with the other body to provide the necessary funding for these important programs.

I want, once again, to commend the committee for its hard work, and I urge my colleagues to join me in supporting this bill.

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

Mr. LINDER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Speaker, I thank the distinguished gentleman from Georgia for yielding time to me.

I would just like to take my time here to discuss an amendment which I am afraid I cannot write so it would be germane to the legislation that will be before us for which this rule has been written, but it does pertain to Commerce-Justice-State, and it pertains to something that is happening in this country.

On September 13, the automatic assault weapon ban is going to expire. If I looked at my calendar correctly, that is 17 legislative days from now. This is a ban which has been in effect for a period of 10 years now in this country. It is supported by the President of the United States, that is, the extension of it. It is supported by both Presidential campaigns; and in my judgment, it is very, very important that we bring this, however we possibly can.

We are talking about semiautomatic weapons. In this case, we are talking about the AK–47, Uzis. We are talking about high levels of ammunition, depletion of guns in rapid time, various aspects that have frankly caused every law enforcement entity that I know of in the United States of America to support this ban.

We also know that there has been a reduction in crime with the use of these weapons since the ban has been in effect. In fact, that reduction has been more than 65 percent since the ban went into effect in 1995. So we now have a situation in which we have proven, I believe, that the assault weapon ban is something that actually makes sense as far as the safety of Americans is concerned.

As far as the right to bear arms and the rights that are prevalent, I believe in those. I believe they should be continued, but I do believe that the assault weapon ban needs to be continued as well.

It also shows that most Americans believe this. If one looks at polls, they virtually in every category, or 75 percent or more of Americans believe that we should continue this assault weapon ban.

I have legislation introduced, and that legislation would do that for 10 years. It does not change another word. It just extends it for 10 years because I believe it has worked well.

My concern is are we going to be able to bring it to the floor in a reasonable period of time that will allow a debate, that will allow a vote on this so we can consider it before the House of Representatives, a piece of legislation which seems to be so supported by so many individuals living in America today. I would encourage the leadership to consider this.

I do not frankly think it should be an amendment to an appropriation bill, or an amendment to anything. It should have its own set of committee hearings, its own time on the floor of the House of Representatives and the opportunity to vote for it. So I will not introduce an amendment.

I do appreciate a great deal the time yielded to me by the gentleman from Georgia to discuss this. I would encourage the leadership of the House and the Senate to take a good look at this legislation and make absolutely sure that that date does not come and go without us doing anything about it.

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

We have no other requests for speakers, but let me just close by again saying that while I wish the overall funding level for this bill were higher and I wish there was more money available for the COPS programs and for a number of other small business programs, I nonetheless want to again commend the gentleman from Virginia (Mr. WOLF), the chairman, and the gentleman from New York (Mr. SERRANO), the ranking member, for really an excellent job. They have worked together in a bipartisan way, and the entire subcommittee deserves credit for the final product that is before us, a bill which I will support.

Let me also conclude, Mr. Speaker, by saying something that I rarely get an opportunity to say, but I gladly say it today, and that is, I support this rule.

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

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

I also want to commend the gentleman from Virginia (Chairman WOLF) and the gentleman from New York (Ranking Member SERRANO) for a very fine job done under strained circumstances. I urge my colleagues to support this rule and support the underlying legislation.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. WOLF. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill (H.R. 4754) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2005, and for other purposes, and that I may include tabular and other extraneous material.

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

There was no objection.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

The SPEAKER pro tempore. Pursuant to House Resolution 701 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4754.

□ 1225

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4754) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2005, and for other purposes.

The Chair designates the gentleman from Washington (Mr. HASTINGS) as chairman of the Committee of the Whole, and requests the gentleman from Florida (Mr. MILLER) to assume the chair temporarily.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Virginia (Mr. WOLF) and the gentleman from New York (Mr. SERRANO) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia (Mr. WOLF).

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

Mr. Chairman, I am pleased to bring the fiscal year 2005 Commerce, Justice, and State, the Judiciary and related agencies appropriations bill before the House. In this bill, we have taken an austere allocation and done our best to arrive at a bill that funds important national priorities, including counterterrorism, State and local crime-fighting and embassy security. The result is a solid bill, and I encourage the Members to support the bill today; and my understanding is that we will finish the bill today.

I want to thank the gentleman from Florida (Chairman YOUNG) for supporting us. I also want to thank the gentleman from New York (Ranking Member SERRANO) for his help in crafting the bill. I very much appreciate the close and cooperative relationship we have established, and I want to thank the gentleman from Wisconsin (Mr. OBEY), the ranking member of the full committee, for his assistance.

The recommendation we bring before the House today includes $39.8 billion in discretionary spending. Program increases are focused on most critical areas including counterterrorism, State and local law enforcement, assistance to American manufacturers,

and protection of the Judiciary, and the security of our personnel overseas.

As my colleagues know, Mr. Chairman, we are operating under a very restrictive budget resolution, which is $1.6 billion below the President's request overall for nondefense discretionary spending. Our subcommittee allocation is .6 percent above the President's request for our agencies.

The bill continues the major progress we have made in the fights against terrorism and crime, and builds on the important gains of the past few years on embassy security. At the same time, it also reflects our commitment to responsible stewardship of public funds.

For the Department of Justice, the recommendation includes $20.6 billion, $900 million above the request. We have restored needed funds for State and local crime-fighting to keep our streets and schools safe. The bill also includes significant increases for Federal law enforcement for both terrorism prevention and traditional law enforcement. A $38 million anti-gang initiative will provide both enforcement and prevention funding, including $20 million for State and local grants and $18 million for additional Federal law enforcement efforts.

For the FBI, the bill provides $5.2 billion, $100 million above the request, to provide 1,100 additional agents, analysts and support staff for intelligence and counterterrorism activities. We have also established a new intelligence directorate in the FBI and given the Bureau additional retention, recruitment and retirement authorities with the concurrence of the gentleman from Virginia (Mr. TOM DAVIS), the chairman of the Committee on Government Reform. I thank him for that help and cooperation, and the country will be better for it.

We maintain the commitment to fighting illegal drug activities with $1.7 billion for the DEA, the full amount requested. With this increase, we will now have restored the total number of Federal agents working on drug cases to a number above the pre-9/11 levels.

The bill includes $3 billion for proven State and local law enforcement crime-fighting programs, restoring $886 million to the highest priority programs, including Juvenile Justice and the SCAAP, most of which the administration proposed to eliminate or drastically reduce.

For the Department of Commerce and related trade agencies, the recommendation includes $5.76 billion, a decrease of $186 million below 2004, which is largely a result of the reduction of lower priority spending in NOAA and elimination of the ATP program.

Full funding is included to empower our trade agencies to negotiate, verify, and enforce trade agreements that are more free and fair, and to ensure an even playing field for American businesses.

The bill includes vital assistance to the ongoing recovery of our manufacturing sector. Members on both sides have spoken to us about this. So $106 million is included for the Manufacturing Extension Partnership program. It is an increase of $67 million above the current request and the current year, and this is important for creating jobs throughout the entire country. The bill also includes $4 million for the Bureau of Economic Analysis, including funding for a study on the economic impacts of offshoring on the U.S. economy.

The bill continues funding for critical core programs of NOAA. The National Weather Service and NOAA's satellite programs are funded at the full requested level; and funding is continued, as requested, for many established ocean and fisheries programs.

The bill preserves the vitality and innovation of our economy with a historic funding increase for the Patent and Trademark Office to reduce the growing backlog in patent processing. The bill provides for $1.52 billion in spending, the same amount that the PTO expects to collect this year in fees.

□ 1230

And finally, under Commerce we are fulfilling the Department's constitutional responsibility to conduct the census. We provide an increase of $149 million to support the ramp-up of the 2010 decennial census, including funding for the American Community Survey.

For the Judiciary, the recommendation provides $5.2 billion, an increase of $391 million above 2004, to enable the courts and probation offices to process record caseloads.

For the State Department and the Broadcasting Board of Governors, the recommendation includes $8.9 billion, an increase of $299 million over 2004, and $80 million below the request.

Within this total, we are providing $1.57 billion, the full request for worldwide security improvements and replacement of vulnerable facilities and funding to support over 100 new positions aimed at improving security and strengthening the visa process.

The bill also includes $1.84 billion, the full amount requested for international organizations and peacekeeping.

We strongly support public diplomacy and international broadcasting to continue television broadcasting to Iraq, which was initiated last year and is very critical for the effort now taking place in Iraq. As sovereignty is transferred to an Iraqi government, we need to maintain the lines of communication with the Iraqi people and assure that they are receiving accurate and balanced news and information. This bill will also ensure that the broadcasting to Iraq continues without disruption.

For Related Agencies, the recommendation provides inflationary increases to most agencies, again fully funds the FTC's Do-Not-Call program, and includes a $102 million increase for the SEC to protect American investors.

For the SBA, the recommendation provides a 6 percent increase for operations and additional funds above the request for the Small Business Development Centers. The bill adopts the President's request for the 7(a) business loan program, which provides for up to $12.5 billion in general business loans, an unprecedented level, without requiring an appropriation.

The bill provides $335 million for the Legal Services Corporation, $6 million above the request. The committee has worked over the past few years to successfully bring Legal Services away from controversy. The bill again continues our commitment to provide civil legal aid to those who cannot afford counsel and are seeking justice.

In closing, Mr. Chairman, this is a summary of the recommendations before you today. It will strengthen the operations of Federal, State and local law enforcement agencies. It provides needed assistance to ensure that our economy and our manufacturing sector continue to grow. It provides for a secure and effective diplomatic operations overseas. It enables the judicial branch to successfully manage its growing workload. It represents our best take on matching needs with resources.

With that, Mr. Chairman, I would also want to close by thanking the staff. The staff has worked very, very hard, and in fact, not many people realize how hard these staff members work. And I want to thank the members of the subcommittee staff who are putting in very long hours on the 2005 CJS bill. All members and staff of the subcommittees have worked hard, and put in long hours that I believe will be helpful to the country.

I want to particularly thank Mike Ringler, the clerk of the subcommittee who has led this through the House appropriations process. I also want to thank Christine Kojac, John Martens, and Anne-Marie Goldsmith for their tireless efforts. Their work is much appreciated.

I also want to thank our detailee, Jonathan Mattiello, who has lent his support to the bill. In my personal office, Dan Scandling, Janet Shaffron, J.T. Griffin, Samantha Stockman and Neil Siefring for their efforts and work with the subcommittee. And from the minority staff, because we have had a good working relationship which I think can be a model, I want to thank David Pomerantz, Lucy Hand, whom I have known a long while, all the way back to the days where she worked for Mr. Lehman on the Committee on Appropriations, Subcommittee on Transportation, Treasury and Independent Agencies; Linda Pagelsen, Nadine Berg and Rob Nabors, who have worked with our staff in a bipartisan manner to produce this bill.

I want to thank them, and I want the American public to know and Members of the House to know who they are.

Mr. Chairman, I yield to the gentleman from Nebraska (Mr. BEREUTER).

Mr. BEREUTER. Mr. Chairman, I appreciate the fact you are attempting to close general debate here. I did want to come over and compliment you and the gentleman from New York (Mr. SERRANO) on the excellent legislation here. I particularly appreciate the kind of support we Nebraskans have received from the subcommittee in the past in dealing with the very real methamphetamine problem, we have, but secondly, I also wanted to compliment the subcommittee on providing funding above the administration's request for the Judiciary.

I know the Nebraska Federal District Court was concerned that the so-called ''hard freeze'' initially proposed would cause layoffs and furloughs, and the Federal court has already taken a big hit in Nebraska with the loss of a temporary judgeship in May of 2004, when one of the judges took senior status.

So it is my opportunity today not only to compliment you but to send a message to the two authorizing judiciary committees that this judgeship and the failure to fill it is creating real hardships for the people of Nebraska, for the judges, for the law enforcement personnel and, I think, for justice. There is a saying that ''justice delayed is justice denied,'' and I am afraid that is just about to be the case in Nebraska.

So you have done your job as an Appropriations subcommittee, and I thank you for the things that I have mentioned and for the other things that relate to the State, Commerce, and Justice departments.

Mr. Chairman, I thank the distinguished gentleman from Virginia (Mr. WOLF) for yielding me this time.

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

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

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

Mr. SERRANO. Mr. Chairman, I rise in support of the bill providing appropriations for the Commerce, Justice, State, Judiciary and related agencies for fiscal year 2005.

From the outset, I must say the 302(b) allocation given to the subcommittee, in our opinion, was too low. I am grateful to the chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG), however, for providing $226 million above the request; and I am impressed with how much the chairman of our subcommittee, the gentleman from Virginia (Mr. WOLF), was able to accomplish within the allocation he was given. On the whole, I think the distribution of funds is quite fair and sensible and reflects priorities I believe most of us would share.

I would be remiss if I did not say how much of a pleasure it is to work with Chairman WOLF on this bill. Our working relationship and our friendship are major factors in producing it. I must also say that I am very grateful for the openness and fairness with which the chairman's staff has treated mine. Much is said, Mr. Chairman, about the poisonous atmosphere in the House these days, but that is not the case on this subcommittee, and I credit the gentleman from Virginia (Mr. WOLF) for that. His attentiveness and that of his staff to the needs of our side have been terrific, even if they could not always do everything we would like.

Mr. Chairman, I thank Chairman WOLF and the staff, Mike and Christine, John, Anne-Marie, and Jonathan have served the committee well, as have on our side David, Linda, and Laura, and on my personal staff Lucy, Nadine, Diaraf, Sean and Jennifer. I wonder at times, Mr. Chairman, if the American people have a full understanding of the fact that behind the work that is seen on the House floor and in press conferences there is always such a large number of young, dedicated people who put together so much of the work that goes on in this House, and I think it is something we should always remember.

Again, Chairman WOLF was able to accomplish much. To list just a few highlights, the bill includes full funding or better for the FBI, the DEA, international organizations, worldwide embassy security, and most of the related agencies. Also, much more than requested for MEP and SCAAP. Funding levels on which we can build for NOAA. Continuing support for the Office of Privacy and Civil Liberties Protection in Justice.

I am also gratified that the bill and report direct the EEOC not to proceed with its workforce repositioning without complying with the committee's reprogramming procedures, which will give us essential oversight of potentially very disruptive changes proposed by that agency.

I do worry that first responder funding shortfalls between the Homeland Security bill and this one, despite the efforts of Chairman WOLF and our previous chairman, the gentleman from Kentucky (Mr. ROGERS), to improve on deeply flawed request levels, represent a one-two punch at our public safety agencies.

I regret the inability to give the SBA the resources it needs, although there will be amendments today to restore funding for the 7(a) business loans program and microloans, or to fund programs such as TOP and PTFP, where real needs will go unmet.

I also would have liked to address a serious problem that the restrictions on the use of non-Federal funds pose for the Legal Services Corporation grantees, which face administrative and financial burdens probably unmatched by any other class of Federal grantees, but that is a discussion for another day.

One other issue I would like to mention is the census. Halfway between decennials, few Members pay much attention to the Census Bureau. But accurate statistics about the Nation's population and activities collected, analyzed, and published by the Bureau are crucial to both government and the economy. Not only is membership in this House apportioned according to census data, indeed the Constitution requires 10-year censuses for that purpose, but many important decisions and many Federal grant programs are based on accurate census information, both from the decennial and from other periodic censuses. Business, too, relies on census data for final decisions on marketing, locating facilities, and the like. The census is of extraordinary importance to minority communities because it is the basis for their ability to establish their identity and secure their rights.

As the chairman knows, the Census Bureau is a bureau that I always feel plays a special role in the South Bronx and, indeed, throughout our society. Whenever anyone gets up and speaks about we have such a number of this and a number of that, and this happened and that is happening, those figures are always taken from the work of the Census Bureau, and so we not only tip our hats to them but show them our support.

Again, Chairman WOLF has shown exceptional sensitivity to what the Census Bureau needs to continue its activities and prepare for the 2010 short-form-only decennial, and I thank him for that.

Again, Mr. Chairman, I believe that this bill is a good one, and I will support it as it continues to move through the process. Once again, I thank Chairman WOLF for his support, for his kindness, for his friendship, and above all, for being a man of great conviction who sticks with issues that other people dare not bring up, as we will see during this debate.

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

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

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

Mr. TERRY. Mr. Chairman, today the House is considering the spending levels for the U.S. Federal Court system contained in H.R. 4754. Unfortunately for the State of Nebraska, it is not the level of funding for the Judiciary that is at issue, it is the failure of this Congress to address the problem of the loss of a Federal judgeship in Nebraska.

Since 1999, the judges of the Nebraska Federal District Court have requested Congress to either convert a temporary judgeship to a permanent one or at least extend the temporary judgeship. However, on November 22, 2003, even that last option was lost when the authority for the temporary position expired.

My colleagues in the Nebraska delegation have introduced legislation in this House and in the Senate to restore

this single judgeship. The Senate Bill, S. 878, passed in the Senate in 2003, but this House has yet to take action.

This situation has created a major hardship for our Federal judiciary in Nebraska. The Nebraska district has the third highest per judge criminal caseload in the country. It exceeds the caseloads of the districts like Los Angeles, New York City, Chicago, and Miami. According to Nebraska Chief Judge Richard Kopf, ''The criminal caseload has exploded over the last 5 years. From 1998 to 2003, it has risen 97 percent.''

□ 1245

The chief judge has indicated that criminal cases take priority over all civil cases because of the United States Constitution, which requires that defendants have a speedy trial. This need to deal with the criminal docket has a major impact on lawyers and their clients with civil matters before the Federal courts.

Nebraska State Bar President John Grant has noted, ''Without the four judgeships, very few noncriminal cases will be handled. Cases concerning Social Security benefits, health insurance coverage, civil rights and personal injury are not going to be heard on a timely basis.''

This is an important issue to the State of Nebraska.

Mr. SERRANO. Mr. Chairman, I yield 5 minutes to the gentleman from California (Mr. FARR).

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

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

I am rising today to discuss this bill because it cuts the NOAA funding by 15 percent and ignores essentially the two in-depth ocean reports released to Congress this past year. I thank the gentleman from Virginia (Chairman WOLF) and the gentleman from New York (Mr. SERRANO), the ranking member, for a commitment that they made during the full committee markup to work to increase the funding levels for the ''National Ocean Service'' and for the National Marine Fishery Service during conference. I appreciate their acknowledgment that the levels need to be increased.

I also want to thank our ranking member, the gentleman from Wisconsin (Mr. OBEY), for stating his concern on the NOAA funding cuts. I am deeply concerned about NOAA. With the commitments in mind, I want to highlight the funding levels for some of the NOAA programs. The hardest hit, and I would reference a bipartisan letter that was sent to the Committee on Appropriations by 59 Members of the House, the Coastal Zone Management Grants and the Coastal Nonpoint Pollution Grants, both of which States heavily rely on. Florida, for example, loses $345,000; Virginia has a net loss of $620,000; California also has a net loss of $620,000. This may not seem like much when we are usually dealing in millions and billions, but to the States who rely on these funds for ongoing coastal zone management and nonpoint source grants, it is a great deal of money.

The Cooperative Fisheries Research Programs were cut also by $20 million. These programs bring the fishing community together with scientists to better understand fishery resources. This is a big issue that both of the ocean reports talked about, the fact that the right hand on science does not necessarily work well with the left hand on fisheries, and we need to make sure these two groups come together, and the fishermen understand the science, and the scientists better understand the economics of fishing so we can better meld these two groups together. We cannot do this if we are cutting the programs that bring people together.

Another area, the Marine Mammal Protection area, will be severely hampered under the House mark which, once separate lines are combined, equals roughly $4 million. The National Marine Fisheries Service will not be able to fund top-priority studies as identified by the multi-stakeholder take reduction teams. The National Marine Fisheries will not be able to design or implement fishery management plans that protect marine mammals. The agency will not be able to conduct research on population trends, health and demographics of marine mammals, and the National Marine Fisheries will not be able to carry out the education and enforcement programs.

The other program that was affected by this was the Marine Mammal Health and Stranding Response Program which was cut last year and that has not yet been resolved. The program funds our investigations of die-offs of large numbers of marine mammals, including the recent bottlenose dolphin die-off in Florida, which involved more than 100 animals.

If we combine the cuts in the State Coastal Zone Management Grants and the Coastal Nonpoint Pollution Grants, both of which are, as I said, relied on heavily by the States, you get these additional losses. So without these funds, we lose the opportunity to study and to work with the States in implementing good programs.

In my constituency, I have 24 national organizations which have signed a letter to every Member of the House, which describes deep concerns with the NOAA funding. They have fundamental problems with the cuts that NOAA received.

I believe the commitment made by the gentleman from Virginia (Mr. WOLF) and the gentleman from New York (Mr. SERRANO) to increase funding levels is sincere and they will work on that in conference. The NOAA programs such as the ones I have highlighted will ensure that our future in the oceans will remain vital and components of our economy and our communities and our lives will be sustained.

Lastly, because of the good work done by both the Pew Commission and the National Oceans Commission, we will be able to implement with these fundings some of the strong recommendations they made for healthy oceans.

Mr. Chairman, I submit the following letters for the RECORD:

CONGRESS OF THE UNITED STATES,
Washington, DC, April 8, 2004.

Hon. FRANK WOLF,
Chairman, Commerce, Justice, State and the Judiciary Subcommittee, Appropriations Committee, House of Representatives, Washington, DC.

Hon. JOSÉ SERRANO,
Ranking Member, Commerce, Justice, State and the Judiciary Subcommittee, Appropriations Committee, House of Representatives, Washington, DC.

DEAR CHAIRMAN WOLF AND RANKING MEMBER SERRANO: As Members concerned with our nation's diverse and productive coastal areas, we are requesting your support for funding the National Oceanic and Atmospheric Administration (NOAA). Our oceans and coasts support more than 2.8 million jobs, generate more than $54 billion in goods and services per year, and are the most popular destinations for recreation and tourism in the U.S.

Established by Congress in 2000, the Conservation Trust Fund dedicates $560 million in FY05 for critical coastal conservation programs within NOAA. We greatly appreciate the Subcommittee's full use of this funding over the last four years to provide vital support for high priority coastal conservation initiatives and urge the Subcommittee to again make full use of this fund in FY05.

On the eve of the release of the U.S. Commission on Ocean Policy draft report, we ask for your assistance in meeting the significant challenges and threats now confronting our oceans. We recognize the Committee has extraordinarily difficult choices to make this year; however, the continued health and prosperity of our coastal communities depend on our willingness to invest today to preserve our nation's coastal legacy for future generations. We respectfully request the Subcommittee seriously consider the funding levels for the following programs.

COASTAL ZONE MANAGEMENT

State Coastal Zone Management Grants—$80 million. These funds, which are matched dollar for dollar, are critical to support the efforts of 34 states and territories to reduce the impacts of coastal development, expand public access, reduce the damages from coastal hazards, restore and protect critical habitats and support the nation's important and diverse coastal communities.

Coastal Nonpoint and Community Resource Improvement Grants—$10 million. We urge the Subcommittee to reject the Administration's proposed termination of this program. This funding is only a fraction of what is needed by states to address polluted runoff, the most significant source of pollution of coastal waters.

National Estuarine Research Reserve System (NERRS)—$20 million grants, $15 million acquisition and construction. This funding will enable NERRS to support the addition of a new Reserve to the current system of 26 and fund the ongoing coastal stewardship training, research and education programs and construction needs.

Coastal and Estuarine Land Conservation Program—$60 million. Nowhere in the nation is the threat of ecosystem fragmentation, sprawl and habitat loss more prevalent than

in our nation's coastal zone. In the first three years of this program, CELCP funds have leveraged non-federal funds and protected thousands of acres of coastal lands in 25 states.

MARINE CONSERVATION AND OCEAN EXPLORATION

National Marine Sanctuaries—$40 million operations, $10 million construction. The National Marine Sanctuary Program protects our nation's most unique and nationally significant marine ecosystems and resources. Level funding for operations in FY05 is critical to reducing staffing shortages, supporting conservation, community outreach, research, and education programs, and updating sanctuary management plans as required by law. We support no less than the fully authorized level for operation of sanctuaries and encourage the committee to recognize the pressing need for higher levels. In addition, we support $10 million for construction, as the backlog in facilities maintenance remains a significant operations liability at many sanctuaries.

Coral Reef Construction—$28.25 million. Coral reef ecosystems are among the most diverse, biologically productive, economically valuable, and threatened marine habitats in the world. Increased resources are urgently needed to reduce land-based pollution and address overfishing, diseases, and other threats to coral reefs. Funding for local action strategies will support on-the-ground solutions, such as critical monitoring, mapping, restoration, outreach and protection activities that reduce threats to coral reefs.

Ocean Exploration—$13.9 million. Less than 5% of the ocean has been explored or characterized to the same degree of resolution as we have characterized Mars and Venus. Ocean exploration is the vital first step in a new approach to ocean resource management, improved marine science and education, and a new vision for ocean stewardship. We urge the Subcommittee to support last year's funding level to demonstrate U.S. leadership in this important global issue.

SUSTAINABLE FISHERIES, MARINE MAMMALS AND INVASIVE SPECIES

Fisheries, Research and Observer Programs—$75 million. Recent scientific reports conclude that too many of our nation's fisheries are on the brink of collapse. Reducing the backlog in research days-at-sea and increasing fishery observer coverage and cooperative research efforts will give managers baseline information critical to better managing our fisheries. We commend the Subcommittee's efforts for increase funding in these areas in FY04 and urge $25 million for expanding stock assessments, $20 million for cooperative research, including data collection and analysis, and $30 million for regional and national fishery observer programs in FY05.

Vessel Monitoring System (VMS)—President's request of $9.3 million. VMS is a satellite-based fishery enforcement system that provides real-time catch data from participating vessels in a range of fisheries. The President's request would allow for the establishment and implementation of VMS systems and placement of transponders onboard many of the estimated 10,000 boats in the U.S. commercial fishing fleet. VMS programs augment existing enforcement efforts at approximately 1% of the cost, enhance data collection, and benefit fishermen by improving safety at sea and allowing fishing right up until a quota is reached.

Marine Mammal Protection—$9.1 million. This funding will help NMFS more fully assess and take measures to recover depleted and strategic marine mammal species, such as common dolphins, pilot whales and bottlenose dolphins, through take reduction team activities as well as other research, conservation and recovery efforts.

Endangered Species Act, Cooperative Agreements with States—$4 million. This cooperative program makes funding available on a competitive, matching basis to carry out conservation activities at the state and local level. Providing $4 million to the states in FY05 would support local researchers, non-governmental organizations, and volunteers to accomplish monitoring, restoration, science and conservation of species at risk of extinction.

Invasive Species Initiative—$5.5 million. This funding will be used by NOAA's Invasive Species reducing the potential for invasive species to be introduced in US ports and coastal waters, and to promote increased collaboration among the many groups working to understand invasive species, including NOAA, other agencies, and the scientific community.

Our oceans are a public trust whose stewardship is critical to our economy, our environment, and our future. We greatly appreciate your past support for these programs and your consideration of our requests.

Sincerely,

James Greenwood, Wayne T. Gilchrest, Curt Weldon, E. Clay Shaw, Jan Schakowsky, Madeleine Z. Bordallo, Frank Pallone, Jr., Sam Farr, Tom Allen, Dennis Cardoza, Michael H. Michaud, Jo Bonner, Jeb Bradley, Timothy V. Johnson, John Conyers, Jr.

Sheila Jackson-Lee, Chris Smith, Gene Green, John M. McHugh, Bart Stupak, Susan A. Davis, Loretta Sanchez, Anthony D. Weiner, Peter Deutsch, Jerrold Nadler, Carolyn B. Maloney, Gary L. Ackerman, Eliot L. Engel, Dale E. Kildee, Ed Markey.

Robert Wexler, Tom Petri, Eni Faleomavaega, Betty McCollum, Kendrick B. Meek, George Miller, Ileana Ros-Lehtinen, Raúl M. Grijalva, Earl Blumenauer, Tom Lantos, Tammy Baldwin, Alcee L. Hastings, Jim McDermott, Jay Inslee, Adam B. Schiff.

Mike McIntyre, Mike Thompson, James Langevin, Lois Capps, ———, Neil Abercrombie, Jim Saxton, Frank A. Lobiondo, Anna Eshoo, Aníbal Acevedo-Vilá, Edward Case, Barbara Lee, Bob Etheridge, ———.

JULY 7, 2004.

FUNDING FOR AMERICA'S OCEANS AND COASTS SLASHED NEARLY HALF A BILLION DOLLARS IN THE FY05 CJS BILL

DEAR REPRESENTATIVE: The Fiscal Year 2005 (FY05) Commerce, Justice, State Appropriations bill that you will consider today guts funding for critically needed ocean and coastal protection activities and abrupt climate change research. The bill slashes $446 million for the National Oceanic and Atmospheric Administration (NOAA) from FY04 enacted levels, disregarding mounting scientific evidence and recommendations for greater investments. We oppose these deep cuts to NOAA and ask that they be rectified in the final bill.

The U.S. Commission on Ocean Policy, appointed by President Bush, recently released its preliminary report and confirmed the health of America's oceans is in severe decline. The Commission noted that our nation's current investments in ocean science, management and conservation are inadequate to address the major threats facing ocean ecosystems and coastal communities. This bill flatly ignores the Commission's warning about the state of our ocean and coastal resources, taking a step backwards at a time we should be making bold new efforts to protect the waters that give us life.

In addition, a bi-partisan letter signed by 61 Members of Congress in April called for providing adequate funding levels in key programs, such as coastal zone management; fisheries research, management, and enforcement; national marine sanctuaries; coral reel conservation; and marine mammal protection. Unfortunately, the bill not only fails to accept many of the increases the Congressional letter sought, but makes further cuts to the already inadequate Administration request for many of these programs.

Conservation Trust Fund. We are very disappointed to note that the bill fails to live up to Congress' groundbreaking commitment in 2000 to fully fund NOAA's part of the Conservation Trust Fund. The dedicated level for FY05 should be $560 million. Abandoning the historic Conservation Trust Fund is a significant retreat from a bi-partisan agreement to restore and sustain America's environmental legacy.

National Marine Fisheries Service. The status of roughly two-thirds of our commercially caught ocean fish populations is unknown due in large part to lack of resources for basic research and regular stock assessments. In addition, bycatch reduction and essential fish habitat protection are critical conservation priorities that do not receive appropriation attention. Finally, inadequate resources hamper the agency's ability to keep pace with the need for proper enforcement coverage. While we appreciate the Subcommittee providing additional funds for expanding fisheries stock assessments, the following programs are below FY04 appropriation levels: fishery observer programs, cooperative research, essential fish habitat protection, and protected resources (marine mammals, sea turtles).

National Ocean Service. Activities that support managing coastal zones and national marine sanctuaries, restoring coral reefs, protecting sensitive coastal and estuarine lands areas, and reducing coastal pollution merit increased funding. However, the bill's devastating 31 percent cut—$160 million—to the National Ocean Service's budget will jeopardize efforts to maintain and improve the quality of our coasts and will abolish entire portions of programs such as national marine sanctuaries, coral reef conservation, coastal state nonpoint pollution grants, and other vital conservation initiatives of the National Ocean Service.

Pacific Salmon Recovery. Pacific Northwest salmon are a vital part of that region's economic, cultural, and environmental well-being and an important part of our nation's history and commitment to the native peoples of this land. Unfortunately, many salmon runs in the Pacific Northwest continue to decline, and federal funding is currently insufficient to meet federal salmon recovery goals up and down the West Coast. The bill cuts $20 million from the Administration's request for conservation and habitat restoration and recovery grants for Pacific salmon populations.

Abrupt Climate Change Research. Funding for Abrupt Climate Change Research ($2 million) and Paleoclimate research ($1.3 million) has been zeroed-out, and the overall NOAA budget for climate and global change research has been reduced by an additional $6 million. These NOAA research programs are vital to improving our understanding of the impacts of climate change. Already, scientific and anecdotal evidence shows that increased temperatures from climate change are impacting ecosystems around the world. The National Academy of Sciences (NAS) recent report stated there is increased evidence that the climate does not respond to change gradually but rather in sudden, abrupt changes. The NAS called for additional

research on sudden climate change, which is why these NOAA programs are so important.

While we appreciate the Committee's ongoing work to limit the number of anti-environmental riders attached to this bill, we oppose the woefully inadequate funding levels for NOAA and urge that they be rectified in the final bill. We thank you for considering our request.

American Cetacean Society, American Rivers, Animal Protection Institute, Coast Alliance, Conserve Our Ocean Legacy, Defenders of Wildlife, Endangered Species Coalition, Hawaii Wildlife fund, International Fund for Animal Welfare, International Wildlife Coalition, League of Conservation Voters, National Audubon Society, National Environmental Trust, Natural Resources Defense Council, Oceana, Sierra Club, The American Society for the Prevention of Cruelty to Animals, The Fund for Animals, The Humane Society of the United States, The Marine Mammal Center, The Ocean Conservancy, The Whale and Dolphin Conservation Society, The Wilderness Society, U.S. Public Interest Research Group.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Chairman, I rise in support of H.R. 4754, the CJS Appropriations Act for Fiscal Year 2005. I commend the chairman, the gentleman from Virginia (Mr. WOLF), for producing what I believe to be an excellent bill, and the ranking member, the gentleman from New York (Mr. SERRANO) as well; and I urge my colleagues to join in supporting this legislation.

There are many reasons to support this bill. I want to note one program in particular, the Manufacturing Extension Partnership. I thank the gentleman from Virginia (Mr. WOLF) for recognizing the importance of the MEP program to our Nation's manufacturers by funding it at $106 million. At that level, all MEP centers will continue to provide their valuable service to this country's manufacturers.

The MEP program, as has been discussed, is a Federal-State private network of over 60 centers with 400 locations in all 50 States. In fiscal year 2002 alone, MEP served approximately 18,000 small- and medium-sized manufacturers nationwide. These manufacturers reported an additional $2.8 billion in sales, $681 million more in cost savings, and 35,000 more jobs simply as a result of their projects in these MEP centers.

In my district alone, which has over 1,500 manufacturing companies, 92 percent of which are under 100 employees, Tru-Val Tubing Company in Waterford, Michigan, has seen dramatic improvements in productivity from the training provided by the MEP. The MEP center in Michigan, called the Michigan Manufacturing Technology Center, taught Tru-Val how to streamline the processes and reduce their inventory.

By embracing the concept of ''lean thinking,'' Tru-Val can now produce more products in less space. The result is higher productivity and huge savings for the company. In fact, because of these improvements, Tru-Val has been able to increase its employees from 85 to 120. It is truly a success story. And for these reasons, I strongly support the MEP program, and I urge my colleagues to support this bill.

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

Mr. PALLONE. Mr. Chairman, I would like to follow up on the statements made by the gentleman from California (Mr. FARR) with regard to the coastal and ocean levels of funding in the bill.

First of all, let me say that the gentleman from Virginia (Mr. WOLF) and our ranking member, the gentleman from New York (Mr. SERRANO), have over the years made major commitments to our oceans and coasts. And so when we say today we would like to see more funding placed in conference for things like NOAA, marine mammals, coastal zone management, it in no way takes away from what these two gentlemen and the subcommittee have accomplished over the years.

I think the reason that we feel very strongly right now that there needs to be more of a funding commitment in these ocean- and coastal-related activities is because of the reports that came out by the National Ocean Commission and Pew Ocean Commission, which both stress the need for a lot more funding in these programs. They basically pointed to the decline of the ocean environment and increasing stress on the ocean and coastal areas over the years; and also because of the lack of scientific understanding, that more money was needed for basic science so we understand what the problems are in oceans.

I do not want to repeat everything that the gentleman from California (Mr. FARR) said, but as was mentioned, there is a 15 percent cut in funding for NOAA. There is about $160 million less than the fiscal year 2004 enactment for the National Ocean Service and other programs like fisheries, marine mammals and coastal zone management which could use more funding.

We are hoping during the conference these needs will be addressed. Knowing both the chairman and the ranking member, I am sure they will make every effort to try to accomplish that when we go to conference in having to deal with the other body. I thank the gentlemen for their support over the years, and I hope we can see increased funding for these vital programs given the recent reports from the National Ocean Commission and the Pew Ocean Commission.

Mr. WOLF. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Mr. Chairman, I rise to compliment the work of the gentleman from Virginia (Mr. WOLF) and what the subcommittee has done on this bill, which tends to be controversial on occasion. The markup in subcommittee and full committee, led by the gentleman from Virginia (Chairman WOLF) and the gentleman from New York (Mr. SERRANO) went extremely well, which was a little unusual because the bill does tend to attract some interesting debate on occasion. The gentlemen worked in partnership to bring a good bill.

As the gentleman from Virginia (Mr. WOLF) stated earlier, the 302(b) allocation was a little lean, but all of the 302(b) allocations were a little lean this year. They did a good job and produced a good bill with a lean 302(b) allocation.

And I want to take a minute to give a status report. As of today, the Committee on Appropriations has marked up 10 of the 13 bills in subcommittee, 7 of the 13 bills in the full committee. This will be the fifth bill passed through the floor, and the legislative branch will be passed on tomorrow. That means that we are moving very quickly considering we got off to a very late start since we did not get the deeming budget resolution until May 19.

The committee has worked very effectively and worked pretty much on a bipartisan basis, and all of the members have been contributors to the work effort. We are moving the bills with pretty good votes on the floor. Again, I just wanted to give this brief status report and again say to the gentleman from Virginia (Mr. WOLF) and the gentleman from New York (Mr. SERRANO) what great leaders they are and what great leadership they have provided the subcommittee and the full committee as they brought this bill to this point where we will pass this bill and send it to the other body today.

Mr. SERRANO. Mr. Chairman, I yield 3 minutes to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Chairman, I want to congratulate the gentleman from New York (Mr. SERRANO) and the gentleman from Virginia (Mr. WOLF) for their excellent efforts on this important legislation.

Mr. Chairman, I want to say a few words about a limitation amendment that I will be offering at the end of this bill. That amendment is modeled after H.R. 1157, the Freedom to Read Protection Act, which I have offered and which has 145 bipartisan cosponsors. This legislation is supported by a wide range of groups across the ideological spectrum, from those who are very conservative to those who are very progressive.

The amendment I will be offering later is cosponsored by the gentleman from Idaho (Mr. OTTER), the gentleman from Michigan (Mr. CONYERS), the gentleman from Texas (Mr. PAUL) and the gentleman from New York (Mr. NADLER). This amendment addresses section 215 of the USA PATRIOT Act, and it is a section which has engendered a great deal of controversy.

Mr. Chairman, there is no disagreement in this body or in the United States of America that our country has got to do everything that it can to prevent another 9/11, to prevent acts of

terrorism against the American people. But I think there is also widespread belief in this body and throughout this country that we can and must fight terrorism without undermining the basic constitutional rights that have made this a free country.

All over this country, in hundreds of cities which have passed resolutions, in four States which have passed resolutions, among hundreds of different organizations, there is a concern that within the USA PATRIOT Act in section 215 it gives the right of the government, with virtually no probable cause, to go into our libraries, to go into our bookstores and to ascertain the reading habits of the American people. That is not, I believe, what this country is about or what this body believes in.

So we are going to be offering an amendment that would disallow the government from gaining the reading records of people who buy books at bookstores or take books out of the library or use Internet service in the library.

I am delighted we have so much support for this legislation.

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Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. WAMP).

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

I come to the floor today to thank the gentleman from Virginia (Mr. WOLF), chairman of the subcommittee, and, of course, the gentleman from New York (Mr. SERRANO), ranking member. But the gentleman from Virginia (Mr. WOLF) just got back from the Sudan. He has a passion for human beings, all human beings, and he works to protect their life. And I just thank him for that work. In human rights there is really not a Member of this House that cares more, that does more, that goes into more dangerous places than the gentleman from Virginia (Mr. WOLF). I thank him and I thank him for this bill.

In the foothills of Appalachia, where I live, in east Tennessee, methamphetamine production has been overtaking us. But I want to thank the leadership of this subcommittee, going back to when the gentleman from Kentucky (Mr. ROGERS) was the chairman of this subcommittee, this subcommittee began to resource what is now the East Tennessee Methamphetamine Task Force. It is 42 counties. We have seized over 3,500 meth labs in the last 5 years in east Tennessee, 3,500, with the support of this subcommittee at $1 million a year. It sounds like a lot of money. In the scheme of things in this bill, it is not; but 3,500 labs have been seized.

I want to hail Sandy Mattice, our U.S. Attorney; Russ Dedrick, our assistant U.S. Attorney; and the entire task force, who are sheriffs, local government, the DEA, the FBI. It is a true local-State-Federal partnership. It is state of the art, and we are winning the battle on methamphetamine; but it is destroying families. In these pockets of pain in rural America, methamphetamine production is catastrophic; but this is very helpful, the money that this subcommittee is targeting, putting in to help organizations like the East Tennessee Meth Task Force. It needs to be done at the local level.

This is really a grassroots effort, not a Federal program. But the Federal Government is assisting local government, fighting this problem. And we cannot clean the labs up without the Federal money. We do not have the resources at the local level, and the coordination needs to happen at the local and regional levels. It is happening in east Tennessee. And I thank the committee and the people that are in the field fighting methamphetamine production to save our children.

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

Mr. WOLF. Mr. Chairman, I yield such time as he may consume to the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. Mr. Chairman, I thank the chairman for yielding me this time.

Mr. Chairman, I rise in strong support of this bill. It makes great strides in protecting our Nation. First off, it fully funds the FBI, $5.2 billion, which is a significant increase over current year, some $687 million more than this year. And especially important to me is the language in the bill that encourages the FBI to work closely with the Department of Homeland Security to complete an interoperable system as soon as possible, to help us check people coming across our borders against the FBI's criminal watch list.

That is terribly important because we have had some unfortunate experiences on the border of murderers making it across the border after having been stopped; but the inability to check against the criminal records of the FBI needs to be remedied forthwith, and this bill has language encouraging that.

And then, as the gentleman from Tennessee just said, this bill fully funds the President's Prescription Drug Abuse Program. And for those of us in the parts of the country where prescription drug abuse, like the overuse and abuse of Oxycontin, it is terribly important that we tackle this problem head on, and that is what this bill does. In my district, we have started an organization called UNITE, which stands for Unlawful Narcotics Investigations, Treatment and Education. There are literally thousands of people now involved with the support of this subcommittee in a three-pronged attack against methamphetamine and prescription drug abuse: investigations and the law enforcement part of getting rid of the pushers; treatment for those who are addicted and need treatment; and, of course, education to try to encourage young people, especially, to stay away from the abuse of these drugs. And this bill supports that program, and I thank the chairman for that especially.

The bill fully funds the DEA, $70 million above the current level. It has $10 million for the Prescription Drug Monitoring Program, which allows States to receive grants to establish a program to prevent people from double-filling prescription drugs and using the excess for sale as pushers. It includes $50 million for drug courts, which I believe in very strongly. We are seeing that work in my district, among others, where the power of the law is used for the good of people who are arrested and have no other crime except the use of drugs. And the drug courts work, and they rehabilitate people back into society in a good way. And then there is $60 million in the bill for methamphetamine hot spots, a problem that is particularly important in the rural parts of America.

And then the bill reinforces the presence of the U.S. abroad. There is $1.5 billion for Embassy Security, Construction and Maintenance, which is $148 million over current levels. And, most importantly, I think, it continues the efforts to right-size the staffing at the embassies, saving us money and improving efficiency at all the places where Americans serve abroad in our embassies and consulates. Those are some of the more important features of the bill as far as I am concerned.

I want to compliment the gentleman from Virginia (Chairman WOLF) and the gentleman from New York (Mr. SERRANO), ranking member. I had the pleasure of working as chairman of this subcommittee for 6 years, working with the gentleman from New York (Mr. SERRANO), who was ranking at the time; and I found him to be especially helpful in constructing a good bill. And certainly the gentleman from Virginia (Chairman WOLF) has just done a great job, in my judgment, a very challenging bill this year because of lack of funds. So I compliment the chairman and the ranking member for bringing to us a very worthy bill, and I urge 100 percent support of it.

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

Mr. Chairman, I would like to take this opportunity to thank and congratulate the gentleman from Kentucky (Mr. ROGERS), the gentleman from Virginia (Chairman WOLF), and the gentleman from Tennessee (Mr. WAMP) for bringing this issue to our attention.

Too often in this country when we speak about drug abuse and drug addiction and the problems related to drugs, the image that the American people get is that of youngsters in the inner cities. Yet one of America's so misunderstood secrets is the fact that drug addiction and drug abuse is a problem that plagues the whole society. And I really think that before the gentleman from Virginia (Chairman WOLF), the

gentleman from Kentucky (Mr. ROGERS), and the gentleman from Tennessee (Mr. WAMP) started to speak about this issue, this House was not fully aware of that. They put it on the map. They put provisions in this bill to deal with it. We have worked on allocating dollars to deal with the issue. And I think the country will benefit and attention will be focused, Mr. Chairman, on the fact that this is a national problem.

We can speak about the issues that can really hurt the society in the long run, and certainly right up there, in my opinion, with the everlasting, unfortunate, lingering racial problems in this country is the fact that so many members of our society abuse drugs and are caught up in the horrible use of drugs. Again, in the inner city it is easier to see. We see it on street corners. We see it in front of buildings. We see it in school yards where there are thousands of students attending one school. In some of the rural and suburban communities, it is not seen the same way. It does not have the same face. But it does have the same suffering; it does have the same pain; and it threatens the society we live in in the same way.

So I want to thank the three gentlemen for that, having brought this to the House's attention.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

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

Mr. ROGERS of Kentucky. Mr. Chairman, the gentleman is absolutely correct. In my rural district in Kentucky, it is an epidemic of the abuse of Oxycontin, particularly, but methamphetamines as well. And we have had dozens of young people die from the overabuse of these very addictive drugs, and it truly is an epidemic, and it strikes rich and poor, urban and rural. It does not matter. Wonderful families are broken up by this. People dying, families ruined, no place to go for treatment, no hope involved.

And I want to compliment the gentleman for further drawing attention to this real epidemic that is sweeping the whole country, not just the cities, but I think probably especially now the rural areas. And I compliment him for bringing this up again, but also the chairman and him for including funds to help us fight it.

Mr. SERRANO. Mr. Chairman, reclaiming my time, another additional comment is the fact that the gentleman from Virginia (Chairman WOLF) has done a lot of work especially in this bill on the issue of gang violence, again, one of those issues that a lot of people relate to certain parts of the country and certain types of communities. Yet we find out that gang violence is spreading throughout the country. And this bill begins to address it in a proper and strenuous way.

Interestingly enough, those of us who have lived in the inner city know that there is a relationship between gang violence and drug abuse and drug addiction because those who do not use drugs but who become millionaires by providing the drugs make sure that people who are in gang-related activities and other activities in the community become addicted. Their line of business is to get people addicted, and this is the way they do it.

So it is interesting that we are speaking today on a bill that addresses both issues. But the main point here is for the American people to fully understand that this is not a disease, this is not a condition, this is not a crime that is only related to certain parts of our community. It is related to the whole Nation; and it threatens us, in my opinion, as much as anything else. Years from now if we do not deal with this issue, if we let the full Nation go the way that some communities have gone, we will regret the fact that we missed an opportunity.

So I am proud to be part of this effort today, and I congratulate again the gentleman from Tennessee (Mr. WAMP), the gentleman from Kentucky (Chairman ROGERS), and the gentleman from Virginia (Chairman WOLF).

Mr. FARR. Mr. Chairman, I rise today in support of the Sanders-Otter-Conyers-Paul-Nadler Freedom to Read amendment. This amendment curtails one of the most invasive provisions of the Patriot Law by prohibiting law enforcement from making sweeping searches and seizures of library and bookstore patron records.

We can all recall October 2001 when the PATRIOT Act was hastily passed by this body. Many of us, myself included, didn't have the chance to read this lengthy and complicated legislation in the few hours we had before the vote. I voted against the unseen legislation because I was concerned that its passage would amount to the blind abandonment of our civil liberties. As the details of the PATRIOT law came to light, it became all too clear that this law contained numerous infringements on our long-held civil liberties.

Today, we all know what is in the PATRIOT law, and our constituents know too. In my district, the local governments of Pacific Grove, Salinas, Santa Cruz, and Watsonville, CA, have all passed resolutions expressing their concerns with the anti-privacy and antiliberty portions of the PATRIOT Act. Supporting this amendment is an opportunity to respond to those concerns and rollback one of the most invasive provisions of the PATRIOT law.

Passing the Freedom to Read amendment would ensure that library or book store records relating to an American who is not the subject of an investigation will not end up in the government's hands without the benefit of the protections of the courts. I would urge my colleagues to stand up for the civil liberties that our country has always stood for and pass the Freedom to Read amendment.

Mr. WOLF. Mr. Chairman, I submit the following statement of comparative budget authority.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY,
AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2005 (H.R. 4754)
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF JUSTICE					
General Administration					
Salaries and expenses	105,564	186,551	103,045	-2,519	-83,506
Intelligence policy and review	---	---	21,861	+21,861	+21,861
Joint automated booking system	18,974	20,309	20,000	+1,026	-309
Automated Biometric Identification System-Integrated Identification system integration	5,046	5,054	5,054	+8	---
Legal activities office automation	26,749	---	50,000	+23,251	+50,000
Narrowband communications	102,085	101,971	100,000	-2,085	-1,971
Counterterrorism fund	989	---	---	-989	---
Administrative review and appeals	191,494	202,518	202,518	+11,024	---
Detention trustee	805,530	938,810	938,810	+133,280	---
Office of Inspector General	60,200	63,813	63,813	+3,613	---
Total, General administration	1,316,631	1,519,026	1,505,101	+188,470	-13,925
United States Parole Commission					
Salaries and expenses	10,498	10,650	10,650	+152	---
Legal Activities					
General legal activities:					
Direct appropriation	612,029	657,135	639,314	+27,285	-17,821
Radiation exposure compensation act	1,975	---	---	-1,975	---
Emergency appropriations (P.L. 108-106)	15,000	---	---	-15,000	---
Subtotal	629,004	657,135	639,314	+10,310	-17,821
Vaccine injury compensation trust fund (permanent)	3,985	6,333	6,333	+2,348	---
Legal activities office automation	---	80,510	---	---	-80,510
Antitrust Division	132,911	136,463	135,463	+2,552	-1,000
Offsetting fee collections - current year	-112,000	-101,000	-101,000	+11,000	---
Direct appropriation	20,911	35,463	34,463	+13,552	-1,000
United States Attorneys	1,510,193	1,547,519	1,535,000	+24,807	-12,519
United States Trustee System Fund	166,157	174,355	172,850	+6,693	-1,505
Offsetting fee collections	-158,157	-169,355	-167,850	-9,693	+1,505
Interest on U.S. securities	-8,000	-5,000	-5,000	+3,000	---
Direct appropriation	---	---	---	---	---
Foreign Claims Settlement Commission	1,193	1,220	1,220	+27	---
United States Marshals Service:					
Salaries and expenses (non-CSE)	712,203	742,070	752,070	+39,867	+10,000
Construction	13,918	1,371	1,371	-12,547	---
Total, United States Marshals Service	726,121	743,441	753,441	+27,320	+10,000
Fees and expenses of witnesses	156,145	177,585	177,585	+21,440	---
Community Relations Service	9,426	9,833	9,833	+407	---
Assets forfeiture fund	21,530	21,759	21,759	+229	---
Payment to radiation exposure compensation trust fund	---	72,000	72,000	+72,000	---
Total, Legal activities	3,078,508	3,352,798	3,250,948	+172,440	-101,850
Interagency Law Enforcement					
Interagency crime and drug enforcement	---	580,632	561,033	+561,033	-19,599

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY,
AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2005 (H.R. 4754)
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Bureau of Investigation					
Salaries and expenses	4,033,796	4,563,921	4,289,028	+255,232	-274,893
Counterintelligence and national security	484,947	495,000	916,000	+431,053	+421,000
Direct appropriation	4,518,743	5,058,921	5,205,028	+686,285	+146,107
Foreign terrorist tracking task force	60,949	56,349	---	-60,949	-56,349
Construction	11,056	---	10,242	-814	+10,242
Total, Federal Bureau of Investigation	4,590,748	5,115,270	5,215,270	+624,522	+100,000
Drug Enforcement Administration					
Salaries and expenses	1,703,038	1,815,719	1,815,719	+112,681	---
Diversion control fund	-118,561	-154,216	-154,216	-35,655	---
Subtotal	1,584,477	1,661,503	1,661,503	+77,026	---
Interagency drug enforcement	550,609	---	---	-550,609	---
Total, Drug Enforcement Administration	2,135,086	1,661,503	1,661,503	-473,583	---
Bureau of Alcohol, Tobacco and Firearms	827,289	870,357	870,357	+43,068	---
Rescission	---	-1,500	---	---	+1,500
Total, Bureau of Alcohol, Tobacco and Firearms	827,289	868,857	870,357	+43,068	+1,500
Federal Prison System					
Salaries and expenses	4,414,313	4,706,232	4,567,232	+152,919	-139,000
Buildings and facilities	393,515	---	189,000	-204,515	+189,000
Federal Prison Industries, Incorporated (limitation on administrative expenses)	3,393	3,429	3,429	+36	---
Total, Federal Prison System	4,811,221	4,709,661	4,759,661	-51,560	+50,000
Office of Justice Programs					
Justice assistance	188,124	1,710,664	217,000	+28,876	-1,493,664
(By transfer)	(6,632)	---	---	(-6,632)	---
Rescission	---	-53,471	---	---	+53,471
Total, Office of Justice Programs	188,124	1,657,193	217,000	+28,876	-1,440,193
State and local law enforcement assistance:					
Local law enforcement block grant	222,633	---	---	-222,633	---
Boys and Girls clubs (earmark)	(79,628)	---	---	(-79,628)	---
National Institute of Justice (earmark)	(9,953)	---	---	(-9,953)	---
USA FREEDOM corps (earmark)	(2,967)	---	---	(-2,967)	---
Justice assistance grants	---	---	634,000	+634,000	+634,000
Boys and Girls clubs (earmark)	---	---	(80,000)	(+80,000)	(+80,000)
National Institute of Justice (earmark)	---	---	(15,000)	(+15,000)	(+15,000)
USA FREEDOM corps (earmark)	---	---	(5,000)	(+5,000)	(+5,000)
Indian assistance	14,842	---	15,000	+158	+15,000
Tribal prison construction	(1,991)	---	(2,000)	(+9)	(+2,000)
Indian tribal courts program	(7,963)	---	(8,000)	(+37)	(+8,000)
Indian grants	(4,977)	---	(5,000)	(+23)	(+5,000)
State criminal alien assistance program	296,843	---	325,000	+28,157	+325,000
Cooperative agreement program	1,979	---	---	-1,979	---
Byrne grants (formula)	494,739	---	---	-494,739	---
Byrne grants (discretionary)	157,443	---	110,000	-47,443	+110,000
Miscellaneous appropriations (P.L. 108-199)	49,705	---	---	-49,705	---
Drug courts	38,095	---	50,000	+11,905	+50,000
Other crime control programs	3,851	---	3,862	+11	+3,862
Assistance for victims of trafficking	9,894	---	10,000	+106	+10,000
Prescription drug monitoring	6,926	---	10,000	+3,074	+10,000
Prison rape prevention	36,784	---	52,175	+15,391	+52,175
State prison drug treatment	---	---	35,000	+35,000	+35,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY,
AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2005 (H.R. 4754)
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Intelligence sharing	---	---	10,000	+10,000	+10,000
Miscellaneous appropriations (P.L. 108-199)	2,237	---	---	-2,237	---
Total, State and local law enforcement	1,335,971	---	1,255,037	-80,934	+1,255,037
Weed and seed program fund	57,926	---	51,169	-6,757	+51,169
Community oriented policing services:					
COPS enhancement grants	---	---	113,000	+113,000	+113,000
Hiring	118,737	---	---	-118,737	---
Training and technical assistance	---	17,625	---	---	-17,625
Bullet proof vests	24,737	---	25,000	+263	+25,000
Tribal law enforcement	24,737	20,000	---	-24,737	-20,000
Meth hot spots	53,482	20,000	60,000	+6,518	+40,000
Police corps	14,842	---	20,000	+5,158	+20,000
COPS technology	156,740	---	130,000	-26,740	+130,000
Interoperable communications	84,106	1,550	---	-84,106	-1,550
Criminal records upgrade	29,684	---	50,000	+20,316	+50,000
DNA backlog/crime lab	98,948	---	175,788	+76,840	+175,788
Paul Coverdell forensics science	9,894	---	---	-9,894	---
Crime identification technology	23,971	---	---	-23,971	---
Gun violence reduction	29,684	---	30,000	+316	+30,000
Southwest border prosecutors	29,684	---	40,000	+10,316	+40,000
Offender reentry	4,948	---	15,000	+10,052	+15,000
Safe schools initiative	4,552	---	---	-4,552	---
Police integrity grants	9,894	10,000	---	-9,894	-10,000
Management and administration	29,684	27,914	27,914	-1,770	---
Rescission	---	-53,471	---	---	+53,471
Total, Community oriented policing services	748,324	43,618	686,702	-61,622	+643,084
Violence against women office	383,551	362,477	383,551	---	+21,074
Juvenile justice programs	348,989	---	349,000	+11	+349,000
(Transfer out)	(-6,632)	---	---	(+6,632)	---
Public safety officers benefits:					
Death benefits	49,054	63,054	63,054	+14,000	---
Disability and education benefits	2,968	---	6,410	+3,442	+6,410
Total, Public safety officers benefits program	52,022	63,054	69,464	+17,442	+6,410
Total, Office of Justice Programs	3,114,907	2,126,342	3,011,923	-102,984	+885,581
United States Attorneys (sec. 111)	14,842	---	---	-14,842	---
Local law enforcement block grant (sec. 113)	544	---	---	-544	---
Rescission (sec. 114)	-100,000	---	---	+100,000	---
Total, title I, Department of Justice	19,800,274	19,944,739	20,846,446	+1,046,172	+901,707
Appropriations	(19,885,274)	(20,053,181)	(20,846,446)	(+961,172)	(+793,265)
Emergency appropriations	(15,000)	---	---	(-15,000)	---
Rescission	(-100,000)	(-108,442)	---	(+100,000)	(+108,442)
(Transfer out)	(-6,632)	---	---	(+6,632)	---
(By transfer)	(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	41,552	39,552	41,552	---	+2,000

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2005 (H.R. 4754)
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
International Trade Commission					
Salaries and expenses	57,682	61,700	61,700	+4,018	---
Total, Related agencies	99,234	101,252	103,252	+4,018	+2,000
DEPARTMENT OF COMMERCE					
International Trade Administration					
Operations and administration	391,102	401,513	401,513	+10,411	---
Offsetting fee collections	-13,000	-8,000	-8,000	+5,000	---
Direct appropriation	378,102	393,513	393,513	+15,411	---
Bureau of Industry and Security					
Operations and administration	60,358	76,516	61,265	+907	-15,251
CWC enforcement	7,128	---	7,128	---	+7,128
Total, Bureau of Industry and Security	67,486	76,516	68,393	+907	-8,123
Economic Development Administration					
Economic development assistance programs	285,083	289,762	289,762	+4,679	---
Salaries and expenses	30,244	30,565	30,565	+321	---
Total, Economic Development Administration	315,327	320,327	320,327	+5,000	---
Minority Business Development Agency					
Minority business development	28,556	34,461	28,899	+343	-5,562
Total, Trade and Infrastructure Development	888,705	926,069	914,384	+25,679	-11,685
ECONOMIC AND INFORMATION INFRASTRUCTURE					
Economic and Statistical Analysis					
Salaries and expenses	74,211	88,400	78,211	+4,000	-10,189
Bureau of the Census					
Salaries and expenses	192,761	220,425	202,765	+10,004	-17,660
Periodic censuses and programs	431,464	608,171	571,116	+139,652	-37,055
Total, Bureau of the Census	624,225	828,596	773,881	+149,656	-54,715
National Telecommunications and Information Administration					
Salaries and expenses	14,450	22,101	15,282	+832	-6,819
Public telecommunications facilities, planning and construction	21,769	2,538	2,538	-19,231	---
Information infrastructure grants	14,842	---	---	-14,842	---
Total, National Telecommunications and Information Administration	51,061	24,639	17,820	-33,241	-6,819

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2005 (H.R. 4754)
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
United States Patent and Trademark Office					
Current year fee funding	1,222,460	1,314,653	1,314,653	+92,193	---
Spending from new fees (proposed legislation)	---	208,754	208,754	+208,754	---
Total, Patent and Trademark Office	1,222,460	1,523,407	1,523,407	+300,947	---
Offsetting fee collections	-1,222,460	-1,314,653	-1,314,653	-92,193	---
Total, Economic and Information Infrastructure	749,497	1,150,389	1,078,666	+329,169	-71,723
SCIENCE AND TECHNOLOGY					
Technology Administration					
Office of Technology Policy					
Salaries and expenses	6,343	8,294	6,547	+204	-1,747
National Institute of Standards and Technology					
Scientific and technical research and services	340,743	413,886	366,856	+26,113	-47,030
Industrial technology services	216,480	39,190	106,000	-110,480	+66,810
Construction of research facilities	64,271	59,411	43,132	-21,139	-16,279
Working capital fund	---	8,982	8,982	+8,982	---
Total, National Institute of Standards and Technology	621,494	521,469	524,970	-96,524	+3,501
National Oceanic and Atmospheric Administration					
Operations, research, and facilities	2,658,251	2,377,841	2,245,000	-413,251	-132,841
(By transfer from Promote and Develop Fund)	(62,000)	(79,000)	(79,000)	(+17,000)	---
By transfer from Coastal zone management	---	3,000	---	---	-3,000
Deobligations returned	-15,000	---	---	+15,000	---
Total, Operations, research, and facilities	2,643,251	2,380,841	2,245,000	-398,251	-135,841
Procurement, acquisition and construction	979,708	898,510	840,000	-139,708	-58,510
Pacific coastal salmon recovery	89,052	100,000	80,000	-9,052	-20,000
Coastal zone management fund	-3,000	-3,000	-3,000	---	---
Fishermen's contingency fund	---	956	---	---	-956
Foreign fishing observer fund	---	191	---	---	-191
Fisheries finance program account	-8,000	-4,000	-4,000	+4,000	---
Total, National Oceanic and Atmospheric Administration	3,701,011	3,373,498	3,158,000	-543,011	-215,498
Total, Science and Technology	4,328,848	3,903,261	3,689,517	-639,331	-213,744
Departmental Management					
Salaries and expenses	46,791	56,021	52,109	+5,318	-3,912
Office of Inspector General	20,894	22,249	22,249	+1,355	---
Total, Departmental management	67,685	78,270	74,358	+6,673	-3,912
EDA conveyance (sec. 209)	989	---	---	-989	---
Procurement, acquisition and construction (sec. 212)	6,065	---	---	-6,065	---
Lobster (sec. 213)	495	---	---	-495	---
Non-pollock west coast groundfish (sec. 214)	495	---	---	-495	---
Total, Department of Commerce	5,943,545	5,956,737	5,653,673	-289,872	-303,064

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY,
AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2005 (H.R. 4754)
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Rescission (sec. 215)	-100,000	---	---	+100,000	---
Total, title II, Department of Commerce and related agencies	5,942,779	6,057,989	5,756,925	-185,854	-301,064
Appropriations	(6,042,779)	(6,057,989)	(5,756,925)	(-285,854)	(-301,064)
Rescission	(-100,000)	---	---	(+100,000)	---
(By transfer)	(62,000)	(79,000)	(79,000)	(+17,000)	---
TITLE III - THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices	1,896	1,985	1,985	+89	---
Other salaries and expenses	52,901	56,137	56,137	+3,236	---
Total, Salaries and expenses	54,797	58,122	58,122	+3,325	---
Care of the building and grounds	10,480	10,579	9,979	-501	-600
Miscellaneous appropriations (P.L. 108-199)	15,906	---	---	-15,906	---
Total, Supreme Court of the United States	81,183	68,701	68,101	-13,082	-600
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges	2,237	2,257	2,257	+20	---
Other salaries and expenses	18,231	22,750	20,679	+2,448	-2,071
Total, Salaries and expenses	20,468	25,007	22,936	+2,468	-2,071
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges	1,721	1,757	1,757	+36	---
Other salaries and expenses	12,217	13,316	13,131	+914	-185
Total, Salaries and expenses	13,938	15,073	14,888	+950	-185
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges	274,504	289,877	289,877	+15,373	---
Other salaries and expenses	3,680,532	4,030,367	3,887,367	+206,835	-143,000
Direct appropriation	3,955,036	4,320,244	4,177,244	+222,208	-143,000
Vaccine Injury Compensation Trust Fund	3,159	3,471	3,471	+312	---
Defender services	598,116	681,612	676,469	+78,353	-5,143
Fees of jurors and commissioners	57,213	62,800	62,800	+5,587	---
Court security	274,580	383,282	379,580	+105,000	-3,702
Total, Courts of Appeals, District Courts, and Other Judicial Services	4,888,104	5,451,409	5,299,564	+411,460	-151,845
Administrative Office of the United States Courts					
Salaries and expenses	65,305	72,154	68,635	+3,330	-3,519
Federal Judicial Center					
Salaries and expenses	21,214	22,126	21,737	+523	-389
Judicial Retirement Funds					
Payment to Judiciary Trust Funds	29,000	36,700	36,700	+7,700	---

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY,
AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2005 (H.R. 4754)
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
United States Sentencing Commission					
Salaries and expenses	12,224	13,456	13,304	+1,080	-152
Total, title III, the Judiciary	5,131,436	5,704,626	5,545,865	+414,429	-158,761
TITLE IV - DEPARTMENT OF STATE AND RELATED AGENCY					
DEPARTMENT OF STATE					
Administration of Foreign Affairs					
Diplomatic and consular programs	3,384,013	3,626,343	3,580,000	+195,987	-46,343
(Transfer out)	(-4,000)	(-4,000)	(-4,000)	---	---
Worldwide security upgrades	639,896	658,701	658,701	+18,805	---
Worldwide IT infrastructure	39,579	---	40,000	+421	+40,000
Emergency appropriations (P.L. 108-106)	120,500	---	---	-120,500	---
Total, Diplomatic and consular programs	4,183,988	4,285,044	4,278,701	+94,713	-6,343
Capital investment fund	79,158	155,100	100,000	+20,842	-55,100
Office of Inspector General	31,370	30,435	30,435	-935	---
Educational and cultural exchange programs	316,633	345,346	345,346	+28,713	---
Representation allowances	8,905	8,640	8,640	-265	---
Protection of foreign missions and officials	9,894	9,600	9,894	---	+294
Embassy security, construction, and maintenance	524,423	626,680	611,680	+87,257	-15,000
Worldwide security upgrades	852,335	912,320	912,320	+59,985	---
Emergency appropriations (P.L. 108-106)	43,900	---	---	-43,900	---
Emergencies in the diplomatic and consular service	989	7,000	7,000	+6,011	---
(By transfer)	(4,000)	(4,000)	(4,000)	---	---
(Transfer out)	(-1,000)	(-1,000)	(-1,000)	---	---
Emergency appropriations (P.L. 108-106)	115,500	---	---	-115,500	---
Repatriation Loans Program Account:					
Direct loans subsidy	605	612	612	+7	---
Administrative expenses	600	607	607	+7	---
(By transfer)	(1,000)	(1,000)	(1,000)	---	---
Total, Repatriation loans program account	1,205	1,219	1,219	+14	---
Payment to the American Institute in Taiwan	18,585	19,482	19,482	+897	---
Payment to the Foreign Service Retirement and Disability Fund	134,979	132,600	132,600	-2,379	---
Total, Administration of Foreign Affairs	6,321,864	6,533,466	6,457,317	+135,453	-76,149
International Organizations					
Contributions to international organizations, current year assessment	999,830	1,194,210	1,194,210	+194,380	---
Contributions for international peacekeeping activities, current year	450,056	650,000	650,000	+199,944	---
Emergency appropriations (P.L. 108-106)	245,000	---	---	-245,000	---
Total, International Organizations and Conferences	1,694,886	1,844,210	1,844,210	+149,324	---
International Commissions					
International Boundary and Water Commission, United States and Mexico:					
Salaries and expenses	25,726	30,300	26,800	+1,074	-3,500
Construction	3,513	8,545	4,475	+962	-4,070
American sections, international commissions	8,849	10,756	9,356	+507	-1,400
International fisheries commissions	19,097	20,800	19,097	---	-1,703
Total, International commissions	57,185	70,401	59,728	+2,543	-10,673

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2005 (H.R. 4754)
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Other					
Payment to the Asia Foundation	12,864	8,880	13,000	+136	+4,120
International Center for Middle Eastern-Western dialogue	6,926	---	---	-6,926	---
Eisenhower Exchange Fellowship program	495	500	500	+5	---
Israeli Arab scholarship program	371	375	375	+4	---
East-West Center	17,692	13,709	5,000	-12,692	-8,709
National Endowment for Democracy	39,579	80,000	51,000	+11,421	-29,000
Total, Department of State	8,151,862	8,551,541	8,431,130	+279,268	-120,411
RELATED AGENCY					
Broadcasting Board of Governors					
International Broadcasting Operations	540,292	533,111	601,740	+61,448	+68,629
Emergency appropriations (P.L. 108-106)	40,000	---	---	-40,000	---
Broadcasting to Cuba	---	27,629	---	---	-27,629
Broadcasting capital improvements	11,275	8,560	8,560	-2,715	---
Total, Broadcasting Board of Governors	591,567	569,300	610,300	+18,733	+41,000
Total, title IV, Department of State and Related Agency	8,743,429	9,120,841	9,041,430	+298,001	-79,411
Appropriations	(8,178,529)	(9,120,841)	(9,041,430)	(+862,901)	(-79,411)
Emergency appropriations	(564,900)	---	---	(-564,900)	---
(Transfer out)	(-5,000)	(-5,000)	(-5,000)	---	---
(By transfer)	(5,000)	(5,000)	(5,000)	---	---
TITLE V - RELATED AGENCIES					
Antitrust Modernization Commission					
Salaries and expenses	1,187	1,200	1,200	+13	---
Commission on the Abraham Lincoln Study Abroad Fellowship Program					
Salaries and expenses (P.L. 108-199)	497	---	---	-497	---
Commission for the Preservation of America's Heritage Abroad					
Salaries and expenses	491	499	499	+8	---
Commission on Civil Rights					
Salaries and expenses	9,001	9,096	9,096	+95	---
Commission on International Religious Freedom					
Salaries and expenses	2,968	3,000	3,000	+32	---
Commission on Security and Cooperation in Europe					
Salaries and expenses	1,598	1,831	1,831	+233	---
Congressional-Executive Commission on the People's Republic of China					
Salaries and expenses	1,781	1,900	1,900	+119	---
Equal Employment Opportunity Commission					
Salaries and expenses	324,944	350,754	334,944	+10,000	-15,810

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2005 (H.R. 4754)
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Communications Commission					
Salaries and expenses	273,947	292,958	279,851	+5,904	-13,107
Offsetting fee collections - current year	-272,958	-272,958	-272,958	---	---
Direct appropriation	989	20,000	6,893	+5,904	-13,107
Federal Trade Commission					
Salaries and expenses	185,505	205,430	203,430	+17,925	-2,000
Offsetting fee collections - current year	-112,000	-101,000	-101,000	+11,000	---
Offsetting fee collections, telephone database	-23,100	-20,000	-21,901	+1,199	-1,901
Direct appropriation	50,405	84,430	80,529	+30,124	-3,901
HELP Commission					
Salaries and expenses	2,968	---	1,000	-1,968	+1,000
Legal Services Corporation					
Payment to the Legal Services Corporation	335,282	329,300	335,282	---	+5,982
Marine Mammal Commission					
Salaries and expenses	1,836	1,890	1,890	+54	---
National Veterans Business Development Corporation					
National Veterans Business Development Corporation	1,979	2,000	2,000	+21	---
Securities and Exchange Commission					
Salaries and expenses	811,500	913,000	913,000	+101,500	---
Prior year unobligated balances	-120,000	-20,000	-20,000	+100,000	---
Direct appropriation	691,500	893,000	893,000	+201,500	---
Small Business Administration					
Salaries and expenses	322,322	326,259	322,322	---	-3,937
Miscellaneous appropriations (P.L. 108-199)	497	---	---	-497	---
Office of Inspector General	12,864	14,500	14,500	+1,636	---
Surety bond guarantees revolving fund	---	11,400	11,400	+11,400	---
Business Loans Program Account:					
Direct loans subsidy	1,890	---	---	-1,890	---
Guaranteed loans subsidy	78,299	---	---	-78,299	---
Administrative expenses	126,653	129,000	128,000	+1,347	-1,000
Total, Business loans program account	206,842	129,000	128,000	-78,842	-1,000
Disaster Loans Program Account:					
Direct loans subsidy	55,597	78,887	78,887	+23,290	---
Administrative expenses	113,159	118,354	117,000	+3,841	-1,354
Gainsharing	---	---	---	---	---
Total, Disaster loans program account	168,756	197,241	195,887	+27,131	-1,354
Total, Small Business Administration	711,281	678,400	672,109	-39,172	-6,291
State Justice Institute					
Salaries and expenses	2,227	---	2,227	---	+2,227

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY,
AND RELATED AGENCIES APPROPRIATIONS BILL, FY 2005 (H.R. 4754)
(Amounts in thousands)

	FY 2004 Enacted	FY 2005 Request	Bill	Bill vs. Enacted	Bill vs. Request
United States - China Economic and Security Review Commission					
Salaries and expenses	1,979	2,000	3,000	+1,021	+1,000
United States Institute of Peace					
Operating expenses	17,099	22,099	23,000	+5,901	+901
Emergency supplemental appropriations (P.L. 108-106)	10,000	---	---	-10,000	---
Total, United States Institute of Peace	27,099	22,099	23,000	-4,099	+901
Total, title V, Related agencies	2,170,012	2,401,399	2,373,400	+203,388	-27,999
TITLE VII - RESCISSIONS					
DEPARTMENT OF JUSTICE					
General Administration					
Working Capital fund (rescission)	-67,326	---	---	+67,326	---
Counterterrorism fund (rescission)	-40,000	---	---	+40,000	---
Legal Activities					
Assets forfeiture fund (rescission)	-61,608	---	---	+61,608	---
Federal Prison System					
Buildings and facilities (rescission)	-51,895	---	---	+51,895	---
Office of Justice Programs					
State & local law enforcement assistance (rescission)	-21,600	---	-20,000	+1,600	-20,000
Community oriented policing services (rescission)	-6,378	---	-61,000	-54,622	-61,000
Juvenile justice programs (rescission)	-15,900	---	---	+15,900	---
DEPARTMENT OF COMMERCE					
National Oceanic and Atmostpheric Administration					
NERRS construction (rescission)	-2,500	---	---	+2,500	---
Departmental Management					
Emergency steel guaranteed loan program account (rescission)	---	-13,000	---	---	+13,000
Travel and tourism (rescission)	-40,000	---	---	+40,000	---
Total, title VII, Rescissions	-307,207	-13,000	-81,000	+226,207	-68,000
Grand total:					
New budget (obligational) authority	41,480,723	43,216,594	43,483,066	+2,002,343	+266,472
Appropriations	(41,398,030)	(43,338,036)	(43,564,066)	(+2,166,036)	(+226,030)
Emergency appropriations	(589,900)	---	---	(-589,900)	---
Rescissions	(-507,207)	(-121,442)	(-81,000)	(+426,207)	(+40,442)
(Transfer out)	(-11,632)	(-5,000)	(-5,000)	(+6,632)	---
(By transfer)	(73,632)	(84,000)	(84,000)	(+10,368)	---

Mr. MORAN of Virginia. Mr. Chairman, I rise in support of the overall bill before us today. Chairman WOLF and Ranking Member SERRANO have joined together in a bipartisan fashion to present a bill that adequately reflects the funding priorities for our Nation in the area of Commerce, Justice, State, Judiciary and related agencies.

I am especially pleased that money was added to the bill to confront the growing problem with gang activity that jurisdictions throughout the country are facing. In my congressional district and in the northern Virginia region, we are dealing with a growing gang problem that if left unchecked, will expand significantly in a very short time. The additional resources in this bill will help enable our law enforcement officials to acquire the necessary tools to tackle this problem before it grows out of hand. Efforts to increase law enforcement capabilities and strengthen community prevention programs are required to meet the rising gang threat head on.

While I am generally supportive of the funding levels provided in the bill, there are also a number of issues that should be addressed in this bill and others that should be deleted.

An area in which this bill needs amending concerns the USA PATRIOT Act. Communities throughout the country including Arlington County and the city of Alexandria in my district, have recently expressed serious objections with a number of provisions included in the USA PATRIOT Act passed in October 2001.

I share the concerns of my constituency and feel that these issues did not receive the appropriate public debate needed on such sensitive subjects as the protection of our civil liberties. In my opinion, the Attorney General's interpretation of definitions in the PATRIOT Act have eroded our basic civil rights and threaten to further damage the public's image of the Justice Department and Federal law enforcement in general. For these reasons and others, I am supporting amendments to the bill which would stop funding for certain Justice Department activities related to section 213 and section 215 of the PATRIOT Act.

Section 213, also known as the ''sneak and peek'' provision, authorizes the issuance of delayed notification search warrants for physical evidence through a court order from the secret Foreign Intelligence Surveillance Court Act (FISA). These delayed notification warrants allow federal law enforcement to conduct a secret search and seizure of physical evidence without alerting the target until an unspecified time after the search is completed. The amendment introduced by Representative OTTER seeks to impose reasonable limits on the government's ability to obtain sneak and peek warrants. It would continue to allow the authorization of a court issued delayed warrant if the life or physical safety of an individual were endangered, if it would result in a flight from prosecution or if it would result in the destruction or tampering of the evidence sought under the warrant. This amendment would also require notification of a covert search within seven days, rather than an undetermined ''reasonable period'' currently in law. Unlimited, additional seven day delays at the court's discretion will be available under the Otter amendment and the same provisions subjected to the original warrant apply for each extension.

A second amendment that would curtail one of the more troubling provisions in the USA PATRIOT Act concerns section 215. Section 215 has the effect of requiring public libraries and booksellers to submit themselves to secret searches of purchase and checkout records with minimal justification from the FISA Court. Librarians and booksellers across the country fear that this is causing a ''chilling effect'' and making users self-censor their reading choices.

While the Attorney General has released figures on how the PATRIOT Act has been used in the past 2 years which state that this provision has yet to be employed, the fact remains that the law raises questions of future federal mis-use of this provision. The Sanders-Paul-Conyers-Nadler Freedom to Read amendment would restore and protect the privacy and first amendment rights of library and bookstore patrons which were in place before the USA PATRIOT Act. The amendment would not stop law enforcement from accessing these records, it would simply require them to do it with regular court-ordered search warrants or grand jury subpoenas.

While the PATRIOT Act remains an area the underlying bill does not reform, another subject which was confronted in full committee and that passed is equally troubling. I opposed in full committee, an amendment offered by Representative TIAHRT which would prevent the city of New York from having access to federal gun tracing data in a lawsuit against gun manufacturers. Not only did this appropriations rider set a troubling precedent in that it was directed specifically to affect an ongoing court case, it also hampers future lawsuits that could be aided by this data. I am strongly opposed to the inclusion of this language in the bill. We need to be at a minimum maintaining our current common sense gun control measures, not weakening existing laws.

Mr. Chairman, in conclusion, while not everything I would have liked to have seen is in this bill, it is a good balance of the priorities our law enforcement, small businesses and other related agencies require. I am supportive of this measure and look forward to a continued debate of the issues not addressed in the bill.

Mr. NUSSLE. Mr. Chairman, I rise to speak on H.R. 4754, the Commerce, Justice, and State, the Judiciary, and related agencies Appropriations bill for fiscal year 2005.

H.R. 4754 provides $39.8 billion in budget authority and $40.4 billion in outlays—an increase of $878 million in BA and $1.7 billion in outlays from fiscal year 2004. Budget authority in the bill is $240 million above the President's fiscal year 2005 budget request.

H.R. 4754 contains $983 million in BA savings, including $902 million in BA and $341 million in outlays from mandatory spending changes; and $81 million in rescissions of previously enacted BA.

As chairman of the House Budget Committee, I am pleased to report that the bill is consistent with the conference report on the concurrent resolution on the Budget for fiscal year 2005 (H. Con. Res. 95) which passed the full House but has yet to pass the Senate. The bill comes in at its 302(b) allocation of the Subcommittee on Commerce, Justice, and State, the Judiciary, and related agencies and therefore complies with section 302(f) of the budget resolution, which limits appropriations measures to the allocation of the reporting subcommittee. H.R. 4754 also complies in fiscal year 2005 with section 302(f) of the Congressional Budget Act. Section 302(f) prohibits consideration of bills in excess of a subcommittee's 302(b) allocation.

This bill is a clear exercise in setting priorities and responsible spending practices. I was encouraged to see that the Appropriations Committee was able to work within the budget framework that we outlined earlier in the year to find the available resources to increase funding for the Department of Justice by $275 million over the 2004 level and $624 million for the Federal Bureau of Investigation [FBI]. It is certainly appropriate to shift resources from some lower-priority programs at the Department of Commerce toward more important and higher-priority public safety and crime prevention programs at the Department of Justice.

Making those tough priority decisions isn't always easy but it can be done and needs to be done until we get our financial house back in order.

Today, I applaud the members of the Appropriations Committee for demonstrating that they can set priorities which fit within the overall framework established by the budget resolution.

Mr. BEREUTER. Mr. Chairman, this Member rises to express his support for H.R. 4754, a bill making appropriations for the Departments of Commerce, Justice, State and the Judiciary for FY2005. In particular, this Member would like to thank the distinguished gentleman from Virginia (Mr. WOLF), chairman of the Subcommittee and the distinguished gentlemen from New York (Mr. SERRANO) for their hard work under difficult budget circumstances.

As a member of the House Caucus to Fight and Control Methamphetamine, this Member strongly supports the inclusion of $60 million for methamphetamine enforcement and cleanup, otherwise known as the ''hot spots'' program. These funds are critical in State and local efforts to combat the scourge of methamphetamine that is sweeping across our country.

This Member also appreciates the subcommittee's commitment to Nebraska's efforts to fight a growing plague in Nebraska—the manufacture, trafficking, and abuse of methamphetamine. The Nebraska State Patrol will continue the work began with the $1.8 million appropriated over the past 2 years, with an emphasis on funding for the cleanup of clandestine labs. Federal dollars are critical to the success of Nebraska's anti-meth efforts.

Of additional concern is the strong link between methamphetamine abuse and crime. Methamphetamine manufacture, use and trafficking has completely changed the face of crime in Nebraska—especially nonmetropolitan Nebraska. Crime resulting from methamphetamine abuse is soaring, which places great demands on law enforcement. Certainly, methamphetamine use and related crime is the top law enforcement problem in Nebraska. In fact, a study entitled, ''The Rebirth of Rehabilitation: Promises and Perils of Drug Courts, 2000,'' noted that ''an individual who has a severe addiction, to methamphetamine, commits nearly 63 crimes a year.''

In closing, Mr. Chairman, this Member urges his colleagues to support H.R. 4754.

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

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

The CHAIRMAN pro tempore (Mr. TERRY). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

During consideration of the bill for amendment, the Chair may accord priority in recognition to a Member offering an amendment that he has printed in the designated place in the CONGRESSIONAL RECORD. Those amendments will be considered read.

The Clerk will read.

The Clerk read as follows:

H.R. 4754

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2005, and for other purposes, namely:

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $124,906,000, of which not to exceed $3,317,000 is for the Facilities Program 2000, to remain available until expended: *Provided,* That not to exceed 45 permanent positions and 46 full-time equivalent workyears and $11,078,000 shall be expended for the Department Leadership Program exclusive of augmentation that occurred in these offices in fiscal year 2004: *Provided further,* That not to exceed 26 permanent positions, 21 full-time equivalent workyears and $3,305,000 shall be expended for the Office of Legislative Affairs: *Provided further,* That not to exceed 15 permanent positions, 20 full-time equivalent workyears and $1,990,000 shall be expended for the Office of Public Affairs: *Provided further,* That the latter two aforementioned offices may utilize non-reimbursable details of career employees within the caps described in the preceding two provisos.

AMENDMENT OFFERED BY MR. MANZULLO

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

The Clerk read as follows:

Amendment offered by Mr. MANZULLO:

Page 2, line 7, after the dollar amount insert the following: ''(reduced by $27,000,000)''.

Page 3, line 22, after the dollar amount insert the following: ''(reduced by $33,251,000)''.

Page 77, line 17, after the dollar amount insert the following: ''(reduced by $10,421,000)''.

Page 92, line 16, after the dollar amount insert the following: ''(reduced by $8,460,000)''.

Page 94, line 2, after the dollar amount insert the following: ''(increased by $79,132,000)''.

Mr. MANZULLO (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

Mr. MANZULLO. Mr. Chairman, I first want to congratulate the gentleman from Virginia (Mr. WOLF), chairman of the Commerce, Justice, State, Judiciary and Related Agencies Subcommittee; and the gentleman from New York (Mr. SERRANO), ranking minority member, for crafting an excellent bill. Regardless of how this amendment turns out, I am going to vote for it and encourage the rest of the Members of Congress to vote for it. It is very difficult to balance all the conflicting interests, and I commend them for coming up with a good bill.

With all due respect and honor to the gentlemen, I offer this amendment today to freeze funding for SBA 7(a) guaranteed lending program at last year's level.

□ 1315

The 7(a) is the flagship lending program of the Small Business Administration. This amendment means small businesses will be able to get started and grow. The 7(a) program is on track to create and retain half a million jobs this year. It has a proven track record by providing approximately 30 percent of the long-term financing needs for all small businesses.

Increasing fees on small business borrowers and lenders, particularly as interest rates are rising again, puts another barrier in access to capital and crimps our national economic recovery.

No matter how anybody states it, if this amendment fails, small business borrowers and lenders will face a fee or tax increase based on the amount of loan starting October 1 by as much as 100 percent. Some may characterize this as only a few dollars up front. But as the truth in lending disclosure form shows, he or she will pay up front at the time of the signing of the loan documents, hundreds if not thousands of extra dollars. The fee for a typical $100,000 loan would increase from $850 to $1,700.

On top of the up-front fee, lenders will once again see their annual fee on the outstanding balance of 7(a) loans made after October 1 increase, just after they shot up 30 percent this past April to keep the 7(a) program functional in fiscal year 2004. These fees cannot be passed on to the borrowers.

Many lenders, particularly small community banks that serve rural areas, are seriously considering leaving the program. Fewer banks offering 7(a) loans will translate into decreased access to credit for small businesses, which will result in fewer jobs created.

Mr. Chairman, my congressional district just dropped below 10 percent unemployment. Manufacturing jobs leveled off for 4 months. We lost another 11,000 this past month. We are not out of the woods yet. On top of it, the Fed decides to raise the interest rate. The last thing that we need is to have more of a crimp in capital access for the small businesses.

The amendment does not increase business spending. In fact, the Congressional Budget Office estimates the amendment will reduce outlays by $7 million in fiscal year 2005 by offering cuts in other programs.

The reductions are in other programs. The reductions will not be sensitive. They are in the Department of Justice General Administration Account. The Legal Activities Office Automation Program gets cut by $33 million for a program that they never asked for; the National Endowment For Democracy gets cut by a little over $10 million, which is still $1 million above the fiscal year 2004 level; and the salaries and expenses account at the SBA would make up the difference, to reach a $79,132,000 appropriations level for 7(a). That account would be cut by $8.46 million.

So the purpose of this amendment in making the tough choices is to keep funding level, keep the 7(a) program where it is, and although I support the goal of eventually getting the 7(a) program to a zero subsidy rate, now at the time we are just starting to see the light at the end of the tunnel, just starting a recovery, this is not the time to impose additional fees and taxes, not only upon the people that borrow the money, but upon the lenders that make it all possible.

Mr. Chairman, I again urge my colleagues to shift this $79 million from other accounts to the Small Business Account in order to help out the small businesses and keep the 7(a) program alive.

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

Mr. Chairman, I rise in support of the Commerce, Justice, State appropriations bill, and commend the gentleman from Virginia (Chairman WOLF) for crafting a fair and balanced bill, including the Justice Department, Commerce and State, as well as the Federal Judiciary. I would like particularly to comment on several issues of importance to me.

First, this bill provides a 4 percent increase for the International Trade Administration of the Department of Commerce. The ITA serves several important functions that promote economic growth for U.S. workers and firms, including the opening of foreign markets for U.S. goods and the enforcement of trade laws and agreements. I join the chairman in strongly urging the Commerce Department to carefully analyze market trends in order to anticipate unfair trade practices and consult with foreign governments to preempt the requirement for unfair trade cases to be filed. This is particularly helpful to small- and medium-sized companies that have neither the time nor the resources to file lengthy and costly trade cases, but they do deserve the protection of our U.S. trade laws.

Further, I would like to highlight the directive to the Commerce Department to contract with the National Academy of Public Administration to conduct a comprehensive study of the effects of offshoring jobs on the United States workforce and economy. Many manufacturing jobs have left my congressional district in recent years, and I believe it is critical to have accurate data of where jobs are going and what economic impact this job movement is having on the U.S. economy.

I support the $10 million increase over the request for public diplomacy programs in this bill. It is important that we counter the anti-American sentiments that are being voiced in foreign public opinion polls and reflected in foreign media content. Public diplomacy is a critical tool to spread the message of who we are as Americans. The person-to-person exchanges that are promoted by these programs allow for the development of personal, long-term relationships that lead to mutual understanding and respect. We must continue to support these programs worldwide, but in particular, we must focus on programs with the Arab and Muslim world.

Mr. Chairman, I urge support of this important appropriations bill that funds our national and international security needs.

Ms. VELÁZQUEZ. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I want to thank the ranking member, the gentleman from New York (Mr. SERRANO) as well as the gentleman from Virginia (Chairman WOLF) for their work on this important legislation. The bill before us has attempted to do the most with a limited amount of dollars. One area where it falls short is the Small Business Administration.

As the ranking Democrat on the House Committee on Small Business, I always hear, during good economic times or bad, small business owners need access to affordable capital in order to be successful. That is why I always say access to capital is access to opportunity in this country.

Small business owners have told me stories of having to max out credit cards, having to borrow money from relatives, and having banks ask them to put their homes up as collateral for a $20,000 loan, all so they can afford to start a new business or expand an existing business.

The amendment I am offering today with the gentleman from Illinois (Chairman MANZULLO) will restore funding for the 7(a) loan program to fiscal year 2004 levels, $79 million. This amendment offsets several programs, but keeps the funding consistent with their fiscal year 2004 level. These are the real challenges facing small enterprises, and this is the whole reason the 7(a) loan program was created.

The 7(a) program is a public and private partnership for banks, lenders and small businesses. The 7(a) program is this country's largest source of long-term small business lending for both the private and public sectors, providing 30 percent of this Nation's long-term loans.

Given its tremendous success over the years, it is unbelievable to me that this critical loan program has been under nothing but attack from the Bush administration. This is the same administration that claims to be the champion of small business. The first thing this administration did 4 years ago was to eliminate funding for the 7(a) program. Then, earlier this year, the 7(a) program was shut down, and this happened because the Bush administration ignored Congress' warning and they ignored the industry. They simply chose to ask for less funding than what this loan program requires.

Now, today, we face a new issue for the 7(a) program. This same administration wants to zero out the program's funding and let small businesses and lenders pay more. We heard small business owners say this was unfair, and we promised to do something about this. Well, that is what we are doing today, delivering that promise to our small businesses.

What is so ironic is that we are talking about a successful small business lending program here. For every 60 cents, the 7(a) program provides $100 in loans. They have continually done more with less. A decade ago, they received $300 million in the appropriations process, and now we are asking for only one-third of that. Last year alone, the 7(a) program touched over 350,000 jobs.

The most unfortunate part is that over the past 10 years, the 7(a) program has managed to do more for small firms in an environment where they were being overcharged by the government. We fixed this problem in a bipartisan manner in 2001, but the Bush administration wants to go back to the days when small businesses were taxed.

Well, let me tell you, it is not what our Nation's small businesses want and it is not what we want. President Bush travels across the country touting his small business agenda, but his talk proves to be rhetoric; his actions do not match his words.

If you vote against this amendment today, then you are voting to increase the costs facing small businesses. Our hope is that this amendment passes, which would allow the 7(a) loan program to do record volumes with the same amount of money.

It is these small business owners who use the 7(a) program that serve as anchors for our economy. The truth of the matter is, this is an outstanding loan program, and this is the right thing to do. With this amendment, we will be enabling our Nation's small businesses to continue creating the jobs that we so desperately need.

If you support our Nation's economy, if you support job creation and small business, then you will vote ''yes'' on this amendment.

Ms. PELOSI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am pleased to rise in support of the Manzullo-Velazquez amendment to the Commerce, Justice bill. But before I speak to that amendment, I want to commend the very distinguished chair of the committee and the ranking member for their leadership in bringing this bill to the floor.

As one who served many years ago, in my earlier time with the Committee on Appropriations, on this subcommittee, I have an appreciation for the many difficult decisions that you have to make and the great opportunity there is for the American people in this particular appropriations bill.

I also want to take the opportunity to acknowledge the tremendous leadership of the gentleman from Virginia (Chairman WOLF). He knows this, but I want to take a public opportunity to say that there is no person in this House that I admire more than I do the gentleman from Virginia (Mr. WOLF). He is a champion for human rights throughout the world, and as one who has spoken out, as with many of our colleagues in the Congressional Black Caucus, on the situation in the Sudan, I want to recognize his exceptional leadership in that regard and say how much we all appreciate your visit, your trip there, and your relentless, persistent advocacy for the underprivileged throughout this world, in this case in particular, in Darfur. I know many of us are eager to hear a report of the gentleman's trip there.

Once again, I thank the gentleman from Virginia (Mr. WOLF) for being the great challenge to the conscience that he has been in his service in Congress.

I would like to now address the amendment that is being proposed to improve the small business access to 7(a) loans. As you may know, Mr. Chairman, the SBA 7(a) loan program is the most commonly used Small Business Administration loan, and backs approximately $11 billion in loans to small businesses each year. And yet it has faced shutdown caps and restrictions this year and received no funding under the latest Bush budget and Republican appropriations bill.

The President's budget proposes to run the program solely through fee increases, substantially raising the costs for small businesses to use the program and taking billions of dollars out of the economy.

Democrats, and in this case in a bipartisan way with the gentleman from Illinois (Mr. MANZULLO), are fighting to adequately fund the 7(a) loan program and make more loans available to small businesses.

We know that small businesses, Mr. Chairman, are the engine of our economy. They account for 95 percent of employers in our country, create half of our gross domestic product and create three out of four new jobs nationwide.

We have a chance today to save the 7(a) program, and I hope that our colleagues will join the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Illinois (Chairman MANZULLO) in supporting the bipartisan amendment. It will provide fuel to our small businesses which run our economic engine.

I would like to again recognize the leadership of the gentlewoman from New York (Ms. VELÁZQUEZ), our ranking Democrat on the Committee on Small Business, and the gentleman from Illinois (Mr. MANZULLO) for cosponsorship of this amendment.

We are very proud of the service and leadership of the gentlewoman from New York (Ms. VELÁZQUEZ). She is making history in her role as the ranking member on a full committee in the House; and in her service on that committee and in this body she has been a champion for small businesses.

□ 1330

I know she will be joined by the gentlewoman from Oregon (Ms. HOOLEY) and others from the committee who have worked very hard.

When we had our small business summit in June, small businessowners came from around the country, and access to capital was one of their top priorities. Passing this amendment will go a long way to addressing the need for capital. Capital attracts talent, talent attracts capital, the dynamic goes on and on. And while we want to promote the growth of many, many more jobs in our country, it is important that we do so by creating much more equity for potential businessowners and for current businessowners.

With that, I urge my colleagues to support the Manzullo-Velázquez amendment.

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

Mr. Chairman, I thank the gentlewoman for her comments, too; and I appreciate it very much.

I rise in strong opposition. Let me just say that I think the intention of the amendment is a good intention, so I want to thank them for their comments. But the amendment really does not work, and I know it has been dramatically changed, it really does not work what it was supposed to do. If it were passed, the SBA would not be able to use the money for the 7(a) loans because it puts it into an administrative account and not into 7(a). So it just does not do what people would like it to do.

The amendment would augment the administrative appropriation for the business loan account. Because subsidy and administrative loans must be separately appropriated pursuant to the Federal Credit Reform Act, the Manzullo-Velázquez funds could not be used.

It would also violate OMB guidelines. We have followed the President's request for the 7(a) program. This program can provide for $12.5 billion in loans, an unprecedented level, without the appropriation. The Small Business Administration is very, very strongly opposed to this.

But the programs that this would go after; this would take money out of the National Endowment for Democracy and out of the initiative with regard to the Middle East. It would scuttle that program. As my colleagues will recall, the original request for that was $80 million. That has now been reduced in this bill to $50 million. This would take that money out. The President's Greater Middle East Initiative would basically be eliminated with this amendment.

I would remind the sponsors that during the President's State of the Union message, he told the Nation and the world that he would double the funding for the National Endowment for Democracy. The National Endowment for Democracy was established by Congress during the Reagan administration and probably has done more to bring about democracy and freedom in the world than almost anything else that we have done.

Last year the NED budget totaled $39.6 million. The President called for doubling the NED budget; and with this bill, it calls for a $10 million increase, and we would now take that away. It would also deal with the whole issue of an administrative account at the Justice Department. The amendment proposes to reduce the Department of Justice General Administrative Account by $27 million. The bill already reduces this account by $62 million below the request. It would have an impact on counterterrorism, and some might say it could have a devastating impact on the war on terrorism. The only increase provided for above the fiscal year 2004 level for this account is $9 million for inflation to maintain current staff. We would, in essence, take that away.

There are many other reasons, and in the interests of time, and I know the gentleman from Illinois (Mr. HYDE) is here to speak against it and there are others, but, the amendment does not do what it says they would like to do. Because the reason it does not do that is because had it been put in that account, it would have been ruled out of order. Members from both sides came and said they wanted the Legal Services Corporation protected and we protected it. And others, Members on this side wanted a Manufacturing Extension Program, we protected an increase. When they wanted State and local law enforcement, we did that. So they are having an even more difficult time finding the cuts, so they are now going to NED. Earlier today, they were at international broadcasting, and now they are sort of scurrying around.

Secondly, to wound NED, the National Endowment for Democracy and the Middle East Initiative would be horrible. And lastly, to wound the Justice Department and the effort on the war on terrorism is horrible.

So I urge all Members, if you had an amendment which would have done what you would have liked to have done, that is one thing. This amendment does not do it.

So I urge defeat of the amendment.

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

Mr. Chairman, let me at the outset say that the gentleman from Virginia (Chairman WOLF) knows that I know how difficult it was to put this bill together and to deal with the issues that this bill takes care of. He is right, we had to move around with a smaller allocation. In fact, the gentleman from Florida (Chairman YOUNG) was gracious enough to admit that the allocation, I think he said, was thin. Yet within that allocation, we were able to come up with a bill that I think we can all support.

But in the middle of that bill, or actually at the beginning of the bill, there is this gaping hole, this problem with the SBA now. There are different views as to how much of a problem this truly represents. But the fact of life is that many people on both sides of the aisle feel that it is a problem and one that needs to be dealt with.

Now, in committee, full committee, I proposed an amendment which would have provided the $79 million by declaring an emergency. What I basically did at that time was move emergency disaster funds and replace the 7(a) allocation in its place. By the way, that amendment was not approved; otherwise, we would not be here right now. Under our rules, that same amendment, then, cannot be presented on the floor because of the way it was presented, and so we have this one where we have dollars that we shift around in the bill.

I am not going to repeat what everybody has said. But in so many communities throughout this country, the small business community and the providers of loans believe that this is an important amendment; that this is an amendment that should, in fact, be approved and one that both sides of the aisle can support.

So with the respect and admiration that I have for my chairman, and knowing well that I was an architect in putting this bill together and our staffs were, nevertheless, I feel that this is an amendment that should be approved; and I will hope that on both sides it can get the sufficient votes to pass.

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

Mr. Chairman, I rise in support of the Manzullo-Velázquez amendment.

Mr. Chairman, I am grateful to our colleagues, the gentleman from Virginia (Mr. WOLF) and the gentleman from New York (Mr. SERRANO), for their conscientious and cooperative efforts reflected in this bill. Despite the inadequate allocation the committee had to start with, they were able to redirect much-needed resources to a number of law enforcement programs, to antigang initiatives, to scientific research, and to business programs.

As I said when the Homeland Security appropriations bill came to the floor, I am concerned about how the cuts to the COPS program and the Byrne grants for local law enforcement will affect our first responders' ability to protect us from, and to respond to, terrorist attacks. But I commend my colleagues for the improvements they have made in the President's budget request.

Today, I rise in support of the amendment being offered by the chairman and the ranking member of the

Committee on Small Business to restore funding for the Small Business Administration's flagship 7(a) loan program. With all due respect to my friends on the Committee on Appropriations, these are the two Members who spend the most time dealing with small business issues and have the best understanding of small business programs.

The fact that the two of them have come together to offer this bipartisan amendment should be all the proof that most Members need that 7(a) does, in fact, need Federal funds to survive. But for those who are not willing to take their word for it, let us look at the facts. Small businesses are the number one job creators in this economy. 7(a) loans account for nearly 30 percent of all long-term loans for small businesses in America. This is a program that has returned an estimated $12 billion to the economy with only a $120 million investment. I cannot understand how anyone could say that 7(a) is not good business.

The administration is apparently still clinging to their claim that 7(a) can continue entirely as a fee-based program. They say we could simply increase fees to make up the difference in funding. We could. But if we did so, any company hoping to take out a $150,000 7(a) loan would have to ante up something like $10,000 in fees just to get the loan. In private real estate markets that would be like a mortgage broker charging seven points just to process a mortgage application. Such a policy would kill 7(a). That is why the gentleman from Illinois (Mr. MANZULLO) and the gentlewoman from New York (Ms. VELÁZQUEZ) have decided to offer this amendment, and I strongly encourage my colleagues to support it.

Mr. Chairman, this bill unfortunately shortchanges small business in yet another respect, zeroing out funding for the very successful microloan program.

Microenterprises are the foundation of our economy, and although a microenterprise by definition has fewer than five employees, they account for something like 17 percent of our employment in this country. In the 12 years it has been in existence, the microloan program has resulted in 19,000 microloans responsible for the creation of more than 60,000 American jobs. In my district alone, this program has resulted in 223 loans totaling $1.26 million.

That is a huge impact. Each of those loans represents a new business, a new American realizing his or her dream. The economic effects of each of these loans ripples and expands throughout the local, State, and ultimately, the national economy. The gentleman from New York (Mr. SERRANO) and the gentleman from Virginia (Mr. WOLF) will offer an amendment later to restore most of the funding for the microloan program, and I urge my colleagues to support their amendment.

Mr. Chairman, America's small businesses represent the dreams, the innovation, the drive that have made this country great. Especially as we struggle to replace the 1.2 million American jobs that have been lost in the last 3 years, we need to ensure that the programs best qualified to create jobs are given the resources that they need. The 7(a) program and the microloan program have proved themselves in creating jobs, building businesses, and expanding our economy. I urge my colleagues to give them the resources to continue.

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

Mr. Chairman, my respect and admiration for the gentleman from Illinois (Mr. MANZULLO) is very large, but it does not extend to this amendment. I hope this amendment does not pass, and I will tell my colleagues my reasons.

I am very concerned that in adding $10 million to the program that the gentleman wishes to nourish will result in that size of a cut from the National Endowment for Democracy. If ever there was a time we needed public diplomacy, we need the services of the National Endowment for Democracy to help tell the truth about America throughout the Middle East, as well as the rest of the world, it is now. This is not the time to be cutting these funds, and this Manzullo amendment would end up doing that.

Small business is very important, we all agree. Small business we trust has been adequately compensated in this general legislation, and even if this method of funding the program the gentleman wishes to protect is removed, the program will continue, I am informed, because it can be funded in other manners.

But in any event, this is a very important amendment. It is one that if it passes would limit our ability to tell the story that we need to tell throughout the Middle East and the rest of the world about democracy and freedom. We are on the defensive now. This is no time to tie us in knots.

So with warm respect for the gentleman from Illinois (Mr. MANZULLO), I respectfully hope this amendment is defeated.

Ms. MILLENDER-MCDONALD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to thank the chairman and the ranking member, the gentleman from Virginia (Chairman WOLF) and the gentleman from New York (Mr. SERRANO), for their leadership. In spite of the cuts in funding and the sacrifices that we are having to make in terms of budget shortfalls, they are showing their leadership in providing as much funding as possible for those critical programs that are endemic to working families.

Mr. Chairman, I do rise, though, in strong support of the amendment offered by my colleagues on the Committee on Small Business, the gentleman from Illinois (Chairman MANZULLO) and the gentlewoman from New York (Ms. VELÁZQUEZ), the ranking member, which would provide full funding for the Small Business Administration's primary lending program, the 7(a) loan program.

□ 1345

Mr. Chairman, we on the Committee on Small Business have heard small business owners throughout this country, and they are all saying the same thing, that the one hurdle faced by America's 23 million small businesses is gaining access to affordable capital. I believe that the Manzullo-Velázquez amendment, which maintains the $79 million in funding provided to the agency last year, helps SBA reach its goal of providing small companies with the financing they need through the agency's access to capital lending programs. Without this funding provided for businesses by this amendment, many small businesses could be denied the loans they need to be successful.

Funding for this program, and if it is not restored, small businesses will be unable to target new markets, grow or even hire new workers. The 7(a) loan program is the SBA's core lending program and accounts for roughly 30 percent of all long-term small businesses in America. In addition, these loans are the only source of affordable long-term financing for many of our Nation's small businesses, especially minority- and women-owned businesses.

As the ranking member on the Subcommittee on Tax, Finance, and Exports, I understand the importance of small businesses to our Nation. They employ 97 percent of our Nation's workforce and are often called the engine of the Nation's economy. Without the funding provided for by this amendment, both lenders participating in the program and borrowers will be faced with higher fees; some lenders could be forced to withdraw from the program, leaving small businesses with fewer options for financing.

Mr. Chairman, the passage of this amendment is critical to the capital needs of thousands of small businesses. I urge its passage.

Mr. Chairman, I yield to the gentlewoman from New York (Ms. VELÁZQUEZ), the ranking member on the committee.

Ms. VELÁZQUEZ. Mr. Chairman, I thank the gentlewoman for yielding. A concern was raised by the gentleman from Virginia (Mr. WOLF) regarding the properness of where the amendment places the money within SBA. With all due respect, Mr. Chairman, because the SBA 7(a) program was eliminated, a program account does not exist. But I want to read from the committee's report and the gentleman says, ''The committee recommends a total of $128 million under this account for administrative expenses related to business loan programs.''

So what we have done is to operate within the constraints that the committee provided us. And regarding the concern that was raised about the

money, $10 million that had been taken from the National Endowment for Democracy, even by taking the offset of $10 million, the program remains funded at last year's level. And we do support spreading democracy, but we also support creating jobs in our country.

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

In many ways, it is with somewhat of a heavy heart that I rise in support of the amendment, especially as the gentleman from Virginia (Mr. WOLF) has been so helpful in restoring the Manufacturing Extension Partnership funds which will help my State of Michigan, and because of the enormous respect I have for the chairman of the Committee on International Relations on which I sit, the gentleman from Illinois (Mr. HYDE).

But being from Michigan, my small businesses have asked me to come and support this amendment and ask that we not raise these fees at a time when the Fed is raising our interest rates. As the backbone of our economy, our small businesses deserve no less during difficult times, especially while, despite a recovering economy, pockets of persistent downturn remain, many of them in the industrial States, one of which I represent.

As for the National Endowment for Democracy, in many ways it is important to remember that democracy begins at home. It will be very difficult to continue to mobilize Americans' resolve to spread democracy abroad if in an economic downturn we are tempted to turn inward towards our own struggling economy.

The continued support of small business, the perpetuation of their entrepreneurial dreams, is the seed of democracy which we are endeavoring to sow throughout the world. Let us not forget them and turn our backs today.

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

Mr. Chairman, I rise in strong support of the amendment offered by my good friends, the gentleman from Illinois (Mr. MANZULLO) and the ranking member, the gentlewoman from New York (Ms. VELÁZQUEZ), of the House Committee on Small Business.

I speak as a former president and chief financial officer for 20 years of a small business firm, and I speak as a former member of the Committee on Small Business. I understand how difficult it can be to access capital when you run a small business or when you want to start one. Restoring $79 million for the Small Business Administration's SBA 7(a) loan guarantee program in fiscal year 2005 is a step in the right direction.

The 7(a) loan guarantee program deserves among the SBA's business loan program to help qualified small businesses obtain financing when they might not be eligible for business loans through small lending channels. It provides 30 percent of all long-term small business financing. This program is also the SBA's most flexible business loan program since financing under the 7(a) loan program can be guaranteed for a variety of general business purposes. Regardless, funding for the 7(a) program has dwindled from approximately $330 million a decade ago down to only $79 million today as borrowers and lenders have absorbed much of the program's costs.

Many small businesses are attempting to emerge from the current economic downturn and they do not have the balance sheets necessary to obtain conventional financing. Consequently, they need the 7(a) program.

It has been my experience that start-up businesses in particular rely on the 7(a) loan guarantee as the last resort to access desperately needed capital. The SBA 7(a) loan program is vital to the funding of these small businesses. Without a supportive funding appropriation, many small businesses simply will not be financed and many jobs will not be created.

My State needs this program to be funded. They have contacted me repeatedly, requesting my assistance, and I have responded in kind, cosigning letters requesting funding for the program. Today is the day we need to heed the call of most, if not all, of our small business constituents who comprise such a large percentage of all businesses in the United States.

I support restoring funding for the 7(a) program. I urge my colleagues to support small business and the Manzullo-Velázquez amendment to this legislation.

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

Today is an important day for small business, their owners, their employees, those out of work and desperately searching and, indeed, the entire American economy.

In June, our economy was estimated to add 112,000 new jobs. Make no mistake, this is a significant number, especially for those individuals that found these new jobs and for their families. However, there are still far too many individuals and families that are suffering from the effects of unemployment, and unfortunately, that number of new jobs falls drastically short of the number of new jobs needed each month just to keep up with the growing working population. Yet, here we are on a day when Oregon's unemployment is still 6.7 percent.

There is a bill before us that seeks to cut all funding for the Small Business Administration's loan program, 7(a). The SBA 7(a) loan program is vital to America's small business, and American small businesses are vital to the American economy and the American worker.

Demand for more small business loans, especially 7(a) guaranteed loans, have increased dramatically as America's small businesses seize a glimmer of hope that we are emerging from our recession. To pull the very rug out from under them by cutting funding to the 7(a) program just when they see this glimmer of hope is nothing short of cruel. These SBA 7(a) loans are especially important to start-up businesses which are so reliant on ready access to capital.

These start-up businesses are our future. They will be where our new growth comes from. It makes no sense whatsoever to cut their access to capital when our economy needs every boost of stimulus it can get.

A vote for the Manzullo-Velázquez amendment is a vote for America's small business which, in turn, is a vote for America's economy and the American worker. That is why I am supporting this amendment to restore the funding needed for the 7(a) SBA program, and that is why I am asking all of my colleagues on both sides of the aisle to join me in this effort.

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

Mr. Chairman, I am reluctant to rise in opposition to this amendment, because of its sponsor. I know that his heart is in the right place. The gentleman from Illinois (Mr. MANZULLO) is an outstanding chairman of the Committee on Small Business. I know that he has worked very hard for the strength of small businesses because he understands, as most of us do, that without all of our small businesses in America, we would not have any big businesses because the big businesses rely on small businesses in order to get the job done. But the sponsors of the amendment are of the opinion that there is no money or that the 7(a) loan program needs more money.

In this bill, if I remember correctly, the gentleman from Virginia (Mr. WOLF) provides $12.5 billion in loan guarantees for this program. So we have not forgotten this program in the appropriations bill. The amendment does not really add money to the loan program anyway. It adds money to the SBA administrative account and, therefore, will not even be spent on the loan program as the drafters intend.

At the same time, and this is my larger concern, the amendment cuts not only other SBA administrative functions, hurting the agency that oversees the loan programs, but it also reduces programs in the Department of Justice, impacting homeland security initiatives, by $60 million. The impact of this would be devastating on the war on terrorism. For example, the cuts include the office that oversees Foreign Intelligence Surveillance Act applications which are vital to the war on terrorism and which are vital to keep track of terrorists who may try to enter this country. I believe that there are more prudent ways to address the gentleman's issue.

Again, I would like to compliment him for his strong commitment, not only as a Member of the House, but as chairman of the Committee on Small

Business, and for his support of small businesses because, again I will repeat, that small businesses are important to this Nation and are important to our economy. Small businesses create many of the jobs that Americans hold and draw paychecks from. Without our very successful number of small businesses, the large businesses in America would find it very difficult to function because they do rely on small businesses.

So, all in all, I do not think this money is certainly not needed for the loan program. But it would not be invested in the loan program anyway. But what it does is take money away from homeland security programs in the Department of Justice, and I just think that is a mistake.

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

Mr. Chairman, I rise today in strong support of the Manzullo-Velázquez amendment to the fiscal year 2005 Commerce, Justice, State Appropriations Act and mainly to support small business.

This amendment will provide the necessary funding to maintain the integrity of the Small Business Administration's flagship small business lending mechanism, the 7(a) loan guarantee program.

Mr. Chairman, I represent the Territory of Guam, where 90 percent of our businesses are small businesses.

□ 1400

I applaud the bipartisan leadership demonstrated by our dynamic duo, the gentleman from Illinois (Mr. MANZULLO) and the gentlewoman from New York (Ms. VELÁZQUEZ), in constructing this amendment; and I am proud to have worked with my colleagues on the committee, whether participating in hearings or writing letters or meeting with small business owners, so that we can today arrive at a consensus that reflects the needs of the small business community and the role of the Federal Government to help foster growth, innovation and jobs in this important economic sector.

The 7(a) loan guarantee program is a principal source of funding for small businesses, representing 30 percent of all long-term small business borrowing in the United States. Oftentimes, the 7(a) program is the only source for long-term financing on reasonable terms for small businesses, particularly those in poor, rural, and underserved areas. These small firms represent the future of our economy, as they account for 75 percent of all new jobs created in the United States.

Consider these statistics: the current Federal burden for supporting every $100 of a 7(a) loan is 60 cents. Statistics also show that a new job is created in the small business sector for every $33,000 of loans.

Mr. Chairman, that means that it costs the Federal Government only $198 to create an additional job for the economy through the 7(a) program. A Federal program that demonstrates this level of success should never, ever be cut back, but, rather, expanded.

Suspending Federal funding of the 7(a) program will result in an increased cost to small businesses, as banks will pass new costs on to their 7(a) customers in the form of higher fees.

There is also fear that some banks, particularly in poor, rural and underserved areas, will no longer see the incentive of offering 7(a) loans and will suspend this financing mechanism altogether. This will have the effect of halting both economic and job growth at a time, Mr. Chairman, when we are just beginning to recover from the recent economic downturn.

Recognizing the budget challenges this year, the Manzullo-Velázquez amendment modestly proposes to fund the Federal subsidy of the 7(a) program at fiscal year 2004 levels. It is also budget-neutral. This amendment is supported by Democrats and Republicans, by small business owners throughout the country and by banks that offer federally backed financing mechanisms.

Mr. Chairman, this is the right thing to do, and I hope my colleagues will vote in favor of the Manzullo-Velázquez amendment.

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

Mr. Chairman, I rise today in opposition to the Manzullo-Velázquez amendment to H.R. 4754, the Commerce, Justice, State appropriations bill. I strongly support the Small Business Administration's (SBA), 7(a) business loan program and have joined some of my colleagues from Connecticut in advocating improvements and increases in the program.

I understand the serious issues facing small businesses today and believe that, as the backbone of our community, it is vital we do what we can to help them thrive and I appreciate the spirit of the amendment.

But this is not what the amendment does in its entirety. It cuts $60 million out of the Department of Justice and $10 million out of the National Endowment For Democracy. And so, therefore, the amendment is fatally flawed.

If my colleagues believe that the cold war still exists, they could probably make an argument for this amendment. They could probably say we do not need the National Endowment For Democracy as much as we do today, and they could probably say that the Department of Justice does not need the initiatives that it needs; but the Cold War is over, and the world is a far more dangerous place. We have to deal with the issues that confront us.

The idea that we would contain and react to threats and have mutually assured destruction in the days of the Cold War has been replaced by the need for detection and prevention. Our actions may have to be maybe preemptive and maybe sometimes even unilateral, but the key part is prevention and detection; and there is no way we are going to be able to detect and prevent, in my judgment, if we are not doing more to give our intelligence community the skills to detect and to prevent.

We have a letter from the Department of Justice that makes clear that, to accommodate an additional $10 million cut in the OIPR budget for intelligence, they would need to forego requested adjustments to base, including the funding needed to support the annualization of second-year costs for 16 OIPR positions. This would further degrade OIPR's ability to process FISA's applications for intelligence searches and surveillances before the foreign intelligence surveillance court of review, when the number of applications has increased significantly since September 11, 2001. The letter goes on.

This is crazy at this time to act like somehow this is pre-September 11.

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

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

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

Mr. Chairman, I listened to the debate, and I just want to make a couple of closing comments. One, this does hurt NED. At this time for the Middle East to do this is just not good.

Secondly, it hurts the war on terrorism. Thirty people from my district died in the attack on the Pentagon, and we heard it. Lastly, and I know this is not the intention of the sponsors, this is not, I say, the intention of the sponsors, but the reality of this amendment is that this is a subsidy to put money into the bankers' pockets. That is basically what it is. If one were helping the poor or the hungry or the people that really need it, one ought to support the amendment; but look and listen to the groups that contacted us, the American Bankers Association. This is an amendment to put money in the pockets of the bankers, not the poor, not small business, and for those reasons, in addition to the National Endowment For Democracy when we are trying to get peace in the Middle East on the war on terrorism.

Ms. VELÁZQUEZ. Mr. Chairman, will the gentleman yield?

Mr. SHAYS. I yield to the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Chairman, I thank the gentleman for yielding; but with all due respect, I sit on the Committee on Financial Services.

The CHAIRMAN pro tempore (Mr. MCHUGH). The time of the gentleman from Connecticut (Mr. SHAYS) has expired.

(By unanimous consent, Mr. SHAYS was allowed to proceed for 1 additional minute.)

Ms. VELÁZQUEZ. Mr. Chairman, will the gentleman yield?

Mr. SHAYS. I yield to the gentlewoman from New York.

Ms. VELÁZQUEZ. For members of the subcommittee of Congress to be

here doing the job for a financial institution is completely wrong.

This amendment will address a Hispanic woman who goes shopping around to make a loan and is being denied a loan by commercial banks. Unless we have a loan guarantee, and my colleagues know that we hear time and time again about minority businesses, women-owned businesses who are denied loans through traditional financial institutions, this amendment helps those people who are trying to set up their businesses or expand their businesses.

Mr. WOLF. Mr. Chairman, if the gentleman will yield, I understand what the gentlewoman is doing and I admire that. I think her purpose is very, very good and I think on the microloan issue is exactly right. That is why the gentleman from New York (Mr. SERRANO) and I have an amendment to restore that and deal with this. I want to make sure the record should state that is not the gentlewoman's purpose of doing it, and so I only attribute the honorable, the most wonderful.

Ms. VELÁZQUEZ. Mr. Chairman, if the gentleman would further yield, we can mix oranges and apples. Microloan and 7(a) are two completely different programs.

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

Mr. Chairman, let me begin by recognizing the hard work of the gentleman from Virginia (Mr. WOLF) and the gentleman from New York (Mr. SERRANO). I know this is a difficult bill, and I know there is not a lot of money available.

Let me more importantly, however, recognize the bipartisan spirit and hard work of the gentleman from Illinois (Mr. MANZULLO), the Chair of the Committee on Small Business, and also the gentlewoman from New York (Ms. VELÁZQUEZ), the ranking member.

This is an absolutely critical bill. This is not a bill for the banks. This is a bill for the small businesses in America that are struggling. This is a bill for the companies in this country that are trying to create jobs. We have a sluggish, sputtering economy. We have just raised interest rates on these same small businesses.

We hear a lot of rhetoric on this floor about the engine of our democracy, creating jobs, we love Main Street, we want to support small businesses; but when it comes time to make a policy decision, which is where we are today, so many people have all kinds of reasons why we should not put creating jobs and helping small businesses at the front of the line.

Yes, there is a need for democracy funds; and, yes, there is a need for 16 additional personnel to process visas. And we can get that money. We wasted more money on Halliburton than this bill involves. That money can be obtained. The fact of the matter is this is an absolutely critical bill.

Now, it is amazing to me to hear people dismiss cavalierly the needs of the small business community. Why? Because unlike many big businesses and unlike the Halliburtons, these small businesses are creating jobs here in the United States. These are not jobs that are going to be exported or offshored. These are jobs here in our local communities.

The gentlewoman from New York (Ms. VELÁZQUEZ) cited the example of minority businesses who go around shopping for loans and that cannot get those loans without this program. This program created 300,000 jobs in America last year. This program used $79 million and leveraged that into loans totaling over $12 billion. Those loans, those jobs are the things that make America work.

So it seems to me that for the relatively modest sum of $79 million we ought to give small businesses and job creation in America a greater priority and fund other worthy causes that have been discussed on this floor through other means.

We have given great tax cuts to very wealthy people. I mentioned Halliburton. We have given them loads of money; and they have misused it, overcharged the United States. The money can be found to address my colleagues' concerns, and they are worthy concerns; but today, we have to ask ourselves a very fundamental question. Are we serious about helping the small businesses in our community? If we are, we should support the Manzullo-Velazquez amendment and restore the funding for the 7(a) loan program.

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

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

Mr. SMITH of Michigan. I yield to the gentleman from Illinois.

Mr. MANZULLO. Mr. Chairman, I thought I would recite the names of some of the organizations that are in favor of the Manzullo-Velázquez amendment. Sure, we have the American Bankers Association that is in favor of it, but just listen to the names of these groups that represent small businesses.

The Asian American and Hotel Owners Association; Women Impacting Public Policy, that is over 2.5 million women-owned small businesses. The Air Conditioning Contractors of America, those are all small businesses. American Society of Farm Managers and Rural Appraisers, those are small business people. American Society of Appraisers, those are small business people. America's Community Bankers, those are many small community banks in rural areas. Financial Services Roundtable, banks of all sizes, including large banks. Independent Community Bankers of America, those are mostly small banks, many in rural areas.

International Franchise Association, thousands and thousands of small business owners across America. National Association of Government Guaranteed Leaders, NAGGL, that represents people that get small business loans. National Association for the Self-Employed, I think the average membership of their group is less than five employees.

National Association of Women Business Owners, small business people. The National Bankers Association, National Black Chamber of Commerce, the National Small Business Association, the Small Business Legislative Council, the Appraisal Institute. The Tire Industry Association, these are guys that have tire shops across the country. The United Motorcoach Association, these are guys that buy buses for tourism, et cetera; and the U.S. Chamber of Commerce, which represents the large and small businesses.

The reason all these groups are behind the Manzullo-Velázquez amendment is that the core purpose of the Small Business Administration is to make capital available to small businesses, and why the SBA is fighting small businesses is beyond the recognition of the chairman of the Committee on Small Business. I cannot understand it, why the SBA is fighting this bill, which is the core program of the entire SBA.

□ 1415

It does not make sense. $79 million in the huge $3 trillion budget that we have is not a lot of money. But what it does amount to is the doubling of the fee of the little guys that get loans of under $150,000. The little ones get hit, the very ones that are trying to make this Nation recover.

In my district, we just dropped below 10 percent unemployment and the Fed raised the interest rate. I stand here in the gap as the chairman of the Committee on Small Business to say the Small Business Administration is wrong on this issue, and they ought to be ashamed of themselves for fighting this Congress to defund the very program that has made the SBA the organization that it is.

Sure, I could get very impassioned over little people. I come from a small business. My dad had a grocery store and then a restaurant, and the family restaurant continues today. And if my brother wants to get a loan from the SBA, why should his fees be doubled?

Mr. SMITH of Michigan. Mr. Chairman, reclaiming my time, although I support the intention of the chairman of the Committee on Small Business, my concern would be where the money comes from. So, in the MEP program, it is already sacrificing, and this also takes funds out of that. So I do not know how to rebalance.

Mr. MANZULLO. If the gentleman will continue to yield, this does not take funds of the MEP.

Mr. SMITH of Michigan. Well, Mr. Chairman, this takes funds out of the Justice Department, and that is part of the sourcing of funds that I understand the money would come from. And I will be happy to yield for a final word from the chairman.

Mr. MANZULLO. Well, I commend the chairman for funding the MEP program, but out of Justice this comes out of the administration account. It has nothing to do with FBI agents or the DEA or people involved in those positions.

Mr. SMITH of Michigan. Mr. Chairman, reclaiming my time once again, let me ask a question of the chairman. Where is this $60 million of the funds coming from in Justice?

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

Mr. SMITH of Michigan. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, the letter from Justice says it would be ''devastating to the management of the Department, including the Office of Intelligence Policy and Review's support for the Foreign Intelligence Surveillance Act.'' It also says, ''This would further degrade OIPR's ability to process FISA applications.''

Ms. MAJETTE. Mr. Chairman, I move to strike the requisite number of words, and I rise today in support of this bipartisan amendment offered by my colleagues on the Committee on Small Business, the gentleman from Illinois (Mr. MANZULLO), the chairman, and the ranking member, the gentlewoman from New York (Ms. VELÁZQUEZ).

This amendment would restore funding for the Small Business Administration's signature 7(a) loan program to the fiscal year 2004 levels of $79 million. The underlying bill would eliminate funding for this critical program, potentially crippling many small businesses that rely on the 7(a) program as their only source of capital.

The number one problem cited by America's small businesses is gaining access to affordable capital. As you know, the 7(a) loan program provides loans on favorable terms to small businesses and allows funds to be used for operating capital. The SBA offers the program through private lenders and the SBA guarantees 50 to 80 percent of the loan's amount. The 7(a) loan program accounts for 30 percent of all long-term small business lending, and it is a proven catalyst for job creation and economic development.

This loan program has proven itself productive and successful. Last year, in Georgia, 1,498 loans were issued for a total of $367 million under the 7(a) program. And in my district, Georgia's Fourth Congressional District, 184 loans were issued, totaling $47 million. Those loans kept and produced jobs in our community. Those loans supported the very businesses that managed to weather a weak economy, and now some wish to take those loans away.

Small businesses cite access to capital as their main barrier to growth. By not fully funding the 7(a) program, we will be denying vital funds to small businesses across the country. This means fewer small businesses, less growth in those that survive, and fewer jobs created.

I urge my colleagues to support this amendment and to restore funding for a program vital to our small businesses, our families and our economy.

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

Ms. MAJETTE. I yield to the gentleman from North Carolina.

Mr. WATT. Mr. Chairman, I thank the gentlewoman for yielding to me, because it will not take me 5 minutes to do what I want to do. I am with my colleague, the gentleman from Illinois (Mr. MANZULLO), on this. I do not understand the priorities that the Small Business Administration are using when they talk about not supporting a loan program that has generated 360,000 jobs in the last year.

How could this administration, that has lost as many jobs as it has through the almost 4 years of being in office, now be talking about doing away with a program that is a job creation mechanism? I, for the life of me, do not understand that. And the only thing I can say is, this is just not rational decision-making being made.

This argument that somehow we are going to restore these funds by increasing fees on small business people who apply for the loans just makes even less sense to me. Because those are the very people who need the money without additional fees being generated and charged and assessed to them.

So the priority setting here in an appropriations process tells a lot about the values of an administration and the values of an SBA. And, apparently, this SBA and this administration simply do not care about small businesses or about job creation, even though it is giving lip service to it throughout the country.

I think we should support this amendment, and I appreciate the gentlewoman yielding to me. It does not take a long time to say this administration's priorities are out of whack on this issue, and we should support the amendment that has been offered by the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Illinois (Mr. MANZULLO), who cannot understand the priorities that this Republican administration is putting forward any more than we can on this side.

Ms. VELÁZQUEZ. Mr. Chairman, will the gentlewoman yield?

Ms. MAJETTE. I yield to the gentlewoman from New York.

Ms. VELÁZQUEZ. Mr. Chairman, in reference to the fact that this amendment takes money from homeland security, I will say that there is nothing in this amendment that will take money from homeland security. The offsets are from DOJ automation projects.

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

Mr. Chairman, I think the virtues of the small businesses have already been outlined time, time, and time again. The only question is what is the biggest problem that small businesses have in this country? The biggest problem that small businesses have is access to capital. How do they get the money that they need to really start up? How do they get the money to expand? How do they get the money to operate? Without capital, there can really be no small businesses.

So it seems to me that, notwithstanding all of the difficulties that have been cited about where the money is or what we have to do with it, if we do not generate it, if we do not produce it, then we do not have the businesses that we need.

I would simply urge support for the Manzullo-Velázquez amendment, and also indicate support for the microloan program. I come into contact with hundreds of small business people every week, every month, who, with just a little bit of money, would really help them over what they call the ''hump.'' It would keep them in business, keep them employed, and keep the economy thriving.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think the first order of business is to acknowledge the good work that the gentleman from Virginia (Mr. WOLF) and the ranking member, the gentleman from New York (Mr. SERRANO) have done on this appropriation with the deck of cards they have been given. I think this debate should stray away from the work that has been done by the appropriators. We already know the vigorous debate that has taken place between the budget people and the appropriators, trying to find dollars where they may not be.

Let me just say that as a member of the Select Committee on Homeland Security, I believe we have unanimity in at least recognizing that homeland security is important. We may do it differently, but we understand it is important and we want to secure the homeland.

I frankly believe there are ways to improve the resources necessary to do what is important for the American people, secure the homeland, and also do what the gentleman from Illinois (Mr. MANZULLO) and the ranking member, the gentlewoman from New York (Ms. VELÁZQUEZ), want us to do, and that is to rebuild the crumbling infrastructure of the SBA 7(a) loan program.

Let me cite, if I might, and compliment Milton Wilson, who heads my SBA agency in the Houston region, talk about the many, many hundreds of small businesses that have created jobs in Houston. When we were falling on our very knees just about 3 years ago and Enron laid off 5,000 employees in my community, the domino effect was enormous from businesses that were supported by this very large company and other energy companies who felt the brunt of the economic engine failing in this country.

Now, we just realized that we only created in the last month 112,000 jobs

when, in actuality, to be even minimally healthy economically, we needed to create 150,000. Well, Mr. Chairman, the place to create those jobs is through small businesses.

I am frankly disappointed to announce to the American public and my colleagues that 2 days before Christmas, just a year ago, the administration encouraged or announced significant changes to the 7(a) program. Two weeks later, the SBA shut the program down. What does that mean to small businesses, which are basically the infrastructure of America?

They are the job creators of America. That is what all of us say. When we go home to our districts, it is the small business owners that we encounter, with all their ups and downs. The only way they have been able to access dollars has been to use their credit cards, with their usurious interest rates. That is how they have been funding their businesses.

These are the floral shops, these are the cleaners, these are the small computer offices, these are the human resource offices. These are the small businesses of America. Frankly, they may be in Houston, they may be in Jackson, Mississippi, they may be in Charlotte, North Carolina, they may be in New York, they may be in Ohio and Illinois and California. All over America, what is happening is that we are losing the ability for these small businesses to engage in business by getting these kinds of loans.

According to the GAO, over the past 10 years, small business lenders and borrowers have paid over $1 billion in miscalculated government fees and under-the-table taxes. This was fixed by a bipartisan move 2 years ago, yet the administration wants to go back to a time when lenders and borrowers were overcharged. That does nothing but hurt our small businesses.

So this amendment that has been offered by the distinguished gentlewoman from New York and the distinguished gentleman from Illinois is, frankly, the right way to go. And I would like to be able to say to the ranking member and the chairman of this subcommittee, let us go find some dollars somewhere where they are not needed, like the enormous tax cuts that are taking away from the working men and women of America. Let us go find money that will support the 7(a) loan program that can, in effect, provide the resources that are necessary to create jobs.

Who would stand on the floor of the House today and ignore the fact that we only created 112,000 jobs? The only way we can add to those jobs, besides boosting our manufacturing, is to give small business the ability to secure loans that will help them grow their businesses. They grow them two employees, three employees, and five employees at a time.

This is not about responding to a constituency, the small business community of America, it is about responding to Americans who need jobs.

□ 1430

I support this amendment because I believe it is a viable amendment. This program generated more than 60,000 jobs last year across America. It is not going to create any jobs if we continue to dumb down the program and do not provide it with the resources it needs.

In closing, the ranking member and the chairman of the subcommittee have worked with what they had to work with. I also want to acknowledge that we are all supporters of the National Endowment for Democracy, but we need to find dollars to do the important business of America: securing the homeland, providing loans for small businesses, and creating jobs. If we do that, we will improve the quality of life in America. I ask Members to support this amendment.

Mr. WOLF. Mr. Chairman, I ask unanimous consent that debate on this amendment, and any amendments thereto, be limited to 30 minutes, to be equally divided and controlled by the proponent and myself, the opponent, except that the chairman and ranking minority member may each offer one pro forma amendment for the purpose of debate.

The CHAIRMAN pro tempore (Mr. MCHUGH). Is there objection to the request of the gentleman from Virginia?

There was no objection.

Ms. VELÁZQUEZ. Mr. Chairman, I ask unanimous consent to yield half of my time to the gentleman from Illinois (Mr. MANZULLO) and that he be permitted to control that time.

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

There was no objection.

The CHAIRMAN pro tempore. The Chair would advise Members that under the unanimous consent request, the 15 minutes for the proponent is controlled by the gentleman from Illinois (Mr. MANZULLO), so he would have any prerogative to yield such time to other Members.

Mr. MANZULLO. Mr. Chairman, I ask unanimous consent to yield half of my allotted 15 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ) and that she may control that time.

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

There was no objection.

Mr. MANZULLO. Mr. Chairman, I yield 2 minutes to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Mr. Chairman, I rise today in strong support of the Manzullo-Velázquez amendment to restore funding to the SBA 7(a) program.

In its fiscal year 2005 budget, the administration dealt a near-mortal blow to our Nation's small businesses by taking the funding from that program to zero. This amendment breathes new life into it by restoring that funding. It is critical to at least maintain funding for SBA's 7(a) loan program to last year's level of $79 million. Providing just level funding will leverage more than $13 billion in lending opportunities under the 7(a) program. But if this bill passes without the Manzullo-Velázquez amendment, small businesses will be required to pay nearly $80 million currently subsidized by the Federal Government, the equivalent of a new tax on small business.

Today, with double-digit rising health care costs, expanding energy costs, and pressure from overseas competitors, this increase is more than our small businesses can bear.

The 7(a) loans spur economic development in underserved areas like my district in the Virgin Islands, especially the island of St. Croix. The 7(a) loans are used to purchase land or buildings to expand existing facilities. These loans are used to buy new equipment, machinery, or even furniture.

In sum, the 7(a) loan program is SBA's core lending program, as Members have heard, and accounts for roughly 30 percent of all long-term small business borrowing in America. I want to thank the gentleman from Illinois (Chairman MANZULLO) and the gentlewoman from New York (Ms. VELÁZQUEZ), the ranking member, for their leadership and their strong passionate bipartisan effort to salvage this program which is so critical to the small business sector and thus to the economic health of our Nation.

I urge my colleagues to walk the talk and support America's small businesses by supporting this amendment. Without this amendment, the 7(a) lending program and many of our small businesses will not survive.

Ms. VELÁZQUEZ. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Chairman, I think in any debate, whether it is this amendment or any other amendment, I do not think we should ever question any Member's commitment or dedication to the war on terror. The funding that is sought in this particular amendment will not jeopardize our effort on the war on terrorism, and I think we need to start off with that understanding so we remain focused on the true intent of this particular amendment, and that is the very lifeline or lifeblood to small businesses in securing loans.

Small businesses already operate at great disadvantage. They do not get the same deductions as big corporations. They cannot go and establish their headquarters offshore and abroad to avoid paying taxes. This is all about the American dream. This is all about sweat and toil and commitment to this great capitalist system that makes this great democracy the great democracy that we have today.

We will never support democracy without a strong economy. I look at this as the greatest investment we can possibly make. We have to remain focused on the true intent of this particular amendment. These will be loans

that are being made because of the funding in the guarantee. These are loans that would not be made otherwise. This is not a subsidy to banks. It is about risk, and there is nothing wrong with taking risk into consideration. We make that accommodation which makes money and capital available to the small businesses, the very strength of our economy, which lends credence, which lends viability to this great democracy. This is what it is all about, and I would hope everyone in this Chamber when we vote today will support small businesses throughout this country.

Mr. MANZULLO. Mr. Chairman, I yield 2 minutes to the gentleman from Hawaii (Mr. CASE).

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

Mr. CASE. Mr. Chairman, I rise in strong support of the Manzullo-Velázquez amendment. I came to this Congress and asked to serve on the Small Business Committee. Coming from a State that has 96 percent of its businesses as small businesses, 60 percent of its businesses as minority-owned businesses, I came here ready to roll up my sleeves believing that Washington, D.C. cared about small businesses.

Let us put this amendment into perspective and ask ourselves is that true. As we look at the actions of this administration, and many times this Congress, Members have to say that small business has not been treated well. I have sat on the Committee on Small Business, as bipartisan a committee as there is in this Congress, where we are all trying to help small business, and I have watched as the discussion has turned to small businesses being squeezed out of the Federal procurement process. I have watched as we have had hearings on all of those measures to help small businesses, from reducing paperwork, the Paperwork Reduction Act, and instead we see this administration presiding over increases in paperwork. Regulatory relief, this administration presiding over huge increases in regulation, and the Small Business Administration coming in to us and trying to defend the actions of the Office of Management and Budget telling them to cut, and we see the pain in their eyes when they have to carry that policy down here.

Now we find ourselves facing an amendment that should never have had to have been brought to the floor of this House to preserve a program which has been the flagship program of small business, and we are being put in a box where we have to elect between two different things that we both support. Of course we support it.

But I have to ask, why do we not take a look at the billion dollar sole source contracts for huge businesses that are out there? This is a blip on the radar screen when we compare it to that. This is not about banks. Banks are consolidating. Big banks are getting bigger. Small banks are getting wiped out. Small banks serve small businesses; small businesses are not cared for by the big banks. They are being squeezed out. Take it to a rural community in my district, Na'alehu, a small mom and pop operation, trying to get just a little capital to get going; and if they are going to the big banks, they are not going to get that capital.

Mr. Chairman, I rise in strong, unqualified support of the bipartisan Manzullo/Velázquez amendment to save the Small Business Administration's section 7(a) small business loan program.

Mr. Chairman, the Small Business Administration (SBA) was created 51 years ago by President Dwight D. Eisenhower to meet a critical nationwide capital shortage. SBA's top priority was to provide small companies with access to capital through its lending programs. The 7(a) loan program is the signature program within the SBA. Over the last decade, the SBA has approved more than 424,000 loans for over $90 billion, assisting countless small businesses across the country with their basic capital requirements.

Tragically, funding of the 7(a) program is in grave danger of being eliminated. Should the administration prevail in its attempt to dismantle this proven program and Congress proceed on its current path, our Nation's small businesses would have to bear an additional $80 million in SBA expenses, and the fees per loan would increase by over $1,000. These loans are the only source of affordable, long-term financing for many of our Nation's small businesses, as 7(a) loans spur economic development in underserved areas, are used to purchase land or buildings or expand existing facilities or buy new equipment, machines, or even furniture, and provide long-term working capital including accounts payable—allowing small businesses to start and continue in business where otherwise if may not be possible.

In my own state of Hawai'i, for example, the viability of small business is the linchpin to economic vitality. In 2002, the most recent year for which numbers are available, the SBA Office of Advocacy estimates that there were 28,800 small businesses in my state, representing 96.7 percent of all business in Hawai'i.

Hawai'i is also home to one of the largest percentages of minority-owned businesses. Minority-owned businesses represented 57.8 percent of the state's businesses and they generated $14.8 billion in revenues in the most recent year for which this data is available.

The SBA and its programs are critical to the sustainability of our economic base. In Hawai'i, FY03, the SBA made 269 loans worth nearly $29 million. Of that number, 132 of those loans, worth nearly $15 million—nearly half of all loans—were made to companies operating in the rural communities of the Second District that I represent.

The situation is even more promising for my state in this fiscal year. Through May 31, 2004, the SBA had approved 260 loans, worth about $18.5 million to Hawai'i small businesses. Rural small business have received 61 of those loans—representing over $6 million.

The 7(a) program is also crucial to small businesses because of recent consolidation of banks and other financial institutions throughout the country. My state is no exception. According to the Federal Reserve Board, there were 13 small-business-friendly banks in Hawai'i in 1998. In 2002, that number had shrunk to 7. Of those seven in 2002, four had assets between $1 billion and $10 billion. Because small business traditionally depend on local banks services and use commercial bank lenders, this recent consolidation has not had a positive effect upon lending to small businesses.

During my time in Congress, as a member of the House Committee on Small Business as well as the Blue Dog and New Democrat Coalitions, I have argued for fiscal responsibility during our budget and appropriations process. The SBA's 7(a) program is a perfect example of a federal effort that is entirely consistent with this needed approach, for it both increases revenue-generating economic activity and pays for itself. By supporting, nurturing and growing small businesses, we are allowing these companies to increase in size, revenue, employment and purchasing power, ultimately benefiting the community where that company is located as well as the country as a whole. And these are repayable loans, not outright grants.

Mr. Chairman, this is a crucial amendment for all concerned, not least the small businesses of my Second District of Hawai'i. According to a survey published by the National Federation of Independent Business in May of this year, the top three "severe problems" for small-business owners is cost of health insurance, liability insurance and workers' compensation. Let's not give these small businesses one more reason to fail in these trying times. Let's pass this important amendment. It is the right thing to do, and I implore my colleagues to support the Manzullo/Velázquez amendment and support the underlying bill.

Mr. WOLF. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. DREIER).

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

Mr. DREIER. Mr. Chairman, I have the utmost respect for the gentleman from Illinois (Mr. MANZULLO) and the gentlewoman from New York (Ms. VELÁZQUEZ); but since I said that, Members know what position I am taking on their amendment. I am adamantly opposed to it.

I appreciate their hard work, their commitment to the small business sector of our economy; but this amendment is wrong. Every single Member in a bipartisan way should oppose it for several reasons.

First, I want to talk about the fact that the gentleman from Virginia (Mr. WOLF) and I came here 24 years ago, elected to serve in Congress the same day Ronald Reagan was elected President of the United States. One of the great visions put forth in 1985 in a speech delivered by President Reagan at Westminster College at Fulton, Missouri, was establishing the National Endowment For Democracy.

The notion behind this was the goal of ensuring that, rather than simply pursuing bullets, we would pursue ballots. What are we trying to do in the

Middle East, in Iraq, and in other parts of the world? We are trying to do everything we possibly can to encourage self-determination, the rule of law, respect for democratic institutions, political pluralism. Why are we doing that? We are doing that in an attempt to help these people and to try and diminish the threat of engaging militarily.

So this amendment, as well intentioned as it is, is bringing about a cut in the funding for that institution, the National Endowment for Democracy, which has done a phenomenal job all over the globe helping people who have been trying to claw their way to self-determination to have the kind of success that is so important.

In the State of the Union message delivered by the President delivered right here, he called for a doubling of the funding for the National Endowment for Democracy. While the subcommittee of the gentleman from Virginia (Mr. WOLF) has not quite gone to the level the President has requested, the $50 million level is a very good and important start because we know that we have been working to build these democratic institutions as part and parcel of the global war on terror, and we are having success and so we should not in any way jeopardize that.

Passage of this amendment undermines the effort that we are leading in moving towards democratization around the world.

Number two, the global war on terror, we are looking at a $60 million cut if we were to pass this amendment for the Department of Justice, which would tragically undermine the ability to deal with the very important threat that we live with every single day and have lived with every single day since September 11 of 2001, and that is the threat of global terrorism. We have seen activities take place just within the last few days, actions taken to keep ships that potentially posed a threat to our security offshore, and a wide range of other things which the Department of Justice has been involved in to try and help us turn the corner on the global war on terror.

As we look at these issues, as well intentioned as this amendment may be, I think we should look at the people who join us in opposition. Hector Barreto, the director of the Small Business Administration, a fellow Californian who has provided great leadership at the SBA, he is opposed to this amendment. They oppose this amendment at the Small Business Administration.

And as we look at the overall impact of this amendment, it is not even going to go towards its intended goal. This goes toward administrative expenses and will not provide assistance within the 7(a) program. It is well intentioned, but the amendment does not do anything like it is designed to do; and with what it does do, it undermines our quest towards encouraging democratization around the world, helping the people of Iraq in their quest to build those democratic institutions which are so important, and it threatens our overall goal of trying to deal with the global war on terror.

For every single reason, I believe it is important for us to do everything we can to in a bipartisan way vote ''no'' on this amendment.

□ 1445

Ms. VELÁZQUEZ. Mr. Chairman, I yield 3 minutes to the gentleman from New Mexico (Mr. UDALL).

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Chairman, I thank the gentlewoman for yielding me this time.

The issue has been raised here by the gentleman from California as to the National Endowment for Democracy. The fact is the National Endowment for Democracy is funded $1 million above last year's level. So that is not the issue before us today. The issue before us is whether we are going to take care of our small businesses, our small businesses which provide us with growth, which provide us with strength, which provide us with an economic base in this country. That is why this amendment is so important.

One of the biggest obstacles to entrepreneurs is establishing and growing a small business. And if entrepreneurs cannot get access to capital, they often have to turn to more costly alternatives. Without access to financing, companies are unable to target new markets, growth, and even hire new workers. That is why the 7(a) program is so important. The 7(a) loan program is the SBA's core lending program. Over the last decade, the SBA has approved more than 424,000 loans for over $90 billion. Think about it, $90 billion pumped into our economy to support small business growth.

Unfortunately, despite the immense popularity of this program, the Bush administration has continued its efforts to systematically dismantle this important program. The recent budget request by this administration for the 7(a) program has steadily declined while demand for 7(a) loans has continued to increase. As a result, the SBA was recently forced to shut down the loan program, injuring thousands of small businesses and lenders that had submitted applications for loans. After the outcry from the business community, the SBA reopened the program; but they capped all 7(a) loans, thus limiting the ability of American small businesses to get financing.

One of the key ways to help stabilize the 7(a) program is by providing more funding, and that is what this amendment does today. A bipartisan amendment offered by the gentleman from Illinois (Chairman MANZULLO), our chairman on the Committee on Small Business, and the gentlewoman from New York (Ms. VELÁZQUEZ), our ranking member. They have come together. This is the most bipartisan committee in the United States Congress, and they reached an agreement on an amendment. I applaud that effort to reach bipartisan support, and I urge my colleagues to support the Manzullo-Velazquez amendment.

Mr. WOLF. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. DREIER).

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

I simply want to respond to the comments of my good friend from New Mexico and say at the outset that this notion of a $1 million increase in funding for the National Endowment for Democracy does not even maintain a level at the inflation rate that it is; and this is a program which, remember, the President of the United States asked us to double, he asked us to double the funding for the National Endowment for Democracy. Why? Because when we think about the kind of success that it has had since we saw the demise of the Soviet Union and the Berlin Wall come down, what we have witnessed in the emergence of tremendous democracies of Eastern and Central Europe, the kind of effort that has been put into place, bringing about leaders who have addressed us in joint sessions of Congress like the former President of Poland, Lech Walesa, like the man who went from prisoner to President in 6 months in Czechoslovakia, Vaclav Havel. These people were able to enjoy success in large part due to the work of the National Endowment for Democracy.

What is it we want? We want throughout the world for people to enjoy the same kind of liberties that are now taken for granted in Eastern and Central Europe, and this program needs to have a dramatic increase. And I believe it is very important for us to do everything we possibly can to ensure the further success of the National Endowment for Democracy.

I also think it is important to note that this administration is strongly committed to the small business sector of our economy. There is no doubt about the fact that keeping the tax rates low for small businessmen and -women, encouraging economic growth, keeping interest rates low for small businesses, they are the backbone of our economy. But dramatically expanding a program when we have the director of the Small Business Administration opposed to this kind of a program, when, again, this amendment, this amendment does not allow the funding to get to that program. There already is a $12.5 billion level, as the gentleman from Virginia (Mr. WOLF) has just informed me. It seems to me that it is the right thing for us to do to oppose this amendment.

Ms. VELÁZQUEZ. Mr. Chairman, I yield myself 30 seconds.

I would just like to respond to the fact that the gentleman was talking about the National Endowment for Democracy. The numbers do not lie. They

are right here. The National Endowment for Democracy was funded $39.5 million. The full committee provided $51 million. It is on page 77 of the bill. If we take $10 million, they still have more than $1 million from last year.

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

Ms. VELÁZQUEZ. I yield to the gentleman from California.

Mr. DREIER. Mr. Chairman, I think that is what my friend from New Mexico was arguing. And my point is that if that would take place, it would not even allow us to maintain the inflation rate that we have. That is why that it needs to be substantially higher than that.

Mr. MANZULLO. Mr. Chairman, I yield 2 minutes to the gentlewoman from the State of California (Mrs. NAPOLITANO).

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

I have heard all the rhetoric; and sitting 6 years on the Committee on Small Business, I cannot help but wonder. We talk about funding small business and the engine of our economy, which is the small business, and yet we do not put money behind it to make it work. We talk like we want to help small business; yet we put billions, billions with a ''b,'' into loans, into grants, into whatever for the airline industry. We cannot put in 79 lousy million into small 7(a) loan programs, that for every $33,000 loaned, they would create one new job. Talk about $79 million versus $12.5 billion that we can be able to have our economy move forward; yet we are scrabbling around and arguing about why we should not take this money and invest it in the source of job development that this country so dearly needs.

Let me ask the gentleman from Illinois (Mr. MANZULLO) and the gentlewoman from New York (Ms. VELÁZQUEZ), do they really think that it is the time to cut small business when we most need it?

Ms. VELÁZQUEZ. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. PELOSI), the minority leader.

Ms. PELOSI. Mr. Chairman, I will not be using that full amount, but I did want to rise once again to commend the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Illinois (Chairman MANZULLO) for their excellent leadership in bringing this amendment to the floor. I again want to commend the distinguished gentleman from Virginia (Mr. WOLF), chairman of the full committee, for his great leadership in bringing a very important appropriations bill to the floor; and I thank the gentleman from New York (Mr. SERRANO) also for moving this section 7(a) provision in full committee. Although he was not successful, his leadership was important to the momentum that we have today. I thank him for his leadership.

Mr. Chairman, I just want to close by saying this one thing: I always say that the only thing more optimistic than starting a new business is getting married. In order to take on the responsibilities of a marriage or a business, a person has to be very entrepreneurial, very optimistic, very confident. There are so many risks involved in starting a small business. At the very least, we should have access to capital so that we can increase the equity, the ownership that the American people have in businesses that do create jobs, that do create capital in our country, which in turn attracts the talent that we need to be internationally competitive.

This is a very important amendment today. It is not to say that the decisions that have to be made to fund it are not difficult; and as I said earlier, I commend the gentleman from Virginia (Chairman WOLF) and the gentleman from New York (Mr. SERRANO), ranking member, for the difficult decisions they had to make to bring this Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act to the floor.

But we have to choose in favor of small businesses in our country if we are going to grow the economy. Small businesses are the engine of the economy. We cannot just talk about supporting small business. We have to put our resources there and give them access to the capital they need to succeed to accompany the great optimistic spirit and entrepreneurial spirit that they bring to the endeavor of starting a new business.

So with that, Mr. Chairman, I urge our colleagues to support this bipartisan Manzullo-Velázquez amendment.

The CHAIRMAN pro tempore (Mr. MCHUGH). The gentleman from Virginia (Mr. WOLF) has 8 minutes remaining, and the gentleman from Illinois (Mr. MANZULLO) has 2 minutes remaining.

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

Let me first address the issue of offsets. We take $33.251 million out of a program that the President did not even request, this Legal Activities Office Automation Program at the Department of Justice, $33 million out of a program they never even requested.

I voted and continue to support the war on terrorism, but we reach a certain point when we have to ask ourselves, when do we take care of our own? When do we take care of the little people? This is not an outrageous request to ask that we have level funding this year that we had last year; $79 million is a lot of money, but compared to how far it goes to continue the program is something else.

The problem here is this: we all want to get away from this subsidy. I am in favor of a zero subsidy rate and have continued to work towards that each year that I have been chairman of the Committee on Small Business. To do it all at once at a time when the Fed has just increased the interest rate, when the unemployment in the district that I represent has just fallen below 10 percent, and at a time when small entrepreneurs continue to scramble for capital is simply unwise. To have a complete recovery, we need to make sure that the resources, the loans, are there for the little people, the ones that get up early in the morning and work 18 hours a day, sometimes 7 days a week, just for the opportunity to make a lot less money than they could working somewhere else, but who choose to do that because the spirit of entrepreneurship rings within their heart, because they know that eventually they will create more jobs and add to the economy.

That is what this bill does. It restores the same amount that they would have had last year, and I ask my colleagues to vote in favor of the Manzullo-Velázquez amendment.

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

□ 1500

Mr. Chairman, a lot has been said about this amendment today, and I want to reiterate my respect and admiration for the chairman, the gentleman from Virginia (Mr. WOLF), and the fact that I cannot run away from the issue that we both participated in putting this bill together. But as I said in my original comments, and I will say again, even when we approved and supported this bill, as I do now and I would ask all my colleagues to do so for final passage, I still knew that there was a problem that had to be dealt with, and the most glaring of those problems was the 7(a) issue.

It is for that reason that I stood up today and continue to stand in support of the amendment. I think the amendment speaks to an issue of a constituency throughout this country that is not only based in the lending institutions, heaven forbid I should ever be accused of supporting the lending institutions at that level, but people who feel that this is a good program and should continue to exist.

Because of my support for the bill, I am very leery when we put forth any cuts, but I must say that I am not totally upset about cutting the National Endowment for Democracy, because every so often what they partake in is improperly trying to overthrow governments that they should not be involved in. So I am not going to cry tonight if we indeed take some money from them.

However, I understand the concern of many members of the subcommittees. I would just hope that we see this for the greater good, which is the need to have this program restored, to have this hope fulfilled. And if we do that, if we do that, I think that we would have gone a step ahead of where we were a couple hours ago in saying that this was a good bill. The bill then would be a great bill, and that is my support.

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

Mr. Chairman, let me thank the gentleman from New York for his comments. Let me try to close and put some things in perspective.

The gentleman from Illinois said that the administration did not make any requests for the legal activities office automation. The President did. So we cannot just throw things out. The President requested $80 million. We, the subcommittee, the gentleman from New York (Mr. SERRANO) and I, only provided $50 million. This amendment cuts $33 million, leaving only $17 million.

Now, what would the impact of that be? Cutting the program any further would delay the deployment of needed information technology and improvements to the Bureau of Prisons, the U.S. Attorneys, the Marshals Service, Federal law enforcement, who continue to be criticized for not being able to connect the dots; and if we now give the Justice Department the ability to make standardized its information technology systems, we will be hindering their ability to share the information. The results could be catastrophic.

That was the whole issue at the 9/11 hearings, the lack of sharing of information. If we expect Federal law enforcement to prevent acts of terrorism, the FBI must be able to have surveillance applications approved in a timely manner.

So the amendment proposes a $33 million reduction in the Department's legal activities office, which funds the Standard Office Automation System, which 15 Department of Justice components operate, their mission and critical applications, the U.S. Attorney, Marshals Service, Bureau of Prisons, civil and criminal and many others.

So they did ask for it. What the gentleman from Illinois said was not accurate. They did ask for it, and the committee was not able to fund the entire amount. I was saying to my friends on the other side and on this side, part of the reason we were not able to do it is we wanted to put money in the manufacturing extension program, MEP. The administration's numbers were 39. We got up to 106. It is like no good deed goes unpunished.

We also wanted to protect the Legal Services Corporation for justice, justice for the poor. We actually have $6 million in here, above, to go after $60 million now with regard to the antiterrorism activity, eliminating funding for processing intelligence. I mean, I would have hoped that the gentleman from Illinois would have found another place, but in the war on terrorism that is just not the place to go.

Also, the gentleman from Arizona (Mr. UDALL) made the comment about NED. Well, that amount barely would keep up with the rate of inflation. We want to bring about democracy for China. In China today, Catholic priests and bishops are being persecuted. There are 11 bishops in jail in China today.

The gentleman, and I know he has an interest, I was in Tibet where the Chinese are persecuting the Tibetans. We want to bring democracy to Tibet. They are also persecuting the Muslims up in the northwest portion. Nobody speaks out for the Muslims in China. We are trying to have the money for the National Endowment for Democracy to help bring about democracy in China.

The Evangelical Protestant Church, ripped apart; we want to help. We want to do what we did for Eastern Europe or what we did for the Soviet Union. My friends on this side, Ronald Reagan would never have supported this amendment to take all this money out of the National Endowment for Democracy. It almost makes me sick. We came here in 1980, as the gentleman from California (Mr. DREIER) said, to bring about freedom.

What about Syria? Should not we try to bring about democracy and freedom in Syria? Should not we try to do something in Egypt? Should not we try to do something in Iran and places like that? And I commend the gentleman and the gentlewoman for what they are trying to do, but it does not make sense to take it from the war on terrorism and to take it from the National Endowment for Democracy.

Strangely enough, too, and I think people have to know, this amendment would result in a RIF of 160 SBA employees. So they want to give to one area but RIF from another area. Now, I understand they had a hard time finding it. They had a hard time finding it.

We protected the Legal Services Corporation. They had a hard time finding it because we protected MEP. They had a hard time finding it, because many on their side and my side said we need COPs grants, we need State and local law enforcement grants.

They asked me, ''Can you help us out?'' And the gentleman from New York (Mr. SERRANO) will say many on that side spoke to me about this, and we said we are going to try to help, because we know it is a problem.

We also put in money for a new antigang initiative. We also put in money to study offshoring, because I believe personally it is a problem.

So you have not taken it from any of those areas. You take from terrorism, you take from the National Endowment for Democracy, you take from the administrative account and RIF SBA employees.

Administrator Baretto reiterated zero subsidy is not only good for the taxpayer, but for the stability of the program, the most crucial aspect of the program, according to borrowers and lenders.

He also wrote to me a letter the other day and said, ''I am confident the bill will continue to improve the 7(a) program by serving the capital needs of small businesses in the most efficient and effective manner.''

I understand what both sponsors have been trying to do, and I guess indirectly the gentleman from New York (Mr. SERRANO) and I should probably take it as a compliment that they had to struggle to find something. But we are in a war on terrorism.

I was the author of the National Commission on Terrorism, 1998. I had just gotten back from Algeria, where 100,000-some people had been gutted, killed. It was the year of the Nairobi bombing. It was the year of the Tanzania bombing. I introduced a bill for the National Commission on Terrorism, the Bremer Commission.

I could not get any support from either side of the aisle, so I put it in the appropriations bill and we passed it, and Bremer went on, and all the recommendations were made. On the cover of the National Commission on Terrorism report, which I authored, was a picture of the World Trade Center on fire. But it was not the World Trade Center from 9/11, because the report came out in the year 2000; it was the attack on the World Trade Center in 1993.

I just do not believe you could not have found some other place. You could have found some other place.

So, Mr. Chairman, I urge Members to vote ''no,'' because we ought not cut terrorism funding, we ought not cut the National Endowment for Democracy.

Mr. FARR. Mr. Chairman, I rise in opposition to the CJS appropriations committee recommendation to eliminate funding for the SBA 7(a) program and in support of the Manzullo-Velázquez Amendment. The challenges for small businesses in this stagnant economic climate are formidable—rising health insurance costs, increasing energy expenses and dramatic outsourcing competition. The SBA 7(a) program is the only source of affordable, long-term financing for many of our nation's small businesses. It offers assistance to established small businesses and acts as a catalyst to energize and foment the entrepreneurial spirit that, as Americans, we must celebrate and nurture.

The 7(a) program not only serves as a lifeline to entrepreneurs, it also creates American jobs. Small businesses account for approximately 75 percent of the net new jobs in America. The SBA 7(a) program annually generates 360,000 jobs. If the Bush administration is truly serious about growing the economy and creating jobs on Main Street instead of offering tax cuts for Wall Street, they should not have zeroed out this program in their budget.

We must continue to fund this important program that is instrumental to fostering the entrepreneurial spirit. How can we deny our constituents the chance to realize the American dream and create their own business and be their own boss? Every job counts in this economy and the U.S. government has the obligation to foster free enterprise and small businesses by funding the SBA 7(a) program.

Mr. OBERSTAR. Mr. Chairman, I rise today in support of the Manzullo-Velázquez amendment to the Commerce Justice State Appropriations bill. This amendment will provide critical funding for a program that is fundamentally important to our small businesses: the Small Business Administration's (SBA) 7(a) loan program.

American small businesses' number one problem is gaining access to affordable capital. Many small businesses face substantial barriers in accessing capital, and are often forced to turn to more costly lending alternatives. As a result, small businesses are often financially strapped with insurmountable debt before their companies have even had a chance to get off the ground. Without access to financing, like that embodied by the 7(a) loan program, companies are unable to target new markets, hire new workers and ultimately succeed.

The 7(a) loan program is the SBA's core lending program and accounts for roughly 30 percent of all long-term small business borrowing in America. 7(a) loans spur economic development in underserved areas. 7(a) loans are used to purchase land or buildings, or to expand existing facilities. 7(a) loans are used to buy new equipment and machinery as well.

Most importantly, the 7(a) program creates jobs. Small businesses are the number one job creator in America, accounting for 3 of every 4 new jobs added to the economy. For every $33,000 in 7(a) loans, a new job is created. Just last year, the 7(a) loan program generated 360,000 jobs across America. However, if funding of the 7(a) program is not maintained at its current level our economy and our people will lose many of those jobs, as well as any new jobs and new small businesses that would be created with the help of the 7(a) program.

The CJS bill that we consider today provides no funding for the 7(a) program. As the federal deficit will hit a record $477 billion this year, fiscal restraint is important, but this program has already sacrificed significantly over the last few years. According to the General Accounting Office, over the past ten years small business lenders and borrowers have overpaid a billion dollars in miscalculated government fees. Instead the Bush administration and the SBA argue that simply maintaining fees at these "historic" levels will be good enough to support a robust 7(a) program.

This is just plain wrong. If the CJS bill is approved without this amendment, small businesses will be required to pay the nearly $80 million currently subsidized by the federal government. Based on FY 2003 loan volume and distribution, fees on small businesses will increase by over $40 million. Fees per loan will increase by over $1,000.

The Manzullo-Velázquez amendment will ensure that small businesses can still benefit from the program by restoring funding for the 7(a) program to the FY04 level of $79,132,000. This amendment will foster further economic recovery, and stronger job creation. For the good of the economy, for the good of our workforce and for our future, I encourage my colleagues to support the Manzullo-Velázquez amendment.

The CHAIRMAN. All time for debate has expired on this amendment.

The question is on the amendment offered by the gentleman from Illinois (Mr. MANZULLO).

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

RECORDED VOTE

Ms. VELÁZQUEZ. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 281, noes 137, not voting 15, as follows:

[Roll No. 328]

AYES—281

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Bartlett (MD)
Beauprez
Becerra
Bell
Berkley
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Boehlert
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Capito
Capps
Capuano
Cardoza
Carson (OK)
Case
Castle
Chabot
Chandler
Clay
Clyburn
Coble
Conyers
Cooper
Costello
Cramer
Crowley
Cubin
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeMint
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Duncan
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Ferguson
Filner
Forbes
Ford
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gerlach
Gillmor
Gonzalez
Goode
Gordon
Graves
Green (TX)
Green (WI)
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hayes
Herseth
Hill
Hinojosa
Hoeffel
Hoekstra
Holden
Holt
Hooley (OR)
Hoyer
Hulshof
Hunter
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
Kleczka
Kline
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (KS)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Oberstar
Obey
Olver
Ortiz
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Pickering
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Rehberg
Renzi
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Serrano
Sherman
Shuster
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NOES—137

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Barton (TX)
Bass
Bereuter
Berman
Biggert
Blunt
Boehner
Bonilla
Bonner
Bono
Brady (TX)
Brown (SC)
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Carter
Chocola
Cole
Cox
Crane
Crenshaw
Culberson
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Dunn
Ehlers
Emerson
English
Everett
Feeney
Flake
Foley
Fossella
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gingrey
Goodlatte
Goss
Granger
Greenwood
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hobson
Hostettler
Houghton
Hyde
Jenkins
Johnson (CT)
Jones (NC)
Keller
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
Latham
Lewis (CA)
Lewis (KY)
Linder
McCrery
Miller (FL)
Miller (MI)
Miller, Gary
Moran (VA)
Myrick
Northup
Norwood
Nunes
Nussle
Osborne
Pearce
Peterson (PA)
Petri
Pitts
Portman
Putnam
Quinn
Regula
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Saxton
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sweeney
Taylor (NC)
Thomas
Thornberry
Toomey
Turner (OH)
Upton
Vitter
Walsh
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—15

Brown (OH)
Cardin
Carson (IN)
Collins
Deutsch
Gephardt
Hastings (FL)
Hinchey
Honda
Istook
John
Jones (OH)
LaHood
McInnis
Tauzin

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1538

Messrs. MORAN of Virginia, BURTON of Indiana, QUINN, COX, GARY G. MILLER of California, TURNER of Ohio, BEREUTER, PETERSON of Pennsylvania, FOSSELLA and GINGREY changed their vote from "aye" to "no."

Messrs. HOLDEN, COBLE, TIAHRT, NEY, BURGESS, BOOZMAN, FORBES, SCHROCK and Mrs. JO ANN DAVIS of Virginia changed their vote from "no" to "aye."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 14 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 offered by Ms. JACKSON-LEE of Texas:

Page 2, line 7, after the dollar amount, insert "(decreased by $1,000,000)".

Page 84, line 11, after the first dollar amount, insert ''(increased by $1,000,000)''.

Ms. JACKSON-LEE of Texas. Mr. Chairman, this amendment seeks to add $1 million to the U.S. Civil Rights Commission, having little negative impact on this appropriations legislation.

It is clear, as we have celebrated the 40th anniversary of the 1964 Civil Rights Act, that civil rights in America is still a challenge. And the necessity of government intervention raises its head every day. In fact, as I stand on the floor today, recently over the weekend in Houston, there was a bombing of a Muslim mosque or a mosque, obviously suggesting that not only are there problems with civil rights, but there are also questions of whether hate crimes are still being perpetrated throughout the United States.

The mission of the United States Commission on Civil Rights is to investigate complaints alleging that citizens are being deprived of their right to vote by reason of their race, color, religion, sex, age, disability or national origin; or by reason of fraudulent practices, to study and collect information related to discrimination or denial of equal protection under the laws for a variety of reasons such as race, color, religion, sex, age, disability or national origin, or the administration of justice; to appraise Federal laws and policies with respect to discrimination or denials of equal protection under the law because of such differences; to serve as a national clearinghouse for information with respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, disability or national origin; to submit such findings and recommendations to the President and Congress and to issue public service announcements.

We know, under the leadership of Dr. Mary Frances Berry, they have sought to be current and they have sought to be provocative, as well as they have sought to be, if you will, aiding in fighting against discrimination in this Nation. They were the first to go in in the election in 2004. They worked on a commission advancing environmental justice. They also worked on opposing the ban on racial data collection. They were very much part of tackling the discriminatory practice of eliminating so-called felons from their right to vote.

They have been working very hard against racial profiling, providing for corporate diversity and other areas. They worked very hard on the issues dealing with affirmative action.

There is no doubt that the Commission's work is needed, but yet there are problems; one, in the amount of staffing. We were apprised by a letter that I signed on May 5, 2004, written by both the chairmen of the Senate and House Committees on the Judiciary, a letter to the U.S. Commission on Civil Rights, highlighting some concerns that we need to be concerned about: An audit that has not occurred in the last 13 years to be able to determine what the needs of this particular agency are at this time and, as well, to be able to assure the proper use of Federal dollars.

Some might think than an audit might bring about a demise of this particular agency. I would offer to say that all of us want to know the facts to be able to provide the right kinds of resources for an agency that are necessary to be strengthened, that needs to have better staffing and better support services so that it can do its job.

Clearly, the work of this commission has not yet ended. The celebration of the 40th anniversary of the Civil Rights Act of 1964 is only an indication that we must continue our work.

I would hope my colleagues would see the value in this amendment, particularly in its concern for ensuring that the Civil Rights Commission is both strengthened and, as well, that we have an appropriate audit that has not taken place in the last 13 years.

One of the things that I hope my colleagues recognize is that we should not condemn the messenger for the message. The U.S. Civil Rights Commission reinforces the fact that civil rights in America is still a work in progress. It needs more resources, more staff, and certainly it needs more competency as it relates to providing the resources to give it the utensils, if you will, the tools to do its job.

I would hope my colleagues would find in this legislation the ability to support this amendment or at least begin to look at working with the U.S. Civil Rights Commission and Dr. Berry and her efforts to make it the very best agency that it can possibly be.

Mr. Chairman, I rise today to offer an amendment to H.R. 4754, the CJS Appropriations Act. I offer this amendment to increase funding to the Civil Rights Commission by $1 million. In order to achieve the goals of my proposal, the Salaries and Expenses account under Title I, General Administration would be reduced by $1,000,000 and the account designated for the Commission on Civil Rights in Title V, Related Agencies would be increased by $1,000,000.

Too many times, I have made requests to the Department of Justice to investigate civil rights matters, which have resulted in a stack of more unresolved investigations. The Department of Justice should not be the only vehicle to which requests are made considering the existence of the U.S. Commission on Civil Rights. The U.S. Commission on Civil Rights should help to ameliorate the stain placed on the Department of Justice, but it cannot do so without adequate funding.

The mission of the Commission on Civil Rights is:

To investigate complaints alleging that citizens are being deprived of their right to vote by reason of their race, color, religion, sex, age, disability, or national origin, or by reason of fraudulent practices;

To study and collect information relating to discrimination or a denial of equal protection of the laws under the Constitution because of race, color, religion, sex, age, disability, or national origin, or in the administration of justice;

To appraise federal laws and policies with respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, disability, or national origin, or in the administration of justice;

To serve as a national clearinghouse for information in respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, disability, or national origin;

To submit reports, findings, and recommendations to the President and Congress; and

To issue public service announcements to discourage discrimination or denial of equal protection of the laws.

I have requested investigations to be conducted by the Department of Justice regarding such cases as the death of Eli Eloy Escobar II. This incident involved the shooting death of a 14-year-old boy whose civil rights were likely violated. The possible misuse of Houston Police Department law enforcement positions was questioned. These types of occurrences are becoming more like the norm instead of an anomaly. Tragically, in the same month of the shooting death of Eli Eloy Escobar II, a Houston police officer shot and killed Jose Vargas, 15, because the youth and his friends "looked suspicious" in a movie theater parking lot. Given that, in the current situation, I requested that the Department of Justice analyze these facts to ensure that there is not a pattern of civil rights violations by government officials under "color of law."

Just a couple of months ago, a Harris County Deputy Sheriff shot 25-year old Hiji Eugene Harrison to death in the course of making a traffic stop. In this case, I requested an investigation by the Department of Justice regarding three alleged circumstances of this incident that may involve a violation of civil rights. I have requested an investigation of Josiah Sutton's case, a young man wrongly convicted of rape, who will be released from prison with a tarnished record because of the reservations of the district attorney in this case. Yet another example of civil rights abuse. Most recently, I requested an investigation to be conducted by the Department of Justice because of the possible civil rights violation of Houston Community activist Quanell X, who was arrested by the Houston Police Department after he attempted to deliver a wanted suspect.

While my inquiries of the Department of Justice are, indeed, necessary, their outcomes have been unresolved or ongoing. These floating investigations would be resolved more expeditiously if more funding were provided to the U.S. Commission on Civil Rights, which is currently known to be deprived of resources. Increased funding would enable the Commission to aid in the resolution of Department of Justice investigations, many of which remain unresolved.

In closing, Mr. Chairman, I would like to urge my colleagues to pass the Jackson-Lee amendment not only because of the necessary efficiency of the U.S. Commission on Civil Rights, but also because of this opportunity to protect the civil rights of all Americans.

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

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

Mr. WOLF. Mr. Chairman, we will be glad to work with the gentlewoman to

see if we can help her resolve that issue.

Ms. JACKSON-LEE of Texas. Mr. Chairman, if I might, and I appreciate the offer to work with me on this, I would hope that in the work that we would be looking at, we would be considering the lack of resources and staffing that they have in order to complete their task.

I know this is a challenging commission because their work is always not the most pleasant. It does not make people the most happy, if you will, but it is vital work because the work of civil rights, as I know you and the ranking member know, is very vital work.

□ 1545

So I am hoping that we could work along the line of providing the adequate resources, along with studying the needs of the commission through an audit that has not taken place in 13 years.

The CHAIRMAN. The time of the gentlewoman from Texas (Ms. JACKSON-LEE) has expired.

(By unanimous consent, Ms. JACKSON-LEE of Texas was allowed to proceed for 1 additional minute.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield to the gentleman.

Mr. WOLF. Mr. Chairman, we will be glad to work with the gentlewoman to see if we can work on this problem for a resolution of it. It is my understanding the gentlewoman was withdrawing the amendment. The gentlewoman wanted a commitment that we would work with her; is that correct?

Ms. JACKSON-LEE of Texas. As I mentioned, yes, I was mentioning the issues that needed to be addressed for the commission and was hoping that we could specifically work along those lines

Mr. WOLF. Mr. Chairman, if the gentlewoman would further yield, we will work with her, yes.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, there were several parts of this legislation on which the Committee on Government Reform could raise points of order. I have had discussions with the chairman on these issues, and I just want to go through them and through the agreements that I think the chairman and I have on these items.

In section 108, the Personnel Management Demonstration Project through the Bureau of Alcohol, Tobacco and Firearms. It permits bonus and incentive pay for more than 200 ATF forensic experts. We think this has merit. We wish that they had gone through the committee of jurisdiction on this instead of just writing this into the law, but we will not raise a point of order on that section.

The section pertaining to the National Technology and Information Administration, Spectrum Management, this provision allows the NTIA to collect fees from Federal agencies for providing spectrum allocation services for those agencies. These fees provide approximately 80 percent of NTIA's budget. As was true last year, the Parliamentarians ruled those are within our committee's jurisdiction. We ask that in the future, as the appropriators look at these areas, they consult with us; but we will not raise a point of order on this issue.

Section 201 permits the Department of Commerce to make advance payments on contracts without regard to the general prohibition on such advance payments and the narrow exceptions to provisions set out under title 31. Again, this is within the purview of the Committee on Government Reform. I understand this has been in the legislation in previous years. We ask in the future they work with us in crafting language so it is consistent with what we are seeing in other Federal agencies.

Section 603 requires contracts for consulting services to be a matter of public record. We believe they already are and is redundant. We will not raise a point of order on that section.

Finally, section 605 under the bill before us requires a 15-day notification to the Committee on Appropriations before any of the CJS agencies can engage in certain acts that would require their reprogramming of appropriated funds, including contracting out or privatizing. We believe this is within the purview of the Committee on Government Reform and would ask the chairman that as this goes to conference, if this provision remains in and we do not raise our point of order, if we include notification to the Committee on Government Reform as well. We think it is important we work in tandem and in partnership with the appropriators, both the authorizers and appropriators together. The chairman, I think, wants to do this. We have had some miscommunication at the staff level. I just want to clarify that as this moves forward they can include us in this language should we, as I intend, not raise a point of order on that.

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

Mr. TOM DAVIS of Virginia. I yield to the gentleman from Virginia.

Mr. WOLF. Mr. Chairman, we would gladly share that with the gentleman, and let me also say that I appreciate his willingness to allow us to move ahead on employee changes with regard to the FBI, which I think will strengthen the country. The gentleman is a good friend, and we will certainly do that.

On these other issues next year, I think a lot of this language has really been in the appropriations bill long before I was ever, ever involved; but we will be glad to consult with the gentleman as we move forward.

Mr. TOM DAVIS of Virginia. I thank the chairman.

Finally, Mr. Chairman, we did work closely with the gentleman, as he noted, on a number of other improvements to civil service which I think will make the FBI and some other agencies more effective in recruiting and retaining the best and brightest.

Just for the chairman's notice, we do intend to raise a point of order on section 607 regarding the Buy America Act, as we have on every other appropriations bill.

I thank the chairman for his courtesies and compliment him on what I think is otherwise an excellent bill.

Mr. WOLF. Mr. Chairman, I thank the gentleman very much.

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

Mr. Chairman, I would further like to engage the chairman and the ranking member in a brief colloquy.

Mr. Chairman, I had an amendment which I believe the chairman is aware of.

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

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

Mr. WOLF. Mr. Chairman, we are not aware of any amendment from the gentleman, but I will be glad to talk to him. Maybe I should look at it first. We do not have anything from him.

Mr. WYNN. Mr. Chairman, my intention would be not to introduce it.

Mr. WOLF. Well, let us chat about it and see what happens.

Mr. WYNN. Mr. Chairman, I thank the chairman. Basically, it was an amendment dealing with the issue of drug courts, which, as the gentleman knows, is a very important diversionary program designed to provide drug users with a program of intense scrutiny, rehabilitation, drug testing, counseling and the like which has proven to be very successful in reducing drug crimes. It has an outstandingly low recidivism rate.

Studies from the American University, the Columbia University, as well as the National Institute of Justice, have all indicated that where we have a criminal placed in a drug court program there is a very low rate of recidivism.

For this reason, we believe this program ought to be funded robustly. The program was authorized at $60 million. The committee reported a funding level of $50 million, and I would like to ask the chairman if he would work with the ranking member and myself in conference to see if we could boost that funding level from $50 to the authorized $60 million.

Mr. WOLF. Mr. Chairman, if the gentleman would yield, we will work with the gentleman to the best of our ability that we can. I think drug courts make a lot of sense.

Our problem has been just allocations from legal services to NAP and

others, but certainly we will work with the gentleman as we get to conference. My colleague has my commitment on that.

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

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

Mr. SERRANO. Mr. Chairman, as I told the gentleman from Maryland, the gentleman from Virginia (Mr. WOLF) has been very much aware and supportive of these kinds of issues, and as this bill moves to conference, sometimes there is a window of opportunity to do some things. While we cannot promise what the end result will be, we certainly promise the gentleman from Maryland that we will work together with him to see that this moves along in a better way.

Mr. WYNN. Mr. Chairman, well, I would like to first thank the chairman for his willingness to work with me on this issue, as well as the ranking member. I would like to thank him. I know this is a tough bill, and there is not a lot of money to work with. So I appreciate any cooperation and support my colleagues can give me.

AMENDMENT NO. 15 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 offered by Ms. JACKSON-LEE of Texas:

Page 2, line 7, after the dollar amount, insert the following: ''(reduced by $10,000,000)''.

Page 26, line 20, after the dollar amount, insert the following: ''(increased by $10,000,000)''.

Page 28, line 4, after the dollar amount, insert the following: ''(increased by $10,000,000)''.

Ms. JACKSON-LEE of Texas. Mr. Chairman, my amendment is an amendment that we have had the challenge of discussing for the last couple of sessions of Congress, and that is, dealing with the viability of the Nation's DNA lab.

Since it has come to our attention in the criminal justice system of the value of DNA lab work as relates to the promotion of individuals' innocence or guilt, many of whom have sat on death row, some of whom have been convicted of rape while the actual rapists have gone free, I believe it is imperative that we continue on the President's commitment to eliminate the backlog of DNA analysis and as well the backlog of cases that permeate around the Nation. This $10 million added to the $175 million would make good on our promise to believe in justice.

I am citing, if you will, the troubles that we have experienced in one particular area with a gentleman by the name of Josiah, I will simply use his first name, who sat in jail starting at the age of 17 when he was sentenced to 25 years in prison in 1999 until he was released last year at the age of 21 on the basis of a conviction that proved to be false.

The question there, of course, was a faulty DNA lab. To add insult to injury, our own district attorney, Chuck Rosenthal, refused to join in a request for a full pardon. It was only after the advocacy of many in our community, including elected officials, my office and led by the ministerial community in Houston, that this particular individual was set free.

Josiah, however, is an example of the results of faulty DNA testing around the Nation. It was through this case and many others that the House Committee on the Judiciary considered themselves a viable part of fixing the problem. That problem was fixed by legislation that argued for and worked toward decreasing the backlog of cases of those who are sitting on death row for many of those who likewise are involved in cases that a DNA correction could improve.

I supported H.R. 3214, the Advancing Justice Through DNA Technology Act. As I expressed at that time, this technological tool must be improved because it plays such a key role in streamlining and expediting our criminal justice system. Our law enforcement agencies are becoming increasingly more reliant upon the analysis of the DNA tool to verify or rule out the identity of a suspect or charge an individual in processing criminal justice cases. We will not be able to reach the level of decreasing the backlog unless we invest and put our money where our intent is.

This simple request of $10 million takes it out of the salaries and expenses of the Department of Justice to be able to focus on increasing and improving the DNA lab. It also allows for laboratories around the country to apply for grants to improve the training, to improve the staffing, to improve the analysis, and to expedite the analysis which expedites justice.

I cannot imagine a more important aspect of our work here in this Congress than to promote justice; and adequate, secure, safe and skilled DNA staffing and adequate DNA labs will be part of improving justice.

I would ask my colleagues to support this amendment.

Mr. Chairman, I rise today to offer an amendment to H.R. 2754, the Commerce, Justice, and State Department Appropriations bill. It would call for the reduction of the Salaries and Expenses account in Title I, General Administration (page 2, line 7) by $10 million, the increase of the Community Oriented Policing Services (COPS) account in Title I by $10 million (page 26, line 20), and the specific increase of the provision in that account that deals with DNA analysis (page 28, line 4) by $10 million, amounting to an overall reduction in outlays by $7 million for fiscal year 2005.

In November 2003, I supported H.R. 3214, the ''Advancing Justice Through DNA Technology Act,'' of which I was a co-sponsor. As I expressed at that time, this technological tool must be improved because it plays such a key role in streamlining and expediting our criminal justice system. Our law enforcement agencies are becoming increasingly more reliant upon the analysis of deoxyribonucleic acid (DNA) to verify or rule out the identity of a suspect or a charged individual in processing criminal cases. The more reliant we become, the more our individual rights are at stake. We must, however, significantly raise the bar of our technology and the standards of review for DNA and ballistics crime lab accreditation to minimize mistakes that cost people years of their lives. The Jackson-Lee amendment seeks to so minimize the margin of error that threatens individual liberties and rights.

CRIME LAB ACCREDITATION

The certification of our crime labs for conformance to our accepted standards is done by groups such as the American Society of Crime Laboratory Directors (ASCLD). The accreditation process is part of a laboratory's quality assurance program that should also include proficiency testing, continuing education and other programs to help the laboratory give better overall service to the criminal justice system. Certification and accreditation are done via a process of self-evaluation led by individual crime laboratory directors.

Our labs are not functioning at optimum levels, and this sub-par performance translates to the miscarriage of justice and prosecution of innocent people. Improvement of lab performance begins with tighter employment policies for the lab staff. For example, the ASCLD's Credential Review Committee has a DNA Advisory Board and codified standards for its technical staff. The following was taken from its website:

DNA Advisory Board Standard 5.2.1.1 provides a mechanism for waiving the educational requirements for current technical leader/technical managers who do not meet the degree requirements of section 5.2.1 but who otherwise qualify based on knowledge and experience. Consequently ASCLD has established this procedure for obtaining a waiver.

One waiver is available per laboratory if the current technical leaders/technical manager does not meet the degree requirements of DAB Standard 5.2.1. Waivers are available only to current technical leaders/technical managers. Waivers are permanent and portable for the recipient individual. A laboratory may request a second waiver if the first recipient leaves the employ of the laboratory.

Although experience is quite important in selecting staff, formal education and increased resources are vital when it comes to technical performance and the legal implications of that performance. We are in desperate need of dollars and appropriate legislation to set forth and maintain the standards of DNA/ballistics lab accreditation.

TEXAS LAW AND CRIME LAB ACCREDITATION

In 2001, Texas passed a law formalizing a process for post-conviction access to DNA testing. The Texas Court of Criminal Appeals, however, has not applied the law as it was designed to work and has denied access to testing in a number of cases.

The Texas House passed a bill in April of this year requiring crime laboratories that test DNA to meet accreditation standards, a law designed to prevent future scandals like the one that recently plagued the Houston Police Department.

The Houston Judicial System convicted Josiah Sutton in 1998 for the rape of a woman

whose body was dumped in a Fort Bend County field. But the Court eventually granted him bail in March after an independent lab determined that he was sentenced to 25 years in prison for a rape he didn't commit. An audit and an ongoing series of retesting of DNA samples by the Texas Department of Public Safety and a crime lab professional from Tarrant County revealed potential contamination problems at the subject lab as well as poor working conditions and inadequate training. Attorney Neufeld remarked that "[t]he most important question for the people of Houston and the people of Texas is, 'What went wrong that allowed this young man to be convicted for a crime he didn't commit?' 'And it is absolutely clear that what you have going on is a system of malpractice by the Houston crime laboratory that allows its criminalists to distort and conceal evidence.'" What I fear about the dangers of poor training and placement of checks may be summed up by what Neufeld added,

> One of the biggest problems of . . . [crime labs] is that they [are] much more concerned with being a servant to the police and prosecutors than they [are] to science . . . [a]nd if people want to pursue a career in science, the word science has to come before law enforcement.

The objectivity that is required to make forensic science effective must be divorced from the latitude exercised by some of our law enforcement personnel. Therefore, we must include adequate technology and resources to prevent injustice and the ruination of young lives like the young Houston man, Josiah Sutton.

Furthermore, other problems with DNA testing in criminal cases affect the inmate directly. The discretion with which the decision whether to use DNA testing leaves room for inconsistent adjudication and differential treatment of convicted persons. Statutory guidelines regarding when to order the test would exclude some cases that might not meet the standards but still might deserve testing. Moreover, some inmates who seek exoneration may request executive clemency. In addition to requiring very difficult measures to achieve justice, some argue that the tests administered are inadequate because they do not provide specific, clear, and fair procedures for inmates to bring claims of innocence.

In addition to negligent handling or unskilled analysis of DNA evidence, the backlog of cases causes our criminal justice system to crumble despite the level of sophistication of our technology. Houston police have turned over about 525 case files involving DNA testing to the Harris County district attorney's office, which has said that at least 25 cases warrant re-testing, including those of seven people on Death Row. The numbers will grow significantly as more files are collected and analyzed, according to the assistant district attorney supervising the project.

The Fort Worth police crime lab's serology/DNA unit has been criticized recently for a backlog that was slowing down court cases. The unit's performance suffers from understaffing and overworking.

My concern as to the practice of using these DNA tests is that the inmates' civil liberties and rights to due process are continually placed into jeopardy because of a lack of resources. Furthermore, our staffing and personnel problems threaten to undermine the benefits of technology.

Mr. Chairman, I urge my colleagues to support the Jackson-Lee amendment to increase funding for DNA analysis and crime laboratories so that individual liberties may be better preserved and protected.

Mr. WOLF. Mr. Chairman, I rise in opposition to the gentlewoman's amendment.

The amendment proposes to reduce the Department of Justice's general administration account by $10 million. The bill already reduces the account by $90 million below the request.

Based on the passage of the Manzullo amendment, the reduction will result in massive layoffs and RIFs and hinder the Justice Department's ability to deal with the whole issue of terrorism. I mean, put this on top of Manzullo, it would be devastating.

In regards to the DNA program, and I strongly support that and so does the gentleman from New York (Mr. SERRANO), the gentlewoman proposed to increase this bill. We fully fund the President's $176 million DNA initiative. This is a $77 million increase, a $77 million increase over the current level. This is the largest increase provided to any State and local law enforcement program. It is an increase of 44 percent.

So I urge rejection of the gentlewoman's amendment. It proposes an unacceptable funding reduction, in addition to the Manzullo reduction, with something that we have had additional funding with a 44 percent increase. I oppose the amendment.

Mr. SERRANO. Mr. Chairman, I move to strike the last word, and I rise in opposition to the amendment.

Let me first continue to do what I have always done and that is to show my respect for the gentlewoman from Texas who always speaks to these issues with great compassion and with great concern; and under normal circumstances, one could agree with her, but these are not normal circumstances: one, because this budget is so tight; two, as I keep repeating, because I believe the chairman has been very fair in providing dollars; and, lastly, we just had an amendment where we were looking for $79 million for SBA. Well, if I add this correctly, this program went up from last year's just about that amount, $79 million. So this program has done very well.

To now strike at legal activities account for another $10 million, I really do not think it is necessary, and so I would oppose it and hope everyone else would; but in anticipation of a good decision by the gentlewoman from Texas, I will now yield to her.

□ 1600

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentleman, and I do respect his opposition. It comes down to simply the question of whether or not we have enough money, so I respect his responsibility for this particular appropriation.

I would just say to the gentleman that we are both supporters and advocates of a better justice system, and enhanced funding to help with DNA labs across the country, I believe, is an effective way to utilize this money.

To the distinguished gentleman from New York and to the chairman I must say that it is tragic that we have had to take money and spend it on a 7(a) program that should have been funded for small businesses, which I supported, I understand that, but let it be known, as a member of the Committee on the Judiciary, and the work we do as authorizers, that every day we are finding DNA labs across the country that contribute to the backlog. We are backlogged in Washington. These dollars were simply to add that provision.

I accept the responsibility that my colleague has. He has to tighten the belt and to worry about where the money is coming from. I hope that as we look forward to working in conference that we will find a way to be able to address squarely this backlog problem, making sure that DNA labs will be able to function as they should.

With that, I ask my colleagues to support this amendment.

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

The amendment was rejected.

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

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

Mr. OXLEY. Mr. Chairman, as many of us know, the Child On-line Protection Act, or legislation better known as COPA, was signed into law on October 21, 1998. I was the author of that legislation, which was designed to shield minors from Internet pornography. And despite my attempt to craft a narrowly tailored requirement involving only commercial, on-line pornographers to screen out minors before they distribute or sell pornographic materials on the Internet, by verifying their clients' adult status through the use of credit cards, adult access codes, or other reasonable technologies, last week the Supreme Court, on a 5-to-4 vote, voted to uphold a preliminary injunction that would block COPA from being implemented. This is now 6 years into this issue.

After COPA was enacted, the Supreme Court ruled that mechanisms designed to filter minors away from graphic and obscene images on the Web may not be the least restrictive alternative available to accomplish our goal of protecting minors from porn on the Internet.

I echo the opinion expressed by Justice Stephen Breyer, who wrote in dissent, ''My conclusion is that the Act, as properly interpreted, risks imposition of minor burdens on some protected material, burdens that adults wishing to view the material may overcome at modest cost.'' In other words, Justice Breyer felt that the burden ought to be on the pornographer, not on the parents to provide this kind of protection for their children.

The popularity and growth of the Internet presents opportunities for minors to access information that can frustrate parental supervision and control. Seventy million individuals visit pornographic Web sites each week, of which about 11 million are minors. This is not a Playboy magazine type of situation. These are very, very graphic and very, very much other than the usual centerfold one might expect. Once posted on the Internet, sexually explicit material has entered all communities and virtually any home that has access to the Internet.

Minors often stumble upon sexually explicit material on the Internet by mistake. To use one example, they use copycat URLs to take advantage of innocent mistakes. A child searching the Internet for the official Web site of the White House can be confronted by hard core pornography by mistyping www.whitehouse.com, rather than www.whitehouse.gov. In my mind, COPA's requirement that purveyors of pornographic material on the Web utilize technological safeguards was the practically available and least restrictive way to limit minors' access.

In light of last week's disappointing decision, I was pleased to see the report language for H.R. 4754, which includes $2.605 million for 25 new positions to investigate and prosecute adult obscenity and child exploitation crimes. This level of funding is in addition to the $5.2 million which is included in this bill for the investigation and prosecution of these crimes by the existing staff at the Department of Justice. My thanks go out to the chairman, the gentleman from Virginia (Mr. WOLF), for his leadership in this regard.

Because of the magnitude of the problem of adult obscenity and child exploitation, I believe these 25 new positions at the Department of Justice are a good start. However, I believe it is not proportionate to the volume of obscenity being disseminated by the Web sites of commercial American pornographers. Type the word ''sex'' into a Internet search engine like Google, and you will get 180 million hits.

Today, pornography accounts for more than one-tenth of all on-line consumer purchases. According to one study, purveyors of pornographic material on the Web earned $12 billion in revenue last year. In the space of a generation, a product that was once available in the back alleys of big cities is now delivered directly into homes by some of the biggest companies in the United States. I have serious concerns that the Congress' $7.8 million is simply not enough to handle the problem.

If the distinguished chairman would join me in a colloquy, I would ask him if he supports the prosecution of adult obscenity and child exploitation crimes.

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

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

Mr. WOLF. Mr. Chairman, my answer is ''absolutely.''

Mr. OXLEY. Reclaiming my time, Mr. Chairman, I look forward to working with the chairman to ensure these crimes are investigated and prosecuted by the Department of Justice.

Mr. WOLF. If the gentleman will continue to yield, as the gentleman said, the bill includes $2.6 million and 25 positions.

Secondly, I want to thank the gentleman, because I went over to the Center for Missing and Exploited Children in Alexandria, and every member of the court ought to go over there and see it. Those two decisions from the court have severely hurt law enforcement with regard to child exploitation.

So, the gentleman from Ohio (Mr. OXLEY) is absolutely right. And if the gentleman comes up with language that he thinks would be appropriate to put on this bill, I will do anything. And I thank the gentleman for what he has done.

I cannot understand, and I stipulate that all the men and women on the court are good people, but I cannot understand. The decision by Justice Kennedy is actually shocking. So I agree with the gentleman, and we will work with him and do anything we can to help.

Mrs. MALONEY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, in order to enter into a colloquy with the chairman and the ranking member, would the chairman allow me to ask a question about the funding for the American Community Survey?

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

Mrs. MALONEY. I yield to the gentleman from Virginia.

Mr. WOLF. I certainly will allow the colloquy.

Mrs. MALONEY. Mr. Chairman, I understand the committee has reduced the funding for the American Community Survey by $19 million. I was concerned about that cut, but I have been told that the Census Bureau has assured the committee that these cuts will have no effect on the quality of the survey; is that correct?

Mr. WOLF. If the gentlewoman will yield once more, that is correct. The Census Bureau and the Department of Commerce have informed us that the American Community Survey can be fielded successfully with the funds allocated in the bill. That is correct.

Mrs. MALONEY. I thank the Chairman.

Currently, this bill does not include group quarters in the American Community Survey for fiscal year 2005. My understanding is that the Census Bureau agrees that students in dorms, inmates in prisons, seniors in nursing homes, some assisted living facilities, and those on military bases in the United States do not need to be included in the survey this fiscal year, and this will not impact accuracy for 2010. Is that also correct?

Mr. WOLF. Mr. Chairman, if the gentlewoman will continue to yield, that is my understanding. The Census Bureau has informed the committee that the survey can be fielded successfully in 2005 without including people living in group quarters.

I would also say to the gentlewoman that there is an amendment to this bill by the gentleman from New York (Mr. WEINER) coming up later on today, which will cut $106 million out of Census. With a cut of $106 million out of Census, Katie bar the door. Census will not be able to do the job.

So I appreciate the gentlewoman's raising this. Her questions are exactly right, but with the adoption of the Weiner amendment, everything we are saying would be wiped out.

Mrs. MALONEY. Reclaiming my time, Mr. Chairman, I agree, and I feel that we need to fund the census. We have to get ready for the census that is to come, and if we do not fund it now, then the census will not be accurate when the time comes to go forward and get an accurate accounting of Americans.

Mr. Chairman, if the ranking member, the gentleman from New York (Mr. SERRANO), would allow me to ask a question about the funding for research on migration into and out of the United States, I understand the committee did not fund a new initiative proposed by the Census Bureau. The Census Bureau was going to spend $1.23 million in fiscal year 2005 to improve the migration estimates and demographic analysis.

As my colleague from New York will remember, the Census Bureau estimates failed to capture the dramatic increase in the migration of Hispanics during the 1990s, and as a result, those estimates were seriously flawed. Is it correct that the committee has eliminated funding to improve those estimates?

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

Mrs. MALONEY. I yield to the gentleman from New York.

Mr. SERRANO. Mr. Chairman, the gentlewoman is correct, and I share her concern.

During the last 2 decades of the 20th century, the Census Bureau did not provide sufficient investment in these programs to keep up with the changing social and demographic character of the country. Eventually, the system failed, due to lack of attention.

I was encouraged when the President's budget requested funds to reverse that trend. I am going to work with the chairman to see if there is some way we can rectify this situation in conference.

Mrs. MALONEY. Reclaiming my time, Mr. Chairman, I thank the gentleman and I appreciate his efforts to assure funding not only for the 2010 census, but for the many other important programs at the Census Bureau. I believe this small amount of research funding now will pay great dividends

down the road, and that the failure to fund this research will have serious consequences for the accuracy of a great many census programs besides the 2010 census.

Mr. SERRANO. Mr. Chairman, if the gentlewoman will yield once again, I want to thank her for her tireless work on the census. I share her enthusiasm in this area, and I assure her that we will continue to try to make their work easier and better.

Mrs. MALONEY. Mr. Chairman, I thank the chairman and the ranking member.

Mr. CASTLE. Mr. Chairman, I move to strike the last word, and I rise to enter into a colloquy with the chairman, the gentleman from Virginia (Mr. WOLF).

I rise today on behalf of myself, the gentleman from Pennsylvania (Mr. GREENWOOD), and the gentleman from Pennsylvania (Mr. PETERSON) to request that as the gentleman moves forward with this appropriation bill, he will work to include language in conference with the Senate that will instruct the Secretary of Commerce, in cooperation with the Secretaries of Energy and Labor, to study the economic impacts of rising natural gas prices on energy-intensive industries in the United States and potential market adjustments, including energy-intensive industries shifting operations overseas.

We are concerned about the growing imbalance between natural gas supplies and the ever-increasing demands of this fuel source. The goal of this study would be to better understand what effects the volatile rise in natural gas prices and decreases in domestic supply have had on U.S. energy-intensive industries, including how they operate their facilities in the U.S., reducing United States production, postponing plant expansions, and shifting work to parts of the world where energy prices are lower.

The U.S. today has the highest natural gas prices in the industrialized world, forcing companies to shift jobs overseas to countries with greater supply and lower energy costs. U.S. chemical companies have lost an estimated 78,000 jobs since the natural gas shortage began in 2000.

Mr. Chairman, these economic numbers are alarming, and we need to take a closer look at how these energy costs are affecting our country's economic recovery. We hope Chairman WOLF will support this request as he undergoes the difficult task of guiding the fiscal year 2005 Commerce, Justice, State and Judiciary appropriations bill through this process. We thank the gentleman for his leadership on these important economic issues.

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

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

Mr. WOLF. Mr. Chairman, let me tell the gentleman from Delaware that if we can do it, we will do it. We will work with him as we move through the process, but stay in touch as we get ready to go to conference.

I thank the gentleman for raising it, as well as the gentleman from Pennsylvania (Mr. GREENWOOD) and the gentleman from Pennsylvania (Mr. PETERSON). I think all three gentleman are right on target, and it is a good idea.

Mr. CASTLE. I thank the gentleman, Mr. Chairman.

AMENDMENT OFFERED BY MR. CROWLEY

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

The Clerk read as follows:

Amendment Offered by Mr. CROWLEY:

Page 2, line 7, after the dollar figure insert ''(reduced by $50,000)''.

Page 2, line 11, after the dollar figure insert ''(reduce by $50,000)''.

Page 33, line 21, before the semicolon, insert ''(increased by $50,000)''.

Mr. CROWLEY. Mr. Chairman, it is with no great joy that I rise to offer this amendment. My amendment seeks to transfer $50,000 from the Department leadership account funds at the Office of the Attorney General and shift those funds to the Public Safety Officers Benefits Program under the Office of Justice Program. These funds should be used by the Office of Justice Programs to provide the resources to issue the Public Safety Officer's Medal of Valor posthumously to the 414 public safety officers who lost their lives on September 11, 2001.

After those awful events of September 11, our whole Nation unified together as one people.

□ 1615

We looked with long-deserved respect at our police and fire fighters and emergency medical technicians, as well as court officers, for their heroism and their bravery.

Remember, Mr. Chairman, these are the people who were running into the buildings when everyone else was attempting to escape those buildings. As a posthumous honor for these fallen heroes, I worked with Republicans and Democrats to pass a resolution 2½ years ago, expressing the sense of Congress that the Public Safety Officers Medal of Valor be presented to the public safety officers who had perished for outstanding valor above and beyond the call of duty during the terrorist attacks in the United States on September 11.

That resolution unanimously passed by a vote of 409 to 0. Then under Senator LEAHY's leadership in the Senate, he secured passage of a resolution in that body which was identical to the one that passed here with the unanimous vote just a short while later. While nonbinding, these resolutions put the Congress on record as urging special recognition through the issuance of the Medal of Valor for those individuals. In fact, the authorizing legislation of the Public Safety Officers Medal of Valor allows the special recognition and permits the Attorney General to issue, ''and in extraordinary cases,'' an increase in the number of recipients in a given year for this award.

September 11 was an extraordinary case, and the heroism we saw that day was more than extraordinary. Unfortunately, after a number of meetings with the Attorney General's office and several calls to the White House, still after 2½ years, no action has been taken, nor is it apparent that any action on this issue is forthcoming.

Last year, thank you to the gentleman from Virginia (Mr. WOLF) and to the gentleman from New York (Mr. SERRANO), at my request, they graciously included language in their bill urging the Attorney General to posthumously award the Public Safety Officers Medal of Valor to the 414 public safety officers who perished on September 11 of 2001. I do not understand the holdup of the issuance of this medal.

While I do not begrudge those brave officers who have already received these honors in 2002 and 2003, I believe that the Attorney General should immediately issue these same awards to our heroes of 9/11.

When this amendment passed, and I understand through a negotiation with the majority, they are willing to accept this amendment, it would have been the third time that this House has acted to instruct the Attorney General's Office and the administration to issue the Medal of Valor to those men and women, public safety officers, who fell on 9/11.

We have a medal in place already. We do not need to create a new medal to give to those who paid the ultimate sacrifice and demonstrated the highest acts of bravery on that day. If those who fell on 9/11 do not deserve this medal, I do not know who would. It would be an honor for those who have received it already and an honor for those who will one day receive this medal to know that they are among the 414 men and women who gave the ultimate sacrifice in bravery on 9/11.

Now, it is my understanding in conversations with the administration that there is a hold on issuing this, after 2½ years of foot-dragging on issuing this medal, that there may be an attempt to create a new medal to give at maybe another time. I do not want to specify. I do not know when that time may be, but I would hate to see that this be done for political purposes.

Two and a half years have gone by. Enough time has happened and dragged by. These men and women and their families have been through so much already. They have been anticipating the receipt of this medal, and yet the administration has failed to cooperate and issue this medal to these 414 families who so deservedly are expecting this medal.

I think it is time to put politics aside and stop dragging feet and have this medal that is already in existence. We do not have to create another one. We do not have to spend hundreds of thousands of dollars to create a new medal.

One exists today, already, to give to those families and the men and women who paid the ultimate sacrifice in such a brave way on 9/11.

Mr. WOLF. Mr. Chairman, I rise in strong support of the amendment. My dad was a policeman in the city of Philadelphia over 28 years. We will, one, accept the amendment, and what we will do is try to do more than that. We will try to work with the gentleman and his office and call down to the Justice Department.

I will personally place a call to see, I mean, why should we wait until this bill gets signed? Why should we not do something next month, do something in September, do something quickly?

So, one, we will accept the amendment, so it is accepted; but, two, we will make a call and work with the gentleman's office, if he can work with our staff, and we will try to see if we can make a call by the end of this week so he will get some sense of relief.

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

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

Mr. CROWLEY. Mr. Chairman, I appreciate the chairman's demonstration of desire to make this a reality by what he has just said on the floor, and I too am the son and the grandson of a police officer. And I think most people know that my first cousin was killed on 9/11, John Moran, as well as numerous friends of mine who were police officers and fire fighters. So there is a personal element to this issue as well.

I do appreciate the gentleman's offer to verbally contact the administration and the Attorney General's Office, and I hope, again, that something can be done after 2½ years of really, if nothing else that I can describe, just dragging feet. I wish I had a better answer as to why this has not taken place already. It is not the Senate. It certainly is not you, Mr. Chairman, or anyone in this House.

We have spoken unanimously in the past, and as I said before, this is the third time on the floor that we will have spoken. So I appreciate the gentleman's advice and his counsel on what he will do on his side to make this a reality before this goes any further.

Mr. WOLF. Mr. Chairman, my father's badge number was 3990, and we will get the gentleman an answer by Friday if we can.

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

Mr. Chairman, I would just like to commend the gentleman from New York (Mr. CROWLEY), my friend and colleague, for this effort. Our eyes do not deceive us. It is not $50 million. It is not $50 billion. It is $50,000. But in so many ways it is trillions, because it affects people who have been hurt. And while the gentleman from New York (Mr. CROWLEY) is not to wear this on his sleeve, I happen to know that, as we all do, his family was touched by this tragedy. And so the support that he continues to give the victims and the families is one that makes a lot of sense to all of us.

Again, we have done so much to honor those folks who have served and who gave their lives and the families that were touched; and yet this little symbol, and it is little in the sense of what it costs and yet gigantic in what it means to people, is something that should move ahead.

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

Mr. Chairman, I commend the gentleman from New York (Mr. CROWLEY) and commend the chairman for doing this. There is nothing that can bring back those brave heroes from September 11, but clearly for so many who lost their lives from Staten Island, Brooklyn, and throughout the city and region, this is one way that our country continues to honor them. I think it is fitting, appropriate and overdue.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. CROWLEY).

The amendment was agreed to.

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

Mr. Chairman, I would ask the gentleman from Virginia (Mr. WOLF) that the report accompanying this bill calls for an external review of the NOAA laboratories and of the management of NOAA's research activities. As the gentleman knows, these issues have been of great interest to the Committee on Science, and indeed are addressed in an NOAA Organic Act that I recently introduced.

Our committees have worked together on these issues of research management, and I would like some assurance from the chairman that our committees will continue to work together on this matter. I would not want to see any directive coming from the Committee on Appropriations in this or any other bill regarding the management and structuring of science at NOAA that did not reflect agreement between our respective committees.

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

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

Mr. WOLF. Mr. Chairman, we thank the gentleman for his comments. I appreciate our cooperative relationship, particularly since I have known the gentleman since he was a staffer for Mr. Pirnie and I was a staffer for Mr. Biester a long time ago. Absolutely, I can assure the gentleman we will not direct NOAA to make any changes in the structure of its science programs that the gentleman's committee would not approve.

Mr. BOEHLERT. Mr. Chairman, I thank the gentleman for that cooperation and assurance.

Mr. WOLF. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. KING of Iowa) having assumed the chair, Mr. HASTINGS of Washington, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4754) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2005, and for other purposes, had come to no resolution thereon.

REPORT ON H.R. 4766, AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

Mr. BONILLA, from the Committee on Appropriations, submitted a privileged report (Rept. No. 108–584) on the bill (H.R. 4766) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2005, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2005

The SPEAKER pro tempore (Mr. KING of Iowa). Pursuant to House Resolution 701 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4754.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4754) making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related agencies for the fiscal year ending September 30, 2005, and for other purposes, with Mr. HASTINGS of Washington in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the bill was open for amendment from page 2, line 6, through line 22.

Are there further amendments to this paragraph?

The Clerk will read.

The Clerk read as follows:

JOINT AUTOMATED BOOKING SYSTEM

For expenses necessary for the nationwide deployment of a Joint Automated Booking System including automated capability to transmit fingerprint and image data, $20,000,000, to remain available until September 30, 2006.