activities shall be conducted with respect to affordable housing rather than with respect to severely distressed public housing projects; and

''(B) eligible affordable housing activities under this subsection shall not include the activities described in subparagraphs (B) through (E), (J), or (K) of subsection (d)(1).

''(5) MAXIMUM GRANT AMOUNT.—A grant under this subsection for a fiscal year for a single smaller community may not exceed $1,000,000.

''(6) CONTRIBUTION REQUIREMENT.—A smaller community applying for a grant under this subsection shall be considered an applicant for purposes of subsection (c) (relating to contributions by applicants), except that—

''(A) such supplemental amounts shall be used only for carrying out eligible affordable housing activities; and

''(B) paragraphs (1)(B) and (3) shall not apply to grants under this subsection.

''(7) APPLICATIONS AND SELECTION.—

''(A) APPLICATION.—Pursuant to subsection (e)(1), the Secretary shall provide for smaller communities to apply for grants under this subsection, except that the Secretary may establish such separate or additional criteria for applications for such grants as may be appropriate to carry out this subsection.

''(B) SELECTION CRITERIA.—The Secretary shall establish selection criteria for the award of grants under this subsection, which shall be based on the selection criteria established pursuant to subsection (e)(2), with such changes as may be appropriate to carry out the purposes of this subsection.

''(8) COST LIMITS.—The cost limits established pursuant to subsection (f) shall apply to eligible affordable housing activities assisted with grant amounts under this subsection.

''(9) INAPPLICABILITY OF OTHER PROVISIONS.—The provisions of subsections (g) (relating to disposition and replacement of severely distressed public housing), and (h) (relating to administration of grants by other entities), shall not apply to grants under this subsection.

''(10) REPORTING.—The Secretary shall require each smaller community receiving a grant under this subsection to submit a report regarding the use of all amounts provided under the grant.

''(11) DEFINITIONS.—For purposes of this subsection, the following definitions shall apply:

''(A) AFFORDABLE HOUSING.—The term 'affordable housing' means rental or homeownership dwelling units that—

''(i) are made available for initial occupancy to low-income families, with a subset of units made available to very- and extremely-low income families; and

''(ii) are subject to the same rules regarding occupant contribution toward rent or purchase and terms of rental or purchase as dwelling units in public housing projects assisted with a grant under this section.

''(B) SMALLER COMMUNITY.—The term 'smaller community' means a unit of general local government (as such term is defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302)) that—

''(i) has a population of 50,000 or fewer; and

''(ii)(I) is not served by a public housing agency; or

''(II) is served by a single public housing agency, which agency administers 100 or fewer public housing dwelling units.''.

(c) ANNUAL REPORT.—Section 24(l) of the United States Housing Act of 1937 (42 U.S.C. 1437v(l)) is amended—

(1) in paragraph (3), by striking ''; and'' and inserting '', including a specification of the amount and type of assistance provided under subsection (n);'';

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following:

''(4) the types of projects funded, and number of affordable housing dwelling units developed with, grants under subsection (n); and''.

(d) FUNDING.—Section 24(m) of the United States Housing Act of 1937 (42 U.S.C. 1437v(m)) is amended by adding at the end the following:

''(3) SET-ASIDE FOR MAIN STREET HOUSING GRANTS.—Of the amount appropriated pursuant to paragraph (1) for any fiscal year, the Secretary shall provide up to 5 percent for use only for grants under subsection (n).''.

## TITLE V—COMMUNITY DEVELOPMENT BLOCK GRANTS

**SEC. 501. FUNDING FOR INSULAR AREAS.**

(a) DEFINITION OF INSULAR AREAS.—Section 102(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)) is amended by adding at the end the following:

''(24) The term 'insular area' means each of Guam, the Northern Mariana Islands, the Virgin Islands, and American Samoa.''.

(b) DEFINITION OF UNIT OF GENERAL GOVERNMENT.—The first sentence of section 102(a)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5302(a)(1)) is amended—

(1) by inserting ''and'' after ''Secretary;''; and

(2) by striking ''; and the Trust Territory of the Pacific Islands''.

(c) STATEMENT OF ACTIVITIES AND REVIEW.—Section 104 of the Housing and Community Development Act of 1974 (42 U.S.C. 5304) is amended—

(1) in subsection (a)(1)—

(A) in the first sentence—

(i) by striking ''or'' after ''State,''; and

(ii) by inserting ''or under section 106(a)(3) by any insular area,'' after ''government,''; and

(B) in the second sentence—

(i) by striking ''and in the case of'' and inserting a comma; and

(ii) by inserting ''and insular areas receiving grants pursuant to section 106(a)(3),'' after ''106(d)(2)(B),'';

(2) in subsection (e)(1), by striking ''section 106(b) or section 106(d)(2)(B)'' and inserting ''subsection (a)(3), (b), or (d)(2)(B) of section 106''; and

(3) in subsection (m)—

(A) in paragraph (1), by inserting ''(a)(2),'' after ''under subsection''; and

(B) in paragraph (2), by striking ''government—'' and inserting ''government other than an insular area—''.

(d) ALLOCATION AND DISTRIBUTION OF FUNDS.—Section 106(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5306(a)) is amended—

(1) in the first sentence of paragraph (1)—

(A) by striking ''an appropriation Act'' and inserting ''appropriation Acts''; and

(B) by striking ''in any year'' and inserting ''for such fiscal year'';

(2) in paragraph (2), by inserting ''under paragraph (1) and after reserving such amounts for insular areas under paragraph (2)'' after ''tribes'';

(3) in paragraph (3), by striking ''paragraphs (1) and (2)'' and inserting ''paragraphs (1), (2), and (3)''

(4) by redesignating paragraphs (2) and (3) (as so amended) as paragraphs (3) and (4); and

(5) by inserting after paragraph (1) the following:

''(2) For each fiscal year, of the amount approved in appropriation Acts under section 103 for grants for such fiscal year (excluding the amounts provided for use in accordance with section 107), the Secretary shall reserve for grants to insular areas $7,000,000. The Secretary shall provide for distribution of amounts under this paragraph to insular areas on the basis of the ratio of the population of each insular area to the population of all insular areas. In determining the distribution of amounts to insular areas, the Secretary may also include other statistical criteria as data become available from the Bureau of the Census, but only if such criteria are contained in a regulation promulgated by the Secretary after notice and public comment.''.

(e) CONFORMING AMENDMENT.—The first sentence of section 106(d)(1) of the Housing and Community Development Act of 1974 (42 U.S.C. 5306(d)(1)) is amended by striking ''paragraphs (1) and (2)'' and inserting ''paragraphs (1), (2), and (3)''.

(f) SPECIAL PURPOSE GRANTS.—Section 107 of the Housing and Community Development Act of 1974 (42 U.S.C. 5307) is amended—

(1) in subsection (a)(1)—

(A) by striking subparagraph (A); and

(B) by redesignating subparagraphs (B) through (H) as subparagraphs (A) through (G), respectively; and

(2) in subsection (b)—

(A) by striking paragraph (1); and

(B) by redesignating paragraphs (2) through (7) as paragraphs (1) through (6), respectively.

(g) REGULATIONS.—The Secretary of Housing and Urban Development shall issue regulations to carry out the amendments made by this section, which shall take effect not later than the expiration of the 90-day period beginning on the date of the enactment of this Act.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. LEACH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 811, the Senate bill just passed and include extraneous material thereon.

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

There was no objection.

FACTORS TO CONSIDER CONCERNING FOREIGN POLICY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Iowa (Mr. LEACH) is recognized for the balance of the time of approximately 30 minutes as the designee of the majority leader.

Mr. LEACH. Mr. Speaker, 26 months after 9/11 and 7 months after the conclusion of major combat operations in Iraq, America is in a strategic pickle and Americans are in a judgmental quandary. The issue of our engagement in Iraq demands that we, as a society, probe the question of the limits of the superpower's power and the possible anomaly that there are severe liabilities to power, particularly for a superpower. Does, for instance, overwhelming military might protect us from terrorism or, if used unwisely, increase our vulnerability to terrorism? Likewise, does overwhelming economic power ensure loyalty or buy friendship from the countries most indebted to the United States? In other words, can military and economic might ever become a substitute for sensible and sensitive foreign policy? And given the dilemma of Iraq, could it, indeed, be that the most important ''multibillion'' problem America faces is not deficits measured in dollars, fiscal, or trade, but the antagonism of billions of people around the world who object to our current foreign policy?

Here let me say that I strongly believe the need for clarification of thought as it applies to policy, and anyone who wishes to review the reasoning I have applied to the Iraq issue, ranging from a floor explanation of a ''no'' vote on the congressional resolution authorizing war last year to calls for internationalizing the civil governance in Iraq several months ago, to a vote in favor of generosity in reconstruction efforts several weeks ago, can find explanatory statements on my congressional Web site.

What I would like to do today is summarize the dilemma we face and make the following points about where we might go from here.

Point number 1: there are no certitudes. Anyone who was not conflicted on the original decision to intervene or who does not see a downside to all courses of action today is not approaching the problem with an open mind. In an era of anger, of divisions in the world based on economics, on color of skin, on ethnicity, on religious belief, on happenstance of family and place of birth; in a world made smaller by technological revolutions in communications and transportation, those who have causes, good or bad, have possibilities of being heard and felt around the globe that never existed before. Great leaders like Gandhi and Martin Luther King appealed to the higher angels of our nature and achieved revolutionary change with nonviolence. Mendacious leaders like Hitler, Saddam Hussein, and Osama bin Laden have sought to impose their wills on others through appeals to hate and reliance on increasingly wanton instruments of oppression.

As the world's only superpower, the U.S. has no choice but to display firmness of purpose and resolve in deterring inhumane breaches of order. Yet, firmness and resolve must be matched by compassionate understanding of the reasons people of the world lash out. We have the world's greatest Armed Forces. But these forces cannot successfully be deployed to counter international misconduct if we do not also seek to undercut the causes of such conduct.

Reviewing the causes of World War I, historians quickly concluded that there was not enough flexibility in the European alliance system, and that this rigidity allowed a rather minor event, the assassination of an Austrian archduke, to precipitate a cataclysmic war. With this example in mind, political leaders in the 1930s erred on the side of irresolution, which led them to Munich and the partition of Czechoslovakia. Too much inflexibility caused one war; too little spine led to an even greater one.

The problem today is not whether we should meet problems with firmness or compassion. We often need both. The problem is determining whether and how to respond with firmness and when and how to express compassion. As in all human conduct, the challenge is wisdom.

Point number 2: we must listen as well as assert. Four decades ago, the British author Lawrence Durrell wrote a series of novels called the ''Alexandria Quartet'' in which he describes a set of events in Alexandria, Egypt preceding World War II. An experiment in the relativity of human perception, each of the four books views the same events through the eyes of a different character. While the events described are the same in each book, the stories as seen through the lens of each of the participants are surprisingly different. The reader comes to the realization that a broad understanding about events as they transpire can only be grasped by synthesizing the different perceptions of various protagonists.

To understand the Middle East today, we need to listen to everyone's story.

Point number 3: to shape or to deter opponents' actions, we need to understand how they think.

American policymakers, at their best, reason in a pragmatic, future-oriented manner. In much of the rest of the world, on the other hand, people reason by historical analogy. Events dating centuries back, especially umbrages, dominate thinking about today. People in the Middle East, as in the Balkans, are oriented to the past and are driven by values and ideas of honor of a very different shape and emphasis than those we derive from American culture. When we assume the Iraqi populace should accept a prolonged American presence because of our goodwill and desire to establish a Western-style democracy, Muslims see our presence as compounding grievances originating in the Crusades and, in some ways, even earlier Biblical times.

Point number 4: no country can go it alone for long and expect to be respected as an international leader.

Doctrines of American exceptionalism, the precept that we should not be bound by legal or procedural norms that bind others, which are now fashionable in certain Washington ideological circles, have led to intervention in Iraq without full U.N. sanction. Ironically, prior to 9/11, these same notions led to rejection of a Comprehensive Test Ban Treaty and of upgraded verification provisions for the 1972 Biological Weapons Convention, agreements that would have stood in the way of weapons of mass destruction production in Iraq and provided a legal basis for possible armed intervention if violations occurred. The world is crying out for leadership in restraining weapons development. We are not providing it because Washington policymakers prefer that restraint on others not apply to ourselves.

Point number 5: be cautious of articulating policy doctrines.

Given the events of 9/11, consideration of preemption must continuously be on the table in Washington, but there is a distinction between needing to consider an action and setting forth a definitive doctrine. Here Teddy Roosevelt may have had the right adage: ''speak softly and carry a big stick.'' Any American President, Democratic or Republican, socialist, liberal, conservative, or libertarian, would not think more than a millisecond before ordering the Marines to intervention if he or she were presented information that on some island, somewhere, a terrorist group had gotten control of a weapon of mass destruction which it was prepared to explode or infilter in an American city. The problem is that raising a commonsense concern to the order of a doctrine legitimizes such a doctrine for others: China, India, Russia, North Korea, for example, and undercuts the premises of much of post-World War II international law.

Complicating the issue is the psychological assumption that once the leader articulates a doctrine, especially one that bears his name, it is difficult to advance a policy in a given circumstance which is not consistent with the doctrine. Not to do so would provide critics a chance to suggest that a doctrine like preemption is ethereal, lacking meatiness ness, unless it is made real.

□ 1915

Any leader who outlines such a doctrine but chooses not to intervene would be open to charges of lightness or worse. Hence, the simple articulation of a doctrine can have the effect of biasing decision-making in complicated circumstances. The exception

might be a doctrine of quietude; statesmanship often should be measured by what is not, rather than what is, said.

Point number six. When Washington policymakers speak on foreign policy, they must understand that their audience is more than one party's political base. While Saddam Hussein is widely perceived to be the worst sort of tyrant, many people around the world view us as bullies for attacking a sovereign country without prior armed provocation. That is why it is so critical that a case for intervention should be based in concern for the well-being of others as well as the United States' national interest. For foreign policy to be effective, it must be clearly articulated and convincing in those parts of the world most affected by it.

Point number seven. We must rededicate ourselves to building up an intelligence capacity that better understands the Middle East and Islamic world and is less susceptible to being politicized. Our inability to understand Islamic culture resulted in the greatest intelligence failure of our era. It is, however, not the sole intelligence failure. In one of the greatest judgmental errors of our time, we appear to have attempted to combat the ideological posturing of others by slanting our own intelligence. Based on what is known today, policymakers not only erred in assessing Saddam Hussein's WMD capacities but put too much faith in a narrow cadre of ideologues who suggested that the U.S. would be welcomed as a liberating, rather than conquering or worse yet, colonizing, force in Iraq. Estimates of the cost of war, the ramifications of involvement, of the expected reaction of the population, and of the likelihood of foreign support were dead wrong.

Point number eight. It is the responsibility of public officials to ensure that no American soldier is deployed as a defenseless magnet for terrorist attack or in such a way as to incite foreign radicals to commit terrorist acts in America itself. American soldiers have been trained to withstand the heat of battle in defense of America and American values. For 2¼ centuries, no country has been more effectively or more courageously served by a citizen soldiery than the United States. In Iraq, our Armed Forces could not have performed more professionally or valiantly than in the initial engagement.

But the difference between service in combat and service in occupation of a foreign land, especially in Islamic society, is profound. In Iraq, which is fast becoming for us much like Algeria was for the French in 1950s, our men and women in uniform are increasingly facing hit-and-run terrorist assaults, which are much more difficult to defend against than traditional military confrontations. The challenge of policymakers has recognized that there is a distinction between three endeavors: warfare, reconstruction, and occupation. Our Armed Forces are trained to prevail in the first, they can be helped on the second, but in the Islamic world no outside power is ever going to be well received as an occupying force. Hence, strategies that emphasize the first two endeavors and do not lead to a long-term reliance on the third should be the goal of the U.S. policymakers today.

Point number nine. Responses to terrorism often lead to escalating action-reaction cycles. When our armed services become subject to terrorist assault, and the perpetrators disappear into their neighborhoods, we, like Israel, will inevitably be tempted to retaliate in ways that may intensify, rather than restrain, future violence. Calls will be made not only to use air power in urban areas but to double or triple troop deployments perhaps without adequate assessments of what such troops would be assigned to do. In conventional warfare, the case for overwhelming superiority, sometimes referred to as the Powell Doctrine, is compelling. In a terrorist setting, as in modernist design, less can often be more. There may be cases where deploying a large force to combat terrorism is appropriate, there may also be cases, and I believe Iraq is one, where additional soldiers simply become additional targets; and a different mix of strategies is both preferable and more effective.

Point number ten. To defend against terrorism, especially when it is fueled by an explosive mix of religious and national sentiment requires frank acknowledgment of the nature and depth of the problem. For months, the administration has suggested that the problem in Iraq is limited to 5,000 dissidents. This is a five-digit miscalculation. At least half the Muslim world, over 500 million people, is outraged by the U.S. Government's attitudes and action. Long-simmering resentment of American policies in Muslim countries like Indonesia as in recent months metastasized into hatred. And in Europe, including what the Defense Department refers to as the ''new Europe'' as well as in south and east Asia, respect for American policy is in steep decline.

In the Vietnam War, we gave a great deal of attention to the notion of winning the hearts and minds of the people. We did not succeed in convincing the Vietnamese or world opinion of our good intentions despite the horrendous tactics of the Viet Cong in the communist north. Today, Americans must understand that in the battle for the minds of men, particularly in the Muslim world, we are doing less well than even the most difficult days of the Vietnam War.

In this context, we would be well advised to remember America's original revolutionary commitment to decent respect for the monies of mankind.

Point number eleven. While for the time being security in Iraq must remain the responsibility of U.S. military commanders in the field, we would be wise to put an international face on civil governance in the country and ask Secretary General Kofi Annan to immediately appoint a top civilian administrator to whom Ambassador Bremer and his staff would report. Transfer of interim civil authority to the U.N. would provide greater legitimacy to the formation of a new Iraqi government and encourage other countries to help with economic reconstruction and security requirements.

We should also work to transfer as soon as practicable responsibility for internal security to troops of other nations of the Iraqis themselves. Transferring the police function to others is a way to build up Iraq's own postwar internal security infrastructure and make evident that the U.S. does not desire long-term control.

Point number twelve. We should also move forthwith to transfer more political control to the Iraqi Governing Council and press for immediate elections and constitution-writing. Some argue that stability is more likely to be achieved with a long-term U.S. occupation. I believe the reverse is true. The longer we are in Iraq, the greater the instability there and the greater the likelihood that terrorism will spread to other countries, including the United States.

Point number thirteen. America cannot cut and run politically, economically, or militarily; but we would be wise to announce a timetable for troop withdrawal by the end of next year at the latest. Some experts in and out of government believe that American troops should stay in and control Iraq at least as long as we did in Japan and Germany after World War II. Such a timetable, a minimum of 5 years, is out of sync with the times and the mood of the Islamic world.

The world is more impatient today and Muslims in particular are more history-sensitive than ever before. While we assume the Iraqi populace accepts the American presence because of our goodwill, the Muslim world sees our force as the compounding of grievances dating back to the Crusades and more recently to the American support of Israel. The imagery Al Jazeera projects of Baghdad is that of another West Bank. In this context American commitments to ''slog on'' interminably play into the hands of extremists. All extremists have to do is continue blowing up a vehicle or two every day, thereby eliciting a military action that we might view as reasonable but the Islamic world is likely to see as heavy handed, angering the populace and emboldening further dissent.

The longer we stay, the greater the opportunity for al Qaeda and radical Baath Party supporters to claim that the war is continuing and that they are prevailing. To prevent this, and to keep control of events, we would be wise to announce a withdrawal timetable that we, not they, control. Setting such a timetable has the effect of asserting that the war itself is over and we prevailed and that Iraqis cannot dither in establishing a legitimate elected government.

A drawn out occupation plays into the hands of radicals. It gives them a rallying cry to keep up resistance in Iraq and expand terrorist assaults around the world. It gives them the chance to suggest that America is bent on continuing the crusades and, when we eventually withdraw, the prospect of claiming that they won the war. On the other hand, if we set a firm schedule for drawing down our troops, we define the war as being over in its 3rd week, not its 6th year. An announced timetable can later be modified to allow, for instance, a small force to remain briefly in northern Iraq to maintain sovereign cohesion. Timetables can also be abbreviated. But the point is that they underscore our reluctance to become an imperial power and, perhaps more importantly, our determination to control our own destiny.

Point number fourteen. Beware of partisan critiques. Some partisans are implying today ill motives in Presidential leadership and have suggested that American actions are constitutionally frail. Such criticisms miss the mark. This President is sincerely committed to his national security responsibilities, and his policies have received constitutional endorsement from the Congress. Other partisans are taking what some might perceive as an oxymoronic, liberal, neohawk perspective. They suggest the problem is the administration has not committed sufficient troops and sufficient time to do what we want to do in Iraq, whatever that might be.

The assumption is that Iraq will be a much better place if we aggressively occupy the country for prolonged periods of time. This assumption deserves review from two perspectives: the situation within and the political environment outside Iraq. From the first, the question has to be raised whether an occupying force has the effect of an over-stayed house guest: understandable for a short period, increasingly irritable with each passing day. In a domestic setting, house guests can at some point be pointed to the door. In Iraq, many have concluded that the only effective way of getting the uninvited to leave is to submit young soldiers to terrorist strikes and their local supporters to anarchist attacks.

A response to this dilemma cannot be developed in the simple linguistic context of resolving to stay the course, particularly when no clear course has been laid out. The language of intervention was couched in terms of concern for weapons of mass destruction and the need to retaliate against the forces that precipitated the events of 9/11. Postmortem analysis of these rationalizations put our actions in a questionable light. On the other hand, we must proceed from where we are not, where we thought we would have been. Wisdom might indicate that the emphasis be placed on, A, the humanitarian advantage to Iraqis in the region of the overthrow of Saddam Hussein; B, U.S. assistance and rebuilding Iraq's social infrastructure and help in bringing the country back into the mainstream of international politics and country; and, C, the laying of the groundwork for new political institutions.

None of these three emphases necessitates 5 to 10 years of occupation. Indeed, the longer we are there, the more likely a Saddam-type demagogue, albeit probably less secular, will emerge. It is true that the development of new civil institutions will take time, but it is also the case that the U.S. role in shepherding their development can be quickened. The judgment call we must make is whether U.S. leadership for change should be swift or slow paced. My sense is that swift actions are more likely to lead to Iraq-centric responsibility-taking. The U.S. will inevitably be dissatisfied with postwar circumstances in Iraq; but the longer the conflict continues, the more unstable the aftermath. Iraq will become more splintered and the U.S. more vulnerable to hateful reaction to others.

Another approach might be to indicate that we would expect to take most of our troops from Iraq within 6 months of Saddam Hussein's capture or death. Such a pronouncement would underscore that our problem is with his dictatorial regime, not with the Iraqi people or their religious faith. It might also provide incentive for the populace to help in apprehending their former head of state.

Point number fifteen. It is critical to the security of our troops as well as Iraqi security that we create an Iraqi police force as soon as possible. Responsibility for domestic security is an internal, not external, matter. We cannot be their policemen; and if we persist in trying, we will make it harder for stability to be established and maintained. Students of international politics have for the past generation questioned the capacity and moral authority of any country to be policemen for the world. But little academic attention has been devoted to the challenge of being policemen within a country after the conclusion of conflict. We have little experience with such responsibility. In Japan, MacArthur relied on indigenous Japanese police. In post-Hitler Germany, we quickly reconstituted a German constabulary at most levels.

Common sense would indicate that trying to police a country the size of France with soldiers unfamiliar with the language and culture of the society, untrained in the art of policing and unwelcome and resented in critical cities and towns must be a nearly impossible task.

□ 1930

Hence, the need to expedite the training of an indigenous Iraqi police force.

Point number sixteen. We should announce that we have no intention of establishing permanent military bases in Iraq.

Some Washington policymakers want such bases but they would be a political burden for any new government in Baghdad and a constant struggle for the U.S. to defend. Defense of American bases in Iraq from terrorism in the 21st Century is likely to be far more difficult than the challenge we first saw of maintaining United State sovereignty over the Panama Canal in the 20th Century.

The reason the Department of Defense concluded in the Carter Administration that it was wise to transfer control over the Panama Canal to the Panamanians was the estimation that the canal could be defended against traditional aggression but not sabotage or acts of terrorism. It seemed wiser to respect nationalist sentiment and provide for gradual transfer of the canal to local control than to insist in quasi-colonial assertions of power.

There are many reasons which Europeans are so smugly opposed to our policy in Iraq. One is historic experience to colonialism. The French were chased out of Algeria, the Russians, and earlier the British, out of Afghanistan. U.S. intervention in Iraq is seen in Europe is not too dissimilar to the British and French effort to reestablish control over the Suez Canal in 1956. It is noteworthy that the Islamic world deeply appreciated President Eisenhower's refusal to back the British and French intervention in Egypt at that time.

Europeans now think the shoe is on the other foot. We appear insensitive to history. In particular, those who call for multiyear occupation based on the World War II model seem not to comprehend that the Japanese understood that they attacked us and the Germans understood that our intervention was precipitated by their aggression. Iraqis, on the other hand, look at us as the aggressors, as imposers of alien values. They feel our presence is only justified at their behest.

Of all forms of government, successful occupation depends on consent of the governed. If it is lacking, problems are inevitable, particularly when and if foreign presence is of a military nature.

Point number seventeen. Credit will remain the dominant economic issue until Iraq's foreign debt is reduced or cancelled.

Neither significant private nor large-scale public credit will be made available to Iraqis until the burden of old debt is lifted. Accordingly, we should press vigorously for Saddam-era debt, which went largely to build palaces for Saddam's family and to buy weapons of aggression to be written off. We should also press to establish community-centered banks and credit unions where micro-credit can be offered.

Oil wealth has its advantages only if revenues are used for the benefit of society rather than political insiders. Increasing petroleum production is not enough. Oil is not a labor-intensive industry. Jobs matter and Iraq needs bankers and small business entrepreneurs far more than oil barrens. We

have no choice except to help rebuild Iraq's oil infrastructure, but we must make clear that we have no intention of controlling the country's oil reserves. The natural resource of Iraq must be treated as the patrimony of the Iraqi people.

Point number 18: Economic assistance to Iraq should be front-loaded and generous.

War has been a constant of history, but the concept of reconstruction is relatively new. The 20th century gave us two vastly different models. At the end of World War I, the victors imposed retributive terms on Germany, which so angered German society that it turned to fascism. World War II was the result.

The allies took a different approach at the end of World War II. Generosity was the watchword. The Marshall Plan was adopted to rebuild Europe and General MacArthur directed the reform and modernization of Japan. Model democracies emerged. The world was made more secure.

The economic plan for Iraq should be two-prong, debt forgiveness coupled with institution building. A better world is more likely to emerge if the American agenda places its emphasis on construction rather than destruction.

Here a note about the other reconstruction model in American history is relevant. With his call for malice toward none in his second inaugural address, Lincoln set the most conciliatory tone in the history of war. His successor once removed, U.S. Grant, proved to be a more proficient soldier than President and countenanced carpetbagging conflicts of interest.

Our government today would be well-advised to recognize that neither history, nor the American public, approves of war or postwar profiteering. Great care has to be taken to ensure transparency and integrity in government contracts. And common sense would indicate that the more Iraqis are involved in rebuilding their own society, the more lasting such efforts are likely would be to be.

Point number 19: Terrorism effects world economics as well as politics.

Markets depend on confidence and nothing undercuts confidence more than anarchist acts. Policies designed to deter terrorism can be counterproductive. International disapproval of our actions may jeopardize our economy and diminish the credibility of our political leadership in the world. Increased terrorism could well have the dual effect of precipitating new U.S. military engagements and, ironically, strengthening isolationist sentiment which in turn could degenerate into a disastrous spiral of protectionism.

Point number 20: The measure of success in reconstruction is not the sum of accomplishments.

During the Viet Nam War, the Pentagon gave progress reports mainly in terms of body counts. One of the most liberal critics of that war, I.F. Stone, once commented that he accepted the validity of the body counts, but thought that they did not reveal the big picture.

Suppose, Stone suggested, he was walking down a street and he bumped into a man running out of a bank, waving a gun and carrying a satchel full of money and were to ask the man, ''What are you doing?'' If the man responded, ''I am waiting for a car,'' he would be telling the truth but not revealing the big picture.

Good things are being accomplished in Iraq, particularly in the north where an American General has won a measure of popularity through progressive stabilization initiatives. Yet, terrorism cannot credibly be contained in the arms-infested Iraqi environment. American civilians, as well as Armed Services personnel who have been posted to Iraq, deserve to be commended for their commitment and sacrifices, but prudence suggests that brevity of service is preferable to a long-standing presence. Otherwise, in a world where terrorism is a growth industry, even extraordinary sacrifice and significant accomplishments could be for naught.

Point number 21: We must respect Iraqi culture and work to ensure that the art and artifacts of this cradle of civilization are preserved for the Iraqi people.

There are few umbrages more long-lasting than cultural theft. Cultural looting must be stopped, and the market for stolen antiquities squelched. For our part, we should ensure that Iraqi cultural sites are protected and that our laws are upgraded. Any stolen antiquities brought to America must be returned.

Point number 22: The war in Iraq should not cause us to forget Afghanistan.

While the center of our military attention may at the moment be Bagdad, we must remember that no Iraqi was involved in hijacking the planes that struck the World Trade Center and the Pentagon on 9/11.

Few countries are more distant physically or culturally from the United States than Afghanistan; yet, it is there the plotting for the terrorist acts began. The Taliban have been removed and a new, more tolerant government has been established; but the world community has not fulfilled its commitments to raise the country out of poverty and warlordism. The U.S. cannot continue to be complacent about economic and social development in that country, where foreigners have never been welcome. Failure of the Karzai government and a return of the Taliban would be a major setback in the battle with terrorism.

Point number 23: Lastly and most importantly, U.S. policymakers should never lose sight of the fact that events in Israel and Iraq are intertwined and that no challenge is more important for regional and global security than resolution of the Israeli-Palestinian dilemma.

Extraordinarily, from a priority perspective, administration after administration in Washington seems to pay only intermittent attention to the Palestinian issue. There should be no higher priority in our foreign policy than a resolution of the Arab-Israeli conflict. Attention in Washington should be riveted at all times on this singular problem. The current status quo is good neither for Israel nor for the Palestinians. Now, for the first time lack of progress in establishing a mutually acceptable modus vivendi between the parties may be even more damaging to countries not directly involved in the conflict. The need for U.S. leadership in pressing for peace has never been more urgent. It would be a tragedy if, focused as we are upon making war in one part of the Middle East, we neglected to give sufficient prority to promoting peace in another.

In conclusion, the world is noting that we are saying and what we are doing. Many are not convinced by our words; many are appalled by our actions. Yet nothing would be worse for the world than for us to fail. We must not. The key at this point is to recognize the limits as well as magnitude of our power and emphasize the most uplifting aspects of our heritage: democracy, opportunity, freedom of thought and worship. Motives matter; so do techniques to advance our values. The lesson of the past year is clear: America does better as a mediator and multi-party peace maker than as a unilateral interventionist.

## IRAQ WATCH

The SPEAKER pro tempore (Mr. RENZI). Under the Speaker's announced policy of January 7, 2003, the gentleman from Massachusetts (Mr. DELAHUNT) is recognized for 60 minutes as the designee of the minority leader.

Mr. DELAHUNT. Mr. Speaker, I am here, and I anticipate being joined by several Members, to discuss the issues that the gentleman from Iowa (Mr. LEACH) was discussing, the gentleman, who commands great respect in this body and one who clearly possesses a profound knowledge of international relationships, and at the same time provides a perspective and an analysis that should be instructive and informative to all Americans. I think he had 23 points. I do not know whether he has any additional points he wishes to make, but if he does, I would be happy to yield to him.

It would appear that he does not. But again, let me acknowledge his contribution to the debate.

Myself and my colleagues for some weeks now, I think, on more than 20 occasions during the course of the time that is reserved after legislative business is concluded, the so-called ''special orders'' time, have come to the floor and we have labeled this particular initiative, the Iraq Watch. And, hopefully, we have had among us a conversation that has been both informative for the audience, as well as educational for the Members of the House in terms of this issue that, clearly, has a huge impact on the American people, both in terms of lives and the safety of our military personnel in Iraq, but also clearly in terms of our economy.

It is ironic that it was the gentleman from Iowa (Mr. LEACH) as I said, a very respected member of the Republican Party, who just left the floor, who spoke I believe so eloquently, and I daresay that I share many of the concerns and would agree with much of what he said. But having said that, recently in his home State, Iowa, there was an advertisement on behalf of the Bush Presidential Campaign; and I understand it was paid for by the Republican National Committee. It was titled ''Reality'' and it was a 30-second clip. There were some comments by the President, and I understand there were some snippets of speeches that the President had made regarding Iraq specifically and presumably the war on terrorists.

There was also an announcer, a voice overlay, if you will, not an individual who appeared on the ad, but someone who would comment after the snippet of the President was viewed by the audience. And what the announcer said caused me to be disturbed, because the announcer said, and I am quoting from that snippet, ''Some now are attacking the President for attacking the terrorists.''

The announcer then went on to say that, ''Some called for us to retreat, putting our national security in the hands of others.'' And then the announcer instructed, ''Call Congress now.''

I am confused, because during the entire debate, not just regarding Iraq, not just regarding Afghanistan, but all of the debate subsequent to September 11, I never heard from a single Member on either side of the aisle that we should retreat and put our national security in the hands of others.

□ 1945

That simply was untrue. That ad was not misleading; it was an untruth.

Now, have many of us questioned the policy regarding Iraq, regarding the war on terror? Well, yes. An unequivocal yes. And as I said, ironically, we heard this earlier this evening from the preceding speaker, a well-regarded, well-respected, thoughtful member of the House Committee on International Relations who happens to be a subcommittee chair and one who voted against the resolution authorizing military intervention in Iraq. He certainly is not calling for any retreat, and neither am I, and neither is any Democrat.

But, again, I know many of us on both sides of the aisle, Republicans and Democrats, are concerned about the competence and what we see as a policy that is failing, which will translate not into a retreat but a defeat in terms of the war on terror. I understand that that particular 30-second ad is no longer running. Well, that is good. The questions that are being posed to the President and to his administration are not just coming from Democrats. The displeasure, the disappointment, the criticism, the concern is not coming from Democrats. It is a view that is shared by many.

Now, many Americans, clearly many in this Chamber, remember the former Speaker of the House of Representatives, Mr. Newt Gingrich. And clearly many Americans are familiar with the junior Senator from New York, the former First Lady, the wife of the former President, Bill Clinton. And all of us know that it would be a rare moment where they would agree on anything. Well, they happen to agree on the policy of this administration when it comes to Iraq, because yesterday it was the former House Speaker on a Sunday TV magazine program who stated that the Bush administration has gone, and I am quoting Newt Gingrich, ''Off the cliff in postwar Iraq, and the White House has to get a grip on this.''

These are not my words; these are the words of the former Speaker of the House, the former leader of the Republican Party in this House, Mr. Newt Gingrich, that often sat, Mr. Speaker, in the same chair that you are now sitting in presiding over this House. Well, on this particular occasion, Senator CLINTON said she agreed with Mr. Gingrich. She blamed the administration for miscalculating and inept planning in Iraq.

But those two are not alone.

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

Mr. DELAHUNT. I yield to my good friend and a member of the Iraq Watch, the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Mr. Speaker, the difficulty here, as the gentleman has outlined, is that we are now engaged in what can only be described as political hate speech. This is not an unusual circumstance, I am sorry to say, in this day and age.

I have had occasion to pick up a centennial edition, I believe is the designation, by the original publishers of George Orwell's ''1984.'' A new introduction by Thomas Pinchon. My colleague may recall in ''1984,'' in Orwell's conception of what was taking place, there is a whole new conception of what speech would consist of and what the language would be. Ignorance is strength, slavery is freedom, hatred is love. Everything becomes its own contradiction, its exact opposite. The confusion is there.

Let us read exactly what the advertisement said. We are now conducting political policy by virtue of advertising when issues of war and peace are concerned. Let me quote it directly: ''Some are now attacking the President for attacking the terrorists.'' Who? Some. Who?

I suppose it is possible, if you look far enough and long enough and deep enough, you can find somebody, somewhere, not necessarily even within the boundaries of the United States, if we are talking about some, who would be attacking the President for attacking the terrorists. But I do not think that those of us who are taking this issue seriously and trying to engage in a dialogue on this issue can find anyone of a serious bent in the House, any of our colleagues, to come down and name anyone.

Mr. DELAHUNT. From either the Republican side or the Democratic side.

Mr. ABERCROMBIE. That goes without saying. Here on the floor of the House of Representatives, anyone, find anyone, who would be able to corroborate such an accusation.

In fact, if one takes into account, and I am looking here at an article in the Wall Street Journal, in an opinion article, ''Politics and People,'' Albert Hunt, ''What Might Have Been,'' and it concerns our good friend and my good friend and fellow Hawaiian, General Eric Shinseki, former Chief of the Army, who, as you know, was vilified by people in the administration.

Mr. DELAHUNT. And, Mr. Speaker, who happened to be a decorated hero, a military hero; someone who fought for his country with great bravery and valor. That is the kind of individual that my colleague is talking about.

Mr. ABERCROMBIE. I am not only talking about General Shinseki as a decorated war hero but as someone who came through the ranks to become chief of the Army, and who, in response to a congressional inquiry, gave answers, as a soldier should to those who are in charge of the country by constitution, gave answers with respect to what would be required in Iraq should an attack take place in order to avoid encouraging and in fact perhaps even seeing a situation take place in which terrorism would expand, rather than be contracted or defeated. What General Shinseki indicated was that we were not engaged in a serious ''troops to task analysis.''

That is what this is about. This is not about attacking the President about his opposition to terrorism; it is whether or not his political policies have resulted in military activity which is in fact not only succeeding but increasing the terrorism that exists in the world.

Mr. DELAHUNT. And, Mr. Speaker, the best evidence of that are the recent attacks both in Saudi Arabia and Turkey, one of our erstwhile allies in the region, who has been supportive of the United States in the war on terror, who has been supportive of our natural ally in the State of Israel. And what we are beginning to see is the spread of terrorism far from just Iraq, but everywhere around the world.

However, others, again from both parties, have articulated a criticism. CHUCK HAGEL, another veteran, someone who has experienced combat in Vietnam, a highly regarded, well-respected Senator, made this statement back in September, again on a national TV program. In response to the question, ''Did the administration miscalculate the difficulty of this war?,'' this is what Senator HAGEL said: ''Yes, they did miscalculate it. I think they

did a miserable job of planning for a post-Saddam Iraq. They treated most in the Congress like a nuisance when we asked questions.''

Well, I think it is incumbent upon the President of the United States to respond to the questions that the people's representatives in both branches of Congress pose, because it is the people of the United States that are losing their sons and daughters in Iraq. To date we have already appropriated in excess of $165 billion that will be paid for by future generations. And what do we see? We see a deteriorating situation.

Mr. ABERCROMBIE. If the gentleman will continue to yield, Mr. Speaker, we are spending not $87 billion, but as the gentleman indicated, upwards of $160 billion just in excess appropriations, or rather in additional supplemental appropriations vis-a-vis Iraq. Yet, when we bring home troops for rest and recreation purposes, they are taken to only three cities, and then they are on their own and they pay their own bills. That has not been changed.

I believe the figure is $55 million approximately that the Congress has put forward for transportation in the area of recreation purposes. It is not going to be enough. We are not even prepared at this stage to have orderly transitions in terms of rest and recreation periods, let alone what will now take place with the transfer of troops.

Mr. DELAHUNT. I am aware of the gentleman's expertise in terms of issues involving national security. I do not know whether the gentleman had an opportunity to read just recently the fact that we are now, for the next 6 months, under the benchmark in terms of readiness as far as our Army is concerned. And yet we have members of the administration, an Under Secretary of State and others, such as Richard Perle, who is the former chair of the Defense Policy Board, insinuating that if Syria does not get its act together, they might be the next one subject to a military intervention by the United States.

But having said that, I just want to go again back so that those who are listening are aware that that ad attacking Congress, and presumably Democrats, is just simply untrue.

Mr. ABERCROMBIE. If the gentleman will yield for a moment on his latter point, I was looking through my notes for a moment, and the gentleman indicated Mr. Perle. Would this be the same Mr. Perle, quoting from the Financial Times of December 4, that ''the Boeing Corporation has taken a $20 million stake in an investment fund run by Richard Perle, a top Pentagon adviser, underlining the close links it has built to Washington's defense establishment. Boeing said it made the investment in Trireme Partners last year as part of a broad strategy to invest in companies with promising defense-related technologies.'' The Financial Times adds, ''Boeing said it had no knowledge that Mr. Perle had advised the company on a controversial $18 billion deal to lease refueling aircraft tankers to the U.S. Air Force or other Pentagon related matters.''

Mr. DELAHUNT. This is the same Richard Perle, my friend, who was the former chair but then resigned because of concerns about conflict of interest.

Mr. ABERCROMBIE. As a defense adviser to the Secretary of Defense.

Mr. DELAHUNT. Who, in many respects, was the single most ardent supporter of a leading member of the Iraqi Governing Council, whose name is Ahmed Chalabi. And I do not know how this happened, but he was appointed by the administration to the Iraqi Governing Council without any consultation with another of our allies in the region, the Government of Jordan.

So, Mr. Speaker, I do not know if the gentleman is aware of this, but I daresay many who might be watching this are unaware of it, but Mr. Chalabi was convicted in Jordan for embezzlement in the amount of hundreds of millions of dollars.

□ 2000

He was sentenced in absentia, and received a sentence of 22 years. He is a convicted felon. Again, I do not want to get into issues that I think we both agree do not really go to the heart of our policy but reflect the failures of the management of the so-called war against terror.

Mr. ABERCROMBIE. Mr. Speaker, if the gentleman would yield, the reason this has relevance is because these are the people who are formulating the policy. These are the people who are making the case for the foundations of the political policy that we find our troops having to bear the brunt of. That is the whole point here. The question is not whether we are against terror, the question is not whether there is support for the troops, the question is do we have a political policy that is worthy of their sacrifice.

Mr. DELAHUNT. The question is, I dare say, who is in charge? For me, it was an interesting Sunday morning when I listened to the chairman of the Senate Foreign Relations Committee, RICHARD LUGAR, again another highly-respected Republican with considerable experience in terms of foreign relations, along with the senior Democrat on the committee, Senator JOE BIDEN. When Senator BIDEN made the statement that the President should take charge, and Tim Russet, who happened to be the moderator, asked whether that was good and necessary advice, Senator LUGAR, the Republican Senator from the State of Indiana who chairs the Senate Foreign Relations Committee said yes, it is, it is very necessary. I concur with my colleague, the President has to be the President, that means the President over the Vice President and other Secretaries. LUGAR had just had enough of the administration's divided voices, especially the Vice President's which he described, when referring to the Vice President, ''very, very tough and strident.''

To put out an ad in Iowa during a Presidential Campaign suggesting it was either the Democrats or Congress that wanted to retreat on the war on terror, no, that is not the case. None of us want to retreat, we want to win, we do not want to lose, and we are looking at defeat right now.

Many that are watching here tonight clearly are familiar with Senator MCCAIN who served this country heroically and courageously in Vietnam as a pilot, who served for many years as a prisoner of war, and he criticized, as reported in USA Today, just about a month ago, MCCAIN criticized the Bush Administration conduct of the Iraq war yesterday, saying the U.S. should send at least 15,000 more troops, or risk the most significant global defeat on the world stage since Vietnam. MCCAIN said Bush must be more involved in Iraqi decisionmaking and not be influenced by the upcoming Presidential campaign. MCCAIN also challenged the Rumsfeld assertion that the 132,000 American troops in Iraq can defeat the insurgency in the country. This is again Senator MCCAIN's words, ''The simple truth is we do not have sufficient forces in Iraq to meet our military objectives.''

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. RENZI). The Chair would remind all Members to refrain from quoting the Senate, including quotations of individual Senators.

Mr. ABERCROMBIE. Mr. Speaker, clearly this advertisement to which we are referring in which the phrase ''some are now attacking the President for attacking the terrorists,'' is meant to reestablish a link between Iraq, the attack in Iraq and 9/11. That is to say, there has been a constant drum-beat attempt by those who advocated this war in Iraq that this was somehow an extension or expansion or movement toward a more direct attack on terrorism, whereas no link has been established between the attack on the Trade Towers and the plane crashing in Pennsylvania, no link has been established between that and this attack on Iraq.

To the contrary, there is more than ample evidence to indicate that there were policymakers around the President who wanted to have this attack on Iraq well before 9/11, and 9/11 became the excuse for them to bring this back up, move it into the forefront and, in fact, displace the war on terror, the response to the attack on terror.

That is, in fact, not just what was implied in this ad, but this is clearly an attempt on a political basis to try to reestablish that in the minds of Americans across the Nation so that this becomes a defense of this failed policy in Iraq.

Mr. DELAHUNT. Mr. Speaker, let us remember for a moment this it was practically a unanimous vote with one exception, over 400 Members of this House voted to support, the gentleman

and I included, to support the intervention in Afghanistan because, clearly, there was a haven for the terrorists there. There were al Qaeda camps there. There was al Qaeda training there. But now let us stop for a moment and examine what has happened in Afghanistan. What has happened in Afghanistan, if this administration is really serious about the war on terror, we are facing a crisis in Afghanistan. They have the responsibility.

I do not know if the gentleman is aware, but after the overwhelming victory by the military in Afghanistan, in the 2003 budget the dollars that were appropriated or recommended by the administration for reconstruction and support for Afghanistan amounted to nothing, not a single dollar.

Fortunately, this House and this Senate appropriated some $800 million. But stop for a moment and realize that those that attacked the United States on 9/11, al Qaeda, Osama bin Laden, those terrorists that were clearly posing an imminent and direct threat to Americans everywhere, and still do, are multiplying like fishes and loaves, were headquartered in Afghanistan and protected by the Taliban regime. It has been 2 years, and what is happening in Afghanistan?

Mr. ABERCROMBIE. Mr. Speaker, if the gentleman would yield, I think we see in the dialogue that has taken place between Secretary Powell and our NATO allies, the answer to that question. The NATO allies are not going to increase to the degree they have any troops there at all, and they do have some in insignificant numbers. The Italians, for example, have police officers, and so on, but insignificant numbers. They are reluctant at best, if not outright hostile, toward the idea of increasing their presence in Iraq for a simple reason, it is the NATO forces in Afghanistan that are bearing the brunt of trying to deal with the continuing battle that is going on there against terrorism. That war on terror was not won in Afghanistan, it is ongoing. It is ongoing as we speak. We do not have sufficient forces, let alone intelligence there, right now.

The gentleman may know we now have to deal with the horrifying consequences and stories that will be going around based on what happened in Afghanistan within the last 36 hours where nine children were killed in an attempt to try to take a presumed militant, whatever the word is these days that is attached to anybody that we can presume to be an enemy.

We do not have sufficient forces, we do not have sufficient assets, we do not have sufficient concentration of intelligence efforts in Afghanistan right now because we are diverted in Iraq.

Mr. DELAHUNT. And the American people should know that the Taliban and al Qaeda are experiencing a resurgence in the border area of Afghanistan with Pakistan. They are coming back. We are on the verge of losing the war against terror. We are not retreating, but we are finding ourselves on the verge of losing.

Mr. ABERCROMBIE. Mr. Speaker, this is precisely the point that we are trying to make, and have been trying to make here in Iraq Watch, over and over again. By engaging as we are in Iraq right now, we are actually undermining our capacity to confront terror, whether in its most physically manifest form in Afghanistan or in the recruitment and the propaganda that is now sweeping the Islamic world with regard to whether or not America is now an enemy that must be fought at all costs. We are increasing the number of people who can succumb to that kind of message because of what we are doing in Iraq and what we are not doing in Afghanistan.

Mr. DELAHUNT. And yet months ago the White House was attempting to call Afghanistan a success stories; but they failed to commit the necessary resources, and now we have a chaotic and increasingly dangerous country where violence is the norm, where the Taliban is returning, and one can only see that we are on the verge of repeating the same mistake in Iraq. Can Members just imagine in terms of the prestige and the influence of the United States, not just in that region but all over the Muslim world, as well as the entire globe, what would happen in terms of the erosion of our stature.

There was a very good analytical piece done by a columnist by the name of Jake Kaplan, and I want to quote what he said 4 or 5 months ago. ''As we reconsider reconstruction plans in Iraq and the administration promises to democratize the country, it is worth taking a look at our liberalization of Afghanistan. A year later, many of the atrocities we thought would stop still continue, and even Bush's allies in the Senate on Afghanistan think we have undercommitted to efforts that could truly change that country for the better. 'Afghanistan's experience does not bode very well for the upcoming one,' said Steven Burke of the Center for International Conflict Resolution, who just returned from 16 days in Afghanistan in early March. It is a country that needs attention and commitment, but there is an inclination to withdraw.''

And there is an ad that says that Congress is retreating? Who are these people that are retreating from the war on terror? And yet no dollars in the 2003 budget submitted by the administration were incorporated into that budget for Afghanistan, and that ad runs? That is more than an untruth.

Mr. ABERCROMBIE. Mr. Speaker, we may not be financing what is necessary for either troop movements or political stability in Afghanistan, but I can assure the gentleman, I am sorry to say that financing is nonetheless taking place in Afghanistan except it is going to be for terror.

□ 2015

We now have more poppies being grown, more heroin being processed, and more trading in heroin than ever before in the history of Afghanistan, than ever before in the history of any nation on the face of the Earth. I should say any region on the face of the Earth, because clearly Afghanistan does not rate the name of nation now in terms of commerce and stability and political equilibrium that we associate with the term. The only thing that is stable, the only thing that is growing, the only thing that is expanding, the only thing that is a sure thing in Afghanistan is there is more heroin being traded for more money that is going to find its way into the pockets of those who are financing terrorism.

Mr. DELAHUNT. And come to the streets and the communities and the neighborhoods in this country. There is one statistic the gentleman might be interested in. Since our intervention 2 years ago in Afghanistan, opium production has increased 19-fold and become the major source of the world's heroin. Who is retreating? I want to win, and I know you want to win. That opium production will fuel terrorism. By the way, President Karzai, whom I believe is a man of great courage, it is well known among all the international observers and participants in the efforts to assist Afghanistan that he cannot leave Kabul for fear of being assassinated. His brother, who represents the government in southern Kandahar, which is a province in Afghanistan, was very blunt to a reporter. He said recently, ''It's like I am seeing the same movie twice and no one is trying to fix the problem. What was promised to Afghans with the collapse of the Taliban was a new life of hope and change. But what was delivered? Nothing. There have been no significant changes for the people.'' Hamid Karzai says he does not know what to say to people anymore. And who is retreating? Who is allowing terrorism to experience a renaissance, if you will, in Afghanistan, after the promises were made by this administration?

Mr. ABERCROMBIE. If the gentleman will yield, I think the answer is very, very clear. All of our assets, human and otherwise, are being concentrated in Iraq, or that area of the world which purports to be Iraq. As the gentleman knows, Iraq is a construct of the post-World War I colonial powers, particularly Great Britain and France. And so even the idea that there is a political construct there that can be referred to for elections or anything else is little more than fiction to begin with. The plain fact of the matter is that we cannot move forward in Afghanistan because the assets that are needed there, particularly financial, are being wasted right now in Iraq.

Mr. DELAHUNT. Again, I do not want those that might be watching us this evening having this conversation to think that simply because you and I are Democrats that there are not concerns that have been expressed by Members in the majority party. There

was an article that appeared in a magazine that circulates here in Washington particularly among Members and those that work on Capitol Hill. This is back several weeks ago in Roll Call. The article is entitled, ''As Supplemental Heads to Conference, Members Warn of Cautionary Tale in Afghanistan.'' Members are using the war-torn nation as an example of what not to do in Iraq. ''Remember, Afghanistan was the haven for Osama bin Laden and al Qaeda,'' I am quoting now from Representative JIM KOLBE, chair of the Appropriations Committee in this body on foreign relations. He said there has been some neglect of it. He was referring to the 2-year U.S. effort to rebuild Afghanistan after toppling its repressive and terrorist-shielding Taliban government.

Representative LEWIS, our colleague from California who chairs the appropriations subcommittee on defense, said, ''One really does need to understand the challenges we face in Iraq. We should not leave vacuums like we did in Afghanistan. A failed state there could be an incubator for terrorism again but the resources have not always followed the policy.'' Again, there is Senator LUGAR.

Mr. ABERCROMBIE. If the gentleman will yield, I will tell you where we do have a visible presence, where we do meet the criteria that is stated and enunciated by Representative LEWIS and the good Senator. We now have barbed wire villages. Those images are going all around the world as we speak. We are now creating our own areas of concentration camps and villages complete with identification cards that have to be shown to American soldiers so that people, and I say people, I am talking women, children, men, entire villages now are being processed through barbed wire into their own villages.

Mr. DELAHUNT. It is called winning the hearts and minds of the people, I presume.

Mr. ABERCROMBIE. The parallel, and I am not one to draw analogies to Vietnam because I think most of those kinds of comparisons tend to be inexact and then you end up in useless kinds of arguments as to exactitude, but the parallels are there. You may recall the rather infamous phrase associated with our pacification policy in Vietnam. We had to destroy the village in order to save it. Now in order to stabilize Iraq, we have to take barbed wire and surround whole villages with it. So I think the question here is, at this stage, what is to be done? How are we to regard the war on terror and what the relationship of the attack on Baghdad and the subsequent war which followed it, how is that to be handled? How is that to be addressed by the United States?

We are told, and again these cliches and bromides come fast and furious, that we should not cut and run. I am going to have to presume, I guess, that I know what cutting and running means. It means that you stop doing what you are doing and you leave. I do not know whether anybody noticed it or not, I certainly noticed, about November 15, that is precisely what Mr. Bush and Mr. Bremer concluded, that the United States was going to cut and run. That is what we are doing right now. The problem is that we are not admitting that that is what we are doing and we are sacrificing the Reserves and the Guard and the active duty military that is there now and that which will be going there to this continued failed policy without admitting what we are doing.

We are turning over supposedly conveniently, just before the election in 2004, turning over, supposedly, the present occupation to a government in Iraq. If that is not cutting and running, I do not know what is. Are we going to turn over control, such as it might be, to some governing entity in Iraq, or are we not? And if we are, what constitutes that governing entity, this farce of an advisory group that we have there? Shiite clerics? The ill-equipped and untrained police forces that we have cobbled together? Or perhaps we are going to turn it over to this new paramilitary army made up of armed members of various political parties in Iraq. A paramilitary force.

And we have the gall to turn to the American people and say, ''Well, they are preparing to defend themselves.'' They are preparing to cut each other's throats. They are preparing to fight one another, not just politically but with guns and bullets. The fact of the matter is that there is utter and complete political chaos in Iraq that is not being addressed by existing military policy of the United States.

Mr. DELAHUNT. And they made the same, and continue to make the same, mistake in Afghanistan. After more than 18 months now, only about 7,000 troops have completed training under British and French and American officers. That program has been delayed by desertions and political interference from Afghan warlords. At this point in time, it was estimated there would be 50 or 60,000 in the Afghan police and in the Afghan military. And they expect that they are going to have in June a national election. If they have a national election, one can only imagine the magnitude of violence that will occur.

We are losing the war on terror, Mr. President. We are not retreating. What we are imploring you to do is to consult with Congress. Do not consider Congress as a nuisance. Listen to the Jim Leaches, to the Chuck Hagels, to the John McCains, and to others that have valuable insights in terms of what war is truly about and, most importantly, how to make peace and protect the Americans and our national security interests, and tell the RNC to take that ad off, because it is a lie. It is not just an untruth.

Mr. ABERCROMBIE. If the gentleman will yield, I will tell you what we are going to have to do in the meantime, then, to try and protect those troops that are already there and to try and find an exit strategy worthy of the name that can allow us the opportunity to turn over some kind of political capacity in Iraq. There is a bill going forward that hopefully will be signed on a bipartisan basis to increase the end strength of the armed services, the Army and Marines in particular, and I am afraid now we are going to have to include the Air Force. At one point I think if we had handled this, we would not have had to add the Air Force. Since 1995, I for one and others on the Committee on Armed Services and other interested parties have been urging, so this goes beyond the present administration.

We are not trying to draw distinctions there. Since 1995, some of us have been urging an increase in the end strength. That is an inside baseball term in the Committee on Armed Services for increasing the number of troops in the Army and in the Marine Corps, because we could see the kinds of deployments that were taking place, whether it was in Kosovo, whether it was in Bosnia, in other words, in Eastern Europe, whether it was in the Philippines. No matter where it was and no matter what the reasons may have been, no matter how one felt about it one way or the other, the plain fact of the matter is that there was sufficient support to warrant these deployments, and we did not have the troop strength available to do it. We do not yet have a reinstitution of the draft.

When people talk about the war on terrorism, most people are watching it on television. We are depending on a volunteer force to do that. What sacrifices have we made? Some inconvenience in an airport? Somebody running, as they did for me yesterday when I flew here, running their wands over your shoes? Having you hold your arms out so that they can check your watch? Examining your baggage? What kind of sacrifice is that? At most it is an inconvenience.

The only sacrifice that we have made as a population since 9/11 is we postponed the Super Bowl one week. An inconvenience. That is the only sacrifice that has been made. This is being watched on television. This is being observed. We get the little tear in the eye and we get the flag being waved around those who are in Walter Reed or in Bethesda Hospital right now with grievous wounds. The sacrifice of the troops is not the point here. It is the sacrifice of those troops on a battlefield of corrupt political policy unworthy of the troops that are out there. And I tell you this, we cannot sustain with the existing Guard and Reserves that we have in this country the continual deployment into Iraq and still meet the necessities that we have outlined with respect to Afghanistan. That does not even begin to include questions about North Korea or any other place that United States troops may or may not

be needed in the future as a result of some activity, other kinds of terrorist activity in other places around the world. We are not prepared. We are not able to engage in deployments with respect to terror in the rest of the world because of the failure of our policies in Iraq and our failure to understand the true nature of what was necessary in Afghanistan.

□ 2030

Mr. DELAHUNT. What is refreshing is within the past 2 or 3 weeks there has been some candor on the part of representatives of the administration. In a recent story in the Washington Post back on November 19, the new U.S. Ambassador to Afghanistan made this acknowledgment: He gave the administration's bleakest assessment yet of security conditions in Afghanistan, saying that a regrouping of the Taliban and al Qaeda, increased drug trafficking, and even common criminals are hampering Karsai in the transition to democracy. Taliban rebels have dramatically stepped up operations in recent months, and Khalilzad, who is our Ambassador, said, ''Common criminals and al Qaeda followers are increasingly active.''

Just be honest with the American people. Do not talk about Congress not supporting the war on terror or Democrats not supporting the war on terror or selected Republicans not supporting the war on terror. Every American has an interest in defeating those that would attack this country. Do not question motives. Do not question people's patriotism. Do not question the effort to create a policy. Many of us including myself and the gentleman from Hawaii opposed American intervention in Iraq, and I stand by that decision proudly. But now that we are there, do not politicize the efforts that are being made to deal with these egregious conditions in Iraq and in Afghanistan when this administration has made promises to those people and to the American people and are not living up to them.

What I found fascinating was a secret memo, a secret memorandum, that was authored by the Secretary of Defense, Mr. Rumsfeld, who was widely known or at least widely believed to be an ardent hawk about military intervention; who, along with the Vice President and Under Secretary Wolfowitz, told the American people that our military personnel would be greeted with flowers and bands and welcomed as liberators. But now the reality has set in. And in a secret memorandum, Secretary Rumsfeld is expressing concerns about whether we are winning the war on terrorism, and he posed two interesting questions in this secret memorandum that was leaked so the American people could find out what was going on in terms of the administration's honest assessment. ''Are we winning or losing the global war on terror?'' was one of the questions. And ''Is our current situation such that the harder we work, the behinder we get?''

It is indeed unfortunate that politics would be allowed to play a role in decisions where not just America tax dollars of a magnitude that will clearly at a point in our future become a drag on our economy because we are borrowing those dollars, remember, and the grant we gave them, we are not going to get it back. But even more importantly, our men and women find themselves at risk in terms of their personal safety every day. This is not a place for politics. This is not a place for attack ads. And I dare say that if that is the strategy that is being designed by the President's political advisor, it will backfire, because the American people, they get it. They really get it.

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

Mr. DELAHUNT. I yield to the gentleman from Hawaii.

Mr. ACKERMAN. The acting Secretary of the Army I am afraid has not gotten that particular message because in relation to right in my own district out in Hawaii, the movement of troops out of the 25th up at Schofield Barracks, out into Asia and into Iraq, the movement of Guard and Reserve troops, indicated that this was justified on the basis that if we did not fight them, presumably whoever these people are, terrorists and opposition, military opposition, fight them over there, wherever ''there'' is, that we would be fighting them here, that is to say, in the United States. The clear link there obviously is that had we not attacked Iraq, Iraq would somehow be attacking the United States, that somehow we would be the victims of an assault by Iraq or the forces of Iraq and presumably by that meaning Saddam Hussein.

Mr. DELAHUNT. Mr. Speaker, they still cannot find the weapons of mass destruction. And, by the way, I do not know if the American people are aware of this, but it has cost and will cost the American taxpayer simply to look, to secure the experts, secure the expertise, to look for these weapons of mass destruction, which by now there is an overwhelming consensus that they do not exist and that they never existed. It is costing the American taxpayers $1 billion. Just think of what $1 billion could do for Hawaii or for Massachusetts. I mean, I guess, that is a subject for another night.

Mr. ACKERMAN. Mr. Speaker, if the gentleman would yield, precisely my point is that it serves little good both to a sensible and reasonable and rational dialogue as to what steps we should take now with regard to our occupation in Iraq and the continuing military operations in Afghanistan, it does little good for us to engage in a dialogue in which these kinds of accusations are made or these kinds of observations such as I have just outlined: If we do not fight them there, we will have to fight them there. This is hardly worthy of the Secretary of the Army let alone any high official of the government. It is hardly worthy of anybody to say some are attacking the President for attacking terrorists. I mean it is stupid on its face to say something like that, and it is clearly meant to be provocative and political without forming any kind of an enlightenment with respect to the issues at hand. What needs to be done, and I think that the Iraq Watch that we have been engaged in these past weeks is indicative of this, that what needs to be done is to have this kind of dialogue. We do not have the hearings. We do not have the dialogue during the regular course of the day.

We are getting ready to recess. The Congress is going out of business in the midst of this winter. There will be no recess in the wars. There will be no recess in the killing. There will be no recess in the wounding. There will be no recess in the political implications. I can assure the Members of that. We are reaping a whirlwind of hatred and distrust across the world such as we have not faced certainly in my memory. The United States has always represented a beacon of hope to people. In our worst excesses and in times when there has been the most argument, even within the borders of the United States as to what our policy should be or should not be, it has always at least had as our fundamental base that we were trying to do the right thing by way of our cooperation with others, by way of our respect for other people; and yet today our whole policy is we are going to do as we please. We are going to take up the issues as we see fit, and whether anybody else wants to involve themselves with us, that is tough. We do not care. That is not a foreign policy. That way lies blindness and defeat for this country.

Mr. DELAHUNT. Mr. Speaker, I thank the gentleman for his remarks.

## THE REPUBLICAN MEDICARE LEGISLATION

The SPEAKER pro tempore (Mr. RENZI). Under the Speaker's announced policy of January 7, 2003, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes.

Mr. PALLONE. Mr. Speaker, I would like to take to the floor this evening to discuss the Medicare legislation that the President signed today. And needless to say, I am very critical of the legislation which was essentially and primarily sponsored by the Republican leadership, and, obviously, supported by the President of the United States. And I know that the President signed the bill with great fanfare today, but certainly from the reaction that I have been getting in my district and throughout the State, because I was in various locations around the State of New Jersey over the last 2 weeks when we had our Thanksgiving recess, the reaction amongst New Jerseyans has been overwhelmingly against the bill. And I have to say that the concerns that I am hearing from senior citizens in New Jersey, and I am sure this is echoed throughout the country, are

primarily concerned that they have been fooled, that the President and the Republican leadership in the Congress are telling them that the Medicare bill is going to accomplish certain things, particularly with regard to prescription drugs, but the reality is that it is very different from what the Republicans are saying about the Medicare legislation. And I just wanted to go through some of the areas where I think that there is an effort on the part of the Republicans to say what this bill will do in a positive way and point out that the reality is very different.

First of all, I would say that the Republican Medicare legislation tries to fool the seniors by saying that somehow they are going to get a discount. If we talk to seniors and even the public at large, the biggest concern they have about prescription drugs is not only that they cost too much but that the costs keep rising, actually much more than inflation, and the bottom line is the bill does absolutely nothing to bring the cost of prescription drugs down. In fact, there is a provision in the bill, and I would like to make reference to it, called the noninterference clause that was actually the subject of an editorial in the Los Angeles Times within the last few days, and because of the fact that there is this noninterference clause in the bill, the Medicare Administrator, that is the person at the Federal level who administers the Medicare program, will not be able to negotiate prices and bring down prices, because keep in mind, Mr. Speaker, that in many cases if they represent a lot of people, as in the case of the Medicare Administrator who will represent about 40 million seniors in the Medicare program, because they represent so many people, they can negotiate a lower price for them for particular drugs on a given day or a given week or a given year. But what the Republicans put in the bill at the request of the pharmaceutical companies is this noninterference clause. And if I could read it, it says: ''Noninterference,'' in order to promote competition under this part and in carrying out this part, the Secretary, that is of Health and Human Services, the Medicare Administrator, may not interfere with the negotiations between drug manufacturers and pharmacies and PDP sponsors and may not require particular formulary or institute a price structure for the reimbursement of covered part D drugs.

So, essentially, what this clause says is that unlike what we do with the Veterans Administration or what unlike what we do with the military, the Federal Government cannot negotiate, on behalf of all these seniors, lower prices. That is wrong. But more than its being wrong and not making any sense because of the power of the Medicare Administrator to negotiate lower prices, it fools the seniors. It gives the impression to the seniors that the Republicans are giving that somehow there is some cost containment in this bill and in reality there is not any. There is actually a prohibition on any kind of cost containment on the bill with regard to prices for prescription drugs.

□ 2045

Now, a second way that the Republicans try to fool the seniors is by saying that Medicare is going broke. I have had so many of my colleagues on the Republican side get down on the floor here in the last 6 months and say, well, we have to make changes and reform Medicare because it is going broke.

In fact, Medicare is not going broke. The only reason why there is any problem at all with the Medicare trust fund is because the Republicans have been borrowing from the trust fund in the last 2 years to pay for their tax cuts. So the trust fund has actually lost money because we, the Congress, in basically enacting legislation that would provide for huge tax cuts, primarily for the wealthy or for corporate interests, has not had the money to implement those tax cuts and has been borrowing from the Medicare as well as the Social Security trust funds to pay for those tax cuts.

So, again, another effort to try to fool the seniors, to suggest that somehow Medicare is going broke, when in fact the only problem with Medicare stems from Republican fiscal and tax policies.

The third thing that the Republicans try to do is fool the seniors by saying they are giving seniors a choice. In other words, the theory is that if you privatize Medicare or if you say that in order to get a prescription drug plan you have to join an HMO or you have to go to some kind of drug-only policy essentially outside of traditional Medicare, that somehow you are given a choice.

The reality is the seniors lose their choice, because the most important thing that seniors want is a choice of physicians; and if they have to join an HMO, which is essentially the only way practically speaking you are going to get a prescription drug benefit under this bill, you are going to lose your choice of doctors, you might lose your choice of hospitals, you are certainly going to lose your choice of certain kinds of medical procedures, because the HMOs simply will not cover it.

The ultimate irony was this Sunday in the New York Times there was an article on the front page by Robert Pear that pointed to a little-known aspect of this Republican Medicare bill where they forbid the issuance of Medigap supplemental insurance policies once the drug benefit goes into effect in the year 2006.

Let me tell you, if the Republicans are saying they are going to give seniors choice, how is there choice when they cannot even choose a Medigap supplemental insurance policy? It is the opposite of choice. What the Republicans have done with that provision is not provide the seniors a choice, but say it is essentially either my way or the highway. You either choose a prescription drug plan under an HMO, or you choose a prescription drug plan under a drug-only private insurance policy. But if you want to stay in traditional Medicare, then not only do you not get the drug benefit, but you cannot even buy supplemental coverage to pay for supplementing the holes, if you will, in your existing Medicare coverage.

What the Republicans are doing is everything possible. They say it is choice, but really what they are doing is denying you a choice by making it almost impossible for you to stay within the traditional Medicare program if you want a prescription drug program, or, maybe even if you do not, because you cannot buy Medigap supplemental coverage.

Already some of my colleagues on the Republican side are saying, well, that prohibition on Medigap insurance does not take effect until 2006, and sometime between now and then we will get to that and change that. Maybe we will repeal that provision. I think they should repeal the whole thing. Frankly, the whole thing that the President signed today is bad. It is bad for Medicare and seniors.

I want to get into a few more areas where I think the President and the Republicans are fooling the seniors. They are not giving them choice; they are denying them choice. But the other way they try to fool the seniors is they say they are getting a benefit, and they suggest it is a very generous drug benefit.

The reality is it is not a meaningful drug benefit, and it is hardly generous. It is ultimately going to cost you. If you decide you want to join an HMO and lose your choice of physicians because you want this benefit, this benefit will, nonetheless, cost you so much out-of-pocket compared to what you are going to get back from the Federal Government that I would venture to say that probably less than 10 percent of the seniors would actually opt for this kind of a benefit, because it is such a meaningless benefit.

Let me give you an idea what I am talking about, because I do not want to talk in general terms. I want to give examples of why I say even if you wanted this benefit, if you decided to get out of traditional Medicare and join an HMO, why you would not want to do this.

Let me give you three examples of a senior with $2,250 in drug costs in a year. In other words, if your prescription drugs are going to cost you $2,250 in a given year, you are going to pay $420 in premiums, that is $35 each month times 12, a $250 deductible and $500 out-of-pocket, which is 25 percent of the drug costs that you have to pay when you first go beyond your deductible of $251 to $2,250. You are actually paying $1,170 for $2,250 in drugs.

You might say, well, that is not too bad. I am getting less than 50 percent

of my drug costs paid, but maybe it is a good deal. Well, not if you have to lose your doctor and join an HMO. But even with all that, less than 50 percent of your drug costs are being paid for by the Federal Government.

But most seniors are not in the category where their drug bills are $2,250 a year. More seniors have drug expenses that are larger than that and fall into the so-called donut hole. This is an area where if you have your drug bills above a certain amount, the Federal Government pays no part of the cost of your drug bills. I want to give you an example of that.

Let us talk about a senior whose drug costs fall above $2,250, or in this donut hole where they have to pay 100 percent of the cost. Say a senior has $3,500 in annual drug costs. This does not exceed the $5,100 catastrophic cap, so they would pay $1,170 for the first $2,250, and, as I said before, $1,250, which is 100 percent of the difference between $2,250 and $3,500. So if your drug costs were $3,500, you would be paying $2,420 for those $3,500 in drug costs, or 70 percent of the cost.

This is because if your drug costs essentially go between $2,000 and $5,000 before you get to this catastrophic level, you are paying 100 percent of the cost. You are actually going to be in a situation where you are paying premiums every month to the Federal Government for this drug benefit, but getting nothing back, because you are at that point after 6 or 7 months in the year where you have exceeded the $2,250 in costs, but you are not up to $5,000, so you are paying premiums and getting nothing to cover your drugs. You talk about a benefit and you talk about trying to fool the seniors; it is unbelievable how much deceit is essentially involved in this legislation.

I just want to get a couple more examples, because I see my colleague from Ohio is here. Let me give you a couple more examples of how they try to fool the seniors.

The Republicans say to seniors they will be able to stay in traditional Medicare if they want the prescription drug benefit. As I have said, that is really not true, because they have to join an HMO to get any kind of drug benefit. If they want to buy a drug-only policy, which might be out there, the premiums for that will probably be so high it will not even be available.

But the worse aspect of this when they say you can stay in traditional Medicare is for those seniors who are going to be in these demonstration programs throughout the country, where they are essentially going to give you a voucher and say we are going to give you so much amount of money to pay for your health insurance, but you have got to go to the private market and try to find someone to give that voucher to, that set amount of money, to pay for your health insurance.

This is not even with the prescription drug plan. This is Medicare in general. The Republican leadership, in the House version of this bill they wanted to essentially privatize all of Medicare by the year 2010, but because the other body, the Senate, would not go along with it, they ended up putting this in certain demonstration programs.

One of these demonstration programs is going to be in the southern part of New Jersey, not in my district, but in the southern part of the State. There are about 200,000 seniors in the southern part of New Jersey that are likely to be in this demonstration program, where they are going to be given a voucher and told you go out and buy your health insurance with this set amount of money and you cannot stay in traditional Medicare.

If you say you want to stay in traditional Medicare, what they are going to do is say, okay, if you want to stay in traditional Medicare, you have to pay the difference in cost between that voucher and what it costs the Federal Government to provide the traditional Medicare, which could be an extra $500, an extra $1,000, an extra $2,000 per year. Essentially, seniors are going to be forced out of traditional Medicare, just the opposite of what the Republicans were saying.

The last thing I want to say, where there is a serious element of deceit, is the Republicans are trying to fool the seniors by saying they are going to get a drug benefit immediately after the bill goes into effect. Practically every Republican who got on the floor the night we debated this bill made that statement in some form or the other, and it is simply not the case, because this drug benefit does not go into effect until the year 2006.

What they are going to do over the next 2 or 3 years before it goes into effect is give you some kind of discount drug card. In New Jersey, we see a lot of these because we have a lot of pharmaceutical companies, and most of them give out a discount drug card. You pay a certain amount of money, and you get anywhere from a 5 to 10 to 15 percent discount on your drugs. But since there is no cost containment, it essentially is a ruse, because the drug companies charge whatever they want for the prescription drugs and give you a 5, 10, or sometimes maybe a 15 percent discount.

So now the Federal Government, according to the President, over the next 2 or 3 years before the drug benefit comes into play, is going to hand out these drug cards to seniors so they can get the slight discount, which is really no meaningful discount at all.

I have to say I was not surprised when I went home over the Thanksgiving recess over the last 2 weeks, all that I heard at the senior centers, even on the street, even at the supermarket, were people coming up to me and being not so much mad as upset in some cases almost to the point of tears over what this Republican bill is going to do to their Medicare.

People are saying to me, Are they going to take my Medicare? What are they going to do to my Medicare? People personalize Medicare. It is so important to them, and yet all these changes are going to take effect that are against their interests.

I have editorials that are written in my local papers against this. These were not editorials I suggested. These were the newspapers and the local senior groups looking at this Medicare bill and saying how it was going to be detrimental to them and the future of the Medicare program.

I see that my colleague, the gentleman from Ohio (Mr. BROWN) is here. He is the ranking Democrat on the Subcommittee on Health; and he has been outspoken on this issue, particularly in pointing to the conflicts of interest that exists with the drug companies and the insurance companies who stand to benefit from the changes that are in this Republican bill.

I yield to the gentleman.

Mr. BROWN of Ohio. Mr. Speaker, I thank my friend from New Jersey, who has just been dogged in his pursuit of this issue and trying to protect Medicare, trying to write a prescription drug benefit inside Medicare, and not this privatized HMO kind of Medicare inadequate prescription drug plan that the President signed today.

When you listen to the gentleman from New Jersey (Mr. PALLONE), you just keep asking the question, why is it that all this happened this way? Why would such a bill pass the Republican House, pass the Republican Senate, in very close votes, and be signed by the President? Why would they do this?

The answer is pretty clearly the kind of influence that the drug and insurance industries have in this body. The word on the street is that the drug companies, the prescription drug companies, are going to contribute $100 million towards the President's reelection. It is no surprise that nothing passes this Chamber, nothing gets through both Chambers, nothing gets enacted into law and will be signed by the President unless it has the support of the drug companies.

Let me just talk for a moment about that, and then I want to tell a couple of stories. The 10 biggest drug companies in this country had revenue last year of $217 billion, more than the entire GDP, gross domestic product, of the country of Austria. These 10 companies posted profits of $37 billion last year. That is more than the Federal Government spent on the entire VA health care system. It is more than the entire Housing and Urban Development budget for last year.

The drug companies on this year's Fortune 500 list posted profits of more than 17 percent, 5.5 times what the rest of the Fortune 500 profits were. The drug industry led all other Fortune 500 industries on two key profitability indices, return on revenues and return on assets.

Now, I want to get there, even with that, even with the drug industry's iron lock on this institution, the corruption, the incredible influence that

this industry has on this Congress, on Republican leadership, on the President, on the Vice President, on leadership in the other body, in the Senate, even with all that, I think it is important to sort of see how we got here.

At 2:54 in the morning on a Friday in March, this House cut veterans benefits by three votes. At 2:30 a.m. on a Friday in April, in the middle of the night, House Republicans slashed education and health care by five votes. At 1:56 a.m. on a Friday in May, the House passed a leave-no-millionaire-behind tax cut by a couple of votes. At 2:33 a.m. on a Friday in June, House Republicans passed a Medicare privatization and prescription drug bill by one vote. At 12:57 a.m. on a Friday in July, the House Republicans eviscerated Head Start by one vote. Then after summer recess, at 12:12 a.m. on a Friday morning, in the wee hours of Thursday night in October, the House voted $87 billion for Iraq. Always in the middle of the night, always a contentious bill, always after the press had passed their deadlines, always after the American people had turned off the news and gone to bed.

□ 2100

With that track record, and the gentleman from New Jersey (Mr. PALLONE) has illustrated this, we should not be terribly surprised that when the House passed legislation that privatizes Medicare, that dramatically changes the 38 years of Medicare as we know it, that the House did it at 5:55 on a Saturday morning. The Republican leadership delivered this 100-page Medicare bill to House Members on Friday morning at 1:46 a.m. We voted on it 25 hours later.

But, Mr. Speaker, in a lot of ways I do not blame my Republican colleagues. If I produced that bill, I would not want people to know a lot about it either, because when Republicans sit down behind closed doors with the insurance industry and the drug industry and write a bill to privatize Medicare, of course they do not want the public to know, because this bill is not a prescription drug bill when we really look at it. We could have agreed bipartisanly. The gentleman from New Jersey (Mr. PALLONE) and I and our Republican friends could have written this bill, we could have agreed bipartisanly to deliver a $400 billion prescription drug benefit inside of Medicare, delivered to people the same way that people get their doctor and hospital and get their choice: they send the bill to Medicare and it would work. But this bill is more about Medicare privatization. For that, Republicans have a long history.

Republicans have never much liked Medicare as a Federal program. Turn the calendar 38 years back to the beginnings of this most popular program perhaps in American history. When Congress passed the legislation creating Medicare in 1965, in the spring of 1965, there were 140 Republicans in the House of Representatives. Only 13 out of those 140, less than 1 in 10, fewer than 1 in 10 Republicans in this House voted to support it. Every leading national Republican voted no. Future President Gerald Ford, future Presidential nominee Bob Dole, future legislative leaders Bob Michel, John Rhodes; future Defense Secretary Donald Rumsfeld, every leading national Republican voted against the creation of Medicare.

Now, after that passed and they realized the public liked it, there were no major efforts to try to get rid of it until 1995 when Republicans had their first chance to do it when Republicans captured the majority of the House of Representatives. In 1995, Newt Gingrich, Speaker of the House, immediately during the Contract With America tried to cut Medicare $270 billion to, what do we think, pay for a tax cut for the richest people and the most privileged people in the country. Gingrich in that year, in October of 1995, said, now, we did not get rid of Medicare in round one, we did not think that is politically smart. We do not think that is the right way to go through a transition, but we believe it is going to wither on the vine.

Texas Governor, then Governor George Bush was a strong supporter of that privatization effort. Majority leader Dick Armey, another Texas Republican said, Medicare is a program I would have no part of in a Free World. Bob Dole bragged, I was there fighting the fight against Medicare. The gentleman from Georgia (Mr. LINDER), Committee on Rules member, a Republican, told me in a meeting in 2002 at the Committee on Rules, Medicare is a Soviet-style system. It is on and on and on. The gentleman from California (Mr. THOMAS) who, with the drug companies and the insurance industry, wrote this Medicare privatization bill this year, said, to those who say that this bill would end Medicare as we know it, our answer is I certainly hope so.

This bill, as the gentleman from New Jersey (Mr. PALLONE) went through, it jeopardizes employer-sponsored retiree coverage for the 12 million-plus seniors who have this coverage. Understand, as the gentleman from New Jersey (Mr. PALLONE) has said, there are 12 million seniors today who have pretty good prescription drug coverage as part of their retirement plans, retirement packages from their employers. Some, between one-fifth and one-third of those, according to the Congressional Budget Office, will have their employers yank that coverage, and they will then be thrown into this privatized Medicare system.

Now, this bill, in addition to the problems that the gentleman from New Jersey (Mr. PALLONE) mentioned, this bill creates a $12 billion slush fund for HMOs to encourage them to provide coverage; it increases drug industry profits by $139 billion, increasing their profits by 40 percent. We could go on and on and on and on. We know, we know about the profitability of the drug companies; we know about how the drug companies have, by and large, written this bill.

We know that the drug companies benefit from this bill way more than everybody else. They have 675 lobbyists in Congress; 675 drug industry representatives walk the halls of these Chambers. There are 1.3 lobbyists per Member of the House, and they spent $91 million in lobbying activities. That is just what they disclose; we do not know what they really spent. They spent $50 million more on everything from ads to direct mail. They spent nearly a half a billion dollars lobbying since 1997. They gave $30 million overall for the 2002 election cycle; about three-quarters of that to Republicans and, as the gentleman from New Jersey (Mr. PALLONE) and I have talked, we hear on the street that Mr. Bush and Mr. CHENEY are going to receive $100 million in campaign funds from the drug industry.

But let me, before finishing, let me go back to what exactly happened that Friday night, early Saturday morning when the drug bill passed. The vote started Friday at about midnight, the vote on the Medicare privatization bill. The debate started Friday at about midnight. The rollcall began at 3 a.m. Most of us took our vote cards, our little plastic cards, put them in the little box and pushed either the green or the red button. The clock runs out after 15 minutes, but it is usually kept open for another 2 to 5 minutes. Typically, a vote here is often about 20 minutes.

But the Republicans were behind the entire evening; the vote was losing. At 3:30, 4 o'clock in the morning, the vote was 216 to 218. It was defeated. A majority was voting ''no,'' with only one Member, a Democrat, not yet voted. At about 4 o'clock the vote had stayed open for 1 full hour. That is when the assault began. The gentleman from Illinois (Speaker HASTERT), the gentleman from Texas (Majority Leader DELAY), the gentleman from Missouri (Republican Whip BLUNT), the gentleman from Louisiana (Mr. TAUZIN), the chairman of the Committee on Commerce; the gentleman from California (Mr. THOMAS), the chairman of the Committee on Ways and Means all were walking the floor, surfing for stray Republicans who were most likely to cave whom they could bully or whom they could brow beat. They surrounded the gentleman from Ohio (Mr. CHABOT), trying a carrot and then a stick; but he stood his ground and was defiant. They tried a retiring Republican, the gentleman from Michigan (Mr. SMITH), whose son is running to succeed him. They promised support if he changed his vote to ''yes'' and threatened his son's future if he refused. He steadfastly, to his credit, showed his integrity and stood his ground.

Many of the two dozen Republicans who had voted against the bill had left the floor hoping to avoid the onslaught

from the gentleman from Illinois (Speaker HASTERT), the gentleman from Texas (Mr. DELAY), the gentleman from Missouri (Mr. BLUNT), and the committee chairmen. One Republican that I saw was hiding in the Democratic cloakroom.

By 4:30, the bullying and the brow beating had moved into the Republican cloakroom, out of sight of the television cameras and of the public. The Republican leaders by then had waked up President Bush, and the White House was passing a cell phone from Member to Member in the cloakroom. At 5:55, 2 hours and 55 minutes after the rollcall began, literally twice as long as a vote had ever taken in the U.S. House of Representatives, 2 obscure Western Republicans emerged from the cloakroom, they walked, ashen and cowed down this aisle, I was sitting right there, down this aisle to the front of the Chamber, they picked up a green card to change their votes, they scrawled their names and district numbers on the cards, and they dispiritedly surrendered the cards to the Clerk. Quickly the Speaker gaveled the bill. Medicare privatization had passed.

Now, imagine an election, an election at home when the polls close at 7:30. Everyone has voted. One candidate trails by a few votes, but election officials, just not liking the outcome, decide to keep the polls open for 3 more hours. They brow beat; they bully. They threaten, they offer jobs, they promise goodies for their neighborhood or for themselves. Finally, lo and behold, the election turns out the way they want.

The new rules in this House of Representatives, Yogi Bera might put it tell us, ''It ain't over until the Republicans and the drug companies win.'' It is sort of Florida all in one night. But the American people should expect more. They should expect the House of Representatives conducted in the open. They should expect Members to honestly, straightforwardly, openly cast their ballots; they should expect a drug pricing policy and a Medicare bill that can hold up, not only in the dark of night, but also in the bright light of the morning.

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman. He made some great statements there; and we will have to develop a few of those, if the gentleman does not mind.

First of all, I wanted to talk a little bit more about what happened that night because, as the gentleman knows, this afternoon, our Democratic leader, the gentlewoman from California (Ms. PELOSI), offered a privileged motion which of course was defeated by the Republicans, and she paid much attention in her privileged motion to what happened that night and how it was very wrong and undemocratic, and I think that the gentleman's analogy about keeping the polls open back at home when we are voting in a congressional or Presidential election is a very good analogy.

But if I could just point to the case again with the gentleman from Michigan (Mr. SMITH), a lot of commentary has been written about that over the last 2 or 3 days, and I wanted to specifically mention a column by Robert Novak which was in the Chicago Sun Times recently. And he mentions what happened with the gentleman from Michigan (Mr. SMITH), and I just wanted to point to that and then I wanted to point out the whole legality of it, because there is a serious question about whether what the Republican leadership did to the gentleman from Michigan (Mr. SMITH) was legal.

In Novak's column he said that SMITH, a self-term-limited Congressman, is leaving Congress; and his lawyer son, Brad, is one of five Republicans seeking to replace him from a GOP district in Michigan's southern tier. On the House floor, NICK SMITH was told business interests would give his son $100,000 in return for his father's vote. He of course declined, and then fellow Republican House Members told him they would make sure that Brad Smith, his son, never came to Congress. After Congressman NICK SMITH voted ''no'' and the bill passed, DUKE CUNNINGHAM of California, another Republican Congressman and other Republicans taunted SMITH that his son was dead meat.

I mean, needless to say, it is outrageous that this would even occur, and certainly no one is suggesting that it did not occur. I have not heard anybody suggest that what Novak said is not true; I mean, it obviously is true.

But just earlier this week, there was a watchdog group called the Campaign Legal Center that on December 3 urged the U.S. Department of Justice to investigate whether Members of the U.S. House attempted to bribe a Member of Congress into voting in favor of the recently passed bill. They referenced the gentleman from Michigan (Mr. SMITH), and the group urged the House Committee on Ethics to investigate the matter. They sent a letter to the Justice Department, and they referenced a section under title XVIII, section 201 of the U.S. Code where it says, ''A person commits bribery who directly or indirectly, corruptly gives, offers, or promises anything of value to any public official or person who has been selected to be a public official or offers or promises any public official or any person who has been selected to be a public official to give anything of value to any other person or entity with intent to influence any official act such as a vote.''

Now, I am sure courts can interpret this thing however they want, but it seems to me on its face that what happened that night that my colleague from Ohio talked about was bribery, and it is going to be very interesting to see. Of course, we have to kind of assume that the Justice Department is going to be a little biased, because it is Republican appointed, but I do not see how they can get away from the fact that the facts and the circumstances in that case were, in fact, bribery.

The thing that really bothers me, I say to the gentleman from Ohio, he talked about the Republican responses when our leader, the gentlewoman from California (Ms. PELOSI), brought this privileged motion up today, I listened carefully to the debate back in my office, and I was amazed to see how some of my Republican colleagues responded. Essentially, if my colleagues listened to what many of them were saying, it was the ends justify the means. They were saying that this vote was so important and the issue of Medicare's future and the prescription drug benefit were so important, that that justified, in some cases they said, leaving the board open as long as it took until they could get the votes to pass the bill.

Well, that is the most undemocratic thing I ever heard of. Essentially it means that if I believe that something should pass, and I am in the majority, I am just going to keep the board open until I get my way. That is it. It is the end justifies the means.

Mr. BROWN of Ohio. Mr. Speaker, that is exactly right. It is also, if we look at the context of all of this, the context is the huge, enormous influence that the drug industry has on this body. I mean, the drug industry has a strangle hold on the Republican leadership, pure and simple. They give millions of dollars to Republicans, as we have said before, we are hearing as much as $100 million to President Bush's reelection. Nothing in this Chamber, nothing happens without the drug industry saying it is okay. The drug industry puts millions of dollars in campaigns. They hire so many lobbyists, 670-some I believe at last count, well over 600. They run all kinds of television ads and radio ads under the name of something else. They basically launder their money through the United Senior Association, through other groups, these disease advocacy groups that are not really legitimate, with millions of dollars and hide who they are, the drug industry, and try to communicate with the public that way. I mean, they are so powerful and so strong, but at least we ought to keep them off the House Floor. But in that sense, in the wee hours of the morning on Saturday, that Saturday morning, that late Friday night, while Secretary of Health and Human Services Tommy Thompson was on the floor, which is unusual, I do not ever recall seeing a cabinet member on the floor like that, but that is not a violation of the rules and it is not unethical, either. But we could see the influence of the drug industry on the floor of the House of Representatives.

□ 2115

One could almost see these Members of Congress who have depended on drug company money, who are addicted to drug company money, one could see the kind of way that they were pushing

their fellow Republican Members, the Members whom they lead. So it is not a very long jump from there to what they tried to do apparently with the gentleman from Michigan (Mr. SMITH) who showed a lot of guts and integrity, as I might add.

And so when there is that much money at stake, the drug industry is slated to increase its profits already for 21 years straight, the most profitable industry in America, when the drug industry already so profitable, increased its profits $140 billion over the next 8 years, 40 percent increase in profits for the most profitable industry in America, not to mention the insurance industry and its impact here. With that kind of money at stake it does not come as a surprise to me that Republican leadership would play that kind of hard ball, do it in the middle of the night, or who knows what.

We do not know what was said to Member after Member after Member to pass this bill. That is not a prescription drug bill; it is a bill that turns the Federal Treasury over to the drug companies and the insurance companies and privatizes Medicare in the bargain. So it is pretty clear to more and more Members of this body and to more and more members of the public that the corruption in this body when it comes to drug money, the corruption is just unbelievable. It has increased every year since I have been here. It is getting to the point that it is almost as if Members have signed their vote card over to the pharmaceutical drug industry lobbying association.

Mr. PALLONE. Mr. Speaker, I wanted to point out another example of what you are talking about too. It has also come to light over the Thanksgiving recess, and this is the people within the Department that were drafting the legislation, as you know, the Federal Government official who runs Medicare and was very much involved in drafting the legislation to put this bill in place, Tom Scully, announced during the break, during the Thanksgiving recess that he was leaving the Medicare program to go into the private sector. And there were serious questions about his whole involvement in this because basically he had been looking for a job in the private industry for something like 6 months.

There is an article that was in the December 3 New York Times where it said that Mr. Scully, this is the Medicare administrator, had made no secret of the fact that he had been looking for jobs outside the government for more than 6 months even as he spent hundreds of hours in closed sessions with House and Senate negotiators working out countless details of the legislation.

Now, again, there are so many conflicts of interest with this administration, it is just unbelievable. This guy, who I do not know him that well, but I understand he is a fairly nice guy, but the idea that 6 months ago he was looking for a job, a job essentially with some of the same law firms that were negotiating on behalf of the drug companies in order to get a favorable bill, the ethics law actually says, and I will read it because it is in the same article in The New York Times, ''The ethics rules issued by the Department of Health and Human Services say that employees who have begun seeking jobs in the private sector must immediately recuse themselves from any official matter that involves the prospective employer.''

Now, this covers legislative initiatives and proposed rules. Now, apparently, what Mr. Scully is saying is that he got a waiver from the Department so he would be allowed to work on matters of general applicability like the Medicare reform bill while he talked to potential employers. We have no information about how this waiver was garnished. The waiver has never been made public. The bottom line is the guy is negotiating this bill basically looking for a job with some of the same lobbying firms that are representing the drug companies. And as soon as the bill is passed, within a few days he announces that he is leaving to go join those same law firms. What possible justification?

Mr. Speaker, I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, I saw that article. I like Tom Scully. He came to our committee and he spoke. He is a reasonable, decent guy. I do not accuse him of anything untoward. I do wonder about a system, though, where he announced several months ago he was leaving the Department and going into the private sector. And he intimated, he may have said more specifically, that he would be out doing Medicare-type work, but he stays in the Department during the 6 months he is negotiating with various law firms and Wall Street firms, I believe, his future job and then the Medicare prescription drug bill is in the conference committee and he is in these meetings. Somebody gave him a waiver. I do not quite know what a waiver means.

Mr. PALLONE. They will not tell us specifically what it is.

Mr. BROWN of Ohio. It is okay to be in a conflict of interest but because our administration is so pro-drug company, we give you the waiver? I wish he would answer some questions about what the waiver is all about, because I do not think the people at home understand what the waiver process is. I do not think I understand the waiver process.

Mr. PALLONE. The waiver has not been made public.

Mr. BROWN of Ohio. How a Department gives a waiver to one guy to do this and not that. I think Mr. Scully is a man of integrity, but I do not think the system is quite right that would allow somebody to look for a job, run this Medicare system that has 40 million beneficiaries, that has got about, I think, about $300 billion roughly running through that system. He runs it. The last 6 months he said he is leaving. He is talking about companies that have a major interest in Medicare while looking for a job, and then he is helping to write the Medicare bill that will affect those companies in the agency he runs. I do not know what the waiver is all about. I hope he comes and tells us sometime.

Mr. PALLONE. I do not think we are going to find out, to be honest, specifically because he is leaving. But the thing that is most amazing about it is that the time period from when he decided to leave and then he actually left was the very time period when he was negotiating the bill.

Mr. BROWN of Ohio. This goes back to earlier comments that the gentleman from New Jersey (Mr. PALLONE) made just about the unseemliness, the conflicts of interest, the huge numbers of dollars that are at stake in this bill. $400 billion in taxpayer dollars is going to be distributed in the next 10 years, $400 billion. Not to mention the amount of out-of-pocket seniors will have, which is a huge amount of money, for their drug cost. So that $400 billion, we are going to see the drug industry is going to make $140 billion more; the insurance industry gets a $20 billion incentive pay, if you will, to write drug insurance. Employers are getting subsidized, so not as many of them, some still will, but not as many employers drop the coverage of their retirees who they have collectively bargained with in many cases.

So there is so much money on the table. The way that the administration has done this has been so untoward, the way that from the minute the bill really was introduced, was written behind closed doors by the drug and insurance industry, to they are not allowing amendments, to speak of, on the House floor, to the conference committee closed out to Democrats who represent in the Senate more than half the population and in the House represent 48 percent of the population; and then all of these kinds of secret deals in the bill with the drug companies and the insurance companies winking and nodding every step of the way.

I think this bill symbolizes the corruption, the sort of pinnacle of the corruption that we have seen in this House of Representatives. We are awash with corporate money, awash with all the kinds of cutting deals and conflicts of interest and billions and billions and billions of dollars available to raid the Federal Treasury. While we cannot probably get this bill repealed in the next year, I think we are going to see this Medicare issue is going to really show what the political parties stand for, what are we going to see in the election next year, where on the one hand Democrats want to see a prescription drug benefit go directly to seniors, Republicans want to run it through the drug industry and insurance industry, enriching their corporate friends and then a little bit of it trickles down to seniors. And thrown into the bargain is a privatized Medicare system.

Mr. PALLONE. Mr. Speaker, I wanted to comment, I know the gentleman raised so many good points, and I know we cannot go through them all tonight, but I wanted to talk a little bit about what I call the insurance scam too. We focused a lot of attention on the drug companies and how they are benefiting, but I think we have to talk a little bit also about the insurance companies that you mentioned.

I wanted to say in my State the pharmaceutical companies have a huge presence and they spend a lot of money on electing candidates. But he was very proud of the fact that within a couple days after this Medicare bill surfaced, that the largest newspaper in my State, the Star Ledger, issued an editorial which was entitled ''Reject Medicare Legislation.'' And the largest newspaper in my district issued another editorial calling the Medicare plan bad medicine. But I wanted to highlight the Star Ledger article. Again, this is the largest newspaper in the State, which probably has percentage-wise the largest presence of pharmaceutical companies. And they wrote this scathing editorial. They focused attention somewhat on the drug companies but even focused more attention on the insurance companies. I wanted to read just the first couple of paragraphs because I think it says it all about how the insurance companies benefited. It is the editorial from November 18. It says, ''Reject Medicare Legislation. If profit making insurance companies are so much better and cheaper than the Federal Medicare program, why do we have to give them $12 billion to help improve it? That subsidy is built into the Medicare compromise plan heading for Congress and is but one of several excellent reasons the plan should be rejected. After handing the industry a $12 billion gift from the taxpayers, the bill sets up a fixed competition between Medicare and private managed care. They would go head to head in a half dozen communities. Once the games begin, private companies could sign up younger, healthier, cheaper-to-treat seniors and reject the rest. It does not take a genus to predict the result. If Medicare, which must take all comers is left with sicker, more expensive seniors, Medicare will fail. That will give conservatives a chance to settle one of the most successful public programs of all times and replace it with private companies. If we end up with a dead Medicare program and taxpayer subsidized private profits, where is the victory? The insurance industry already can sign up seniors under another Medicare option, that is managed care, but it has never attracted more than a small percentage of Medicare recipients. Year by year it has reduced benefits and dropped hundreds of thousands of policyholders. The companies say the Medicare population costs too much to treat and that government payments are stingy.''

I am reading this, but I wanted to explain it a little. We have had such an experience in New Jersey. We have had something like, I think the figure is 800,000 seniors that joined HMOs, managed care over the last 5 or 10 years who were eventually dropped. And the reason they were dropped, obviously, was because the insurance companies initially took the seniors and then found because of the cost that the seniors incurred in health insurance that they could not make a profit. So they dropped them.

Now, what happened then is that the HMOs came before the Congress, they came before our committee, they said we cannot make enough money with the managed care HMO system the way it is. You do not pay us enough money for Medicare to cover for these seniors, so why do you not give us a windfall. That is exactly what is in the bill. They got a $12 billion basic windfall to manage care so they could theoretically now sign up seniors and provide seniors with not only the HMO but the prescription drug coverage.

But there is nothing in the bill, just like there was nothing in the previous legislation with Medicare+Choice that says that they have to take whatever senior comes along. So essentially what this Star Ledger article is saying, they are now going to cherry-pick. They realized after being in the Medicare program for a number of years that they could not make a profit because they took all these seniors who were sick and driving up health costs. So now they are going to get this huge $12 billion subsidy, and they will be able to cherry-pick and essentially take whatever seniors they want and offer a health care plan with this big subsidy and leave the traditional Medicare with the sicker people that drives up the cost.

Mr. BROWN of Ohio. Then they are going to come back in 10 years and say, see, Medicare does not work. Of course it does not work when the insurance company insures you when you are healthy and then taxpayers and Medicare get you when you are old and sick. Of course it is going to work that way.

That is the irony of all this. I hear my friends on the other side of the aisle over and over tell us that seniors, that the private sector can do it better, that government is this huge bureaucracy, that Medicare is inefficient and bloated, that nimble, quick-on-its-feet Medicare, the private insurance system can do it better. So, okay, if that is the case, why, then, does Medicare have lower administrative costs, why does Medicare have lower marketing costs, lower salaries and all that? But if you accept that they can let them compete, so why are we giving the Medicare HMOs $20 billion and say, yeah, of course one can compete if we give you $20 extra billion, but if the playing field were really level it is clear that the public system wins.

That is why 38 years ago in the end Medicare was created. Because in 1965 when President Johnson and Democratic majorities in both Houses, because, as we said, almost no Republicans in either House voted for this bill to create Medicare, in those days half of America's seniors did not have insurance. Why? Because the private insurance market did not find seniors attractive. They did not find seniors attractive because they are older, they are sicker, and they are poorer.

□ 2130

So, maybe somebody 65 could get private insurance, somebody that walked every day, someone in really good shape, but someone 73 or 74 who was diabetic, who had heart problems, who was arthritic, who was not really able to take care of himself or herself, no one will insure that person. No one will under the Republican privatized Medicare program.

The whole point is a government plan with a universal coverage pool that everybody is in so when you are 65 and healthy you are subsidizing, because your health care expenses are not too high, you are subsidizing somebody who is 85 and not as healthy. And then when you get to be 85, some other 65-year-old subsidizes you. That is what the universality of the insurance pool is all about.

The Republicans want to fracture the universality of the insurance pool. They want to skim off for their insurance industry contributors and all the corruption around this place that comes from that. They want to skim off the most healthy seniors, and they want to insure them at great profit and let the government and taxpayers pick up everybody that is sick and more expensive. It is pretty simple what their plan is.

Mr. PALLONE. The gentleman described it so well.

The amazing thing is when we were in our committee and we were marking up the bill, I remember asking questions about, well, what about the fact that you do not have a set premium? In other words, you can charge whatever you want for this, for the health insurance or for the prescription drug benefit. And what if the HMO's do not want to cover the sicker seniors or certain seniors. And the answer I got back from some of my Republican colleagues is, well, if this does not work, giving them this $12 billion windfall, they can come back in another 2 or 3 years and we will give them more money.

It is incredible how they totally violate the idea of competition and, as the gentleman says, a level playing field, and are willing to give the HMOs or the private insurance companies more and more money if they are not willing to cover the seniors. Where does it end? There is no end to it.

We saw with MediCare+Choice a few years ago, every year they would come back and ask for more and more money. And now they have this windfall, who knows where it will end.

I know our time is almost up. I want to develop one more point that the gentleman raised before we close tonight

because I think it is important. The gentleman talked about the fact that if the Democrats or if, on a bipartisan basis, we had been allowed to develop a bill that kept traditional Medicare and just added a prescription drug benefit, which is what most of my seniors, and I think most seniors expected. I mean, if you talk to the seniors about what they expected with a prescription drug benefit, they figured we were just going to have the traditional Medicare, and we were going to add the benefit.

I think it is important before we close that we point out that, as Democrats, we developed and offered an alternative as a substitute on the floor of the House, exactly that. Basically, what the Democratic Party in the House and what our leadership proposed and what both the gentleman from Ohio (Mr. BROWN) and I supported, was simply adding a prescription drug benefit to traditional Medicare. And we used the Part B, which now pays for seniors' doctors bills, as an example.

Under the current Part B, you pay a premium of about $55 a month. You have a $100 deductible. Eighty percent of the costs of your doctor bills are paid for by the Federal Government. Twenty percent by you; that is your copay up to a certain amount catastrophic limit where 100 percent of the cost is paid for by the Federal Government.

That is exactly what the Democrats offered as an alternative. We said that for a $25 premium you would have a $100 deductible for your first $100 in drug costs. Eighty percent of your drug bills would be paid for by the Federal Government. Twenty percent copay. And at a certain level, I forget what it was, $3,000 maybe $3,500 catastrophic level, 100 percent of the cost would be paid for by the Federal government. And we had a provision in the bill that specifically said that the Secretary of Health and Human Services, the Medicare Administrator, would negotiate price reductions.

I know some of the Republicans said that would have been a very expensive bill. The bottom line is whatever costs to the Federal Government probably would have been outweighed by negotiated prices, that would have brought the cost down considerably. So there was clearly an alternative out there that would have simply done what most seniors expected and simply added a prescription drug benefit to traditional Medicare.

Mr. BROWN of Ohio. That is a very interesting point. I think seniors in my district and seniors all over the country, because I was hearing this from colleague after colleague, people were wondering why it was so complicated? Why was it so difficult? Why can Congress just not pass a drug benefit?

People understand how Medicare works. You go to a physician. The bill is sent to Medicare to be paid. You go to a hospital. The bill is sent to Medicare to be paid. There is a copay and a deductible. People understand that. They understand the premium. It is very simple insurance. It is full choice of doctor, full choice of hospital, and why not do the same with a prescription? Then you get the prescription. It is paid for by Medicare. You have full choice of your prescription.

Instead, the Republicans had to make it a lot more complicated. Why? Because they wanted to get their privatization agenda enacted. That means using the insurance companies. It means playing ball with the drug industry. It means a lot of that money, that $400 billion that should go directly to cover prescription drugs, and very little overhead, the 2 percent overhead that Medicare has been able to keep their overhead at 2 percent. Instead of that, the Republicans are seeing all kinds of money wasted through the insurance and the drug companies.

Frankly, it just kind of amazes me because seniors do think it could be simple. The other part of that $400, as the gentleman pointed out, that $400 billion would go a lot further under the Democratic plan because we would do cost controls. We would do various kinds of constraints on costs.

The Canadians, as we have heard many times in this Chamber, the price of drugs in Canada is one-half, one-third, one-fourth of what it is in the United States. Tamoxifen, a breast cancer drug, is one-eighth the cost in France than it is in the United States.

If we could have restrained costs, controlled costs, brought prices down, whatever you want to call it, if we had done that and put this bill into Medicare, put this whole plan into Medicare, a lot less complicated, we could have done it months ago, years ago, we could have done it; and seniors would have a better plan. They would understand what it is about. They would not have all of these questions, but the drug industry and the insurance industry probably would not be so happy, and I guess that is in the end why this body did what it did.

Mr. PALLONE. Mr. Speaker, the last thing I wanted to mention, because I know we only have a few minutes, was the reimportation. I know that many of us saw the reimportation from Canada or other countries as sort of a last-minute effort to try to have some kind of cost controls put into effect. We would rather have cost containment here rather than have to import drugs from Canada or other countries. But the bottom line is that both Houses, both the House and the Senate had passed a provision that would have provided for an essentially legalized drug reimportation, at least from Canada, if not from some of the other countries in Western Europe that were comparable to the United States.

Even though the conference between the House and the Senate had those provisions in both Houses, they ended up essentially eliminating it in the bill. Also, today in the omnibus bill, the appropriations bill that we came back to vote on today, I am sure the gentleman noticed that that was stripped out of that as well.

So every effort has been made by the Republican leadership and by the Republican President to do everything possible to make sure that there are no cost controls whatsoever. And I still see, and I go back to what I said in the beginning, Mr. Speaker, I still see my colleagues on the Republican side coming down here and saying there is some kind of cost control or savings that the seniors are going to get from this bill.

That is simply untrue. Everything has been taken out. The reimportation language from Canada, specific language that says that you cannot negotiate price. Every effort was made to guarantee that there would be no fiddling whatsoever with the drug companies's ability to simply raise prices as they see fit. That is what we are left to.

It is really sad to think that we have come to that. I know the President signed the bill today, and it is over with in that respect; but, hopefully, and I already see it happening, you will get a groundswell from America's seniors throughout the country over the next few months or the next few years that are going to demand that this bill be repealed or significantly altered. I am convinced that is going to happen.

It is sad to think that there was this huge missed opportunity when we could have actually passed a good prescription drug benefit and done something to help America's seniors, rather than this cruel hoax that has been foisted upon them today.

Mr. Speaker, I want to thank the gentleman from Ohio (Mr. BROWN) for all he has done on this issue over the last few years.

## LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GEORGE MILLER of California (at the request of Ms. PELOSI) for today and the balance of the week on account of upcoming surgery.

Mr. NADLER (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. JANKLOW (at the request of Mr. DELAY) for today on account of appearing in court.

Mr. BURTON of Indiana (at the request of Mr. DELAY) for today on account of official 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. BROWN of Ohio) to revise and extend their remarks and include extraneous material:)

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. MCGOVERN, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Ms. WATSON, for 5 minutes, today.
Mr. CASE, for 5 minutes, today.
Mr. WAXMAN, for 5 minutes, today.
Mr. HOLT, for 5 minutes, today.
Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. MCCOTTER) to revise and extend their remarks and include extraneous material:)

Mr. HAYES, for 5 minutes, today.
Mr. PAUL, for 5 minutes, today.
Ms. HARRIS, for 5 minutes, today.
Mr. MCCOTTER, for 5 minutes, today.
Mr. SOUDER, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. HASTERT, for 5 minutes, today.

## EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SMITH of New Jersey and to include extraneous material, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $3,100.

## SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 33. An act to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Ozark-St. Francis and Ouachita National Forests and to use funds derived from the sale or exchange to acquire, construct, or improve administrative sites; to the Committee on Resources in addition to the Committee on Agriculture 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.

S. 99. An act for the relief of Jaya Gulab Tolani and Hitesh Gulab Tolani, to the Committee on the Judiciary.

S. 103. An act for the relief of Lindita Idrizi Heath; to the Committee on the Judiciary.

S. 460. An act to amend the Immigration and Nationality Act to authorize appropriations for fiscal years 2004 through 2010 to carry out the State Criminal Alien Assistance Program; to the Committee on the Judiciary.

S. 541. An act for the relief of Ilko Vasilev Ivanov, Anelia Marinova Peneva, Marina Ilkova Ivanova, and Julia Ilkova Ivanova; to the Committee on the Judiciary.

S. 648. An act to amend the Public Health Service Act with respect to health professions programs regarding the practice of pharmacy; to the Committee on Energy and Commerce.

S. 848. An act for the relief of Daniel King Cairo; to the Committee on the Judiciary.

S. 1130. An act for the relief of Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Bibiana Arreola, and Cindy Jael Arreola; to the Committee on the Judiciary.

S. 1402. An act to authorize appropriations for activities under the Federal railroad safety laws for fiscal years 2004 through 2008, and for other purposes; to the Committee on Transportation and Infrastructure.

S. 1537. An act to direct the Secretary of Agriculture to convey to the New Hope Cemetery Association certain land in the State of Arkansas for use as a cemetery; to the Committee on Resources.

S. 1683. An act to provide for a report on the parity of pay and benefits among Federal law enforcement officers and to establish an exchange program between Federal law enforcement employees and State and local law enforcement employees, to the Committee on Government Reform.

S. 1881. An act to amend the Federal Food, Drug, and Cosmetic Act to make technical corrections relating to the amendments made by the Medical Device User Fee and Modernization Act of 2002, and for other purposes; to the Committee on Energy and Commerce.

S. 1920. An act to extend for 6 months the period for which chapter 12 of title 11 of the United States Code is reenacted; to the Committee on the Judiciary.

## ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills and joint resolution of the House of the following titles, which were thereupon signed by the Speaker pro tempore MAC THORNBERRY:

On December 1:

H.R. 1437. An act to improve the United States Code.

H.R. 1813. An act to amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign centers and programs for the treatment of victims of torture, and for other purposes.

H.R. 2622. An act to amend the Fair Credit Reporting Act, to prevent identify theft, improve resolution of consumer disputes, improve the accuracy of consumer records, make improvements in he use of, and consumer access to, credit information, and for other purposes.

H.R. 3287. An act to award congressional gold medals posthumously on behalf of Reverend Joseph A. DeLaine, Harry and Eliza Briggs, and Levi Pearson in recognition of their contributions to the Nations as pioneers in the effort to desegregate public schools that led directly to the landmark desegregation case of Brown et al. v. the Board of Education of Topeka et al.

H.R. 3348. An act to reauthorized the ban on undetectable firearms.

H.J. Res. 80. Joint Resolution appointing the day for the convening of he second session of the One Hundred Eight Congress.

On December 3:

H.R. 2297. An act to amend title 38, United States Code, to improve benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.

H.J. Res. 63. Joint resolution to approve the Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Federated States of Micronesia, and the Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Republic of the Marshall Islands, and to appropriate funds to carry out the amended Compacts.

On December 6, signed by the Speaker:

H.R. 1. An act to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program, to modernize the Medicare Program, to amend the Internal Revenue Code of 1986 to allow a deduction to individuals for amounts contributed to health savings security accounts and health savings accounts, to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements, and for other purposes.

## SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 459. An act to ensure that a public safety officer who suffers a fatal heart attack or stroke while on duty shall be presumed to have died in the line of duty for purposes of public safety officer survivor benefits.

## BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on November 26, 2003 he presented to the President of the United States, for his approval, the following bills.

H.R. 421. To reauthorize the United States Institute for Environmental Conflict Resolution, and for other purposes.

H.R. 1367. To authorize the Secretary of Agriculture to conduct a loan repayment program regarding the provision of veterinary services in shortage situations, and for other purposes.

H.R. 1683. To increase, effective as of December 1, 2003, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes.

H.R. 1821. To award a congressional gold medal to Dr. Dorothy Height in recognition of her many contributions to the Nation.

H.R. 3038. To make certain technical and conforming amendments to correct the Health Care Safety Net Amendments of 2002.

H.R. 3140. To provide for availability of contact lens prescriptions to patients, and for other purposes.

H.R. 3166. 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''.

H.R. 3185. To designate the facility of the United States Postal Service located at 38 Spring Street in Nashua, New Hampshire, as the ''Hugh Gregg Post Office Building''.

H.R. 3349. To authorize salary adjustments for Justices and judges of the United States for fiscal year 2004.

Jeff Trandahl, Clerk of the House reports that on December 2, 2003 he presented to the President of the United States, for his approval, the following bills.

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.

H.R. 1904. An act to improve the capacity of the Secretary of Agriculture and the Secretary of the Interior to conduct hazardous fuels reduction projects on National Forest System lands and Bureau of Land Management lands aimed at protecting communities, watersheds, and certain other at-risk lands from catastrophic wildfire, to enhance efforts to protect watersheds and address threats to forest and rangeland health, including catastrophic wildfire, across the landscape, and for other purposes.

H.R. 2115. To amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, and for other purposes.

H.R. 2417. To authorize appropriations for fiscal year 2004 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

Jeff Trandahl, Clerk of the House reports that on December 3, 2003, he presented to the President of the United States, for his approval, the following bills.

H.J. Res. 80. Appointing the day for the convening of the second session of the One Hundred Eighth Congress.

H.R. 1437. To improve the United States Code.

H.R. 1813. To amend the Torture Victims Relief Act of 1998 to authorize appropriations to provide assistance for domestic and foreign centers and programs for the treatment of victims of torture, and for other purposes.

H.R. 2622. To amend the Fair Credit Reporting Act, to prevent identity theft, improve resolution of consumer disputes, improve the accuracy of consumer records, make improvements in the use of, and consumer access to, credit information, and for other purposes.

H.R. 3287. To award congressional gold medals posthumously on behalf of Reverend Joseph A. DeLaine, Harry and Eliza Briggs, and Levi Pearson in recognition of their contributions to the Nation as pioneers in the effort to desegregate public schools that led directly to the landmark desegregation case of Brown et al. v. the Board of Education of Topeka et al.

H.R. 3348. To reauthorize the ban on undetectable firearms.

Jeff Trandahl, Clerk of the House reports that on December 5, 2003, he presented to the President of the United States, for his approval, the following bills.

H.J. Res. 63. A joint resolution to approve the Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Federated States of Micronesia, and the Compact of Free Association, as amended, between the Government of the United States of America and the Government of the Republic of the Marshall Islands, and to appropriate funds to carry out the amended Compacts.''

H.R. 2297. To amend title 38, United States Code, to improve benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.

3491. To establish within the Smithsonian Institution the National Museum of African American History and Culture, and for other purposes.

## SINE DIE ADJOURNMENT

The SPEAKER pro tempore (Mr. RENZI). Pursuant to House Concurrent Resolution 339 and at the designation of the majority leader, without objection, the House stands adjourned sine die.

There was no objection.

Thereupon, (at 9 o'clock and 40 minutes p.m.) pursuant to House Concurrent Resolution 339, the House adjourned.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5718. A letter from the Director, Regulatory Review Group, FSA, Department of Agriculture, transmitting the Department's final rule—Removal of Obsolete Regulations (RIN: 0560–AH04) received November 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5719. A letter from the Regulatory Contact, Department of Agriculture, transmitting the Department's final rule—Review Inspection Requirements (RIN: 0580–AA58) received October 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5720. A letter from the Director, Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting the Department's final rule—Removal of Obsolete Regulations (RIN: 0560–AH04) received November 6, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5721. A letter from the Director, Regulatory Review Group, FSA, Department of Agriculture, transmitting the Department's final rule—Removal of Obsolete Regulations (RIN: 0560–AH04) received October 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5722. A letter from the Staff Director, Office of Regulatory and Management Services, Forest Service, Department of Agriculture, transmitting the Department's final rule—National Forest System Land and Resource Management Planning; Extension of Compliance Deadline for Site-Specific Projects (RIN: 0596–AC02) received October 10, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5723. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule—Tuberculosis in Cattle and Bison; State Designations; California [Docket No. 03–005–2] received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5724. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule—Tuberculosis in Cattle and Bison; State Designations; New Mexico [Docket No. 03–044–2] received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5725. A letter from the Secretary, Department of Agriculture, transmitting the Department's draft bill to authorize the Secretary of Agriculture to provide financial assistance to the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau under the Cooperative Forestry Assistance Act of 1978; to the Committee on Agriculture.

5726. A letter from the Architect of the Capitol, transmitting a report of all expenditures during the period October 1, 2002 through March 31, 2003, from the moneys appropriated to the Architect of the Capitol, pursuant to 40 U.S.C. 162b; to the Committee on Appropriations.

5727. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's Report to Congress on the Plutonium Storage at the Department of Energy's Savannah River Site, pursuant to Public Law 107—314, section 3183; to the Committee on Armed Services.

5728. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Robert B. Flowers, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

5729. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Competitiveness Demonstration Codes Update [DFARS Case 2003–D003] received November 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5730. A letter from the Acting Under Secretary, Department of Defense, transmitting a report entitled ''Long-Term Strategy to Reduce Corrosion and the Effects of Corrosion on the Military Equipment and Infrastructure of the Department of Defense,'' pursuant to 10 U.S.C. 2228; to the Committee on Armed Services.

5731. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Central Contractor Registration [DFARS Case 2003–D040] received November 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5732. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; DoD Activity Address Codes in Contract Numbers [DFARS Case 2003–D005] received November 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5733. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Competition Requirements for Purchases from a Required Source [DFARS Case 2002–D003] received November 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5734. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule—Defense Federal Acquisition Regulation Supplement; Provisional Award Fee Payments [DFARS Case 2001–D013] received November 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5735. A letter from the Register Liaison Officer, Department of Defense, transmitting the Department's final rule—TRICARE; Changes Included in the National Defense Authorization Act for Fiscal Year 2003 (NDAA–03) (RIN: 0720–AA85) received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5736. A letter from the Assistant Chief Counsel, Department of Transportation, transmitting the Department's final rule—Electronic Options for Transmitting Certain Information Collection Responses to MARAD [Docket Number: MARAD–2003–16238] (RIN: 2133–AB56) received October 30, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

5737. A letter from the Senior Paralegal (Regulations), Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule—Savings Associations—Transactions With Affiliates [No. 2003–50] (RIN: 1550–AB55) received November 10, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5738. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—Naitonal Flood Insurance Program (NFIP); Inspection of Insured Structures by Communities (RIN: 1660–AA14) received November 4, 2003, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Financial Services.

5739. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—Final Flood Elevation Determinations—received November 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5740. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—Final Flood Elevation Determinations—received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5741. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—Suspension of Community Eligibility [Docket No. FEMA–7819] received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5742. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—Changes in Flood Elevation Determination [Docket No. FEMA–P–7628] received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5743. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—Changes in Flood Elevation Determinations—received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5744. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—Final Flood Elevation Determinations—received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5745. A letter from the Acting General Counsel/FEMA, Department of Homeland Security, transmitting the Department's final rule—Final Flood Elevation Determinations—received December 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5746. A letter from the Acting General Counsel/FEMA, Department of Homeland Security, transmitting the Department's final rule—Final Flood Elevation Determinations—received December 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5747. A letter from the Acting General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—Changes in Flood Elevation Determinations [Docket No. FEMA–B–7440] received December 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5748. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—FHA TOTAL Mortgage Scorecard [Docket No. FR–4835–I–01] (RIN: 2502–AI00) received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5749. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Housing Assistance for Native Hawaiians; Native Hawaiian Housing Block Grants Program and Loan Guarantees for Native Hawaiian Housing Program; Final Rule [Docket No. FR–4668–F–03] (RIN: 2577–AC27) received December 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5750. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Mixed-Finance Development for Supportive Housing for the Elderly or Persons With Disbilities and Other Changes to 24 CFR Part 891 [Docket No. FR–4725–I–01] (RIN: 2502–AH83) received December 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5751. A letter from the Deputy Secretary, Securities & Exchange Commission, transmitting the Commission's final rule—Purchases of Certain Equity Securities by the Issuer and Others [Release Nos. 33–8335; 34–48766; IC–26252; File No. S7–50–02] (RIN: 3235–AH37) received November 12, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5752. A letter from the Assistant Secretary, Securities & Exchange Commission, transmitting the Commission's final rule—Disclosure regarding nominating committee functions and communications between security holders and boards of directors [Release Nos. 33–8340; 34–48825; IC–26262; File No. S7–14–03] (RIN: 3235–AI90) received November 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5753. A letter from the Assistant General Counsel for Regulatory Services, Department of Education, transmitting the Department's final rule—Governmentwide Requirements for Drug-Free Workplace (Financial Assistance); Governmentwide Debarment and Suspension (Nonprocurement); Student Assistance General Provisions; and Federal Family Education Loan Program (RIN: 1890–AA07) received December 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5754. A letter from the Secretary, Department of Education, transmitting the Department's final rule—Governmentwide Requirements for Drug-Free Workplace (Financial Assistance), Governmentwide Debarment and Suspension (Nonprocurement), Student Assistance General Provisions, and Federal Family Education Loan (FFEL) Program (RIN: 1890–AA07) received December 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5755. A letter from the Division of Acquisition Management Servcies, Department of Labor, transmitting the Department's final rule—Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants) (RIN: 1291–AA33) received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5756. A letter from the Director, Corporate Policy and Research Dept., Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in a Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received December 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5757. A letter from the Director, Office of Acquisition Management, Department of Commerce, transmitting the Department's final rule—Governmentwide Debarment and Suspension (Nonprocurement) and Requirements for Drug-Free Workplace (grants) (RIN: 0625–AA16) received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5758. A letter from the Director, Office of Civilian Radioactive Waste Management, Department of Energy, transmitting the nineteenth Annual Report on the activities and expenditures of the Office of Civilian Radioactive Waste Management, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Energy and Commerce.

5759. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants) (RIN: 0991–AB12) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5760. A letter from the Director, Regulations Policy and Management Sta., Department of Health and Human Services, transmitting the Department's final rule—Food Additives Permitted in Feed and Drinking Water of Animals; Formaldehyde [Docket No. 1998–F–0522] received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5761. A letter from the Director, Regulations and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Public Information Regulations; Correction [Docket No. 1999N–2637] received December 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5762. A letter from the Secretary, Department of Health and Human Services, transmitting the first report on Theft, Loss, or Relase of Select Agents and Toxins, as required by the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (Pub. L. 107–188); to the Committee on Energy and Commerce.

5763. A letter from the Attorney Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Tire Pressure Monitoring Systems; Controls and Displays [Docket No. NHTSA 2003–16524] (RIN: 2127–AJ22) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5764. A letter from the Attorney Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Child Restraint Systems [Docket No. NHTSA–2002–12065] (RIN: 2127–AI88) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5765. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department's final rule—Federal Motor Vehicle Safety Standards; Fuel Systems Integrity [Docket No. NHTSA–03–16525] (RIN: 2127–AF36) received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5766. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Delaware; Revisions to Delaware's Motor Vehicle Emissions Inspection Program and Low Enhanced Inspection and Maintenance Program [DE059–1038a; FRL–7590–9] received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5767. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Nebraska Update to Materials Incorporated by Reference [NE–193–1193; FRL–7592–1] received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5768. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final

rule—Approval and Promulgation of State Implementation Plans; State of Missouri [MO–198–1198a; FRL–7591–4] received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5769. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Clean Air Act Approval of Revision to Operating Permits Program in Ohio [OH 157–2 FRL–7588–9] received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5770. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Nevada; Designation of Areas for Air Quality Planning Purposes; Lake Tahoe Nevada Area [NV 050–0073A; FRL–7595–3] received December 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5771. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Interim Final Determination to Stay Sanctions, Ventura County Air Pollution Control District [CA 291–0424; FRL–7590–6] received December 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5772. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standard for Benzene Waste Operations [OAR–2003–0147; FRL–7594–3] (RIN: 2060–AJ87) received December 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5773. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills [OAR–2002–0045, FRL–7594–8] (RIN: 2060–AK53) received December 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5774. A letter from the Senior Legal Advisor, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) FM Table of Allotments, FM Broadcast Stations. (Tallapoosa, Georgia) [MB Docket No. 03–161; RM–10708] received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5775. A letter from the Senior Legal Advisor, WTB, Federal Communications Commission, transmitting the Commission's final rule—Allocations and Service Rules for the 71–76 GHz, 81–86 GHz and 92–95 GHz Bands [WT Docket No. 02–146] Loea Communications Corporation Petition for Rulemaking [RM–10288] received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5776. A letter from the Senior Legal Advisor to the Chief, Media Buerau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Apopka, Maitland, and Homosassa Springs, Florida) [MB Docket No. 03–24; RM–10636] received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5777. A letter from the Senior Legal Advisor to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Mount Pleasant & Bogata, Texas) [MM Docket No. 00–54; RM–9835; RM–9907] received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5778. A letter from the Senior Legal Advisor to the Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Wickenburg, Bagdad and Aguila, Arizona) [MM Docket No. 00–166; RM–9951; RM–10015; RM–10016] received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5779. A letter from the Senior Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations.(Marathon and Mertzon, Texas) [MB Docket No. 02–243; RM–10533; RM–10712] received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5780. A letter from the Senior Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) FM Table of Allotments, FM Broadcast Stations.(Encino, Texas) [MB Docket No. 02–341; RM–10594] received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5781. A letter from the Senior Legal Advisor to the Buerau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations. (Corpus Christi, Texas) [MM Docket No. 99–277; RM–9666] received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5782. A letter from the Senior Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Digital Broadcast Content Protection [MB Docket 02–230] received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5783. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations. (Fort Walton Beach, Florida) [MM Docket No. 00–233; RM–9996] received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5784. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Alamo Community, New Mexico) [MM Docket No. 00–158; RM–9921] received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5785. A letter from the Deputy Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Parts 2,25, and 87 of the Commission's Rules to Implement Decisions from World Radiocommunication Conferences Concerning Frequency Bands Between 28 MHz and 36 GHz and to Otherwise Update the Rules in this Frequency Range [ET Docket No. 02–305]; Amendment of Parts 2 and 25 of the Commission's Rules to Allocate Spectrum For Government and Non-Government Use in the Radionavigation-Satellite Service [RM–10331] received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5786. A letter from the Deputy Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule—Revisions to Broadcast Auxiliary Service Rules in Part 74 and Conforming Technical Rules for Broadcast Auxiliary Service, Cable Television Relay Service and Fixed Service in Parts 74, 78 and 101 of the Commission's Rules [ET Docket No. 01–75]; Telecommunications Industry Association, Petition for Rule Making Regarding Digital Modulation for the Television Broadcast Auxiliary Service [RM–9418]; Alliance of Motion Picture and Television Producers, Petition for Rule Making Regarding Low-Power Video Assist Devices in Portions of the UHF and VHF Television Bands [RM–9856] Received December 4, 2003, pursuant to 5 U.S.C. to the Committee on Energy and Commerce.

5787. A letter from the Deputy Chief, Policy and Rules Division, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 2.106 of the Commission's Rules to Allocate Spectrum at 2 GHz for use by the Mobile-Satellite Service [ET Docket No. 95–18]; Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems [ET Docket No. 00–258]; Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2 GHz Band, the L-Band, and the 1.6/2.4 GHz Bands [IB Docket No. 01–185] Received December 4, 2003, pursuant to 5 U.S.C. to the Committee on Energy and Commerce.

5788. A letter from the Deputy Chief, Policy and Rules Division, OET, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Part 5 of the Commission's Rules to Require Electronic Filing of Applications for Experimental Radio Licenses and Authorizations—received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5789. A letter from the Deputy Chief, WCB/TAPD, Federal Communications Commission, transmitting the Commission's final rule—Rural Health Care Support Mechanism [WC Docket No. 02–60] received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5790. A letter from the Legal Advisor/Chief, Wireless Telecom. Bur., Federal Communications Commission, transmitting the Commission's ''Major'' final rule—Promoting Efficient Use of Spectrum Through Elimination of Barriers to the Development of Secondary Markets [WT Docket No. 00–230] received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5791. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Investigation of Terms and Conditions of Public Utility Market-Based Rate Authorizations [Docket Nos. EL101–118–000 and EL01–118–001] received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5792. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Amendments to Blanket Sales Certificates [Docket No. RM03–10–000; Order No. 664] received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5793. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule—Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain

Home Appliances and Other Products Required Under the Energy Policy and Conservation Act (''Appliance Labeling Rule'')—received November 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5794. A letter from the Secretary, Department of the Treasury, transmitting as required by Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to the Development Fund for Iraq that was declared in Executive Order 13303 of May 22, 2003, as expanded in Executive Order 13315 of August 28, 2003, pursuant to 50 U.S.C. 1641(c) 50 U.S.C. 1703(c); to the Committee on International Relations.

5795. A letter from the Secretary, Department of the Treasury, transmitting as required by Executive Order 13313 of July 31, 2003 a six-month periodic report on the national emergency with respect to Burma declared by Executive Order 13047 of May 20, 1997, pursuant to 50 U.S.C. 1641(c) 50 U.S.C. 1703(c); to the Committee on International Relations.

5796. A letter from the Secretary, Department of Commerce, transmitting a six-month report prepared by the Department of Commerce's Bureau of Industry and Security on the national emergency declared by Executive Order 13222 of August 17, 2001, to deal with the threat to the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979, pursuant to 50 U.S.C. 1641(c) 50 U.S.C. 1703(c); to the Committee on International Relations.

5797. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal No. 22–03 which informs of an intent to sign a Project Agreement between the United States and France concerning the Spartan Scout, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

5798. A letter from the Director, International Cooperation, Department of Defense, transmitting a copy of Transmittal 24–03 informing of an intent to sign the System Development and Demonstration Supplement to the Common Missile Memorandum of Understanding between the United States and the United Kingdom, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

5799. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment and defense articles to the Republic of Korea and Germany (Transmittal No. DTC 110–03), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5800. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment and defense articles to Turkey (Transmittal No. DTC 109–03), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5801. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment and defense articles to the Pacific Ocean/International Waters (Transmittal No. DDTC 125–03), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5802. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment and defense articles to the Republic of Korea, United Kingdom, and the Netherlands (Transmittal No. DDTC 122–03), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5803. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment and defense articles to the United Arab Emirates (Transmittal No. DDTC 105–03), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5804. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment and defense articles to Italy and Belgium (Transmittal No. DTC 106–03), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5805. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment and defense articles to Saudi Arabia (Transmittal No. DTC 123–03), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5806. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment and defense articles to Canada (Transmittal No. DTC 121–03), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5807. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment and defense articles to Japan (Transmittal No. DDTC 116–03), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5808. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment and defense articles to various NATO nations (the United Kingdom, Germany, Spain, Turkey, and the Netherlands) (Transmittal No. DTC 124–03), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5809. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment and defense articles to the United Kingdom (Transmittal No. DDTC 113–03), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5810. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of major defense equipment and defense articles to Greece (Transmittal No. DDTC 107–03), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

5811. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a six-month periodic report on the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994, pursuant to 50 U.S.C. 1641(c); to the Committee on International Relations.

5812. 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.

5813. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting Gifts by the U.S. Government to foreign individuals, pursuant to 22 U.S.C. 2694(2); to the Committee on International Relations.

5814. A letter from the Chief, Counsel (Foreign Assets Control), Department of the Treasury, transmitting the Department's final rule—Authorization for U.S. Financial Institutions to Transfer Certain Claims Against the Government of Iraq—received November 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

5815. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Bureau of Political-Military Affairs; Amendment to the International Traffic in Arms Regulations: Lifting of National Union for the Total Independence of Angola Embargo and Partial Lifting of Denial Policy Against Iraq (RIN: 1400–ZA04) received October 28, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

5816. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Amendment to the International Traffic in Arms Regulations: Mandatory Electronic Filing of Shipper's Export Declarations with U.S. Customs using the Automated Export System (AES) (RIN: 1400–AB72) received October 27, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

5817. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a memorandum of justification pursuant to Section 202 and other relevant provisions of the Afghanistan Freedom Support Act (P.L. 107–327) and Sections 506 and 652 of the Foreign Assistance Act of 1961, as amended, to support the government of Afghanistan; to the Committee on International Relations.

5818. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of intent to obligate funds for purposes of Nonproliferation and Disarmament Fund (NDF) activities; to the Committee on International Relations.

5819. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the second annual report on the Benjamin A. Gilman International Scholarship Program; to the Committee on International Relations.

5820. A letter from the Special Assistant to the President and Director, Office of Administration, Executive Office of the President, transmitting the White House personnel report for the fiscal year 2003, pursuant to 3 U.S.C. 113; to the Committee on Government Reform.

5821. A letter from the Secretary, Department of Energy, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2003 to September 30, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5822. A letter from the Secretary, Department of Labor, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2003 to September 30, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5823. A letter from the Executive Secretary and Chief of Staff, Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5824. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the semiannual report on the activities of the Office of Inspector General for the six-month period ending September 30, 2003, pursuant to 5 U.S.C. app. (Insp. Gen.

Act) section 5(b); to the Committee on Government Reform.

5825. A letter from the Chairman, Defense Nuclear Facilities Safety Board, transmitting the Board's Strategic Plan for FY 2003–2009, developed in accordance with the requirements of the Government Performance and Results Act (GPRA) of 1993 and OMB Circular A–11 (2003); to the Committee on Government Reform.

5826. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5827. A letter from the Director, Office of Personnel Policy, Department of the Interior, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5828. A letter from the Secretary, Department of the Treasury, transmitting two Semiannual Reports which were prepared separately by Treasury's Office of Inspector General (OIG) and the Treasury Inspector General for Tax Administration (TIGTA) for the period ended September 30, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5829. A letter from the General Counsel, Department of the Treasury, transmitting the Department's draft bill entitled, ''To amend chapter 93 of title 31, United States Code, to authorize the Secretary of the Treasury to require that collateral offered in lieu of surety bonds, be valued at market value''; to the Committee on Government Reform.

5830. A letter from the Assistant Director for Executive and Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5831. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5832. A letter from the Deputy White House Liaison, Department of Education, Office of Vocational & Adult Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5833. A letter from the Deputy White House Liaison, Department of Education, Office of Vocational & Adult Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5834. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5835. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5836. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5837. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5838. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5839. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5840. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5841. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5842. A letter from the White House Liaison, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5843. A letter from the Deputy Associate General Counsel, Regulations, Department of Homeland Security, transmitting the Department's final rule—Department of Homeland Security Acquisition Regulation [Docket Number USCG–2003–16571] (RIN: 1601–AA16) received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5844. A letter from the Human Resources Specialist, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5845. A letter from the Deputy Assistant Secretary for Administration, Department of Transportation, transmitting a copy of the inventories of commercial positions in the Department of Transportation, as required by the Federal Activities Inventory Reform Act of 1998; to the Committee on Government Reform.

5846. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5847. A letter from the Secretary, Department of Veterans Affairs, transmitting the semiannual report on activities of the Inspector General for the period April 1, 2003, through September 30, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5848. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's semiannual report on the activities of the Office of Inspector General for the period April 1, 2003 to September 30, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

5849. A letter from the Executive Director, Federal Retirement Thrift Investment Board, transmitting a report in compliance with the Inspector General Act and the Federal Managers' Financial Integrity Act, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5850. A letter from the Administrator, General Services Administration, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2003 through September 30, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5851. A letter from the Deputy Archivist of the United States, National Archives and Records Administration, transmitting the Administration's final rule — Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants) (RIN: 3095–AB04) received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5852. A letter from the Chairman, National Endowment for the Arts, transmitting the Semiannual Report to the Congress of the Inspector General and the Chairman's Semiannual Report on Final Actions Resulting from Audit Reports for the period of April 1, 2003 through September 30, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5853. A letter from the Chairman, Occupational Safety and Health Review Commission, transmitting the FY 2003 annual report on the agency's compliance with the Inspector General Act and the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

5854. A letter from the Director, Office of General Counsel & Legal Policy, Office of Government Ethics, transmitting the Office's final rule—Office of Government Ethics Organization and Functions Regulation; Clarifying Amendment (RIN: 3209–AA21) received November 6, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5855. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Protests, Disputes, and Appeals (RIN: 3206–AK07) received November 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5856. A letter from the Acting Special Counsel, Office of Special Counsel, transmitting the Office's final rule—Technical Amendments to 5 CFR Part 1800—received December 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5857. A letter from the Chairman, Railroad Retirement Board, transmitting the semiannual report on activities of the Office of Inspector General for the period April 1, 2003, through September 30, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(d); to the Committee on Government Reform.

5858. A letter from the Chairman, Securities and Exchange Commission, transmitting the semiannual report on the activities of the Inspector General and the Management Response for the period ending September 30, 2003, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

5859. A letter from the Chairman, Board of Governors, U.S. Postal Service, transmitting the semiannual report on activities of the Inspector General for the period ending September 30, 2003 and the Management Response for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 8G(h)(2); to the Committee on Government Reform.

5860. A letter from the Vice Chairman, Office of the General Counsel, Federal Election Commission, transmitting the Commission's final rule—Leadership PACs [Notice 2003–22] received November 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

5861. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—West Virginia Regulatory Program [WV–091–FOR] received November 24, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5862. A letter from the Principal Deputy Assistant Secretary for Indian Affairs, Department of the Interior, transmitting a proposed plan under the Indian Tribal Judgment Funds Act, 25 U.S.C. 1401 et seq., as amended, for the use and distribution of the Pueblo of Isleta (Pueblo) judgment funds in Docket 98–166L; to the Committee on Resources.

5863. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Oil and Gas and Sulphur Operations in the Outer Continental

Shelf-Civil Penalties (RIN: 101–AD07) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5864. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—North Dakota Regulatory Program [ND–044–FOR, Amendment XXXIII] received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5865. A letter from the Director, Office of Hearing and Appeals, Department of the Interior, transmitting the Department's final rule—Special Rules Applicable to Surface Coal Mining Hearing and Appeals (RIN: 1090–AA92) received December 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5866. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—West Virginia Regulatory Program [WV–095–FOR] received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5867. A letter from the Assistant Secretary, Fish, Wildlife, & Parks, Department of the Interior, transmitting the Department's final rule—Marine Mammals; Incidental Take During Specified Activities (RIN: 1018–AH92) received December 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5868. A letter from the Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule—Joint Counterpart Endangered Species Act Section 7 Consultation Regulations (RIN: 1018–AJ02); National Oceanic and Atmospheric Administration [Docket No. 030506115–3298–02] (RIN: 0648–AR05) received December 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5869. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—NOAA Information Collection Requirements; Update and Correction [Docket No. 031016260–3260–01; I.D. 091603A] (RIN: 0648–AR71) received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5870. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Atlantic Highly Migratory Species; Bluefin Tuna Fisheries [I.D. 111303B] received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5871. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic Herring Fishery; Total Allowable Catch Harvested for Period 2 Management Area 1A [Docket No. 021101264–3016–02; I.D. 110703B] received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5872. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish; Annual Specifications and Management Measures; Trip Limit Adjustments; Corrections [Docket No. 021209300–3048–02; I.D. 111903C] received December 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5873. A letter from the Fishery Biologist, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Endangered and Threatened Species; Final Rule Governing Take of Four Threatened Evolutionarily Significant Units of West Coast Salmonids (RIN: 0648–AP17) received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5874. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone off Alaska; Recision and Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No. 021212307–3037–02; I.D. 111803B] received December 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5875. A letter from the Director, Regulations and Forms Services, U.S. Immigration and Customs Enforcement, Department of Homeland Security, transmitting the Department's final rule—Suspending the 30-Day and Annual Interview Requirements From the Special Registration Process for Certain Nonimmigrants [ICE No. 2301–3] (RIN: 1653–AA29) received December 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5876. A letter from the Rules Administrator, Federal Bureau of Prisons, Department of Justice, transmitting the Department's final rule—Occupational Education Programs [BOP–1096–F] (RIN: 1120–AA92) received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5877. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Foreign Prohibitions on Longshore Work by U.S. Nationals (RIN: 1400–AA34) received Decebmer 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5878. A letter from the Assistant Secretary, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule—Partial Distribution of Fiscal Year 2004 Indian Reservation Roads Funds (RIN: 1076–AE50) received December 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5879. A letter from the Program Analyst, Army Corps of Engineers, Department of Defense, transmitting the Department's final rule—United States Navy Restricted Area, Cooper River and Tributaries, Naval Weapons Station Charleston, Charleston, SC—received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5880. A letter from the Program Analyst, Army Corps of Engineers, Department of Defense, transmitting the Department's final rule—United States Navy Restricted Area, Naval Air Station North Island, San Diego, CA—received December 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5881. A letter from the Program Analyst, Army Corps of Engineers, Department of Defense, transmitting the Department's final rule—United States Navy Restricted Area, Naval Weapons Station Earle, Sandy Hook Bay, NJ—received December 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5882. A letter from the Chief, Regulations and Administrative Law, Coast Guard, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Mullica River, NJ [CGD05–03–180] (RIN: 1625–AA09) received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5883. A letter from the Chief, Regulations and Administrative Law, Coast Guard, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Amite River, Clio, LA. [CGD08–03–047] received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5884. A letter from the Chief, Regulations and Administrative Law, Coast Guard, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Buffalo Bayou, Houston, TX. [CGD08–03–046] received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5885. A letter from the Chief, Regulations and Administrative Law, Coast Guard, Department of Homeland Security, transmitting the Department's final rule—Allowing Alternatives to Incandescent Lights, and Establishing Standards for New Lights, in Private Aids to Navigation [USCG–2000–7466] (RIN: 1625–AA55) received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5886. A letter from the Chief, Regulations and Administrative Law, Coast Guard, Department of Homeland Security, transmitting the Department's final rule—Special Local Regulations; 2003 Boca Raton Holiday Boat Parade, Riviera Beach, FL [CGD07–03–152] (RIN: 1625–AA08) received December 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5887. A letter from the Chief, Regulations and Administrative Law, Coast Guard, Department of Homeland Security, transmitting the Department's final rule—Security Zone: Coronado Bay Bridge, San Diego, California [COTP San Diego 03–032] (RIN: 1625–AA00) received December 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5888. A letter from the Chief, Regulations and Administrative Law, Coast Guard, Department of Homeland Security, transmitting the Department's final rule—Regulated Navigation Area, San Carlos Bay, Florida [CGD07–03–200] (RIN: 1625–AA11) received December 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5889. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—DOD Commercial Air Carrier Evaluators [Docket No. FAA–2003–15571; Amendment Nos. 119–8, 121–290, and 135–83] (RIN: 2120–AI00) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5890. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Digital Flight Data Recorder Requirements—Changes to Recording Specifications and Additional Exceptions; Corrections; Correction. [Docket No.: FAA-2003-15682; Amendment Nos. 121–288, 125–42; 135–84] (RIN: 2120–AH89) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5891. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Digital Flight Data Recorder Requirements—Changes to Recording Specifications and Additional Exceptions; Correction [Docket No.: FAA–2003–15682; Amendment Nos. 121–288, 125–42, 135–84] (RIN: 2120–AH89) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5892. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Flightdeck Security on Large Cargo Airplanes [Docket No. FAA–2003–15653; Amendment Nos. 121–287 and 129–38] (RIN: 2120–AH96) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5893. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30396; Amdt. No. 3083] received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5894. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Aerospace Technologies of Australia Pty. Ltd. Models N22B and N24A Airplanes [Docket No. 2003–CE–21–AD; Amendment 39–13361; AD 2003–22–13] (RIN: 2120–AA64) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5895. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747–400, –400D, and –400F Series Airplanes [Docket No. 2003–NM–173–AD; Amendment 39–13364; AD 2003–23–01] (RIN: 2120–AA64) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5896. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Model 560 Airplanes [Docket No. 2003–NM–225AD; Amendment 39–13365; AD 2003–23–02] (RIN: 2120–AA64) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5897. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce Deutchsland Ltd. & Co KG Models Tay 650–15 and 651–54 Turbofan Engines [Docket No. 98–ANE–68–AD; Amendment 39–13362; AD 2003–22–14] (RIN: 2120–AA64) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5898. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 737–100, –200, and –200C Series Airplanes [Docket No. 2002–NM–150–AD; Amendment 39–13367; AD 2003–23–03] (RIN: 2120–AA64) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5899. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757–200 Series Airplanes [Docket No. 2002–NM–95–AD; Amendment 39–13368; AD 2003–23–04] (RIN: 2120–AA64) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5900. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Titeflex Corporation [Docket No. 2002–NE–22–AD; Amendment 39-13369; AD 2003-23-05 AD] (RIN: 2120–AA64) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5901. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Various Boeing and McDonell Douslas Transport Category Airplanes [Docket No. 2003–NM–91–AD; Amendment 39–13366; AD 2003–03–15 R1] (RIN: 2120-AA64) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5902. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Rocky Mount, NC [Docket No. FAA–2003–15849; Airspace Docket No. 03–ASO–15] received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5903. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class E Airspace; Smithfield, NC [Docket No. FAA–2003–15848; Airspace Docket No. 03–ASO–14] received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5904. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Regulation of Fractional Aircraft Ownership Programs and On-Demand Operations [Docket No. FAA–2001–10047; Amdt. Nos. 21–84, 61–109, 91–274, 119–7, 125–44, 135–82, 142-5] (RIN: 2120-AH06) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5905. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—mproved Flammability Standards for Thermal/Acoustic Insulation Materials Used in Transport Category Airplanes [Docket No. FAA–2000–7909; Amdt. Nos. 25–111, 91–275, 121–289, 125–43, 135–85] (RIN: 2120–AG91) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5906. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Lower Deck Service Compartments on Transport Category Airplanes; Correction [Docket No. FAA–2002–11346; Amendment No. 25–110] (RIN: 2120–AH38) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5907. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Repair Stations [Docket No. FAA–1999–5836] (RIN: 2120–AC38) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5908. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Reduced Vertical Separation Minimum in Domestic United States Airspace [Docket No. FAA–2002–12261; Amendment Nos. 11–49 and 91–276] (RIN: 2120–AH68) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5909. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Air Tour Operators in the State of Hawaii [Docket No. FAA–2003–14830; Special Federal Aviation Regulation (SFAR) No. 71] (RIN: 2120–AH02) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5910. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Chevak, AK [Docket No. FAA–2003–15694; Airspace Docket No. 03–AAL–12] received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5911. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace, Kotlik, AK [Docket No. FAA–2003–15091; Airspace Docket No. 03–AAL–08] received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5912. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Akiak, AK [Docket No. FAA–2003–15693; Airspace Docekt No. 03-AAL-13] received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5913. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Modification of Class E Airspace; Johnson, KS [Docket No. FAA–2003–16411; Airspace Docket No. 03–ACE–77] received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5914. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30395; Amdt. No. 3082] received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5915. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E4 Airspace; and Modification of Class E5 Airspace; Goodland, KS. [Docket No. FAA–2003–16079; Airspace Docket No. 03–ACE–71] received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5916. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Restricted Area R-2301E Ajo East, AZ; and R–2304, and 2305 Gila Bend, AZ [Docket No. 2002–FAA–14912; Airspace Docket No. 03–AWP–4] (RIN: 2120–AA66) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5917. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Kivalina, AK [Docket. No. FAA–2003–15695; Airspace Docket No. 03–AAL–17] received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5918. A letter from the Senior Procurement Executive, Department of Transportation, transmitting the Department's final rule—Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants); Department of Transportation Implementation (RIN: 2105-AD07) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5919. A letter from the Attorney Advisor, Federal Highway Administration, Department of Transportation, transmitting the Department's final rule—Interstate Highway System (RIN: 2125–AF00) received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to

the Committee on Transportation and Infrastructure.

5920. A letter from the Assistant Chief Counsel, Federal Highway Administration, Department of Transportation, transmitting the Department's final rule—National Standards for Traffic Control Devices; Manual on Uniform Traffic Control Devices for Street and Highways; Revision [FHWA Docket No. FHWA–2001–11159] (RIN: 2125–AE93) received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5921. A letter from the Senior Attorney, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Hazardous Materials: Revisions to Incident Reporting Requirements and the Hazardous Materials Incident Report Form. [Docket No. RSPA–99–5013 (HM–229)] (RIN: 2137–AD21) received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5922. A letter from the Senior Attorney, Research and Special Programs Administration, Department of Transportation, transmitting the Department's final rule—Pipeline Safety: Pipeline Integrity Management in High Consequence Areas (Gas Transmission Pipelines) [Docket No. RSPA–00–7666; Amendment 192–95] (RIN: 2137–AD54) received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5923. A letter from the Secretary, Department of Transportation, transmitting a draft bill entitled ''To amend title 49, United States Code, to make certain conforming changes to provisions governing the registration of aircraft and the recordation of instruments in order to implement the Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment known as the 'Cape Town Treaty'''; to the Committee on Transportation and Infrastructure.

5924. A letter from the Administrator, General Services Administration, transmitting informational copies of Reports of Building Projects Survey for Ft. Lauderdale, FL, Benton, IL, Greensboro, NC, and Sioux Falls, SD, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

5925. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Conformance with Federal Acquisition Circulars 2001–15 and 2001–14 (RIN: 2700–AC92) received December 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

5926. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—NASA Grant Cooperative Agreement Handbook—Public Acknowledgements. (RIN: 2700–AC75) received December 8, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

5927. A letter from the National Adjutant, Disabled American Veterans, transmitting 2003 National Convention Proceedings Of The Disabled American Veterans, pursuant to 36 U.S.C. 90i and 44 U.S.C. 1332; (H. Doc. No. 108—143); to the Committee on Veterans' Affairs and ordered to be printed.

5928. A letter from the Director, Regulations Management, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting the Department's final rule—Board of Veterans' Appeals: Rules of Practice; Use of Supplemental Statement of the Case (RIN: 2900–AL42) received November 13, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

5929. A letter from the Chief, Regulations & Procedures Division, TTB, Department of the Treasury, transmitting the Department's final rule—Expansion of the Russian River Valley Viticultural Area (2002R–421P) [T.D. TTB-7; Re Notice No. 965] (RIN: 1513-AA68) received December 4, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5930. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Information reporting for distributions with respect to securities issued by foreign corporations [Notice 2003–79] received December 3, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5931. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Rulings and determination letters. (Rev. Proc. 2003–86) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5932. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Examination of returns and claims for refund, credit or abatement; determination of correct tax liability. (Rev. Proc. 2003–82) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5933. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Qualified Pension, Profit-Sharing, and Stock Bonus Plans (Rev. Rul. 2003–124) received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5934. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Tier 2 Tax Rates for 2004 [Notice 2003–78] received November 25, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5935. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Installment Payments [TD 9096] (RIN: 1545–BC53) received December 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5936. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 2003–80] received December 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5937. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Tax Avoidance Using Offsetting Foreign Currency Option Contracts [Notice 2003–81] received December 5, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5938. A letter from the SSA Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants) (RIN: 0960–AE27) received December 2, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5939. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Photocopying Reimbursement Methodology [CMS–3055–F] (RIN: 0938–AK68) received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

5940. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare and Medicaid Programs; Religious Nonmedical Health Care Institutions and Advance Directives [CMS–1909–F] (RIN: 0938–AI93) received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

5941. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Reduction in Medicare Part B Premiums As Additional Benefits Under MedicareChoice Plans [CMS–6016–F] (RIN: 0938–AL49) received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

5942. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule—Medicare Programs; Coverage and Payment of Ambulance Services; Inflation Update for CY 2004 [CMS–1232–FC] (RIN: 0938–AM44) received December 1, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

5943. A letter from the Secretary, Judicial Conference of the United States, transmitting legislative proposals recently adopted by the Conference at its September 2003 meeting, to be incorporated into the draft bill entitled the ''Federal Courts Improvement Act of 2003,'' previously transmitted on May 7, 2003; jointly to the Committees on the Judiciary and Energy and Commerce.

5944. A communication from the President of the United States, transmitting the Annual Report of the Railroad Retirement Board for the fiscal year ending September 30, 2003, pursuant to 45 U.S.C. 231f(b)(6); jointly to the Committees on Transportation and Infrastructure and Ways and Means.

## 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. HASTINGS of Washington: Committee on Rules. House Resolution 473. Resolution waiving points of order against the conference report to accompany the bill (H.R. 2673) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2004, and for other purposes (Rept. 108–402). Referred to the House Calendar.

Mr. TOM DAVIS of Virginia: Committee on Government Reform. H.R. 3478. A bill to amend title 44, United States Code, to improve the efficiency of operations by the National Archives and Records Administration (Rept. 108–403). Referred to the Committee of the Whole House on the State of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ISSA:

H.R. 3651. A bill to account for all aliens unlawfully present in the United States by providing incentives for such aliens to register with the Secretary of Homeland Security, to provide immunity from criminal

prosecution for the employer of such an alien if the employer pays all taxes and penalties owed by reason of such employment, and for other purposes; to the Committee on the Judiciary.

By Mr. RYAN of Wisconsin (for himself and Mr. MATHESON):

H.R. 3652. A bill to amend the Internal Revenue Code of 1986 to modify the taxation of imported archery products; to the Committee on Ways and Means. considered and passed.

By Mr. CASE (for himself and Mr. ABERCROMBIE):

H.R. 3653. A bill to provide authorities to, and impose requirements on, the heads of executive agencies in order to facilitate State enforcement of State tax, employment, and licensing laws against Federal construction contractors; to the Committee on Government Reform, and in addition to the Committee on Armed Services, 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. THOMAS (for himself and Mr. RANGEL):

H.R. 3654. A bill to amend the Internal Revenue Code of 1986 to make technical corrections, and for other purposes; to the Committee on Ways and Means.

By Mr. KUCINICH (for himself, Ms. LEE, and Mr. SANDERS):

H.R. 3655. A bill to amend the Internal Revenue Code of 1986 to replace the earned income credit, the child tax credit, and the deduction for dependents with a simplified family tax credit; to the Committee on Ways and Means.

By Mrs. CAPPS:

H.R. 3656. A bill to amend title XVIII of the Social Security Act to impose minimum nurse staffing ratios in Medicare participating hospitals, and for other purposes; 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. KUCINICH (for himself, Mr. HOEFFEL, Mr. CONYERS, and Mr. HINCHEY):

H.R. 3657. A bill to preserve the cooperative, peaceful uses of space for the benefit of all humankind by prohibiting the basing of weapons in space and the use of weapons to destroy or damage objects in space that are in orbit, and for other purposes; to the Committee on Science, and in addition to the Committees on Armed Services, and International Relations, 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 Mrs. CAPPS (for herself, Mr. PICKERING, Mr. DINGELL, Mr. BARTON of Texas, Mr. BROWN of Ohio, Mr. DEAL of Georgia, Mr. WAXMAN, Mr. SHIMKUS, Mr. PALLONE, Mr. GORDON, Mr. ENGEL, Mr. WYNN, Mr. GREEN of Texas, Mr. DOYLE, Mr. ALLEN, Ms. SCHAKOWSKY, and Ms. SOLIS):

H.R. 3658. A bill to amend the Public Health Service Act to strengthen education, prevention, and treatment programs relating to stroke, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey (for himself, Mr. EVANS, Mr. BROWN of South Carolina, Mr. MICHAUD, Mr. MILLER of Florida, Ms. CARSON of Indiana, Ms. BERKLEY, Mr. BROWN of Ohio, and Mr. SHIMKUS):

H.R. 3659. A bill to amend title 38, United States Code, to enact into law eligibility of certain Reservists and their dependents for burial in Arlington National Cemetery; to the Committee on Veterans' Affairs.

By Mr. RUSH:

H.R. 3660. A bill to authorize the Secretary of Education to enter into a partnership with a qualified local educational agency to conduct a model school-to-work program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HAYES:

H.R. 3661. A bill to amend the Tariff Act of 1930 to provide for the seizure, forfeiture, and destruction of textile and apparel articles imported in violation of certain laws of the United States, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, 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. ALLEN (for himself, Mr. WAXMAN, Mr. STARK, Mr. BROWN of Ohio, Mr. PALLONE, Mr. MARKEY, Mr. MEEHAN, Mr. BERRY, Mr. MICHAUD, Ms. SCHAKOWSKY, Mr. FRANK of Massachusetts, Mr. OLVER, Mr. CASE, Mrs. EMERSON, Mr. STUPAK, Mr. OBERSTAR, and Mr. MCGOVERN):

H.R. 3662. A bill to provide for substantial reductions in the price of prescription drugs purchased by States for its employees, retirees, and pharmaceutical assistance beneficiaries; to the Committee on Energy and Commerce.

By Mr. ANDREWS:

H.R. 3663. A bill to waive copayments and deductibles for military personnel who qualify for TRICARE and use other health insurance as their primary form of coverage; to the Committee on Armed Services.

By Mr. BILIRAKIS (for himself, Mr. TAUZIN, Mr. TAYLOR of Mississippi, Mr. BARTLETT of Maryland, Mr. BARTON of Texas, Mr. DEAL of Georgia, Mr. PICKERING, Mr. SMITH of New Jersey, Mr. STEARNS, Mr. PITTS, Mr. UPTON, Mr. WHITFIELD, Mr. BURR, and Mr. HALL):

H.R. 3664. A bill to prohibit certain abortion-related discrimination in governmental activities; to the Committee on Energy and Commerce.

By Mr. BISHOP of Georgia:

H.R. 3665. A bill to award congressional gold medals to former President Jimmy Carter and his wife Rosalynn Carter in recognition of their outstanding service to the United States and to the world; to the Committee on Financial Services.

By Mr. BISHOP of Georgia (for himself and Mrs. JONES of Ohio):

H.R. 3666. A bill to amend the Internal Revenue Code of 1986 to increase from 13 to 15 the age of dependents who may be taken into account for purposes of determining the credit for expenses for household and dependent care services necessary for gainful employment; to the Committee on Ways and Means.

By Mr. CANNON (for himself and Mr. PORTER):

H.R. 3667. A bill to direct the Secretary of Agriculture to convey certain real property in the Dixie National Forest in the State of Utah, and for other purposes; to the Committee on Resources.

By Mr. CARSON of Oklahoma:

H.R. 3668. A bill to amend the Public Health Service Act to provide greater access for residents of frontier areas to health care services provided by community health centers; to the Committee on Energy and Commerce.

By Mr. DAVIS of Alabama:

H.R. 3669. A bill to amend the Internal Revenue Code of 1986 to allow employers in renewal communities to qualify for the renewal community employment credit by employing residents of certain nearby areas; to the Committee on Ways and Means.

By Mr. DEUTSCH (for himself and Mr. MENENDEZ):

H.R. 3670. A bill to amend the Internal Revenue Code of 1986 to impose a 100 percent tax on amounts received from trading with Cuba if the trading is conditioned explicitly or otherwise on lobbying Congress to lift trade or travel restrictions on Cuba; to the Committee on Ways and Means.

By Mr. DEUTSCH (for himself, Mr. HASTINGS of Florida, Ms. CORRINE BROWN of Florida, Mr. WEXLER, and Mrs. JO ANN DAVIS of Virginia):

H.R. 3671. A bill to amend part D of title XVIII of the Social Security Act, as added by the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, to permit the Secretary of Health and Human Services to enter into direct negotiations to promote best prices for 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. EDWARDS (for himself, Ms. PELOSI, Mr. HOYER, Mr. CLYBURN, Mr. DINGELL, Mr. RANGEL, Mr. BERRY, Mr. BROWN of Ohio, Mr. STARK, Mr. SPRATT, Mr. GEORGE MILLER of California, Mr. MATSUI, Mr. WAXMAN, Ms. SCHAKOWSKY, Mr. PALLONE, Mr. OBEY, Mr. BISHOP of New York, Mr. MOORE, Mr. MICHAUD, Mr. BELL, Mr. VAN HOLLEN, Mr. DAVIS of Tennessee, Mr. STENHOLM, Mr. FROST, Mr. LEVIN, Mr. ORTIZ, Mr. HINOJOSA, Mr. RODRIGUEZ, Mrs. LOWEY, Mr. ROSS, Mrs. MCCARTHY of New York, Mr. GREEN of Texas, Mr. LEWIS of Georgia, Mr. ACKERMAN, Ms. WATERS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HOEFFEL, Mr. TIERNEY, Mr. WEINER, Mr. HINCHEY, Mr. SANDLIN, Mrs. MALONEY, Mr. MCDERMOTT, Mr. MORAN of Virginia, Ms. LINDA T. SANCHEZ of California, Mr. CROWLEY, Mr. RUPPERSBERGER, Ms. MCCOLLUM, Mr. GRIJALVA, Ms. MAJETTE, Mr. DELAHUNT, Mr. MCNULTY, Mr. LANTOS, Mr. CARDOZA, Mr. LYNCH, Ms. KILPATRICK, Mr. PRICE of North Carolina, Mr. BISHOP of Georgia, Mr. KLECZKA, Ms. NORTON, Mr. OLVER, Mr. RYAN of Ohio, Mr. BAIRD, Mr. OWENS, Mr. UDALL of New Mexico, Ms. JACKSON-LEE of Texas, Ms. KAPTUR, Mr. BALLANCE, Mr. CASE, Ms. SOLIS, Mr. COOPER, Mr. EMANUEL, Mr. TAYLOR of Mississippi, Mr. DAVIS of Illinois, Mr. KILDEE, Mr. SCHIFF, and Mr. MEEK of Florida):

H.R. 3672. A bill to amend part D of title XVIII of the Social Security Act, as added by the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, to provide for negotiation of fair prices for Medicare prescription drugs; 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. EMANUEL (for himself, Mr. DEFAZIO, Ms. DELAURO, Mr. SANDERS, Mr. GEORGE MILLER of California, Mr. MCGOVERN, Mr. HINCHEY, Mr. RYAN of Ohio, Mr. GRIJALVA, Mr. ISRAEL, Ms. KILPATRICK, Ms. LEE, Mr. STARK, Ms. SLAUGHTER, Ms. SCHAKOWSKY, Mr. FROST, and Mr. MEEHAN):

H.R. 3673. A bill to prohibit profiteering and fraud relating to military action, relief, and reconstruction efforts in Iraq, and for other purposes; to the Committee on the Judiciary.

By Mr. GARRETT of New Jersey:

H.R. 3674. A bill to amend section 5318 to prohibit the use of identification issued by foreign governments, other than passports, for purposes of verifying the identity of a person who opens an account at a financial institution, and for other purposes; to the Committee on Financial Services.

By Mr. HOBSON (for himself, Ms. PRYCE of Ohio, and Mr. TIBERI):

H.R. 3675. A bill to transfer administrative jurisdiction of a parcel of real property comprising a portion of the Defense Supply Center in Columbus, Ohio, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, 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. HOLT (for himself, Mr. HYDE, Mr. GEORGE MILLER of California, Ms. HARMAN, Mr. LANTOS, Mr. KILDEE, Mr. PAYNE, Mrs. DAVIS of California, Ms. MCCOLLUM, Mr. CASE, Mr. VAN HOLLEN, Mr. HASTINGS of Florida, Mr. BOEHLERT, Mr. REYES, Mr. BOSWELL, Ms. ESHOO, Mr. RUPPERSBERGER, Mr. SIMMONS, Mr. MEEHAN, Mr. SNYDER, Mrs. TAUSCHER, Mr. COOPER, Mr. FROST, Mr. FRANK of Massachusetts, Ms. DELAURO, Ms. ROYBAL-ALLARD, Mr. SCHIFF, Mr. MCGOVERN, Mr. FARR, Mr. FORD, Mr. MCDERMOTT, Mr. NADLER, Mr. INSLEE, Mr. ACKERMAN, and Mr. BELL):

H.R. 3676. A bill to strengthen the national security through the expansion and improvement of foreign language study, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Intelligence (Permanent Select), and Armed Services, 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. HOOLEY of Oregon:

H.R. 3677. A bill to amend the Federal Food, Drug, and Cosmetic Act to require that each prescription drug sold at retail bear a label that states the full retail price of the drug; to the Committee on Energy and Commerce.

By Mr. HOUGHTON:

H.R. 3678. A bill to amend the Internal Revenue Code of 1986 to expand the work opportunity tax credit to include trade adjustment assistance recipients as a targeted group; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 3679. A bill to amend the Harmonized Tariff Schedule of the United States with respect to rattan webbing; to the Committee on Ways and Means.

By Mr. ISRAEL:

H.R. 3680. A bill to provide that Members of Congress be made ineligible for coverage under the Federal employees health benefits program and instead be made eligible for coverage under the Medicare Program; to the Committee on House Administration, and in addition to the Committees on Government Reform, Ways and Means, and Energy and Commerce, 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. KENNEDY of Minnesota (for himself and Mr. PETERSON of Minnesota):

H.R. 3681. A bill to provide an exemption from certain requirements under the Gramm-Leach-Bliley Act; to the Committee on Financial Services.

By Ms. KILPATRICK:

H.R. 3682. A bill to amend title 49, United States Code, to clarify certain Buy America provisions; to the Committee on Transportation and Infrastructure.

By Mr. KING of New York (for himself and Ms. SCHAKOWSKY):

H.R. 3683. A bill to direct the Secretary of Transportation to evaluate devices and technology for reducing the incidence of child injury and death occurring inside or outside of motor vehicles, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. LOWEY (for herself, Mr. GREENWOOD, Mr. LATOURETTE, Ms. WOOLSEY, Mr. SERRANO, Mr. PALLONE, Mr. HOEFFEL, Ms. SLAUGHTER, Mr. HINCHEY, Ms. NORTON, Ms. DELAURO, Mr. GEORGE MILLER of California, Mr. BROWN of Ohio, Ms. ROYBAL-ALLARD, and Mr. WAXMAN):

H.R. 3684. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish labeling requirements with respect to allergenic substances in foods, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MEEK of Florida:

H.R. 3685. A bill to authorize the Secretary of Education to make grants to reduce the size of core curriculum classes in public elementary and secondary schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. OBERSTAR:

H.R. 3686. A bill to authorize the Economic Development Administration to make grants to producers of taconite for implementation of new technologies to increase productivity, to reduce costs, and to improve overall product quality and performance; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, 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. OSE (for himself and Mr. SMITH of Texas):

H.R. 3687. A bill to amend section 1464 of title 18, United States Code, to provide for the punishment of certain profane broadcasts, and for other purposes; to the Committee on the Judiciary.

By Mr. PICKERING:

H.R. 3688. A bill to provide for review in the Court of International Trade of certain determinations of binational panels and committees under the North American Free Trade Agreement; to the Committee on Ways and Means.

By Mr. QUINN (for himself, Ms. SLAUGHTER, and Mr. REYNOLDS):

H.R. 3689. A bill to amend the Energy Employees Occupational Illness Compensation Program Act of 2000 to provide for certain additional former nuclear weapons program workers to be included in the Special Exposure Cohort under the compensation program established by that Act; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, 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. REYNOLDS:

H.R. 3690. A bill to designate the facility of the United States Postal Service located at 2 West Main Street in Batavia, New York, as the ''Barber Conable Post Office Building''; to the Committee on Government Reform.

By Mr. RUPPERSBERGER:

H.R. 3691. A bill to prohibit the Office of Federal Detention Trustee from constructing Federal detention centers and to prohibit the Department of Justice from siting a detention center or Federal prison in Maryland, and for other purposes; to the Committee on the Judiciary.

By Ms. LINDA T. SANCHEZ of California (for herself and Mr. QUINN):

H.R. 3692. A bill to amend the Safe and Drug-Free Schools and Communities Act and the Omnibus Crime Control and Safe Streets Act of 1968 to authorize the use of grant funds for bullying prevention, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, 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. SCOTT of Virginia (for himself, Mr. COBLE, Mr. CONYERS, Mr. CASE, Mr. FROST, Mr. FRANK of Massachusetts, Mr. BERMAN, Ms. SCHAKOWSKY, Ms. LEE, and Mr. KUCINICH):

H.R. 3693. A bill to provide additional resources to the Department of Justice for the investigation and prosecution of identity theft and related credit card and other fraud; to the Committee on the Judiciary.

By Mr. SHERMAN (for himself, Mr. BARTLETT of Maryland, Mr. HONDA, and Mr. BAIRD):

H.R. 3694. A bill to amend the Internal Revenue Code of 1986 to extend the deduction for clean-fuel vehicles and certain refueling property; to the Committee on Ways and Means.

By Mr. SMITH of New Jersey (for himself, Mr. SAXTON, and Mr. LOBIONDO):

H.R. 3695. A bill to establish a pilot and demonstration program in New Jersey and elsewhere to improve security on military installations and to improve the quality of defense contractors and subcontractors; to the Committee on Armed Services.

By Mrs. TAUSCHER (for herself, Mr. SKELTON, Mr. ORTIZ, Mr. EVANS, Mr. TAYLOR of Mississippi, Mr. MEEHAN, Mr. REYES, Mr. TURNER of Texas, Mr. SMITH of Washington, Mr. MCINTYRE, Mr. RODRIGUEZ, Mr. BRADY of Pennsylvania, Mr. HILL, Mr. LARSON of Connecticut, Mr. LARSEN of Washington, Mr. ISRAEL, Mr. MEEK of Florida, Mrs. DAVIS of California, Mr. ALEXANDER, Mr. MURTHA, Mr. EDWARDS, Mr. HOLT, Mr. HOLDEN, Mr. MORAN of Virginia, Mr. FROST, and Mr. COOPER):

H.R. 3696. A bill to amend title 10, United States Code, to provide a temporary increase in the minimum end strength level for active duty personnel for the Army, the Marine Corps, and the Air Force, and for other purposes; to the Committee on Armed Services.

By Mr. THOMPSON of California:

H.R. 3697. A bill to amend title 49, United States Code, to exempt airports in economically depressed communities from matching grant obligations under the airport improvement program; to the Committee on Transportation and Infrastructure.

By Mr. UDALL of Colorado (for himself and Mr. UDALL of New Mexico):

H.R. 3698. A bill to assure that development of certain Federal oil and gas resources will occur in ways that protect water resources and surface owner rights, and for other purposes; to the Committee on Resources, and in addition to the Committee on Transportation and Infrastructure, 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. VISCLOSKY (for himself, Mr. KUCINICH, Mr. MURTHA, Mr. MOLLOHAN, Mr. CARDIN, Mr. STUPAK, Mrs. JONES of Ohio, Mr. STRICKLAND, Mr. LEVIN, Mr. OBERSTAR, Mr. DINGELL, Mr. CONYERS, Mr. LIPINSKI, Mr. BERRY, Mr. DOYLE, Mr. SPRATT, Mr. ABERCROMBIE, Mr. BROWN of Ohio, Ms. KILPATRICK, Mr. RAHALL, Mr. GEPHARDT, Mr. HOEFFEL, Mr. HOLDEN, Mr. JACKSON of Illinois, Mr. FATTAH, Mr. FILNER, Mr. EVANS, Mr. CRAMER, Mr. COSTELLO, Mr. RUPPERSBERGER, Mr. SANDERS, Mr. BACA, Mr. BISHOP of Georgia, Mr. BRADY of Pennsylvania, Mr. CARDOZA, Mr. CLAY, Mr. DAVIS of Alabama, Mr. GREEN of Texas, Mr. GRIJALVA, Mr. HINCHEY, Mr. MCGOVERN, Mr. PALLONE, Mr. PASTOR, Mr. ROTHMAN, Ms. SCHAKOWSKY, Ms. CARSON of Indiana, Mr. PAYNE, Mr. KANJORSKI, Mr. LAMPSON, Mr. RYAN of Ohio, Mr. ISRAEL, Mr. MICHAUD, Mr. SANDLIN, Ms. BERKLEY, Mr. CAPUANO, Mr. DELAHUNT, Ms. SLAUGHTER, Mr. THOMPSON of Mississippi, Mr. BOSWELL, and Mr. MCNULTY):

H.R. 3699. A bill to reinstate the safeguard measures imposed on imports of certain steel products, as in effect on December 4, 2003; to the Committee on Ways and Means.

By Mr. YOUNG of Florida:

H.J. Res. 82. A joint resolution making further continuing appropriations for the fiscal year 2004, and for other purposes; to the Committee on Appropriations. considered and passed.

By Mr. BAIRD:

H.J. Res. 83. A joint resolution proposing an amendment to the Constitution of the United States regarding the appointment of individuals to fill vacancies in the House of Representatives; to the Committee on the Judiciary.

By Mr. NEY (for himself and Mr. LARSON of Connecticut):

H. Con. Res. 345. Concurrent resolution authorizing the printing as a House document of the transcripts of the proceedings of ''The Changing Nature of the House Speakership: The Cannon Centenary Conference'', sponsored by the Congressional Research Service on November 12, 2003; to the Committee on House Administration. considered and agreed to.

By Mr. RANGEL:

H. Con. Res. 346. Concurrent resolution commemorating the tenth anniversary of the first democratic elections held in South Africa, recognizing the historical significance of the momentous event, and honoring the South Africans who dedicated their lives to promoting and championing democracy; to the Committee on International Relations.

By Mr. RODRIGUEZ:

H. Con. Res. 347. Concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued in honor of William C. Velasquez, the national Hispanic civic leader; to the Committee on Government Reform.

By Mr. SOUDER (for himself, Mrs. MYRICK, Mrs. JO ANN DAVIS of Virginia, Mrs. MCCARTHY of New York, Mr. TOM DAVIS of Virginia, Mr. WELDON of Florida, Mr. FILNER, and Mr. GARRETT of New Jersey):

H. Con. Res. 348. Concurrent resolution recognizing the survivors of cervical cancer and the importance of good cervical health, preventing HPV infection, and detecting cervical cancer during its earliest stages; to the Committee on Energy and Commerce.

Ms. PELOSI:

H. Res. 474. A resolution relating to a question of the privileges of the House.

By Mr. HONDA (for himself, Ms. LOFGREN, Ms. ESHOO, Mr. POMBO, Mrs. TAUSCHER, Mr. STARK, Mr. LANTOS, Mr. FARR, Ms. LEE, Mr. THOMPSON of California, and Mrs. DAVIS of California):

H. Res. 475. A resolution congratulating the San Jose Earthquakes for winning the 2003 Major League Soccer Cup; to the Committee on Government Reform.

By Mr. DELAY:

H. Res. 476. A resolution providing for a committee to notify the President of completion of business; considered and agreed to.

By Mr. ABERCROMBIE:

H. Res. 477. A resolution calling on the People's Republic of China immediately and unconditionally to release Rebiya Kadeer, and for other purposes; to the Committee on International Relations.

By Ms. BERKLEY (for herself and Mr. WEINER):

H. Res. 478. A resolution urging a return to the principles outlined in the ''Road Map for Peace''as a viable framework for achieving a peaceful solution in the Middle East; to the Committee on International Relations.

By Mrs. CAPPS (for herself, Mr. HOUGHTON, Mr. MARKEY, Mr. LEACH, Mr. MCGOVERN, Mr. WALSH, Mr. PRICE of North Carolina, Mr. SIMMONS, Mr. JACKSON of Illinois, Mr. PITTS, Mr. DINGELL, Mr. FARR, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. UDALL of Colorado, Mr. GRIJALVA, Ms. LEE, Mr. HINCHEY, Mr. GONZALEZ, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mr. PASCRELL, Mr. RAHALL, Ms. MCCOLLUM, Mr. DEFAZIO, Mr. DELAHUNT, Mr. KIND, Mr. BLUMENAUER, Mr. KUCINICH, Ms. KAPTUR, Mr. MCDERMOTT, Mr. BAIRD, and Ms. BALDWIN):

H. Res. 479. A resolution expressing the sense of the House of Representatives regarding fighting terror and embracing efforts to achieve Israeli-Palestinian peace; to the Committee on International Relations.

By Mr. DINGELL (for himself, Mr. KILDEE, Mr. MARKEY, Mr. GEORGE MILLER of California, Mr. PALLONE, and Mr. RAHALL):

H. Res. 480. A resolution to honor the 30th anniversary of the enactment of the Endangered Species Act of 1973; to the Committee on Resources.

By Mr. GINGREY (for himself, Mr. DUNCAN, Mr. ALEXANDER, Mr. WILSON of South Carolina, Mr. MARSHALL, Mrs. MILLER of Michigan, Mr. HOLDEN, Mr. BISHOP of Georgia, Mr. KINGSTON, Mr. BARTLETT of Maryland, Mrs. CUBIN, Mr. SMITH of Texas, Mr. JOHN, Mr. ISAKSON, and Mr. BARRETT of South Carolina):

H. Res. 481. A resolution recognizing the establishment of Hunters for the Hungry programs across the United States and the contributions of those programs to efforts to decrease hunger and help feed those in need; to the Committee on Agriculture.

By Mr. GINGREY (for himself, Mr. BARTLETT of Maryland, Mr. MCINTYRE, Mr. TANNER, Mr. WICKER, Mr. BARTON of Texas, Mr. SHUSTER, Mr. KILDEE, Mr. BISHOP of Utah, Mr. HUNTER, Mr. STENHOLM, Mr. BURNS, Mrs. JO ANN DAVIS of Virginia, and Mr. TURNER of Ohio):

H. Res. 482. A resolution expressing the sense of the House of Representatives with respect to the October 3, 2003, order released by the Federal Communications Commission's Enforcement Bureau in response to complaints regarding the broadcast of program material that contained indecent language; to the Committee on Energy and Commerce.

By Mr. HASTINGS of Florida:

H. Res. 483. A resolution pledging continued United States support for the sovereignty, independence, territorial integrity, and democratic and economic reforms of the Republic of Georgia; to the Committee on International Relations.

By Mr. HASTINGS of Florida:

H. Res. 484. A resolution commending the Governments of India and Pakistan for improved diplomatic relations between the two countries, and for other purposes; to the Committee on International Relations.

By Ms. LINDA T. SANCHEZ of California:

H. Res. 485. A resolution expressing the sense of the House of Representatives that a ''Welcome Home Vietnam Veterans Day'' should be established; to the Committee on Government Reform.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

234. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 189 memorializing the United States Congress to take the necessary actions, through the International Monetary Fund or otherwise, to ensure that foreign nations that trade with the United States do so fairly and do not manipulate their currency; to the Committee on Financial Services.

235. Also, a memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to a Resoultion urging the Congress of the United States to revise the Magnuson-Stevens Act and Pending Amendment 13 to preserve the existing successful management of the Commonwealth's groundfisheries; to the Committee on Resources.

236. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 190 memorializing the United States Congress to develop economic incentives and other programs to aid in the recovery and stabilization of the manufacturing industry in the United States; jointly to the Committees on Financial Services and Ways and Means.

237. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 176 memorializing the United States Congress to enact legislation to establish a prescription drug benefit within Medicare; jointly to the Committees on Ways and Means and Energy and Commerce.

238. Also,a memorial of the Health Care Task Force of the General Assembly of Colorado, relative to a letter urging the United States Congress to maintain existing language in S. 1 and H.R. 1 that suspends the Outcome and Assessment Information Set (OASIS) data collection requirement for non-Medicare and non-Medicaid home health plans; jointly to the Committees on Ways and Means and Energy and Commerce.

239. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 188 memorializing the United States Congress to expand its efforts through the World Trade Organization and the World Intellectual Property Organization to ensure that the intellectual property of domestic businesses and individuals is protected and that actions are taken against those countries that violate the World Trade Organization and World Intellectual Property Organization standards; jointly to the Committees on Ways and Means and International Relations.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Ms. ROYBAL-ALLARD introduced a bill (H.R. 3700) for the relief of Benjamin Cabrera and Londy Patricia Cabrera; which was referred to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 36: Mr. STUPAK.
H.R. 58: Ms. WATERS and Mr. LARSEN of Washington.
H.R. 97: Mr. EVANS.
H.R. 111: Mr. SESSIONS, Mr. CHOCOLA, and Mr. PENCE.
H.R. 218: Mr. MARSHALL.
H.R. 278: Mrs. MYRICK.
H.R. 284: Mr. BISHOP of Georgia.
H.R. 296: Ms. HOOLEY of Oregon.
H.R. 327: Ms. BORDALLO.
H.R. 328: Ms. MCCARTHY of Missouri.
H.R. 333: Ms. LINDA T. SANCHEZ of California.
H.R. 339: Ms. BERKLEY.
H.R. 369: Mr. FORD.
H.R. 375: Mr. MCKEON and Mr. ORTIZ.
H.R. 384: Mr. TOOMEY and Mr. KOLBE.
H.R. 391: Mr. HUNTER.
H.R. 466: Mr. RADANOVICH.
H.R. 475: Mr. SCOTT of Virginia and Mr. UDALL of Colorado.
H.R. 501: Mr. ANDREWS and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 516: Mr. TURNER of Ohio.
H.R. 527: Ms. CARSON of Indiana, Ms. LOFGREN, and Mr. KLINE.
H.R. 645: Mr. MCGOVERN.
H.R. 687: Mr. PICKERING, Mr. BROWN of South Carolina, and Mr. GOSS.
H.R. 713: Mr. LEVIN, Mr. SHERMAN, and Mr. VAN HOLLEN.
H.R. 727: Mr. SHERMAN.
H.R. 738: Mr. LANGEVIN, Mr. FILNER, and Ms. NORTON.
H.R. 776: Mr. CLAY.
H.R. 778: Mr. GOODLATTE.
H.R. 785: Mr. GOODLATTE.
H.R. 786: Mrs. CAPPS.
H.R. 811: Mr. CLAY.
H.R. 839: Ms. MCCARTHY of Missouri and Mr. FARR.
H.R. 852: Mrs. TAUSCHER and Mr. GUTIERREZ.
H.R. 857: Mr. DOGGETT, Ms. MAJETTE, Mr. MICHAUD, Mr. CASTLE, Mr. GILCHREST, Mr. HOLT, Mr. KENNEDY of Rhode Island, Mr. BALLANCE, and Mrs. BIGGERT.
H.R. 872: Mr. NUSSLE.
H.R. 876: Mr. GARY G. MILLER of California, Mr. TURNER of Texas, Mr. PASTOR, Mr. UDALL of Colorado, Mr. CLAY, Mr. RAHALL, Ms. ROYBAL-ALLARD, Mr. MARSHALL, Mrs. MILLER of Michigan, Mr. OLVER, Mr. VAN HOLLEN, and Mr. FRANK of Massachusetts.
H.R. 882: Mr. BOEHLERT.
H.R. 944: Ms. HOOLEY of Oregon.
H.R. 956: Ms. SOLIS.
H.R. 962: Ms. SLAUGHTER.
H.R. 970: Mr. BAIRD.
H.R. 990: Mr. RENZI and Mr. MCINTYRE.
H.R. 996: Mr. KIRK.
H.R. 1029: Mr. FROST.
H.R. 1034: Mr. FALEOMAVAEGA.
H.R. 1105: Mr. MCINTYRE.
H.R. 1117: Mr. OTTER and Mr. GUTIERREZ.
H.R. 1149: Mr. KENNEDY of Rhode Island.
H.R. 1155: Mr. WELLER, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. BURR.
H.R. 1214: Mrs. BLACKBURN and Mr. ABERCROMBIE.
H.R. 1220: Mr. REYES and Mr. HERGER.
H.R. 1258: Mr. RANGEL.
H.R. 1264: Mrs. TAUSCHER.
H.R. 1322: Mr. PASTOR and Ms. HOOLEY of Oregon.
H.R. 1336: Mr. BISHOP of Georgia.
H.R. 1372: Mr. LINCOLN DIAZ-BALART of Florida.
H.R. 1396: Ms. MCCARTHY of Missouri.
H.R. 1414: Ms. KAPTUR and Mr. MICHAUD.
H.R. 1430: Ms. SLAUGHTER, Mr. HINCHEY, Mr. ABERCROMBIE, and Mr. SABO.
H.R. 1435: Ms. MAJETTE.
H.R. 1480: Mr. KUCINICH.
H.R. 1489: Mr. BOOZMAN, Mr. HOEKSTRA, and Mr. BURR.
H.R. 1501: Ms. WATERS, Ms. ROYBAL-ALLARD, Ms. HARMAN, Mr. WAXMAN, Ms. LOFGREN, Mr. MATSUI, and Mr. INSLEE.
H.R. 1513: Mr. BAIRD.
H.R. 1532: Ms. NORTON, Mr. GILCHREST, Ms. MAJETTE, Ms. DEGETTE, Mrs. NORTHUP, Mr. ETHERIDGE, Ms. PELOSI, Mr. KENNEDY of Rhode Island, and Mr. CUMMINGS.
H.R. 1563: Ms. SLAUGHTER, Mr. GREENWOOD, and Mrs. JONES of Ohio.
H.R. 1582: Mr. PITTS, Mr. ISSA, Mr. AKIN, and Mr. FRANK of Massachusetts.
H.R. 1600: Mr. HASTINGS of Florida.
H.R. 1688: Ms. ROYBAL-ALLARD and Ms. HOOLEY of Oregon.
H.R. 1689: Mr. GUTIERREZ, Mr. BERMAN, Mr. MENENDEZ, and Mr. DOGGETT.
H.R. 1708: Mr. KENNEDY of Minnesota.
H.R. 1723: Ms. VELAZQUEZ.
H.R. 1734: Mr. GOODE.
H.R. 1746: Mr. RUSH, Mrs. MALONEY, Ms. WATERS, Mr. LANGEVIN, Mr. EMANUEL, and Mr. CAPUANO.
H.R. 1784: Mrs. EMERSON.
H.R. 1786: Mrs. BIGGERT.
H.R. 1800: Mr. GEPHARDT.
H.R. 1805: Ms. HOOLEY of Oregon.
H.R. 1812: Mr. EMANUEL.
H.R. 1822: Mr. CALVERT, Ms. SOLIS, Mr. THOMPSON of California, and Mr. WAXMAN.
H.R. 1824: Mr. DAVIS of Illinois, Mr. COSTELLO, and Mr. HERGER.
H.R. 1861: Ms. MCCOLLUM and Mr. WEINER.
H.R. 1873: Mr. KLINE and Mr. BEAUPREZ.
H.R. 1914: Mr. HOEFFEL.
H.R. 1916: Mrs. NAPOLITANO, Ms. MCCOLLUM, and Mr. DICKS.
H.R. 1958: Ms. HARMAN.
H.R. 2011: Ms. HOOLEY of Oregon.
H.R. 2131: Mr. NETHERCUTT, Mr. RANGEL, Mr. BARLETT of Maryland, Ms. GINNY BROWN-WAITE of Florida, Mrs. CUBIN, Ms. GRANGER, Ms. DUNN, Mr. LEWIS of Georgia, Mr. SAM JOHNSON of Texas, Mr. YOUNG of Alaska, Mr. RENZI, Mr. TAUZIN, Mr. REHBERG, Mrs. CAPITO, Mr. HUNTER, Mr. MURTHA, Mr. POMEROY, Mr. MORAN of Virginia, Mr. ROTHMAN, Mr. SNYDER, Mr. BOSWELL, Mr. HASTINGS of Florida, Ms. HOOLEY of Oregon, Mr. KIND, Mr. HINOJOSA, and Mr. BECERRA.
H.R. 2133: Ms. BERKLEY.
H.R. 2135: Mr. JONES of North Carolina.
H.R. 2172: Mr. MEEHAN.
H.R. 2173: Mr. ALLEN.
H.R. 2198: Mr. BAIRD.
H.R. 2217: Mr. ANDREWS.
H.R. 2224: Ms. CARSON of Indiana.
H.R. 2233: Ms. CARSON of Indiana.
H.R. 2239: Mr. DINGELL, Mr. MOORE, Ms. VELAZQUEZ, Mr. STUPAK, Mr. ABERCROMBIE, Mr. PRICE of North Carolina, Mr. MATHESON, Mr. COLE, Mr. DICKS, and Mr. SNYDER.
H.R. 2260: Mrs. DAVIS of California, Ms. HOOLEY of Oregon, Mr. JENKINS, Mr. JOHN, Ms. ROYBAL-ALLARD, Mr. SCHIFF, Mr. WYNN, Mr. CASE, and Mr. BONILLA.
H.R. 2323: Mrs. CAPPS.
H.R. 2404: Mr. SNYDER.
H.R. 2490: Mr. FILNER.
H.R. 2511: Mr. MEEKS of New York.
H.R. 2579: Mr. FOLEY.
H.R. 2635: Mr. BROWN of South Carolina.
H.R. 2665: Ms. BALDWIN and Mr. MCCOTTER.
H.R. 2702: Ms. SLAUGHTER.
H.R. 2704: Mr. WEINER.
H.R. 2719: Mr. GERLACH.
H.R. 2720: Mr. PORTMAN.
H.R. 2727: Mr. VAN HOLLEN, Mr. SHERMAN, Mr. BOEHLERT, and Ms. HOOLEY of Oregon.
H.R. 2732: Mrs. BLACKBURN.
H.R. 2768: Mr. TOM DAVIS of Virginia, Mr. MEEHAN, Mr. ADERHOLT, Mrs. CAPPS, Mr. RODRIGUEZ, Mr. COLLINS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. REYNOLDS, Mr. CAMP, Mr. ACKERMAN, Mr. BACA, Mrs. JONES of Ohio, Mr. ROSS, Mr. BECERRA, Ms. JACKSON-LEE of Texas, Mr. WATT, Mr. FARR, Mr. MOLLOHAN, Mr. BURGESS, and Mrs. DAVIS of California.
H.R. 2809: Mr. ETHERIDGE.
H.R. 2810: Mr. ETHERIDGE.
H.R. 2818: Mrs. JONES of Ohio.
H.R. 2823: Mr. MCGOVERN and Mr. EHLERS.
H.R. 2830: Mr. BOEHLERT.
H.R. 2844: Mr. COX.
H.R. 2863: Ms. HART, Mr. THOMPSON of California, Mr. CAPUANO, Mr. MEEK of Florida, Mr. MARIO DIAZ-BALART of Florida, Ms. HOOLEY of Oregon, Mr. GREEN of Texas, and Mrs. JO ANN DAVIS of Virginia.
H.R. 2885: Mr. BROWN of South Carolina.
H.R. 2928: Mr. BISHOP of New York.
H.R. 2949: Mr. GRIJALVA.
H.R. 2957: Mr. MANZULLO.
H.R. 2959: Mr. DOGGETT.
H.R. 2983: Mr. CASE, Mr. BACA, and Mr. CARSON of Oklahoma.
H.R. 2986: Mr. GOODLATTE and Mrs. TAUSCHER.
H.R. 3002: Mr. BAIRD.
H.R. 3015: Mr. SHAYS.
H.R. 3022: Mr. ALLEN.
H.R. 3049: Mr. HINOJOSA.
H.R. 3051: Mr. DEFAZIO.
H.R. 3063: Mr. VAN HOLLEN, Mr. GUTIERREZ, and Mr. DOGGETT.
H.R. 3064: Mr. HOLT and Mr. SERRANO.
H.R. 3069: Mr. PETRI.
H.R. 3078: Mr. BLUMENAUER.
H.R. 3084: Mr. HOLT.
H.R. 3104: Mr. UPTON.
H.R. 3107: Mr. MEEK of Florida.
H.R. 3109: Ms. CORRINE BROWN of Florida, Ms. HARMAN, Mr. PAYNE, and Mr. HINCHEY.
H.R. 3111: Ms. MCCARTHY of Missouri, Ms. LOFGREN, and Mr. LARSEN of Washington.
H.R. 3119: Mr. GOODE, Mr. TIAHRT, Mr. RYUN of Kansas, and Mr. RAHALL.
H.R. 3125: Mr. MCINTYRE.
H.R. 3142: Mrs. JOHNSON of Connecticut and Mr. OLVER.
H.R. 3178: Mr. LAMPSON, Mr. DOGGETT, and Ms. LOFGREN.
H.R. 3190: Mr. WILSON of South Carolina.
H.R. 2191: Mr. KENNEDY of Minnesota.
H.R. 3193: Mr. NUSSLE and Mr. COLE.
H.R. 3194: Mr. GOODLATTE and Mr. ABERCROMBIE.
H.R. 3199: Mrs. MUSGRAVE.
H.R. 3204: Mr. ADERHOLT, Mr. BACHUS, Mr. BALLENGER, Mr. BARRETT of South Carolina, Mr. BEAUPREZ, Mrs. BIGGERT, Mr. BILIRAKIS, Mr. BISHOP of Utah, Mrs. BLACKBURN, Mr. BOEHNER, Mr. BARTLETT of Maryland, Mr. BONNER, Mrs. BONO, Mr. BOOZMAN, Mr. BRADY of Texas, Mr. BROWN of South Carolina, Ms. GINNY BROWN-WAITE of Florida, Mr. BURGESS, Mr. BURNS, Mr. BURTON of Indiana, Mr. BUYER, Mr. CALVERT, Mr. CAMP, Mr. CANTOR, Mrs. CAPITO, Mr. CARTER, Mr. CHABOT, Mr. CHOCOLA, Mr. COBLE, Mr. COLE, Mr. COLLINS, Mr. COX, Mr. CRENSHAW, Mrs. CUBIN, Mr. CULBERSON, Mr. CUNNINGHAM, Mr. DEAL of Georgia, Mr. MARIO DIAZ-BALART of Florida, Mr. DOOLITTLE, Mr. DREIER, Ms. DUNN, Mr. EVERETT, Mr. FEENEY, Mr. FOLEY, Mr. FORBES, Mr. FOSSELLA, Mr. FRANKS of Arizona, Mr. FRELINGHUYSEN, Mr. GALLEGLY, Mr. GARRETT of New Jersey, Mr. GIBBONS, Mr. GINGREY, Mr. GOODLATTE, Mr. GOSS, Ms. GRANGER, Mr. GRAVES, Mr. GREEN of Wisconsin, Mr. HAYES, Mr. HAYWORTH, Mr. HEFLEY, Mr. HENSARLING, Mr. HULSHOF, Mr. HUNTER, Mr. HYDE, Mr. ISAKSON, Mr. JANKLOW, Mr. JENKINS, Mr. KELLER, Mrs.

KELLY, Mr. KENNEDY of Minnesota, Mr. KING of New York, Mr. KLINE, Mr. KNOLLENBERG, Mr. KOLBE, Mr. LATOURETTE, Mr. LEWIS of California, Mr. LOBIONDO, Mr. MCCRERY, Mr. MCKEON, Mr. MILLER of Florida, Mrs. MUSGRAVE, Mrs. MYRICK, Mr. NETHERCUTT, Mr. NEUGEBAUER, Mr. NORWOOD, Mr. NUNES, Mr. OSBORNE, Mr. PETRI, Mr. PICKERING, Mr. POMBO, Mr. PORTER, Mr. PUTNAM, Mr. QUINN, Mr. RAMSTAD, Mr. REHBERG, Mr. RENZI, Mr. ROGERS of Alabama, Mr. ROGERS of Michigan, Ms. ROS-LEHTINEN, Mr. RYAN of Wisconsin, Mr. RYUN of Kansas, Mr. SCHROCK, Mr. SHADEGG, Mr. SHAW, Mr. SHERWOOD, Mr. SHUSTER, Mr. SIMMONS, Mr. SMITH of New Jersey, Mr. SMITH of Texas, Mr. SOUDER, Mr. STEARNS, Mr. TANCREDO, Mr. THORNBERRY, Mr. TOOMEY, Mr. VITTER, Mr. WALDEN of Oregon, Mr. WELDON of Florida, Mr. WICKER, Mr. WILSON of South Carolina, Mr. MCGOVERN, Mr. CANNON, and Mr. SENSENBRENNER.

H.R. 3220: Mr. SMITH of Washington and Mr. DOOLEY of California.

H.R. 3225: Mr. KENNEDY of Minnesota.

H.R. 3226: Mr. BONILLA.

H.R. 3228: Mr. JACKSON of Illinois.

H.R. 3237: Mr. VAN HOLLEN and Mr. SMITH of New Jersey.

H.R. 3243: Mr. PLATTS.

H.R. 3244: Mr. VAN HOLLEN, Mr. JACKSON of Illinois, Ms. LOFGREN, Ms. LEE, Mr. DOYLE, Mr. WEINER, and Mr. STUPAK.

H.R. 3246: Mr. HAYWORTH.

H.R. 3250: Ms. BALDWIN.

H.R. 3251: Mr. VAN HOLLEN.

H.R. 3259: Mr. HINOJOSA, Mr. BILIRAKIS and Mr. PAYNE.

H.R. 3270: Mr. MANZULLO, Mr. BURR, and Mrs. CAPITO.

H.R. 3277: Mr. HASTERT, Mr. GOSS, Mrs. MUSGRAVE, Mr. GOODE, Mr. HEFLEY, Mr. ROGERS of Alabama, Mr. VITTER, Mr. LEWIS of Georgia, Mr. TOM DAVIS of Virginia, Mr. CAMP, Mr. CALVERT, Ms. MCCOLLUM, Mr. ALEXANDER, MR. GORDON, Mr. SPRATT, Mr. ADERHOLT, Mr. OSE, Mr. MCINNIS, Mr. BURNS, Mr. COBLE, Mr. CRENSHAW, Mr. REGULA, Mr. SMITH of Michigan, Mr. PUTNAM, Mr. SULLIVAN, Mr. TAUZIN, Mr. WALDEN of Oregon, Ms. DELAURO, Mr. PRICE of North Carolina, and Mr. BURGESS.

H.R. 3286: Mr. EHLERS, Mr. MCGOVERN, and Ms. KAPTUR.

H.R. 3293: Ms. CORRINE BROWN of Florida, Mr. BISHOP of Georgia, Mr. SNYDER, Mr. DOYLE, Mr. FROST, Mr. ABERCROMBIE, Ms. BERKLEY, Mr. GUTIERREZ, Mr. KENNEDY of Rhode Island, and Ms. ROS-LEHTINEN.

H.R. 3294: Mr. OSE and Mr. SCHIFF.

H.R. 3299: Mr. EMANUEL, Mr. KILDEE, Mr. UDALL of New Mexico, Mr. GEORGE MILLER of California, and Mr. OBERSTAR.

H.R. 3308: Mr. SENSENBRENNER, Mr. GREEN of Wisconsin, and Mr. TERRY.

H.R. 3323: Mr. SHERMAN.

H.R. 3325: Mr. GRIJALVA, Ms. MILLENDER-MCDONALD, and Ms. LOFGREN.

H.R. 3329: Ms. SCHAKOWSKY.

H.R. 3337: Ms. LEE and Mr. INSLEE.

H.R. 3344: Ms. MCCARTHY of Missouri.

H.R. 3350: Mr. HINOJOSA, Ms. SLAUGHTER, Ms. WATERS, and Mr. KENNEDY of Rhode Island.

H.R. 3352: Mr. BLUMENAUER and Mr. DINGELL.

H.R. 3355: Ms. SLAUGHTER, Mr. FRANK of Massachusetts, Ms. WATERS, and Ms. LOFGREN.

H.R. 3357: Mr. PETERSON of Pennsylvania.

H.R. 3361: Mr. KUCINICH, Mr. PASTOR, Ms. JACKSON-LEE of Texas, Mr. BACA, and Mr. GEORGE MILLER of California.

H.R. 3362: Mrs. MCCARTHY of New York.

H.R. 3370: Ms. LEE.

H.R. 3398: Ms. LEE and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 3403: Mr. NUNES and Mr. BOYD.

H.R. 3416: Mr. STARK, Mr. WAXMAN, Ms. HOOLEY of Oregon, Ms. LINDA T. SANCHEZ of California, Mr. GUTIERREZ, Ms. SCHAKOWSKY, and Mr. CLAY.

H.R. 3420: Mr. ROTHMAN, Mr. MORAN of Virginia, Mr. LANGEVIN, Mr. MICHAUD, Ms. DELAURO, Mr. TOWNS, Mr. BISHOP of New York, Mr. FRANK of Massachusetts, Ms. LINDA T. SANCHEZ of California, Ms. LOFGREN, Mr. BAIRD, and Mr. PRICE of North Carolina.

H.R. 3422: Mr. CROWLEY.

H.R. 3424: Mr. MENENDEZ and Mr. CLAY.

H.R. 3425: Mr. KUCINICH, Mr. MCNULTY, Mr. MENENDEZ, Ms. LINDA T. SANCHEZ of California, and Mr. CLAY.

H.R. 3426: Ms. WATERS.

H.R. 3437: Mr. WYNN.

H.R. 3438: Ms. SCHAKOWSKY, Mr. CAPUANO, Ms. WOOLSEY, and Mr. SMITH of New Jersey.

H.R. 3444: Mr. HASTINGS of Florida.

H.R. 3446: Mr. MORAN of Virginia, Ms. BALDWIN, Mr. GEORGE MILLER of California, Mrs. TAUSCHER, Mrs. DAVIS of California, Mr. VAN HOLLEN, Mr. TOWNS, Mr. SERRANO, Mr. MARKEY, Mr. MCGOVERN, Mr. KILDEE, Mr. ANDREWS, Mr. DEFAZIO, Mrs. CAPPS, Mr. BLUMENAUER, Mr. GONZALEZ, Mr. LEACH, and Ms. SCHAKOWSKY.

H.R. 3451: Mr. HASTINGS of Florida.

H.R. 3453: Mr. ROGERS of Michigan, Mr. GOODLATTE, Mr. EHLERS, Mr. SIMPSON, Mr. TIBERIA, Mr. BAKER, and Mr. COLLINS.

H.R. 3458: Mr. FORD, Mr. GORDON, Mr. WILSON of South Carolina, Mr. SPRATT, and Ms. MILLENDER-MCDONALD.

H.R. 3459: Mr. MCINTYRE, Mr. KENNEDY of Rhode Island, Mr. BAIRD, and Mr. LANGEVIN.

H.R. 3473; Mrs. DAVIS of California, Mr. FOLEY, Mr. BROWN of South Carolina, Mr. MCGOVERN, and Ms. LEE.

H.R. 3474: Mr. WYNN, Ms. NORTON, Mr. BOSWELL, Mr. HOEFFEL, Mr. MCDERMOTT, Mr. Engle, Mr. TURNER of Texas, Mr. MEEHAN, Mr. CASE, Mr. COOPER, Mr. HOLT, Mr. FRANK of Massachusetts, Mr. MARSHALL, Mr. BERRY, Mr. TAYLOR of Mississippi, Mr. TERRY, Mr. INSLEE, Mr. DOGGETT, Mr. RAHALL, Mr. HONDA, Mr. BRADLEY of New Hampshire, Mr. BELL, and Mr. BURNS.

H.R. 3480: Mr. FROST and Mr. SCHIFF.

H.R. 3484: Mr. LANTOS.

H.R. 3494: Mr. KENNEDY of Minnesota.

H.R. 3500: Mr. COBLE and Mr. PRICE of North Carolina.

H.R. 3503: Mr. FROST.

H.R. 3504: Mr. GRIJALVA and Mr. KILDEE.

H.R. 3507: Mr. BECERRA.

H.R. 3519: Ms. BALDWIN and Mr. HOEFFEL.

H.R. 3522: Mr. SMITH of Texas.

H.R. 3528: Mr. DELAHUNT, Mr. GREEN of Texas, Mr. FROST, Mr. MCINTYRE, Mr. BROWN of Ohio, Mr. CARDOZA, Mr. VAN HOLLEN, Mr. INSLEE, Mrs. JONES of Ohio, and Mr. BLUMENAUER.

H.R. 3530: Mr. VAN HOLLEN and Mr. WAXMAN.

H.R. 3539: Mr. RODRIGUEZ, Mr. GRIJALVA, Mr. ACEVEDO-VILLA, Mr. CARDOZA, Mr. BAIRD, Mr. MCDERMOTT, Ms. MILLENDER-MCDONALD, Mr. FROST, and Mr. MCGOVERN.

H.R. 3543: Mr. MCGOVERN and Mr. BASS.

H.R. 3550: Mr. FROST, Mr. LANTOS, Mr. ANDREWS, Mr. TERRY, Ms. LEE, Mr. DAVIS of Illinois, Mr. GORDON, Ms. HOOLEY of Oregon, and Mr. CROWLEY.

H.R. 3558: Mr. GREENWOOD, Mr. SHADEGG, Ms. ESHOO, Mr. AKIN, Mr. SMITH of Michigan, Mr. BARTLETT of Maryland, Mr. GUTKNECHT, Mr. HERGER, and Mr. KENNEDY of Minnesota.

H.R. 3568: Ms. HOOLEY of Oregon.

H.R. 3579: Mr. SHERMAN and Mr. BACA.

H.R. 3582: Mr. GUTIERREZ.

H.R. 3853: Mr. TOM DAVIS of Virginia.

H.R. 3586: Mr. GOODLATTE.

H.R. 3587: Mr. MCDERMOTT.

H.R. 3591: Mr. ROSS.

H.R. 3604: Mrs. MUSGRAVE.

H.R. 3607: Ms. BERKLEY.

H.R. 3608: Ms. BERKLEY.

H.R. 3615: Mrs. TAUSCHER, Mr. ISRAEL, and Mr. MEEHAN.

H.R. 3619: Mr. BERMAN, Ms. NORTON, Mr. VISCLOSKY, Mr. FARR, Mr. DAVIS of Tennessee, Mr. WYNN, Mrs. DAVIS of California, Mr. ROTHMAN, Mr. GREEN of Texas, Ms. HOOLEY of Oregon, Mr. KENNEDY of Rhode Island, Ms. BALDWIN, Ms. DEGETTE, Mr. DICKS, Ms. WATERS, Mr. SCHIFF, Mr. OLVER, Mr. MARKEY, Mr. KLECZKA, Mr. ACKERMAN, Mr. CLAY, Mr. BLUMENAUER, Mrs. CAPPS, Mr. ACEVEDO-VILÁ, Mr. COSTELLO, Mr. OBERSTAR, Mr. MEEK of Florida, Mrs. NAPOLITANO, Mr. LEWIS of Georgia, Mr. SMITH of Washington, Mr. ISRAEL, and Mr. BELL.

H.R. 3626: Mr. TURNER of Texas and Mr. FROST.

H.R. 3629: Ms. LEE and Ms. MCCOLLUM.

H.R. 3633: Mr. YOUNG of Florida, Mr. ROGERS of Michigan, Mr. YOUNG of Alaska, and Ms. HART.

H.R. 3642: Mr. PAYNE, Mr. JACKSON of Illinois, Mr. KUCINICH, Mr. GRIJALVA, Mr. RUSH, Ms. JACKSON-LEE of Texas, and Ms. CARSON of Indiana.

H.J. Res. 38: Mr. HOEFFEL.

H.J. Res. 45: Mr. GUTIERREZ and Mr. SCHIFF.

H.J. Res. 71: Mr. PITTS.

H. Con. Res. 3: Ms. CARSON of Indiana, Mr. PAYNE, Mr. GEORGE MILLER of California, Mr. MCGOVERN, Mr. STARK, Mr. WEINER, Mr. FATTAH, Mr. MCINTYRE, Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, Mr. REYES, Mr. DOGGETT, Mr. LANTOS, Mr. LEWIS of Georgia, and Mr. SCOTT of Virginia.

H. Con. Res. 15: Mr. UPTON.

H. Con. Res. 30: Mr. SHAW.

H. Con. Res. 37: Ms. CARSON of Indiana.

H. Con. Res. 47: Mr. FRANK of Massachusetts and Mr. WEINER.

H. Con. Res. 87: Ms. LEE.

H. Con. Res. 98: Mr. LINCOLN DIAZ-BALART of Florida.

H. Con. Res. 126: Mr. WELDON of Florida.

H. Con. Res. 197: Mrs. NORTHUP and Mr. MORAN of Virginia.

H. Con. Res. 218: Mr. MEEK of Florida and Mr. MICA.

H. Con. Res. 223: Mr. CUMMINGS.

H. Con. Res. 247: Mr. HONDA.

H. Con. Res. 252: Mr. CUMMINGS, Mr. GIBBONS, Mr. GREEN of Texas, Mr. ETHERIDGE, Mrs. DAVIS of California, Ms. CORRINE BROWN of Florida, Ms. LINDA T. SANCHEZ of California, Mrs. CAPPS, Mr. STENHOLM, Mr. NEY, Mr. BACHUS, Mrs. NAPOLITANO, Mr. MENENDEZ, Mr. UDALL of Colorado, Mr. HASTINGS of Florida, and Mr. MILLER of Florida.

H. Con. Res. 269: Mr. GEORGE MILLER of California.

H. Con. Res. 275: Mr. FATTAH.

H. Con. Res. 276: Ms. WATERS, Mr. LEWIS of Georgia, Mr. OLVER, and Mr. DELAHUNT.

H. Con. Res. 297: Mr. CUMMINGS.

H. Con. Res. 298: Mr. LAHOOD, Mr. BISHOP of Utah, Mr. BASS, Mr. PLATTS, Mr. KLINE, Mr. TAYLOR of Mississippi, Mr. HOEKSTRA, Mr. RAMSTAD, Mr. CALVERT, Mr. SIMPSON, and Mr. GILLMOR.

H. Con. Res. 304: Mrs. LOWEY, Mr. STARK, Ms. KAPTUR, Ms. JACKSON-LEE of Texas, Mrs. MYRICK, and Ms. LORETTA SANCHEZ of California.

H. Con. Res. 309: Mr. MICHAUD.

H. Con. Res. 312: Mr. FATTAH.

H. Con. Res. 324: Ms. DUNN, Mr. PITTS, Mr. JOHN, Mr. GARRETT of New Jersey, and Mr. FROST.

H. Con. Res. 326: Mr. SCHIFF.

H. Con. 327: Mr. SERRANO.

H. Con. Res. 331: Mr. TERRY, Mr. PITTS, and Mr. AKIN.

H. Con. Res. 332: Mrs. LOWEY and Mr. FEENEY.

H. Con. Res. 335: Mr. HOLDEN, Mr. STUPAK, Ms. HOOLEY of Oregon, Mr. BISHOP of Georgia, Ms. SCHAKOWSKY, Mr. LANGEVIN, Mr. WEINER, Ms. BERKLEY, and Mr. HOLT.

H. Con. Res. 338: Mr. FERGUSON, Mr. MCDERMOTT, Mr. MATSUI, Mr. MORAN of Virginia, Ms. LEE, Mr. HOYER, Ms. MILLENDER-MCDONALD, and Mr. PAYNE.

H. Con. Res. 343: Mr. DAVIS of Tennessee, Ms. NORTON, Mr. DINGELL, Ms. SCHAKOWSKY, Mr. NADLER, Mr. BELL, Mr. GEORGE MILLER of California, Mr. ALLEN, Ms. HOOLEY of Oregon, Mr. JEFFERSON, Mr. TURNER of Texas, Mrs. CAPPS, Ms. ROYBAL-ALLARD, Mr. FARR, Mr. LAMPSON, Mr. SNYDER, Mr. WEXLER, Ms. MCCOLLUM, Mr. SERRANO, Mr. CROWLEY, Ms. JACKSON-LEE of Texas, Mr. FROST, Mr. DELAHUNT, Mr. FRANK of Massachusetts, Mr. OLVER, Mr. TIERNEY, Mr. SCOTT of Virginia, Mr. FILNER, Mr. OWENS, Mr. SHERMAN, Mr. MORAN of Virginia, Ms. WATERS, Mr. POMEROY, Mr. CLAY, Mr. BROWN of Ohio, Mr. RANGEL, Ms. ESHOO, Ms. LOFGREN, Mr. KANJORSKI, Mr. PASTOR, Mr. GONZALEZ, Mr. MOLLOHAN, Mr. HOLT, Mr. MENENDEZ, Mr. EMANUEL, Mr. PRICE of North Carolina, Ms. MCCARTHY of Missouri, Ms. HARMAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. NEAL of Massachusetts, Mr. UDALL of Colorado, Mrs. LOWEY, Ms. BALDWIN, and Mr. TAYLOR of Mississippi.

H. Con. Res. 344: Ms. CARSON of Indiana and Mr. PAUL.

H. Res. 38: Mr. VAN HOLLEN, Mr. DAVIS of Illinois, and Ms. MAJETTE.

H. Res. 112: Ms. JACKSON-LEE of Texas, Ms. CARSON of Indiana, and Mr. FALEOMAVAEGA.

H. Res. 157: Mr. ACKERMAN and Mr. PLATTS.

H. Res. 233: Mr. TOOMEY.

H. Res. 313: Mr. HASTINGS of Florida.

H. Res. 320: Mr. LANGEVIN, Mr. RADANOVICH, and Ms. BERKLEY.

H. Res. 386: Mrs. CHRISTENSEN.

H. Res. 387: Mr. DELAHUNT and Mr. VAN HOLLEN.

H. Res. 410: Mr. DELAHUNT and Mr. SANDERS.

H. Res. 419: Mr. SANDERS.

H. Res. 426: Mr. ACKERMAN.

H. Res. 454: Mr. CASE.

H. Res. 462: Mr. UDALL of Colorado and Ms. ESHOO.

H. Res. 466: Mr. SHAYS, Mr. GUTIERREZ, and Mr. SABO.

H. Res. 471: Ms. CARSON of Indiana, Mr. TOWNS, Mr. MEEKS of New York, Mr. Meek of Florida, Mrs. JONES of Ohio, Mr. OWENS, Mr. HASTINGS of Florida, Ms. MILLENDER-MCDONALD, Mr. CONYERS, Ms. LEE, Ms. KILPATRICK, Mr. RANGEL, and Ms. WATERS.

## PETITIONS, ETC.

Under clause 3 of rule XII,

50. The SPEAKER presented a petition of H.R.M. Caesar Saint Augustine de Buonaparte, Emperor of the United States of Turtle Island, North Pangea, Malibu, CA, relative to a petition for redress of grievance; which was referred to the Committee on the Judiciary.