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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. SHUSTER).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
October 4, 2004.

I hereby appoint the Honorable BILL SHUSTER to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 20, 2004, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from California (Mr. DREIER) for 5 minutes.

H.R. 10 WILL IMPROVE HOMELAND SECURITY

Mr. DREIER. Mr. Speaker, this week we will consider what is perhaps the most significant piece of legislation of this Congress. Following the tragic events of September 11, 2001, we all recognized that we had to take dramatic steps to ensure that it never happens again. H.R. 10, the 9/11 Recommendations Implementations Act, is the culmination of years of extensive study, debate and dedication by those who are committed to improving our Nation's homeland security.

I am proud to be an original cosponsor of this important bill introduced by the gentleman from Illinois (Mr. HASTERT) not only because it takes extensive steps to reform our intelligence agencies, but also because it addresses a critical threat to our national security: The porous nature of our borders. We know it is far too easy for illegal immigrants to cross the border into this country, and we cannot ignore the fact that terrorists can gain access to the United States this way.

So I am particularly pleased that as we worked on this bill, we were able to include measures to strengthen our ongoing efforts to eliminate illegal border crossings. This legislation adds 10,000 new border patrol agents to intercept illegal immigrants and potential terrorists, as well as 4,000 new immigration enforcement investigators to track illegal immigrants down within our borders. These 14,000 new agents are badly needed and will immediately improve illegal immigrant interdiction and interception operations.

Additionally, H.R. 10 allows for expedited deportation of illegal immigrants and limits the ability of potential terrorists to claim political asylum to avoid being repatriated to their home country. All of these measures will upgrade our ability to win the battle that is taking place every day along our borders.

Perhaps most notably, H.R. 10 includes provisions to counter the explosive increase in identity fraud committed by illegal immigrants and terrorists. This issue is of paramount concern to me, because I firmly believe that if we can eliminate job access for illegal immigrants, then we will be much closer to completing our ultimate goal of eliminating illegal immigration.

In fact, Mr. Speaker, T.J. Bonner, a 26-year veteran of the Border Patrol, and president of the National Border Patrol Council, estimates that we can eliminate as much as 98 percent of illegal border crossings if we can give employers access to verifiable identity information on prospective employees and if we crack down on employers who hire illegal workers. Ninety-eight percent is a remarkable number, and it would allow the Border Patrol to focus on targeting criminal aliens and terrorists.

Because of this, Mr. Speaker, I introduced H.R. 5111, the Bonner Plan, to improve the security of our Social Security cards and provide a method by which employers could immediately verify the authenticity of that Social Security card. My bill would also increase fines for hiring an illegal worker by 400 percent, and provide for prison sentences of up to 5 years per count.

A major first step toward passage of the Bonner plan in its entirety has been the inclusion of very important provisions to combat identity fraud in H.R. 10 which we will be passing as I said this week. H.R. 10 includes new Federal minimum standards to ensure the integrity of both driver's licenses and birth certificates, both of which are widely used source documents which allow illegal immigrants to obtain other documents and access to social services. These new Federal standards will increase the difficulty for illegal immigrants to hide the true nature of their illegal status in our country.

And similar to the Bonner plan, H.R. 10 improves the privacy and integrity of an individual's Social Security number, limits the number of replacement Social Security cards a person may receive, and investigates whether the Social Security number itself can be used as a tool to verify a worker's authorization to work in the United States. All of these provisions are vitally important to the war against illegal immigration and the war on terrorism, so I stand here today to enthusiastically express my support for passage of H.R. 10 with the immigration measures fully intact.

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Since I introduced it on September 21, the Bonner plan, H.R. 5111, has received interest and support from many of my colleagues, including Senators KYLE, CORNYN and CHAMBLISS. The bill also garnered a unique group and I believe unprecedented group of bipartisan cosponsors, including the gentleman from Texas (Mr. REYES), a past chairman of the Congressional Hispanic Caucus, as well as the gentleman from Colorado (Mr. TANCREDO), the chairman of the Immigration Reform Caucus. We all share the goal of eliminating illegal immigration, and I hope very much that we are able to see full and enthusiastic support for H.R. 10 as we move ahead with it this week.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 37 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the SPEAKER pro tempore (Mr. PETRI) at 2 p.m.

PRAYER

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

As a clear, cool westerly blows across the Nation and the somber tones of autumn settle upon us, the Members of the House may be called to a syncopated discipline of self-surrender. With more determined steps, all walk into the season when seeds of the future fall to the Earth.

With grateful hearts for so many blessings, Lord, allow Your people to use their freedom wisely, and befriend the barren, the voiceless, and the hardened. Cover us with a protective cloak, that the paralysis of fear may be massaged to accept the planting of hope into our tiring body. In these days of diminished light, prepare us for Your hidden promise. For You are the Lord of every season and forever. Amen

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. GIBBONS led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

H.R. 1533. An act to amend the securities laws to permit church pension plans to be invested in collective trusts.

H.R. 2714. An act to reauthorize the State Justice Institute.

H.R. 4278. An act to amend the Assistive Technology Act of 1998 to support programs of grants to States to address the assistive technology needs of individuals with disabilities, and for other purposes.

The message also announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 5105. An act to authorize the Board of Regents of the Smithsonian Institution to carry out construction and related activities in support of the collaborative Very Energetic Radiation Imaging Telescope Array System (VERITAS) project on Kitt Peak near Tucson, Arizona.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 2273. An act to provide increased rail transportation security.

S. 2435. An act to permit Inspectors General to authorize staff to provide assistance to the National Center for Missing and Exploited Children, and for other purposes.

S. 2495. An act to strike limitations on funding and extend the period of authorization for certain coastal wetland conservation projects.

S. 2882. An act to make the program for national criminal history background checks for volunteer groups permanent.

S. 2883. An act to amend the International Child Abduction Remedies Act to limit the tort liability of private entities or organizations that carry out responsibilities of the United States Central Authority under that Act.

S. 2884. An act to authorize the Secretary of Homeland Security to award grants to public transportation agencies to improve security, and for other purposes.

The message also announced that pursuant to Public Law 108–173, the Chair, on behalf of the Majority Leader, appoints the following individuals to the Commission on Systemic Interoperability:

Vicky B. Gregg of Tennessee; and
Ivan G. Seidenberg of New York.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 1, 2004.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 1, 2004 at 11:00 a.m.:

That the Senate passed without amendment H.R. 2408.

That the Senate passed without amendment H.R. 2771.

That the Senate passed without amendment H. Con. Res. 501.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

APPOINTMENT TO COMMISSION ON ABRAHAM LINCOLN STUDY ABROAD FELLOWSHIP PROGRAM

The SPEAKER pro tempore. Pursuant to section 104(c)(1)(I) of the Consolidated Appropriations Act, 2004 (P.L. 108–199), and the order of the House of December 8, 2003, the Chair announces that the Speaker and minority leader of the House, with the majority and minority leaders of the Senate, jointly appoint Mr. Melville Peter McPherson, East Lansing, Michigan, chairman of the Commission on the Abraham Lincoln Study Abroad Fellowship Program.

APPOINTMENT AS MEMBERS TO COMMISSION ON SYSTEMIC INTEROPERABILITY

The SPEAKER pro tempore. Pursuant to section 1012(c)(1) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (42 U.S.C. 242b note), and the order of the House of December 8, 2003, the Chair announces the Speaker's appointment of the following members on the part of the House to the Commission on Systemic Interoperability:

Mr. Gary A. Mecklenburg, Chicago, Illinois,

Dr. Don E. Detmer, Crozet, Virginia.

REAPPOINTMENT TO ADVISORY COMMITTEE ON STUDENT FINANCIAL ASSISTANCE FOR 3-YEAR TERM

The SPEAKER pro tempore. Pursuant to section 491 of the Higher Education Act (20 U.S.C. 1098(c)), the order of the House of December 8, 2003, and upon the recommendation of the majority leader, the Chair announces on Friday, October 1, 2004, the Speaker reappointed the following member on the part of the House to the Advisory Committee on Student Financial Assistance for a 3-year term:

Ms. Norine Fuller, Arlington, Virginia.

COMMUNICATION FROM HON. NANCY PELOSI, DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

OCTOBER 4, 2004.

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

DEAR MR. SPEAKER: Pursuant to section 214(a) of the Help America Vote Act of 2002 (42 U.S.C. 15344), I hereby appoint Douglas H. Palmer of Trenton, New Jersey to the Election Assistance Commission Board of Advisors. Mr. Palmer will fill the remainder of the term of Willie L. Brown, Jr.

Best regards,

NANCY PELOSI.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, September 29, 2004.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives, the Capitol, Washington, DC.

DEAR MR. SPEAKER: Enclosed please find resolutions approved by the Committee on Transportation and Infrastructure on September 29, 2004, in accordance with 40 U.S.C. §3307.

Sincerely,

DON YOUNG,
Chairman.

Enclosures.

LEASE—DEPARTMENT OF VETERAN'S AFFAIRS, 811 VERMONT AVE, NW, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, That pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 207,943 rentable square feet of space, including 10 parking spaces, for the Department of Veteran's Affairs currently located in government owned space at 811 Vermont Avenue, NW, in Washington, DC, at a proposed total annual cost of $9,357,435 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

AMENDED PROSPECTUS—LEASE—FEDERAL BUREAU OF INVESTIGATION, TAMPA, FL

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, That pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 137,023 rentable square feet of space, and 124 inside and 22 outside parking spaces, for the Federal Bureau of Investigation currently located in Tampa, Florida, at a proposed total annual cost of $4,453,248 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution. This amends a Committee resolution dated November 7, 2001, which authorized 112,700 square feet and 117 parking spaces at a proposed total annual cost of $3,662,750.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—INTERNAL REVENUE SERVICE, ACCOUNTS MANAGEMENT DIVISION, PHILADELPHIA, PA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, That pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 205,789 rentable square feet of space, and 1,175 parking spaces, for the Internal Revenue Service currently located in multiple facilities in Philadelphia, Pennsylvania, at a proposed total annual cost of $7,356,957 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—EXECUTIVE OFFICE OF THE PRESIDENT, NORTHERN VIRGINIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, That pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 375,000 rentable square feet of space, and 1,175 parking spaces, for the Executive Office of the President currently located in multiple facilities in Northern Virginia, at a proposed total annual cost of $13,875,000 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

ALTERATION IN LEASED SPACE—BUREAU OF PUBLIC DEBT, PARKERSBURG, WV

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, That pursuant to title 40 U.S.C. §3307, appropriations are authorized for the alteration of leased space located at 200 Third Street, in Parkersburg, West Virginia at a design and review cost of $154,000, an estimated construction cost of $1,930,000, and management and inspection cost of $116,000 for a combined estimated total project cost of $2,200,000, a prospectus for which is attached to, and included in, this resolution.

CONSTRUCTION—UNITED STATES COURTHOUSE, LAS CRUCES, NM

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, That pursuant to 40 U.S.C. §3307, additional appropriations are authorized for the construction of a 229,988 gross square foot United States Courthouse, including 81 inside parking spaces, located in Las Cruces, NM, at additional site, design, construction, and management and inspection cost of $7,644,000 for an estimated total project cost of $64,736,000, for which a fact sheet is attached to, and included in, this resolution.

Provided, that any design shall, to the maximum extent possible incorporate shared or collegial space, consistent with efficient court operations that will minimize the size and cost of the building to be constructed.

Provided further, that any design shall incorporate changes in the 1997 United States Courts Design Guide, including the implementation of a policy on shared courtrooms.

AMENDED PROSPECTUS—ALTERATION—EISENHOWER EXECUTIVE OFFICE BUILDING, WASHINGTON, DC

Resolved by the committee on Transportation and Infrastructure of the U.S. House of Representatives, That pursuant to 40 U.S.C. §3307, additional appropriations are authorized for the alternation of the Eisenhower Executive Office building, located in Washington, D.C., at an additional estimated construction cost of $5,718,000 (estimated construction cost of $63,531,000 was previously authorized), additional design and review cost of $515,000 (design cost of $5,718,000 was previously authorized and $1,674,000 was made available through P.L. 107–38), and additional management and inspection cost of $343,000 (management and inspection cost of $5,682,000 was previously authorized) for an estimated total project cost of $81,507,000, a prospectus for which is attached to, and included in, this resolution.

AMENDED PROSPECTUS—CONSTRUCTION—U.S. MISSION TO THE UNITED NATIONS, NEW YORK, NY

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, That pursuant to 40 U.S.C. §3307, additional appropriations are authorized for the construction of the United States Mission to the United Nations, located in New York City, NY, at an additional design and review cost of $405,000, additional management and inspection cost of $641,000, and additional estimated construction cost of $9,773,000 for an amended estimated total project cost of $72,326,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends Committee resolutions dated July 23, 1998, which authorized design cost of $3,163,000; May 27, 1999, that authorized demolition and management and inspection cost of $4,300,000; and June 21, 2000, that authorized design cost of $266,000, construction cost of $49,962,000, and management and inspection cost of $3,816,000.

AMENDED PROSPECTUS—CONSTRUCTION—BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, That pursuant to 40 U.S.C. §3307, additional appropriations are authorized for the construction of a 438,242 gross square foot facility, including 200 inside parking spaces for the Bureau of Alcohol, Tobacco, Firearms, and Explosives, currently located at multiple facilities in Washington, D.C., at an additional estimated construction cost of $47,503,000, for an amended estimated total project cost of $150,998,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends Committee resolutions dated October 9, 1998, which authorized a site acquisition cost of $32,700,000 and design cost of $5,234,000, and June 21, 2000, which authorized a construction cost of $79,000,000 and management and inspection cost of $4,000,000.

LEASE—FEDERAL BUREAU OF INVESTIGATION, NEW YORK, NY

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, That pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 169,461 rentable square

feet of space for the Federal Bureau of Investigation currently located in government owned space at 26 Federal Plaza and 290 Broadway, in New York, NY at a proposed total annual cost of $8,134,128 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, the numbers H.R. 3, H.R. 9, and H.R. 10 shall be available during the second session of the 108th Congress for assignment by the Speaker to such bills as he may designate.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

PETRIFIED FOREST NATIONAL PARK EXPANSION ACT OF 2004

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1630) to revise the boundary of the Petrified Forest National Park in the State of Arizona, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1630

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Petrified Forest National Park Expansion Act of 2004''.

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term ''map'' means the map entitled ''Proposed Boundary Adjustments, Petrified Forest National Park'', numbered 110/80,044, and dated June 2004.

(2) PARK.—The term ''Park'' means the Petrified Forest National Park in the State.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) STATE.—The term ''State'' means the State of Arizona.

SEC. 3. BOUNDARY REVISION.

(a) IN GENERAL.—The Secretary is authorized to revise the boundary of the Park to include approximately 125,000 acres as depicted on the map.

(b) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

SEC. 4. ACQUISITION OF ADDITIONAL LAND.

(a) PRIVATE LAND.—The Secretary may acquire from a willing seller, by donation, purchase with donated or appropriated funds, or exchange, any private land or interests in private land within the revised boundary of the Park. In acquiring private land and interests in private land within the revised boundary of the Park, the Secretary shall undertake to acquire such private land and interests in private land first by donation or exchange.

(b) STATE LAND.—

(1) IN GENERAL.—The Secretary may, with the consent of the State and in accordance with Federal and State law, acquire from the State any State land or interests in State land within the revised boundary of the Park.

(2) PLAN.—Not later than 3 years after the date of the enactment of this Act, the Secretary shall, in coordination with the State, develop a plan for acquisition for State land or interests in State land under paragraph (1).

(3) MANAGEMENT AGREEMENT.—If the Secretary is unable to acquire the State land under paragraph (1) within the 3-year period required by paragraph (2), the Secretary may enter into an agreement that would allow the National Park Service to manage State land within the revised boundary of the Park.

SEC. 5. ADMINISTRATION.

(a) IN GENERAL.—Subject to applicable laws, all land and interests in land acquired under this Act shall be administered by the Secretary as part of the Park.

(b) TRANSFER OF JURISDICTION.—The Secretary shall transfer to the National Park Service administrative jurisdiction over any land under the jurisdiction of the Secretary that—

(1) is depicted on the map as being within the boundaries of the Park; and

(2) is not under the administrative jurisdiction of the National Park Service on the date of enactment of this Act.

(c) EXCHANGE AFTER ENACTMENT.—Upon completion of an exchange of land after the date of the enactment of this Act, the Secretary shall transfer administrative jurisdiction over the exchanged lands within the boundary of the Park as depicted on the map to the National Park Service.

(d) GRAZING.—

(1) IN GENERAL.—The Secretary shall permit the continuation of grazing on land transferred to the Secretary under this Act, subject to applicable laws, regulations, and Executive Orders.

(2) TERMINATION OF LEASES OR PERMITS.—Nothing in this subsection prohibits the Secretary from accepting the voluntary termination of a grazing permit or grazing lease within the Park.

(e) AMENDMENT TO GENERAL MANAGEMENT PLAN.—Not later than 3 years after the date of the enactment of this Act, the Secretary shall amend the general management plan for the Park to address the use and management of any additional land acquired under this Act.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. GIBBONS. Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. RENZI).

Mr. RENZI. Mr. Speaker, I thank the gentleman from Nevada (Mr. GIBBONS) for yielding me this time.

I rise today in support of H.R. 1630, the Petrified Forest National Park Expansion Act of 2004. This legislation authorizes the largest and most responsible park expansion this Congress has considered.

The Petrified Forest is truly a national treasure. It contains some of the most valuable natural and cultural resources in the world. The Petrified Forest contains resources dating back 225 million years.

Yet, today, the Petrified Forest is being threatened. Looters are raiding unprotected areas around the Petrified Forest National Park, searching for fossilized wood and valuable property, and they are selling these items on the black market. Our American Indian grave sites have been dug up and destroyed, and adjacent landowners have been forced to hire their own private security to prevent theft and vandalism.

In 1992, the National Park Service released a general management plan that proposed the inclusion of some 98,000 acres of surrounding threatened land. Since this time, additional Bureau of Land Management, State of Arizona, and private land has been identified for inclusion in the Petrified Forest National Park.

The Petrified Forest National Park Expansion Act of 2004 authorizes the inclusion of 125,000 additional acres surrounding the Petrified Forest National Park. Expanding the Petrified Forest National Park will increase tourism and enhance research opportunities for communities in northern Arizona. In addition, private landowners identified in this exchange are willing sellers and will first consider a land exchange with the Federal Government.

As amended, this legislation ensures that acquisition by donation or exchange or other Federal lands shall occur first. Then, if additional lands need to be acquired, the Federal Government can purchase private land from willing sellers. This compromise will allow for the largest expansion of a national park this Congress, while ensuring the Federal Government's backlog maintenance needs are not further aggravated.

This important legislation has broad support from several nationally recognized archeological groups, as well as support from the Navajo County Board

of Supervisors, the city of Holbrook and the city of Winslow, Arizona.

Mr. Speaker, I urge my colleagues to support H.R. 1630, the Petrified Forest National Park Expansion Act of 2004.

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

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

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 1630 as it is being brought to the floor today is not the same bill that passed the Committee on Resources in July. An issue was raised by the majority on the acquisition of the private lands within the park, but I am pleased that the language has been worked out and that it is language that is acceptable to both sides.

So, Mr. Speaker, we will support this new amended version of H.R. 1630.

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

Mr. GIBBONS. Mr. Speaker, I urge adoption of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the bill, H.R. 1630, as amended.

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

A motion to reconsider was laid on the table.

TAUNTON, MASSACHUSETTS SPECIAL RESOURCES STUDY ACT

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2129) to direct the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2129

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Taunton, Massachusetts Special Resources Study Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The city of Taunton, Massachusetts, is home to 9 distinct historic districts, with more than 600 properties on the National Register of Historic Places. Included among these districts are the Church Green Historic District, the Courthouse Historic District, the Taunton Green Historic District, and the Reed and Barton Historic District.

(2) All of these districts include buildings and building facades of great historical, cultural, and architectural value.

(3) Taunton Green is the site where the Sons of Liberty first raised the Liberty and Union Flag in 1774, an event that helped to spark a popular movement, culminating in the American Revolution, and Taunton citizens have been among the first to volunteer for America's subsequent wars.

(4) Robert Treat Paine, a citizen of Taunton, and the first Attorney General of Massachusetts, was a signer of the Declaration of Independence.

(5) Taunton was a leading community in the Industrial Revolution, and its industrial area has been the site of many innovations in such industries as silver manufacture, paper manufacture, and ship building.

(6) The landscaping of the Courthouse Green was designed by Frederick Law Olmsted, who also left landscaping ideas and plans for other areas in the city which have great value and interest as historical archives and objects of future study.

(7) Main Street, which connects many of the historic districts, is home to the Taunton City Hall and the Leonard Block building, 2 outstanding examples of early 19th Century American architecture, as well as many other historically and architecturally significant structures.

(8) The city and people of Taunton have preserved many artifacts, gravesites, and important documents dating back to 1638 when Taunton was founded.

(9) Taunton was and continues to be an important destination for immigrants from Europe and other parts of the world who have helped to give Southeastern Massachusetts its unique ethnic character.

SEC. 3. STUDY.

The Secretary, in consultation with the appropriate State historic preservation officers, State historical societies, the city of Taunton, and other appropriate organizations, shall conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System. The study shall be conducted and completed in accordance with section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)) and shall include analysis, documentation, and determinations regarding whether the historic areas in Taunton—

(1) can be managed, curated, interpreted, restored, preserved, and presented as an organic whole under management by the National Park Service or under an alternative management structure;

(2) have an assemblage of natural, historic, and cultural resources that together represent distinctive aspects of American heritage worthy of recognition, conservation, interpretation, and continuing use;

(3) reflect traditions, customs, beliefs, and historical events that are valuable parts of the national story;

(4) provide outstanding opportunities to conserve natural, historic, cultural, architectural, or scenic features;

(5) provide outstanding recreational and educational opportunities; and

(6) can be managed by the National Park Service in partnership with residents, business interests, nonprofit organizations, and State and local governments to develop a unit of the National Park System consistent with State and local economic activity.

SEC. 4. REPORT.

Not later than 3 fiscal years after the date on which funds are first made available for this Act, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on the findings, conclusions, and recommendations of the study required under section 3.

SEC. 5. PRIVATE PROPERTY.

The recommendations in the report submitted pursuant to section 4 shall discuss and consider the concerns expressed by private landowners with respect to designating the certain structures referred to in this Act as a unit of the National Park System.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 2129, introduced by the gentleman from Massachusetts (Mr. FRANK), would direct the Secretary of the Interior to conduct a special resources study regarding the suitability and feasibility of designating certain historic buildings and areas in Taunton, Massachusetts, as a unit of the National Park System, and for other purposes. The city of Taunton, Massachusetts, is home to nine distinct historic districts, with more than 600 properties on the National Register of Historic Places. Included among these districts is the Taunton Green Historic District, the site where the Sons of Liberty first raised the Liberty and Union Flag in 1774, an event that helped to spark a popular movement culminating in the American Revolution. Taunton was also a leading community in the industrial revolution, and its industrial area has been the site of many innovations in silver manufacture, paper manufacture, and shipbuilding. Main Street, which connects many of the historic districts, is the home of the Taunton City Hall and the Leonard Block building, two outstanding examples of early 19th century American architecture, as well as many other historical and architecturally significant structures.

The city has historically been and continues to be an important destination for immigrants migrating from Europe, as well as other parts of the world, and contributes greatly to the unique ethnic character of southeastern Massachusetts.

H.R. 2129, as amended, is supported by the majority and minority of the Committee on Resources. I would urge adoption of this bill, Mr. Speaker.

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

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

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

Mrs. CHRISTENSEN. Mr. Speaker, Taunton, Massachusetts, is a city rich

in its significant cultural and historical resources. As a result, we support authorizing the National Park Service to study this area to determine how these resources might best be conserved and interpreted for generations to come. I join the gentleman from West Virginia (Ranking Member Rahall) in congratulating the gentleman from Massachusetts (Mr. FRANK) for his hard work on behalf of this legislation and this community, and we look forward to working with him on legislation to implement any recommendations which come out of this study that we are authorizing today. So we urge the passage of H.R. 2129.

Mr. Speaker, I yield such time as he might consume to the gentleman from Massachusetts (Mr. FRANK), the sponsor of the legislation.

□ 1415

Mr. FRANK of Massachusetts. I thank the gentlewoman for yielding me time.

I thank the gentleman from Nevada (Mr. GIBBONS) for his courtesy; and I am grateful to the leadership of the committee, the gentleman from California (Mr. POMBO) and the gentleman from West Virginia (Mr. RAHALL), for bringing this forward.

Massachusetts is rich in history, but this is a particularly significant piece of Massachusetts from an historic standpoint. As the gentleman from Nevada (Mr. GIBBONS) pointed out, the Liberty and Union Flag was raised there in 1774. This is the place here in Taunton where the revolution was fueled. Robert Treat Paine, a resident of Taunton, signed the Declaration, and it continues to be important.

The courthouse green, a lovely area, was designed by Frederick Law Olmsted, the greatest landscape architect in our history and, probably, the history of the world. I am privileged to have an office right in the midst of this. So I guess I should say I would be a beneficiary of this. But it is for the city, and it will be passed on.

I also should say that I became the Representative of Taunton in the last redistricting. And for the prior couple of decades it was extraordinarily well-represented by one of our great former colleagues, the gentleman from Massachusetts, Mr. Moakley, who was sadly taken from us a few years ago. So as we put this bill forward, I am delighted to do it, but I also want people to understand that I do this in tribute, in part, to the legacy of Joe Moakley, one of the great leaders in this House, widely respected and even loved by both sides.

This is a genuinely important historical operation. It played a historic role in the Revolution. We had Frederick Law Olmsted there. It was also very important in the Industrial Revolution. It continues today to be a very important community.

So I am grateful to the committee for bringing this forward and I look forward to the passage of this bill and subsequent action by the Park Service.

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

Mr. GIBBONS. Mr. Speaker, I urge adoption of the bill. I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the bill, H.R. 2129, as amended.

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

A motion to reconsider was laid on the table.

RESOLUTION OF BOUNDARY ENCROACHMENT ON LAND OF UNION PACIFIC RAILROAD COMPANY IN TIPTON, CALIFORNIA

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4817) to facilitate the resolution of a minor boundary encroachment on lands of the Union Pacific Railroad Company in Tipton, California, which were originally conveyed by the United States as part of the right-of-way granted for the construction of transcontinental railroads, as amended.

The Clerk read as follows:

H.R. 4817

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

SECTION 1. RELEASE OF UNITED STATES INTERESTS IN CERTAIN RAILROAD GRANT LANDS IN TIPTON, CALIFORNIA.

(a) PROPERTY DEFINED.—In this section, the term ''property'' means that portion of the existing building located at 615 North Burnett Road in Tipton, California, which encroaches upon land that, subject to a reversionary interest, was conveyed by the United States pursuant to the Act of July 27, 1866 (14 Stat. 292).

(b) RELEASE OF INTERESTS IN PROPERTY.—There is hereby released, without consideration, all right, title, and interest of the United States in and to the surface portion of the property. The United States retains any subsurface mineral rights held by the United States as of the date of the enactment of this Act associated with the property.

(c) INSTRUMENT OF RELEASE.—The Secretary of the Interior shall execute and file in the appropriate office a deed of release, amended deed, or other appropriate instrument effectuating the release of interests made by subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4817.

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

There was no objection.

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

Mr. Speaker, H.R. 4817, introduced by my Committee on Resources colleague, the gentleman from California (Mr. NUNES), and amended by the Committee on Resources would facilitate the resolution of a minor boundary encroachment on lands of the Union Pacific Railroad Company in Tipton, California. The bill is supported by the majority and minority of the Committee on Resources and the administration.

Mr. Speaker, I urge adoption of the bill.

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

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

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

Mr. Speaker, this is a very minor boundary issue left over from rights-of-way granted in the 19th century. We have reviewed the legislation and we do not oppose the passage of H.R. 4817.

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

Mr. GIBBONS. Mr. Speaker, I urge adoption of the bill. I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the bill, H.R. 4817, as amended.

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

A motion to reconsider was laid on the table.

RECOGNIZING THAT NOVEMBER 2, 2003, SHALL BE DEDICATED TO ''A TRIBUTE TO SURVIVORS'' AT THE UNITED STATES HOLOCAUST MEMORIAL MUSEUM

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and concur in the Senate concurrent resolution (S. Con. Res. 76) recognizing that November 2, 2003, shall be dedicated as ''A Tribute To Survivors'' at the United States Holocaust Memorial Museum.

The Clerk read as follows:

S. CON. RES. 76

Whereas, in 1945, American soldiers and other Allied forces, defeated Nazi Germany, ending World War II in Europe and the systematic murder of Europe's Jews and other targeted groups;

Whereas 6,000,000 Jews were killed during the Holocaust, and after World War II hundreds of thousands of survivors immigrated to the United States, where in spite of their enormous suffering, they rebuilt their lives, and embraced and enriched their adopted homeland;

Whereas, in 1978, President Jimmy Carter created the President's Commission on the Holocaust to make a recommendation regarding ''the establishment . . . of an appropriate memorial to those who perished in the Holocaust'';

Whereas President Carter said: ''Out of our memory . . . of the Holocaust we must forge an unshakable oath with all civilized people that never again will the world stand silent, never again will the world . . . fail to act in time to prevent this terrible crime of genocide. . . . [W]e must harness the outrage of our own memories to stamp out oppression wherever it exists. We must understand that human rights and human dignity are indivisible.'';

Whereas, in 1979, the Commission recommended ''a living memorial that will speak not only of the victims' deaths but of their lives, a memorial that can transform the living by transmitting the legacy of the Holocaust'';

Whereas, in 1980, the United States Congress unanimously passed legislation authorizing the creation of the United States Holocaust Memorial Museum as a ''permanent living memorial'' on Federal land in the Nation's Capital;

Whereas, in 1983, Vice President George Bush designated the Federal land on which the United States Holocaust Memorial Museum would be built;

Whereas Vice President Bush said: ''Here we will learn that each of us bears responsibility for our actions and our failure to act. Here we will learn that we must intervene when we see evil arise. Here we will learn more about the moral compass by which we navigate our lives and by which countries navigate the future.'';

Whereas, in 1985, Holocaust survivors participated in the groundbreaking ceremony at the site of the future United States Holocaust Memorial Museum;

Whereas, in 1988, President Ronald Reagan dedicated the cornerstone of the United States Holocaust Memorial Museum;

Whereas President Reagan said: ''We who did not go their way owe them this: We must make sure that their deaths have posthumous meaning. We must make sure that from now until the end of days all humankind stares this evil in the face . . . and only then can we be sure it will never arise again.'';

Whereas, in 1992, replicas of 2 of the milk cans that hid the Oneg Shabbat archive under the Warsaw Ghetto were buried beneath the Museum's Hall of Remembrance, with a Scroll of Remembrance signed by Holocaust survivors;

Whereas, in 1993, President Bill Clinton opened the United States Holocaust Memorial Museum;

Whereas President Clinton said: ''[T]his museum will touch the life of everyone who enters and leave everyone forever changed; a place of deep sadness and a sanctuary of bright hope; an ally of education against ignorance, of humility against arrogance, an investment in a secure future against whatever insanity lurks ahead. If this museum can mobilize morality, then those who have perished will thereby gain a measure of immortality.'';

Whereas, in 2001, President George W. Bush delivered the keynote address at the first Days of Remembrance ceremony after he assumed office.

Whereas President Bush said: ''When we remember the Holocaust and to whom it happened, we must also remember where it happened . . . The orders came from men who . . . had all the outward traits of cultured men, except for conscience. Their crimes showed the world that evil can slip in, and blend in, even amid the most civilized surroundings. In the end, only conscience can stop it. And moral discernment, decency, tolerance—these can never be assumed in any time, or any society. They must always be taught.'';

Whereas the United States Holocaust Memorial Museum has had more than 19,000,000 visitors in the first 10 years of its existence;

Whereas, in 2003, the United States Holocaust Memorial Museum, on the occasion of its 10th Anniversary, wishes to pay tribute to America's Holocaust survivors, who worked tirelessly to help build the Museum and whose committed support and involvement continue to make the institution such as extraordinary memorial and a vital part of life in the United States; and

Whereas the United States Holocaust Museum has a sacred obligation to preserve and transmit the history and lessons of the Holocaust and, together with the Holocaust survivors, must ensure that the legacy of the survivors is passed on to each new generation: Now, therefore, be it

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

(1) recognizes that November 2, 2003, shall be dedicated to ''A Tribute to Survivors'' at the United States Holocaust Memorial Museum and shall be devoted to honoring our Nation's Holocaust survivors, as well as their liberators and rescuers, and their families;

(2) recognizes that on that day, the United States Holocaust Memorial Museum shall be devoted in its entirety to special programs about and for the survivors of the Holocaust;

(3) commends the United States Holocaust Memorial Museum for its first decade of education dedicated to the memory of the victims of the Holocaust;

(4) endeavors to continue to support the vital work of the United States Holocaust Memorial Museum; and

(5) requests that this resolution shall be duly recorded in the official records of the United States Holocaust Memorial Museum.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. Con. Res. 76.

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

There was no objection.

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

Mr. Speaker, Senate Concurrent Resolution 76, introduced by Senator HATCH of Utah, dedicates November 2, 2003, as ''A Tribute to Survivors'' at the United States Holocaust Memorial Museum located here in our Nation's capital.

The gentleman from Utah (Mr. CANNON) has authored the House companion bill and should be equally commended for his tireless work on behalf of his constituents.

Chartered by a unanimous Act of Congress in 1980, the United States Holocaust Memorial Museum's primary mission is to advance and disseminate knowledge about this unprecedented tragedy; to preserve the memory of those who suffered; and to encourage its visitors to reflect upon the moral and spiritual questions raised by the events of the Holocaust as well as their own responsibilities as citizens of a democracy.

This living memorial speaks not only to the victims' deaths, but of their lives. It holds the power to transform the living by transmitting the legacy of the Holocaust.

On the occasion of its 10th anniversary, the museum on November 1 and 2 of 2003, held a Tribute to Holocaust survivors, a special celebration at the museum for survivors, their families, and other members of the eyewitness generation, including liberators and rescuers. This unique event brought together over 7,000 people, reuniting over 2,000 survivors. Museum Director Sara Bloomfield characterized the tribute as critical, with so many of the Holocaust survivors now in the later years of their lives.

More importantly though, dedicating November 2, 2003, as ''A Tribute to Survivors'' at the museum affords all of us the opportunity to answer to their silent question: Indeed, we have not forgotten you.

Senate Concurrent Resolution 76 is supported by the majority and minority of the committee. I urge adoption of the bill.

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

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

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

Mr. Speaker, with S. Con. Res. 76, I guess this majority is operating under the adage that it is better late than never.

Senate Concurrent Resolution 76 was written for an event that occurred 11 months ago on November 2, 2003. The resolution would have been timely if it had been taken up before that date.

The tribute to the survivors of the Holocaust at the United States Holocaust Memorial Museum on November 2, 2003 was a worthy event deserving of recognition. It is regrettable that the majority waited so long to bring up this resolution that the day we seek to honor has already occurred.

However, even late, it is an important recognition and I am pleased that there will be this recognition of that tribute to the survivors that occurred last year.

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

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

Mr. Speaker, the sponsor of the House legislation is home with a family member who is ill and unable to make his presentation. I ask for support of this resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and concur in the Senate concurrent resolution, S. Con. Res. 76.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. GIBBONS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

TAPOCO PROJECT LICENSING ACT OF 2004

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2319) to authorize and facilitate hydroelectric power licensing of the Tapoco Project.

The Clerk read as follows:

S. 2319

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Tapoco Project Licensing Act of 2004''.

SEC. 2. DEFINITIONS.

In this Act:

(1) APGI.—The term ''APGI'' means Alcoa Power Generating Inc. (including its successors and assigns).

(2) COMMISSION.—The term ''Commission'' means the Federal Energy Regulatory Commission.

(3) MAP.—The term ''map'' means the map entitled ''Tapoco Hydroelectric Project, P–2169, Settlement Agreement, Appendix B, Proposed Land Swap Areas, National Park Service and APGI'', numbered TP514, Issue No. 9, and dated June 8, 2004.

(4) PARK.—The term ''Park'' means Great Smoky Mountains National Park.

(5) PROJECT.—The term ''Project'' means the Tapoco Hydroelectric Project, FERC Project No. 2169, including the Chilhowee Dam and Reservoir in the State of Tennessee.

(6) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 3. LAND EXCHANGE.

(a) AUTHORIZATION.—

(1) IN GENERAL.—Upon the conveyance by APGI of title acceptable to the Secretary of the land identified in paragraph (2), the Secretary shall simultaneously convey to APGI title to the land identified in paragraph (3).

(2) DESCRIPTION OF LAND TO BE CONVEYED BY APGI.—The land to be conveyed by APGI to the Secretary is the approximately 186 acres of land, subject to any encumbrances existing before February 21, 2003—

(A) within the authorized boundary of the Park, located northeast of United States Highway 129 and adjacent to the APGI power line; and

(B) as generally depicted on the map as ''Proposed Property Transfer from APGI to National Park Service''.

(3) DESCRIPTION OF LAND TO BE CONVEYED BY THE SECRETARY.—The land to be conveyed by the Secretary to APGI are the approximately 110 acres of land within the Park that are—

(A) adjacent to or flooded by the Chilhowee Reservoir;

(B) within the boundary of the Project as of February 21, 2003; and

(C) as generally depicted on the map as ''Proposed Property Transfer from National Park Service to APGI''.

(b) MINOR ADJUSTMENTS TO CONVEYED LAND.—The Secretary and APGI may mutually agree to make minor boundary or acreage adjustments to the land identified in paragraphs (2) and (3) of subsection (a).

(c) OPPORTUNITY TO MITIGATE.—If the Secretary determines that all or part of the land to be conveyed to the Park under subsection (a) is unsuitable for inclusion in the Park, APGI shall have the opportunity to make the land suitable for inclusion in the Park.

(d) CONSERVATION EASEMENT.—The Secretary shall reserve a conservation easement over any land transferred to APGI under subsection (a)(3) that, subject to any terms and conditions imposed by the Commission in any license that the Commission may issue for the Project, shall—

(1) specifically prohibit any development of the land by APGI, other than any development that is necessary for the continued operation and maintenance of the Chilhowee Reservoir;

(2) authorize public access to the easement area, subject to National Park Service regulations; and

(3) authorize the National Park Service to enforce Park regulations on the land and in and on the waters of Chilhowee Reservoir lying on the land, to the extent not inconsistent with any license condition considered necessary by the Commission.

(e) APPLICABILITY OF CERTAIN LAWS.—Section 5(b) of Public Law 90–401 (16 U.S.C. 460*l*–22(b)), shall not apply to the land exchange authorized under this section.

(f) REVERSION.—

(1) IN GENERAL.—The deed from the Secretary to APGI shall contain a provision that requires the land described in subsection (a)(3) to revert to the United States if—

(A) the Chilhowee Reservoir ceases to exist; or

(B) the Commission issues a final order decommissioning the Project from which no further appeal may be taken.

(2) APPLICABLE LAW.—A reversion under this subsection shall not eliminate APGI's responsibility to comply with all applicable provisions of the Federal Power Act (16 U.S.C. 791a et seq.), including regulations.

(g) BOUNDARY ADJUSTMENT.—

(1) IN GENERAL.—On completion of the land exchange authorized under this section, the Secretary shall—

(A) adjust the boundary of the Park to include the land described in subsection (a)(2); and

(B) administer any acquired land as part of the Park in accordance with applicable law (including regulations).

(2) NATIONAL PARK SERVICE LAND.—Notwithstanding the exchange of land under this section, the land described in subsection (a)(3) shall remain in the boundary of the Park.

(3) PUBLIC NOTICE.—The Secretary shall publish in the Federal Register notice of any boundary revised under paragraph (1).

SEC. 4. PROJECT LICENSING.

Notwithstanding the continued inclusion of the land described in section 3(a)(3) in the boundary of the Park (including any modification made pursuant to section 3(b)) on completion of the land exchange, the Commission shall have jurisdiction to license the Project.

SEC. 5. LAND ACQUISITION.

(a) IN GENERAL.—The Secretary or the Secretary of Agriculture may acquire, by purchase, donation, or exchange, any land or interest in land that—

(1) may be transferred by APGI to any nongovernmental organization; and

(2) is identified as ''Permanent Easement'' or ''Term Easement'' on the map entitled ''Tapoco Hydroelectric Project, P–2169, Settlement Agreement, Appendix B, Proposed Land Conveyances in Tennessee'', numbered TP616, Issue No. 15, and dated March 11, 2004.

(b) LAND ACQUIRED BY THE SECRETARY OF THE INTERIOR.—The Secretary shall—

(1) adjust the boundary of the Park to include any land or interest in land acquired by the Secretary under subsection (a);

(2) administer any acquired land or interest in land as part of the Park in accordance with applicable law (including regulations); and

(3) publish notice of the adjustment in the Federal Register.

(c) LAND ACQUIRED BY THE SECRETARY OF AGRICULTURE.—

(1) BOUNDARY ADJUSTMENT.—The Secretary of Agriculture shall—

(A) adjust the boundary of the Cherokee National Forest to include any land acquired under subsection (a);

(B) administer any acquired land or interest in land as part of the Cherokee National Forest in accordance with applicable law (including regulations); and

(C) publish notice of the adjustment in the Federal Register.

(2) MANAGEMENT.—The Secretary of Agriculture shall evaluate the feasibility of managing any land acquired by the Secretary of Agriculture under subsection (a) in a manner that retains the primitive, back-country character of the land.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 2319.

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

There was no objection.

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

Mr. Speaker, Senate 2319, introduced by Senator ALEXANDER of Tennessee, would facilitate a hydroelectric power relicensing for the Tapoco Project near the Great Smoky Mountains National Park by authorizing the Secretary of the Interior to enter into a series of land exchanges with Alcoa Power Generating, Inc.

The gentleman from Tennessee (Mr. DUNCAN) is the author of the House companion bill and has asked us to accept the Senate bill in the interest of time.

Mr. Speaker, the bill is supported by the majority and minority of the committee as well as the administration.

Mr. Speaker, I urge adoption of the bill.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
Washington, DC, October 1, 2004.

Hon. JOE BARTON,
Chairman, Committee on Energy and Commerce, Rayburn House Office Building, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4667, a bill to authorize and facilitate hydroelectric power licensing of the Tapoco Project. I agree that the Committee on Energy and Commerce has a jurisdictional interest in H.R. 4667, and that by not insisting upon your referral of the bill, you do not compromise your jurisdictional claim. I will also support your request to be named as a conferee on this bill or the similar Senate bill, S. 2319 should one become necessary.

It is indeed our intention to consider S. 2319, which is being held at the desk in the House. To clarify the committee jurisdiction over this matter, I will place your letter and my response in the Congressional Record under the extension of remark authority granted during consideration of S. 2319.

Thank you again for your cooperation on this issue.

Sincerely,

RICHARD W. POMBO,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 30, 2004.

Hon. RICHARD W. POMBO,
Chairman, Committee on Resources, House of Representatives,
Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN POMBO: On September 15, 2004, the Committee on Resources ordered reported H.R. 4667, a bill to authorize and facilitate hydroelectric power licensing of the Tapoco Project. Upon introduction, this bill was also referred to the Committee on Energy and Commerce, and was subsequently ordered reported by the Committee today. S. 2319, which is the companion legislation to H.R. 4667, is currently being held at the desk in the House. I understand that it is your intention to consider S. 2319 rather than H.R. 4667 in the House.

Recognizing your interest in bringing this legislation before the House expeditiously, the Committee on Energy and Commerce agrees not to seek a sequential referral of the bill. By agreeing not to seek a sequential referral, the Committee on Energy and Commerce does not waive its jurisdiction over the bill.

I request that you include this letter and your response as part of the Congressional Record during consideration of this bill by the House.

Sincerely,

JOE BARTON,
Chairman.

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

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

Mr. GIBBONS. Mr. Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. DUNCAN) to add his remarks on Senate 2319.

Mr. DUNCAN. Mr. Speaker, I thank the gentleman from Nevada (Mr. GIBBONS) for yielding me time.

Mr. Speaker, I rise today to encourage the House to approve S. 2319 which was first introduced by my Tennessee colleague, Senator LAMAR ALEXANDER.

Simply put, S. 2319 is a jobs bill that will keep 2,000 jobs through a land exchange between the ALCOA Corporation and the Great Smoky Mountains National Park.

This bill ratifies an agreement between ALCOA and a large number of Tennessee and North Carolina State and local officials, Federal agencies and nonprofit conservation groups.

Specifically, this bill allows the relicensing of the Tapoco Project, an ALCOA-owned-and-operated hydroelectric project that is federally licensed under the Federal Power Act.

Originally licensed in 1955, the Tapoco Project was constructed on the Little Tennessee and Cheoah Rivers. It contains more than 8,000 acres that are located between nearly 10,000 acres of lands owned by ALCOA, the Great Smoky Mountains National Park, and the Cherokee and Nantahala National Forests.

Senate bill 2319 creates a legal barrier that prevents the relicensure of the Tapoco Project because a portion of the Chilhowee Reservoir floods four side streams containing approximately 100 acres of land within the authorized boundary of the Great Smoky Mountains National Park. Although these lands were included within the park when it was created in 1926, the Federal Government decided for financial reasons not to acquire flooding rights that were then held by ALCOA's corporate predecessor.

However, the Federal Power Act and the 1926 Great Smoky Mountains National Park law each prohibit the licensing of hydroelectric projects inside the park. Thus, it appears the Tapoco Project was erroneously licensed in 1955 to include four areas flooded by Chilhowee Dam.

Although ALCOA owns valid property rights to flood these lands, FERC does not have the legal authority to issue a new license. Under Senate bill 2319, the Park Service and ALCOA will exchange lands to correct this 50-year-old mistake and allow FERC to relicense the Tapoco Project.

Specifically, the bill directs the Secretary of Interior to acquire 189 acres of ecologically valuable lands located within the authorized boundaries of the park, in exchange for 100 acres of land located within the park and the Tapoco Project. This is a net gain of 89 acres for the park.

The legislation also authorizes the Secretaries of Interior and Agriculture to adjust the boundaries of the park and adjacent U.S. forests and accept the lands that are expected to be transferred by ALCOA to a nonprofit organization and subsequently by the nonprofit organization to the Federal Government.

In conclusion, without this legislation, ALCOA would no longer be able to provide power for its operations in East Tennessee and would be forced to halt its operations. This would be a major blow to 2,000 hardworking families in my district and an annual economic loss of over $400 million to a region that already has lost thousands of jobs overseas.

Mr. Speaker, I urge passage of this bill. I especially thank my colleague in the other body, Senator ALEXANDER, for his work on this legislation. I thank my friend and colleague, the gentleman from Nevada (Mr. GIBBONS) for so graciously yielding me this time.

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

Mr. Speaker, we have reviewed Senate 2319 and have no objection to its passage today. I join the ranking member, the gentleman from West Virginia (Mr. RAHALL), in congratulating the gentleman from Tennessee (Mr. DUNCAN) on his efforts on behalf of this legislation and the Tapoco Project.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the Senate bill, S. 2319.

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

A motion to reconsider was laid on the table.

EDWARD H. MCDANIEL AMERICAN LEGION POST NO. 22 LAND CONVEYANCE ACT

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1521) to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community, as amended.

The Clerk read as follows:

S. 1521

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

TITLE I—[LAND CONVEYANCE]

SEC. 101. SHORT TITLE.

This Act may be cited as the ''Edward H. McDaniel American Legion Post No. 22 Land Conveyance Act''.

SEC. 102. DEFINITIONS.

In this Act:

(1) POST NO. 22.—The term ''Post No. 22'' means the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the Bureau of Land Management.

SEC. 103. CONVEYANCE OF LAND TO EDWARD H. MCDANIEL AMERICAN LEGION POST NO. 22.

(a) CONVEYANCE ON CONDITION SUBSEQUENT.—Not later than 180 days after the

date of enactment of this Act, subject to valid existing rights and the condition stated in subsection (c) and in accordance with the Act of June 14, 1926 (commonly known as the ''Recreation and Public Purposes Act'') (43 U.S.C. 869 et seq.), the Secretary shall convey to Post No. 22, for no consideration, all right, title, and interest of the United States in and to the parcel of land described in subsection (b).

(b) DESCRIPTION OF LAND.—The parcel of land referred to in subsection (b) is the parcel of Bureau of Land Management land that—

(1) is bounded by Route 160, Bride Street, and Dandelion Road in Nye County, Nevada;

(2) consists of approximately 4.5 acres of land; and

(3) is more particularly described as a portion of the S ¼ of section 29, T. 20 S., R. 54 E., Mount Diablo and Base Meridian.

(c) CONDITION ON USE OF LAND.—

(1) IN GENERAL.—Post No. 22 and any successors of Post No. 22 shall use the parcel of land described in section (b) for the construction and operation of a post building and memorial park for use by Post No. 22, other veterans groups, and the local community for events and activities.

(2) REVERSION.—Except as provided in paragraph (3), if the Secretary, after notice to Post No. 22 and an opportunity for a hearing, makes a finding that Post No. 22 has used or permitted the use of the parcel for any purpose other than the purpose specified in paragraph (1) and Post No. 22 fails to discontinue that use, title to the parcel shall revert to the United States, to be administered by the Secretary.

(3) WAIVER.—The Secretary may waive the requirements of paragraph (2) if the Secretary
determines that a waiver would be in the best interests of the United States.

TITLE II—EXTENSIONS

SEC. 201. AUTHORIZATION AND APPROPRIATION EXTENSIONS.

Division II of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 16 U.S.C. 461 note) is amended—

(1) in each of sections 107, 208, 408, 507, 811, and 910, by striking ''September 30, 2012'' and inserting ''September 30, 2027'';

(2) in each of sections 108(a), 209(a), 409(a), 508(a), 812(a), and 909(c), by striking ''$10,000,000'' and inserting ''$20,000,000''; and

(3) in title VIII, by striking ''Canal National Heritage Corridor'' each place it appears in the section headings and text and inserting ''National Heritage Canalway''.

TITLE III—NATIONAL COAL HERITAGE AREA

SEC. 301. NATIONAL COAL HERITAGE AREA.

(a) NATIONAL COAL HERITAGE AREA AUTHORITY; BOUNDARY REVISION.—Title I of division II of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333; 16 U.S.C. 461 note) is amended as follows:

(1) In section 103(b), by inserting ''(1)'' before ''the counties'' and by inserting the following before the period: ''; (2) Lincoln County, West Virginia; and (3) Paint Creek and Cabin Creek in Kanawha County, West Virginia''.

(2) In section 104, by striking ''Governor'' and all that follows through ''organizations'' in the matter preceding paragraph (1) and inserting ''National Coal Heritage Area Authority, a public corporation and government instrumentality established by the State of West Virginia, pursuant to which the Secretary shall assist the National Coal Heritage Area Authority''.

(3) In section 105—

(A) by striking ''paragraph (2) of''; and

(B) by adding at the end the following new sentence: ''Resources within Lincoln County, West Virginia, and Paint Creek and Cabin Creek within Kanawha County, West Virginia, shall also be eligible for assistance as determined by the National Coal Heritage Area Authority.''.

(4) In section 106(a)—

(A) by striking ''Governor'' and all that follows through ''and Parks'' and inserting ''National Coal Heritage Area Authority''; and

(B) in paragraph (3), by striking ''State of West Virginia'' and all that follows through ''entities'' and inserting ''National Coal Heritage Area Authority''.

(b) AGREEMENT CONTINUING IN EFFECT.—The contractual agreement entered into by the Secretary of the Interior and the Governor of West Virginia prior to the date of the enactment of this Act pursuant to section 104 of title I of division II of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 461 note) shall be deemed as continuing in effect, except that such agreement shall be between the Secretary and the National Coal Heritage Area Authority.

TITLE IV—COASTAL HERITAGE TRAIL ROUTE IN NEW JERSEY

SEC. 401. REAUTHORIZATION OF APPROPRIATIONS FOR COASTAL HERITAGE TRAIL ROUTE IN NEW JERSEY.

(a) REAUTHORIZATION.—Section 6 of Public Law 100–515 (16 U.S.C. 1244 note) is amended—

(1) in subsection (b)(1), by striking ''$4,000,000'' and all that follows and inserting ''such sums as may be necessary.''; and

(2) in subsection (c), by striking ''10'' and inserting ''12''.

(b) STRATEGIC PLAN.—

(1) IN GENERAL.—The Secretary of the Interior shall, by not later than 2 years after the date of the enactment of this Act, prepare a strategic plan for the New Jersey Coastal Heritage Trail Route.

(2) CONTENTS.—The strategic plan shall describe—

(A) opportunities to increase participation by national and local private and public interests in planning, development, and administration of the New Jersey Coastal Heritage Trail Route; and

(B) organizational options for sustaining the New Jersey Coastal Heritage Trail Route.

TITLE V—ILLINOIS AND MICHIGAN CANAL NATIONAL HERITAGE CORRIDOR

SEC. 501. SHORT TITLE.

This title may be cited as the ''Illinois and Michigan Canal National Heritage Corridor Act Amendments of 2004''.

SEC. 502. TRANSITION AND PROVISIONS FOR NEW MANAGEMENT ENTITY.

The Illinois and Michigan Canal National Heritage Corridor Act of 1984 (Public Law 98–398; 16 U.S.C. 461 note) is amended as follows:

(1) In section 103—

(A) in paragraph (8), by striking ''and'';

(B) in paragraph (9), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(10) the term 'Association' means the Canal Corridor Association (an organization described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code).''.

(2) By adding at the end of section 112 the following new paragraph:

''(7) The Secretary shall enter into a memorandum of understanding with the Association to help ensure appropriate transition of the management entity to the Association and coordination with the Association regarding that role.''.

(3) By adding at the end the following new sections:

''SEC. 119. ASSOCIATION AS MANAGEMENT ENTITY.

''Upon the termination of the Commission, the management entity for the corridor shall be the Association.

''SEC. 120. DUTIES AND AUTHORITIES OF ASSOCIATION.

''For purposes of preparing and implementing the management plan developed under section 121, the Association may use Federal funds made available under this title—

''(1) to make loans and grants to, and enter into cooperative agreements with, States and their political subdivisions, private organizations, or any person;

''(2) to hire, train, and compensate staff; and

''(3) to enter into contracts for goods and services.

''SEC. 121. DUTIES OF THE ASSOCIATION.

''The Association shall—

''(1) develop and submit to the Secretary for approval under section 123 a proposed management plan for the corridor not later than 2 years after Federal funds are made available for this purpose;

''(2) give priority to implementing actions set forth in the management plan, including taking steps to assist units of local government, regional planning organizations, and other organizations—

''(A) in preserving the corridor;

''(B) in establishing and maintaining interpretive exhibits in the corridor;

''(C) in developing recreational resources in the corridor;

''(D) in increasing public awareness of and appreciation for the natural, historical, and architectural resources and sites in the corridor; and

''(E) in facilitating the restoration of any historic building relating to the themes of the corridor;

''(3) encourage by appropriate means economic viability in the corridor consistent with the goals of the management plan;

''(4) consider the interests of diverse governmental, business, and other groups within the corridor;

''(5) conduct public meetings at least quarterly regarding the implementation of the management plan;

''(6) submit substantial changes (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan to the Secretary;

''(7) for any year in which Federal funds have been received under this title—

''(A) submit an annual report to the Secretary setting forth the Association's accomplishments, expenses and income, and the identity of each entity to which any loans and grants were made during the year for which the report is made;

''(B) make available for audit all records pertaining to the expenditure of such funds and any matching funds; and

''(C) require, for all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available for audit all records pertaining to the expenditure of such funds.

''SEC. 122. USE OF FEDERAL FUNDS.

''(1) IN GENERAL.—The Association shall not use Federal funds received under this title to acquire real property or an interest in real property.

''(2) OTHER SOURCES.—Nothing in this title precludes the Association from using Federal funds from other sources for authorized purposes.

''SEC. 123. MANAGEMENT PLAN.

''(a) PREPARATION OF MANAGEMENT PLAN.—Not later than 2 years after the date that Federal funds are made available for this purpose, the Association shall submit to the

Secretary for approval a proposed management plan that shall—

''(1) take into consideration State and local plans and involve residents, local governments and public agencies, and private organizations in the corridor;

''(2) present comprehensive recommendations for the corridor's conservation, funding, management, and development;

''(3) include actions proposed to be undertaken by units of government and nongovernmental and private organizations to protect the resources of the corridor;

''(4) specify the existing and potential sources of funding to protect, manage, and develop the corridor; and

''(5) include the following:

''(A) Identification of the geographic boundaries of the corridor.

''(B) A brief description and map of the corridor's overall concept or vision that show key sites, visitor facilities and attractions, and physical linkages.

''(C) Identification of overall goals and the strategies and tasks intended to reach them, and a realistic schedule for completing the tasks.

''(D) A listing of the key resources and themes of the corridor.

''(E) Identification of parties proposed to be responsible for carrying out the tasks.

''(F) A financial plan and other information on costs and sources of funds.

''(G) A description of the public participation process used in developing the plan and a proposal for public participation in the implementation of the management plan.

''(H) A mechanism and schedule for updating the plan based on actual progress.

''(I) A bibliography of documents used to develop the management plan.

''(J) A discussion of any other relevant issues relating to the management plan.

''(b) DISQUALIFICATION FROM FUNDING.—If a proposed management plan is not submitted to the Secretary within 2 years after the date that Federal funds are made available for this purpose, the Association shall be ineligible to receive additional funds under this title until the Secretary receives a proposed management plan from the Association.

''(c) APPROVAL OF MANAGEMENT PLAN.—The Secretary shall approve or disapprove a proposed management plan submitted under this title not later than 180 days after receiving such proposed management plan. If action is not taken by the Secretary within the time period specified in the preceding sentence, the management plan shall be deemed approved. The Secretary shall consult with the local entities representing the diverse interests of the corridor including governments, natural and historic resource protection organizations, educational institutions, businesses, recreational organizations, community residents, and private property owners prior to approving the management plan. The Association shall conduct semi-annual public meetings, workshops, and hearings to provide adequate opportunity for the public and local and governmental entities to review and to aid in the preparation and implementation of the management plan.

''(d) EFFECT OF APPROVAL.—Upon the approval of the management plan as provided in subsection (c), the management plan shall supersede the conceptual plan contained in the National Park Service report.

''(e) ACTION FOLLOWING DISAPPROVAL.—If the Secretary disapproves a proposed management plan within the time period specified in subsection (c), the Secretary shall advise the Association in writing of the reasons for the disapproval and shall make recommendations for revisions to the proposed management plan.

''(f) APPROVAL OF AMENDMENTS.—The Secretary shall review and approve all substantial amendments (including any increase of more than 20 percent in the cost estimates for implementation) to the management plan. Funds made available under this title may not be expended to implement any changes made by a substantial amendment until the Secretary approves that substantial amendment.

''SEC. 124. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER FEDERAL AGENCIES.

''(a) TECHNICAL AND FINANCIAL ASSISTANCE.—Upon the request of the Association, the Secretary may provide technical assistance, on a reimbursable or nonreimbursable basis, and financial assistance to the Association to develop and implement the management plan. The Secretary is authorized to enter into cooperative agreements with the Association and other public or private entities for this purpose. In assisting the Association, the Secretary shall give priority to actions that in general assist in—

''(1) conserving the significant natural, historic, cultural, and scenic resources of the corridor; and

''(2) providing educational, interpretive, and recreational opportunities consistent with the purposes of the corridor.

''(b) DUTIES OF OTHER FEDERAL AGENCIES.—Any Federal agency conducting or supporting activities directly affecting the corridor shall—

''(1) consult with the Secretary and the Association with respect to such activities;

''(2) cooperate with the Secretary and the Association in carrying out their duties under this title;

''(3) to the maximum extent practicable, coordinate such activities with the carrying out of such duties; and

''(4) to the maximum extent practicable, conduct or support such activities in a manner which the Association determines is not likely to have an adverse effect on the corridor.

''SEC. 125. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—To carry out this title there is authorized to be appropriated $10,000,000, except that not more than $1,000,000 may be appropriated to carry out this title for any fiscal year.

''(b) 50 PERCENT MATCH.—The Federal share of the cost of activities carried out using any assistance or grant under this title shall not exceed 50 percent of that cost.

''SEC. 126. SUNSET.

''The authority of the Secretary to provide assistance under this title terminates on September 30, 2027.''.

SEC. 503. PRIVATE PROPERTY PROTECTION.

The Illinois and Michigan Canal National Heritage Corridor Act of 1984 is further amended by adding after section 126 (as added by section 502 of this title) the following new sections:

''SEC. 127. REQUIREMENTS FOR INCLUSION OF PRIVATE PROPERTY.

''(a) NOTIFICATION AND CONSENT OF PROPERTY OWNERS REQUIRED.—No privately owned property shall be preserved, conserved, or promoted by the management plan for the corridor until the owner of that private property has been notified in writing by the Association and has given written consent for such preservation, conservation, or promotion to the Association.

''(b) LANDOWNER WITHDRAW.—Any owner of private property included within the boundary of the corridor, and not notified under subsection (a), shall have their property immediately removed from the boundary of the corridor by submitting a written request to the Association.

''SEC. 128. PRIVATE PROPERTY PROTECTION.

''(a) ACCESS TO PRIVATE PROPERTY.—Nothing in this title shall be construed to—

''(1) require any private property owner to allow public access (including Federal, State, or local government access) to such private property; or

''(2) modify any provision of Federal, State, or local law with regard to public access to or use of private property.

''(b) LIABILITY.—Designation of the corridor shall not be considered to create any liability, or to have any effect on any liability under any other law, of any private property owner with respect to any persons injured on such private property.

''(c) RECOGNITION OF AUTHORITY TO CONTROL LAND USE.—Nothing in this title shall be construed to modify the authority of Federal, State, or local governments to regulate land use.

''(d) PARTICIPATION OF PRIVATE PROPERTY OWNERS IN CORRIDOR.—Nothing in this title shall be construed to require the owner of any private property located within the boundaries of the corridor to participate in or be associated with the corridor.

''(e) EFFECT OF ESTABLISHMENT.—The boundaries designated for the corridor represent the area within which Federal funds appropriated for the purpose of this title may be expended. The establishment of the corridor and its boundaries shall not be construed to provide any nonexisting regulatory authority on land use within the corridor or its viewshed by the Secretary, the National Park Service, or the Association.''.

SEC. 504. TECHNICAL AMENDMENTS.

Section 116 of Illinois and Michigan Canal National Heritage Corridor Act of 1984 is amended—

(1) by striking subsection (b); and

(2) in subsection (a)—

(A) by striking ''(a)'' and all that follows through ''For each'' and inserting ''(a) For each'';

(B) by striking ''Commission'' and inserting ''Association'';

(C) by striking ''Commission's'' and inserting ''Association's'';

(D) by redesignating paragraph (2) as subsection (b); and

(E) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively.

TITLE VI—[POTASH ROYALTY REDUCTION]

SEC. 601. SHORT TITLE.

This Act may be cited as the ''Potash Royalty Reduction Act of 2004''.

SEC. 602. POTASSIUM AND POTASSIUM COMPOUNDS FROM SYLVITE.

(a) ROYALTY RATE.—Notwithstanding section 102(a)(9) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701(a)(9)), section 2 of the Act of February 7, 1927 (30 U.S.C. 282) and the term of any lease issued under such section 2, the royalty rate on the quantity or gross value of the output from Federal lands of potassium and potassium compounds from the mineral sylvite at the point of shipment to market in the 5-year period beginning on the date of the enactment of this Act shall be 1.0 percent.

(b) RECLAMATION FUND.—Fifty percentum of any royalties paid pursuant to this Act during the 5-year period referred to in subsection (a), together with any interest earned from the date of payment, shall be paid by the Secretary of the Treasury to the payor of the royalties to be used solely for land reclamation purposes in accordance with a schedule to implement a reclamation plan for the lands for which the royalties are paid. No payment shall be made by the Secretary of the Treasury pursuant to this subsection until the Secretary of the Interior receives from the payor of the royalties, and approves, the reclamation plan and schedule, and submits the approved schedule to the Secretary of the Treasury. The share of royalties held by the Secretary of the Treasury

pursuant to this subsection, and interest earned thereon, shall be available until paid pursuant to this subsection, without further appropriation; shall not be considered as money received under section 35 of the Mineral Leasing Act (30 U.S.C. 191) for the purpose of revenue allocation; and shall not be reduced by any administrative or other costs incurred by the United States.

(c) STUDY AND REPORT.—After the end of the 4-year period beginning on the date of the enactment of this Act, and before the end of the 5-year period beginning on that date, the Secretary of the Interior shall report to the Congress on the effects of the royalty reduction under this Act, including a recommendation on whether the reduced royalty rate for potassium from sylvite should apply after the end of the 5-year period.

TITLE VII—[SODA ASH ROYALTY REDUCTION]

SEC. 701. SHORT TITLE.

This Act may be cited as the ''Soda Ash Royalty Reduction Act of 2004''.

SEC. 702. FINDINGS.

The Congress finds the following:

(1) The combination of global competitive pressures, flat domestic demand, and spiraling costs of production threaten the future of the United States soda ash industry.

(2) Despite booming world demand, growth in United States exports of soda ash since 1997 has been flat, with most of the world's largest markets for such growth, including Brazil, the People's Republic of China, India, the countries of eastern Europe, and the Republic of South Africa, have been closed by protectionist policies.

(3) The People's Republic of China is the prime competitor of the United States in soda ash production, and recently supplanted the United States as the largest producer of soda ash in the world.

(4) Over 700 jobs have been lost in the United States soda ash industry since the Department of the Interior increased the royalty rate on soda ash produced on Federal land, in 1996.

(5) Reduction of the royalty rate on soda ash produced on Federal land will provide needed relief to the United States soda ash industry and allow it to increase export growth and competitiveness in emerging world markets, and create new jobs in the United States.

SEC. 703. REDUCTION IN ROYALTY RATE ON SODA ASH.

Notwithstanding section 102(a)(9) of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1701(a)(9)), section 24 of the Mineral Leasing Act (30 U.S.C. 262), and the terms of any lease under that Act, the royalty rate on the quantity or gross value of the output of sodium compounds and related products at the point of shipment to market from Federal land in the 5-year period beginning on the date of the enactment of this Act shall be 2 percent.

SEC. 704. STUDY.

After the end of the 4-year period beginning on the date of the enactment of this Act, and before the end of the 5-year period beginning on that date, the Secretary of the Interior shall report to the Congress on the effects of the royalty reduction under this Act, including—

(1) the amount of sodium compounds and related products at the point of shipment to market from Federal land during that 4-year period;

(2) the number of jobs that have been created or maintained during the royalty reduction period;

(3) the total amount of royalty paid to the United States on the quantity or gross value of the output of sodium compounds and related products at the point of shipment to market produced during that 4-year period, and the portion of such royalty paid to States; and

(4) a recommendation of whether the reduced royalty rate should apply after the end of the 5-year period beginning on the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. 1521.

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

There was no objection.

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

Mr. Speaker, Senate 1521, introduced by the Assistant Democratic Leader of the Senate, Senator REID of Nevada, would direct the Secretary of the Interior to convey public land currently managed by the Bureau of Land Management in Pahrump, Nevada, to the Edward H. McDaniel American Legion Post No. 22, for the construction of a post building and memorial park for use by the American Legion, and other veterans' groups, and the local community.

The bill was subsequently amended by the Committee on Resources where six additional titles were added. However, four of the six additional titles contained language that has once passed this House, and would simply make technical changes to seven existing National Heritage Areas and one Heritage Trail Route.

□ 1430

Focusing then on the two remaining titles, title VI would temporarily set a royalty rate reduction upon the quantity or gross value of sodium compounds and related products at point of shipment to market from Federal lands over the next 5 years. It would also instruct the Secretary of the Interior to report to Congress on the effects of such royalty reduction, as well as to provide a recommendation of whether the reduced royalty rate should apply following the end of the 5-year period.

This is taken from the gentlewoman from Wyoming's (Mrs. CUBIN's) bill, H.R. 4625, which has passed the House already.

Similarly, title VII provides for a 5-year royalty rate reduction upon the quantity or gross value of potassium compounds from the mineral sylvite at point of shipment to market from Federal lands over the next 5 years. As under the previous title, the Secretary of the Interior would again be required to recommend to Congress whether the reduced royalty rate should continue after the 5-year period. This is taken from H.R. 4984 authorized by the gentleman from New Mexico (Mr. PEARCE).

Mr. Speaker, Senate bill 1521, as amended, is supported by the majority and the minority of the Committee on Resources. I urge adoption of the bill.

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

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

The legislation we are considering is sponsored by Nevada Senator HARRY REID. Both Committee on Resources ranking member, the gentleman from West Virginia (Mr. RAHALL) and myself have become very much aware of the bipartisan efforts among the Nevada delegation to secure public lands for various causes.

This is another one of those situations, and while we do not always agree with a particular Nevada land bill, when we can, we are always pleased to be of some of some small service to the distinguished senator.

As a member of the American Legion Auxiliary myself, I am always pleased to support any bill that is done on behalf of the American Legion. As such, we have no objections to passing Senate 1521, as amended by the House.

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

Mr. GIBBONS. Mr. Speaker, I have no further speakers on S. 1521, would urge adoption of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the Senate bill, S. 1521, as amended.

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

The title of the Senate bill was amended so as to read: ''A bill to direct the Secretary of the Interior to convey certain land to the Edward H. McDaniel American Legion Post No. 22 in Pahrump, Nevada, for the construction of a post building and memorial park for use by the American Legion, other veterans' groups, and the local community, and for other purposes.''

A motion to reconsider was laid on the table.

LINCOLN COUNTY CONSERVATION, RECREATION, AND DEVELOPMENT ACT OF 2004

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4593) to establish wilderness areas, promote conservation, improve public land, and provide for the high quality development in Lincoln County, Nevada, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4593

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

SECTION 1. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

TITLE I—LINCOLN COUNTY CONSERVATION, RECREATION, AND DEVELOPMENT

SEC. 101. SHORT TITLE.

This title may be cited as the ''Lincoln County Conservation, Recreation, and Development Act of 2004''.

Subtitle A—Land Disposal

SEC. 111. DEFINITIONS.

In this subtitle:

(1) COUNTY.—The term ''County'' means Lincoln County, Nevada.

(2) MAP.—The term ''map'' means the map entitled ''Lincoln County Conservation, Recreation, and Development Act Map'' and dated October 1, 2004.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) SPECIAL ACCOUNT.—The term ''special account'' means the special account established under section 113(b)(3).

SEC. 112. CONVEYANCE OF LINCOLN COUNTY LAND.

(a) IN GENERAL.—Notwithstanding sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711, 1712), the Secretary, in cooperation with the County, in accordance with that Act, this subtitle, and other applicable law and subject to valid existing rights, shall conduct sales of—

(1) the land described in subsection (b)(1) to qualified bidders not later than 75 days after the date of the enactment of this Act; and.

(2) the land described in subsection (b)(2) to qualified bidders as such land becomes available for disposal.

(b) DESCRIPTION OF LAND.—The land referred to in subsection (a) consists of—

(1) the land identified on the map as Tract A and Tract B totaling approximately 13,328 acres; and

(2) between 87,000–90,000 acres of Bureau of Land Management managed public land in Lincoln County identified for disposal by the BLM either through—

(A) the Ely Resource Management Plan (intended to be finalized in 2005); or

(B) a subsequent amendment to that land use plan undertaken with full public involvement.

(c) AVAILABILITY.—Each map and legal description shall be on file and available for public inspection in (as appropriate)—

(1) the Office of the Director of the Bureau of Land Management;

(2) the Office of the Nevada State Director of the Bureau of Land Management;

(3) the Ely Field Office of the Bureau of Land Management; and

(4) the Caliente Field Station of the Bureau of Land Management.

(d) JOINT SELECTION REQUIRED.—The Secretary and the County shall jointly select which parcels of land described in subsection (b)(2) to offer for sale under subsection (a).

(e) COMPLIANCE WITH LOCAL PLANNING AND ZONING LAWS.—Before a sale of land under subsection (a), the County shall submit to the Secretary a certification that qualified bidders have agreed to comply with—

(1) County and city zoning ordinances; and

(2) any master plan for the area approved by the County.

(f) METHOD OF SALE; CONSIDERATION.—The sale of land under subsection (a) shall be—

(1) consistent with section 203(d) and 203(f) of the Federal Land Management Policy Act of 1976 (43 U.S.C. 1713(d) and (f));

(2) through a competitive bidding process unless otherwise determined by the Secretary; and

(3) for not less than fair market value.

(g) WITHDRAWAL.—

(1) IN GENERAL.—Subject to valid existing rights and except as provided in paragraph (2), the land described in subsection (b) is withdrawn from—

(A) all forms of entry and appropriation under the public land laws, including the mining laws;

(B) location, entry, and patent under the mining laws; and

(C) operation of the mineral leasing and geothermal leasing laws.

(2) EXCEPTION.—Paragraph (1)(A) shall not apply to a competitive sale or an election by the County to obtain the land described in subsection (b) for public purposes under the Act of June 14, 1926 (43 U.S.C. 869 et seq; commonly known as the ''Recreation and Public Purposes Act'').

(h) DEADLINE FOR SALE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall—

(A) notwithstanding the Lincoln County Land Act of 2000 (114 Stat. 1046), not later than 75 days after the date of the enactment of this title, offer by sale the land described in subsection (b)(1) if there is a qualified bidder for such land; and

(B) offer for sale annually lands identified for sale in subsection (b)(2) until such lands are disposed of or unless the county requests a postponement under paragraph (2).

(2) POSTPONEMENT; EXCLUSION FROM SALE.—

(A) REQUEST BY COUNTY FOR POSTPONEMENT OR EXCLUSION.—At the request of the County, the Secretary shall postpone or exclude from the sale all or a portion of the land described in subsection (b)(2).

(B) INDEFINITE POSTPONEMENT.—Unless specifically requested by the County, a postponement under subparagraph (A) shall not be indefinite.

SEC. 113. DISPOSITION OF PROCEEDS.

(a) INITIAL LAND SALE.—Section 5 of the Lincoln County Land Act of 2000 (114 Stat. 1047) shall apply to the disposition of the gross proceeds from the sale of land described in section 112(b)(1).

(b) REIMBURSEMENT OF COSTS.—Proceeds from the sale of lands described in section 112(b)(2) shall be used to reimburse costs incurred by the Nevada State office and the Ely Field Office of the Bureau of Land Management for preparing for the sale of land described in section 102(b) including surveys appraisals, compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and compliance with the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711, 1712).

(c) DISPOSITION OF PROCEEDS.—Following compliance with section 113(b) proceeds from sales of lands described in section 112(b)(2) shall be disbursed as follows—

(1) 5 percent shall be paid directly to the state for use in the general education program of the State;

(2) 45 percent shall be paid to the County for use for economic development in the County, including County parks, trails, and natural areas; and

(3) the remainder shall be deposited in a special account in the Treasury of the United States and shall be available without further appropriation to the Secretary until expended for—

(A) the inventory, evaluation, protectionand management of unique archaeological resources (as defined in section 3 of the Archaeological Resources Protection Act of 19792 (16 U.S.C. 470bb)) of the County;

(B) the development and implementation of a multispecies habitat conservation plan for the County;

(C) processing of public land use authorizations and rights-of-way relating to the development of land conveyed under section 112(b) of this Act;

(D) processing the Silver State OHV trail and implementing the management plan required by section 151(c)(2) of this Act; and

(E) processing wilderness designation, including but not limited to, the costs of appropriate fencing, signage, public education, and enforcement for the wilderness areas designated.

(d) INVESTMENT OF SPECIAL ACCOUNT.—Any amounts deposited in the special account shall earn interest in an amount determined by the Secretary of the Treasury on the basis of the current average market yield on outstanding marketable obligations of the United States of comparable maturities, and may be expended according to the provisions of this section.

Subtitle B—Wilderness Areas

SEC. 121. FINDINGS.

Congress finds that—

(1) public land in the County contains unique and spectacular natural resources, including—

(A) priceless habitat for numerous species of plants and wildlife; and

(B) thousands of acres of land that remain in a natural state; and

(2) continued preservation of those areas would benefit the County and all of the United States by—

(A) ensuring the conservation of ecologically diverse habitat;

(B) protecting prehistoric cultural resources;

(C) conserving primitive recreational resources; and

(D) protecting air and water quality.

SEC. 122. DEFINITIONS.

In this subtitle:

(1) COUNTY.—The term ''County'' means Lincoln County, Nevada.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) STATE.—The term ''State'' means the State of Nevada.

SEC. 123. ADDITIONS TO NATIONAL WILDERNESS PRESERVATION SYSTEM.

(a) ADDITIONS.—The following land in the State is designated as wilderness and as components of the National Wilderness Preservation System:

(1) MORMON MOUNTAINS WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 157,938 acres, as generally depicted on the map entitled ''Southern Lincoln County Wilderness Map'', dated October 1, 2004, which shall be known as the ''Mormon Mountains Wilderness''.

(2) MEADOW VALLEY RANGE WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 123,488 acres, as generally depicted on the map entitled ''Southern Lincoln County Wilderness Map'', dated October 1, 2004, which shall be known as the ''Meadow Valley Range Wilderness''.

(3) DELAMAR MOUNTAINS WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 111,328 acres, as generally depicted on the map entitled ''Southern Lincoln County Wilderness Map'', dated October 1, 2004, which shall be known as the ''Delamar Mountains Wilderness''.

(4) CLOVER MOUNTAINS WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 85,748 acres, as generally depicted on the map entitled ''Southern Lincoln County Wilderness Map'', dated October 1, 2004, which shall be known as the ''Clover Mountains Wilderness''.

(5) SOUTH PAHROC RANGE WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 25,800 acres, as generally depicted on the map entitled ''Western Lincoln County Wilderness Map'', dated October 1, 2004, which shall be known as the ''South Pahroc Range Wilderness''.

(6) WORTHINGTON MOUNTAINS WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 30,664 acres, as generally depicted on the map entitled ''Western Lincoln County Wilderness Map'', dated October 1, 2004, which shall be known as the ''Worthington Mountains Wilderness''.

(7) WEEPAH SPRING WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 51,480 acres, as generally depicted on the map entitled ''Western Lincoln County Wilderness Map'', dated October 1, 2004, which shall be known as the ''Weepah Spring Wilderness''.

(8) PARSNIP PEAK WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 43,693 acres, as generally depicted on the map entitled ''Northern Lincoln County Wilderness Map'', dated October 1, 2004, which shall be known as the ''Parsnip Peak Wilderness''.

(9) WHITE ROCK RANGE WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 24,413 acres, as generally depicted on the map entitled ''Northern Lincoln County Wilderness Map'', dated October 1, 2004, which shall be known as the ''White Rock Range Wilderness''.

(10) FORTIFICATION RANGE WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 30,656 acres, as generally depicted on the map entitled ''Northern Lincoln County Wilderness Map'', dated October 1, 2004, which shall be known as the ''Fortification Range Wilderness''.

(11) FAR SOUTH EGANS WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 36,384 acres, as generally depicted on the map entitled ''Northern Lincoln County Wilderness Map'', dated October 1, 2004, which shall be known as the ''Far South Egans Wilderness''.

(12) TUNNEL SPRING WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 5,371 acres, as generally depicted on the map entitled ''Southern Lincoln County Wilderness Map'', dated October 1, 2004, which shall be known as the ''Tunnel Spring Wilderness''.

(13) BIG ROCKS WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 12,997 acres, as generally depicted on the map entitled ''Western Lincoln County Wilderness Map'', dated October 1, 2004, which shall be known as the ''Big Rocks Wilderness''.

(14) MT. IRISH WILDERNESS.—Certain Federal land managed by the Bureau of Land Management, comprising approximately 28,334 acres, as generally depicted on the map entitled ''Western Lincoln County Wilderness Map'', dated October 1, 2004, which shall be known as the ''Mt. Irish Wilderness''.

(b) BOUNDARY.—The boundary of any portion of a wilderness area designated by subsection (a) that is bordered by a road shall be at least 100 feet from the edge of the road to allow public access.

(c) MAP AND LEGAL DESCRIPTION.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this title, the Secretary shall file a map and legal description of each wilderness area designated by subsection (a) with the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(2) EFFECT.—Each map and legal description shall have the same force and effect as if included in this section, except that the Secretary may correct clerical and typographical errors in the map or legal description.

(3) AVAILABILITY.—Each map and legal description shall be on file and available for public inspection in (as appropriate)—

(A) the Office of the Director of the Bureau of Land Management;

(B) the Office of the Nevada State Director of the Bureau of Land Management;

(C) the Ely Field Office of the Bureau of Land Management; and

(D) the Caliente Field Station of the Bureau of Land Management.

(d) WITHDRAWAL.—Subject to valid existing rights, the wilderness areas designated by subsection (a) are withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing and geothermal leasing laws.

SEC. 124. ADMINISTRATION.

(a) MANAGEMENT.—Subject to valid existing rights, each area designated as wilderness by this subtitle shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that—

(1) any reference in that Act to the effective date shall be considered to be a reference to the date of the enactment of this title; and

(2) any reference in that Act to the Secretary of Agriculture shall be considered to be a reference to the Secretary of the Interior.

(b) LIVESTOCK.—Within the wilderness areas designated under this subtitle that are administered by the Bureau of Land Management, the grazing of livestock in areas in which grazing is established as of the date of enactment of this title shall be allowed to continue, subject to such reasonable regulations, policies, and practices that the Secretary considers necessary, consistent with section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)), including the guidelines set forth in Appendix A of House Report 101–405.

(c) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land within the boundaries of an area designated as wilderness by this subtitle that is acquired by the United States after the date of the enactment of this title shall be added to and administered as part of the wilderness area within which the acquired land or interest is located.

(d) WATER RIGHTS.—

(1) FINDINGS.—Congress finds that—

(A) the land designated as Wilderness by this subtitle is within the Northern Mojave and Great Basin Deserts, is arid in nature, and includes ephemeral streams;

(B) the hydrology of the land designated as wilderness by this subtitle is predominantly characterized by complex flow patterns and alluvial fans with impermanent channels;

(C) the subsurface hydrogeology of the region is characterized by ground water subject to local and regional flow gradients and unconfined and artesian conditions;

(D) the land designated as wilderness by this subtitle is generally not suitable for use or development of new water resource facilities; and

(E) because of the unique nature and hydrology of the desert land designated as wilderness by this subtitle, it is possible to provide for proper management and protection of the wilderness and other values of lands in ways different from those used in other legislation.

(2) STATUTORY CONSTRUCTION.—Nothing in this subtitle—

(A) shall constitute or be construed to constitute either an express or implied reservation by the United States of any water or water rights with respect to the land designated as wilderness by this subtitle;

(B) shall affect any water rights in the State existing on the date of the enactment of this title, including any water rights held by the United States;

(C) shall be construed as establishing a precedent with regard to any future wilderness designations;

(D) shall affect the interpretation of, or any designation made pursuant to, any other Act; or

(E) shall be construed as limiting, altering, modifying, or amending any of the interstate compacts or equitable apportionment decrees that apportion water among and between the State and other States.

(3) NEVADA WATER LAW.—The Secretary shall follow the procedural and substantive requirements of the law of the State in order to obtain and hold any water rights not in existence on the date of enactment of this title with respect to the wilderness areas designated by this subtitle.

(4) NEW PROJECTS.—

(A) WATER RESOURCE FACILITY.—As used in this paragraph, the term ''water resource facility''—

(i) means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, and transmission and other ancillary facilities, and other water diversion, storage, and carriage structures; and

(ii) does not include wildlife guzzlers.

(B) RESTRICTION ON NEW WATER RESOURCE FACILITIES.—Except as otherwise provided in this title, on and after the date of the enactment of this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water resource facility within the wilderness areas designated by this title.

SEC. 125. ADJACENT MANAGEMENT.

(a) IN GENERAL.—Congress does not intend for the designation of wilderness in the State pursuant to this subtitle to lead to the creation of protective perimeters or buffer zones around any such wilderness area.

(b) NONWILDERNESS ACTIVITIES.—The fact that nonwilderness activities or uses can be seen or heard from areas within a wilderness designated under this subtitle shall not preclude the conduct of those activities or uses outside the boundary of the wilderness area.

SEC. 126. MILITARY OVERFLIGHTS.

Nothing in this subtitle restricts or precludes—

(1) low-level overflights of military aircraft over the areas designated as wilderness by this subtitle, including military overflights that can be seen or heard within the wilderness areas;

(2) flight testing and evaluation; or

(3) the designation or creation of new units of special use airspace, or the establishment of military flight training routes, over the wilderness areas.

SEC. 127. NATIVE AMERICAN CULTURAL AND RELIGIOUS USES.

Nothing in this subtitle shall be construed to diminish the rights of any Indian tribe. Nothing in this subtitle shall be construed to diminish tribal rights regarding access to Federal land for tribal activities, including spiritual, cultural, and traditional food-gathering activities.

SEC. 128. RELEASE OF WILDERNESS STUDY AREAS.

(a) FINDING.—Congress finds that, for the purposes of section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782), the public land in the County administered by the Bureau of Land Management in the following areas has been adequately studied for wilderness designation:

(1) The Table Mountain Wilderness Study Area.

(2) Evergreen A, B, and C Wilderness Study Areas.

(3) Any portion of the wilderness study areas—

(A) not designated as wilderness by section 124(a); and

(B) depicted as released on—

(i) the map entitled ''Northern Lincoln County Wilderness Map'' and dated October 1, 2004;

(ii) the map entitled ''Southern Lincoln County Wilderness Map'' and dated October 1, 2004; or

(iii) the map entitled ''Western Lincoln County Wilderness Map'' and dated October 1, 2004.

(b) RELEASE.—Any public land described in subsection (a) that is not designated as wilderness by this subtitle—

(1) is no longer subject to section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c));

(2) shall be managed in accordance with—

(A) land management plans adopted under section 202 of that Act (43 U.S.C. 1712); and

(B) existing cooperative conservation agreements; and

(3) shall be subject to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 129. WILDLIFE MANAGEMENT.

(a) IN GENERAL.—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this subtitle affects or diminishes the jurisdiction of the State with respect to fish and wildlife management, including the regulation of hunting, fishing, and trapping, in the wilderness areas designated by this subtitle.

(b) MANAGEMENT ACTIVITIES.—In furtherance of the purposes and principles of the Wilderness Act, management activities to maintain or restore fish and wildlife populations and the habitats to support such populations may be carried out within wilderness areas designated by this subtitle where consistent with relevant wilderness management plans, in accordance with appropriate policies such as those set forth in Appendix B of House Report 101–405, including the occasional and temporary use of motorized vehicles, if such use, as determined by the Secretary, would promote healthy, viable, and more naturally distributed wildlife populations that would enhance wilderness values and accomplish those purposes with the minimum impact necessary to reasonably accomplish the task.

(c) EXISTING ACTIVITIES.—Consistent with section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)) and in accordance with appropriate policies such as those set forth in Appendix B of House Report 101–405, the State may continue to use aircraft, including helicopters, to survey, capture, transplant, monitor, and provide water for wildlife populations, including bighorn sheep, and feral stock, horses, and burros.

(d) WILDLIFE WATER DEVELOPMENT PROJECTS.—Subject to subsection (f), the Secretary shall authorize structures and facilities, including existing structures and facilities, for wildlife water development projects, including guzzlers, in the wilderness areas designated by this title if—

(1) the structures and facilities will, as determined by the Secretary, enhance wilderness values by promoting healthy, viable, and more naturally distributed wildlife populations; and

(2) the visual impacts of the structures and facilities on the wilderness areas can reasonably be minimized.

(e) HUNTING, FISHING, AND TRAPPING.—In consultation with the appropriate State agency (except in emergencies), the Secretary may designate by regulation areas in which, and establish periods during which, for reasons of public safety, administration, or compliance with applicable laws, no hunting, fishing, or trapping will be permitted in the wilderness areas designated by this title.

(f) COOPERATIVE AGREEMENT.—The terms and conditions under which the State, including a designee of the State, may conduct wildlife management activities in the wilderness areas designated by this subtitle are specified in the cooperative agreement between the Secretary and the State, entitled ''Memorandum of Understanding between the Bureau of Land Management and the Nevada Department of Wildlife Supplement No. 9,'' and signed November and December 2003, including any amendments to that document agreed upon by the Secretary and the State and subject to all applicable laws and regulations. Any references to Clark County in that document shall also be deemed to be referred to and shall apply to Lincoln County, Nevada.

SEC. 130. WILDFIRE MANAGEMENT.

Consistent with section 4 of the Wilderness Act (16 U.S.C. 1133), nothing in this subtitle precludes a Federal, State, or local agency from conducting wildfire management operations (including operations using aircraft or mechanized equipment) to manage wildfires in the wilderness areas designated by this subtitle.

SEC. 131. CLIMATOLOGICAL DATA COLLECTION.

Subject to such terms and conditions as the Secretary may prescribe, nothing in this subtitle precludes the installation and maintenance of hydrologic, meteorologic, or climatological collection devices in the wilderness areas designated by this subtitle if the facilities and access to the facilities are essential to flood warning, flood control, and water reservoir operation activities.

Subtitle C—Utility Corridors

SEC. 141. UTILITY CORRIDOR AND RIGHTS-OF-WAY.

(a) UTILITY CORRIDOR.—

(1) IN GENERAL.—Consistent with subtitle B and notwithstanding sections 202 and 503 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711, 1763), the Secretary of the Interior (referred to in this section as the ''Secretary'') shall establish on public land a 2,640-foot wide corridor for utilities in Lincoln County and Clark County, Nevada, as generally depicted on the map entitled ''Lincoln County Conservation, Recreation, and Development Act'', and dated October 1, 2004.

(2) AVAILABILITY.—Each map and legal description shall be on file and available for public inspection in (as appropriate)—

(A) the Office of the Director of the Bureau of Land Management;

(B) the Office of the Nevada State Director of the Bureau of Land Management;

(C) the Ely Field Office of the Bureau of Land Management; and

(D) the Caliente Field Station of the Bureau of Land Management.

(b) RIGHTS-OF-WAY.—

(1) IN GENERAL.—Notwithstanding sections 202 and 503 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1711, 1763), and subject to valid and existing rights, the Secretary shall grant to the Southern Nevada Water Authority and the Lincoln County Water District nonexclusive rights-of-way to Federal land in Lincoln County and Clark County, Nevada, for any roads, wells, well fields, pipes, pipelines, pump stations, storage facilities, or other facilities and systems that are necessary for the construction and operation of a water conveyance system, as depicted on the map.

(2) APPLICABLE LAW.—A right-of-way granted under paragraph (1) shall be granted in perpetuity and shall not require the payment of rental.

(3) COMPLIANCE WITH NEPA.—Before granting a right-of-way under paragraph (1), the Secretary shall comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), including the identification and consideration of potential impacts to fish and wildlife resources and habitat.

(c) WITHDRAWAL.—Subject to valid existing rights, the utility corridors designated by subsection (a) are withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing and geothermal leasing laws.

(d) STATE WATER LAW.—Nothing in this subtitle shall—

(1) prejudice the decisions or abrogate the jurisdiction of the Nevada or Utah State Engineers with respect to the appropriation, permitting, certification, or adjudication of water rights;

(2) preempt Nevada or Utah State water law; or

(3) limit or supersede existing water rights or interest in water rights under Nevada or Utah State law.

(e) WATER RESOURCES STUDY.—

(1) IN GENERAL.—The Secretary, acting through the United States Geological Survey and the Desert Research Institute, and a designee from the State of Utah shall conduct a study to investigate ground water quantity, quality, and flow characteristics in the deep carbonate and alluvial aquifers of Lincoln and White Pine Counties, Nevada and adjacent areas in Utah. The study shall—

(A) include new and review of existing data;

(B) determine the volume of water stored in aquifers in those areas;

(C) determine the discharge and recharge characteristics of each aquifer system;

(D) determine the hydrogeologic and other controls that govern the discharge and recharge of each aquifer system; and

(E) develop maps at a consistent scale depicting aquifer systems and the recharge and discharge areas of such systems.

(2) TIMING; AVAILABILITY.—The Secretary shall complete a draft of the water resources report required under paragraph (1) not later than 30 months after the date of the enactment of this Act. The Secretary shall then make the draft report available for public comment for a period of not less than 60 days. The final report shall be submitted to the Committee on Resources in the House of Representatives and the Committee on Energy and Natural Resources in the Senate and made available to the public not later than 36 months after the date of the enactment of this Act.

(3) AGREEMENT.—Prior to any transbasin diversion from ground-water basins located within both the State of Nevada and the State of Utah, the State of Nevada and the State of Utah shall reach an agreement regarding the division of water resources of those interstate ground-water flow system(s) from which water will be diverted and used by the project. The agreement shall allow for the maximum sustainable beneficial use of the water resources and protect existing water rights.

SEC. 142. RELOCATION OF RIGHT-OF-WAY AND UTILITY CORRIDORS LOCATED IN CLARK AND LINCOLN COUNTIES IN THE STATE OF NEVADA.

(a) DEFINITIONS.—In this section:

(1) AGREEMENT.—The term ''Agreement'' means the land exchange agreement between Aerojet-General Corporation and the United States, dated July 14, 1988.

(2) CORRIDOR.—The term ''corridor'' means—

(A) the right-of-way corridor that is—

(i) identified in section 5(b)(1) of the Nevada-Florida Land Exchange Authorization Act of 1988 (102 Stat. 55); and

(ii) described in section 14(a) of the Agreement;

(B) such portion of the utility corridor identified in the 1988 Las Vegas Resource Management Plan located south of the boundary of the corridor described in subparagraph (A) as is necessary to relocate the right-of-way corridor to the area described in subsection (c)(2); and

(C) such portion of the utility corridor identified in the 2000 Caliente Management Framework Plan Amendment located north of the boundary of the corridor described in subparagraph (A) as is necessary to relocate the right-of-way corridor to the area described in subsection (c)(2).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) RELINQUISHMENT AND FAIR MARKET VALUE.—

(1) IN GENERAL.—The Secretary shall, in accordance with this section, relinquish all right, title, and interest of the United States in and to the corridor on receipt of a payment in an amount equal to the fair market value of the corridor (plus any costs relating to the right-of-way relocation described in this subtitle).

(2) FAIR MARKET VALUE.—

(A) The fair market value of the corridor shall be equal to the amount by which the value of the discount described in the 1988 appraisal of the corridor that was applied to the land underlying the corridor has increased, as determined by the Secretary using the multiplier determined under subparagraph (B).

(B) Not later than 60 days after the date of the enactment of this Act, the Appraisal Services Directorate of the Department of the Interior shall determine an appropriate multiplier to reflect the change in the value of the land underlying the corridor between—

(i) the date of which the corridor was transferred in accordance with the Agreement; and

(ii) the date of enactment of this Act.

(3) PROCEEDS.—Proceeds under this subsection shall be deposited in the account established under section 113(c)

(c) RELOCATION.—

(1) IN GENERAL.—The Secretary shall relocate to the area described in paragraph (2), the portion of IDI–26446 and UTU–73363 identified as NVN–49781 that is located in the corridor relinquished under subsection (b)(1).

(2) DESCRIPTION OF AREA.—The area referred to in paragraph (1) is the area located on public land west of United States Route 93

(3) REQUIREMENTS.—The relocation under paragraph (1) shall be conducted in a manner that—

(A) minimizes engineering design changes; and

(B) maintains a gradual and smooth interconnection of the corridor with the area described in paragraph (2).

(4) AUTHORIZED USES.—The Secretary may authorize the location of any above ground or underground utility facility, transmission lines, gas pipelines, natural gas pipelines, fiber optics, telecommunications, water lines, wells (including monitoring wells), cable television, and any related appurtenances in the area described in paragraph (1).

(d) EFFECT.—The relocation of the corridor under this section shall not require the Secretary to update the 1998 Las Vegas Valley Resource Management Plan or the 2000 Caliente Management Framework Plan Amendment.

(e) WAIVER OF CERTAIN REQUIREMENTS.—The Secretary shall waive the requirements of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) that would otherwise be applicable to the holders of the right-of-way corridor described in subsection (a)(2)(A) with respect to an amendment to the legal description of the right-of-way corridor.

Subtitle D—Silver State Off-Highway Vehicle Trail

SEC. 151. SILVER STATE OFF-HIGHWAY VEHICLE TRAIL.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(2) MAP.—The term ''Map'' means the map entitled ''Lincoln County Conservation, Recreation and Development Act Map'' and dated October 1, 2004.

(3) TRAIL.—The term ''Trail'' means the system of trails designated in subsection (b) as the Silver State Off-Highway Vehicle Trail.

(b) DESIGNATION.—The trails that are generally depicted on the Map are hereby designated as the ''Silver State Off-Highway Vehicle Trail''.

(c) MANAGEMENT.—

(1) IN GENERAL.—The Secretary shall manage the Trail in a manner that—

(A) is consistent with motorized and mechanized use of the Trail that is authorized on the date of the enactment of this title pursuant to applicable Federal and State laws and regulations;

(B) ensures the safety of the people who use the Trail; and

(C) does not damage sensitive habitat or cultural resources.

(2) MANAGEMENT PLAN.—

(A) IN GENERAL.—Not later than 3 years after the date of the enactment of this title, the Secretary, in consultation with the State, the County, and any other interested persons, shall complete a management plan for the Trail.

(B) COMPONENTS.—The management plan shall—

(i) describe the appropriate uses and management of the Trail;

(ii) authorize the use of motorized and mechanized vehicles on the Trail; and

(iii) describe actions carried out to periodically evaluate and manage the appropriate levels of use and location of the Trail to minimize environmental impacts and prevent damage to cultural resources from the use of the Trail.

(3) MONITORING AND EVALUATION.—

(A) ANNUAL ASSESSMENT.—The Secretary shall annually assess the effects of the use of off-highway vehicles on the Trail and, in consultation with the Nevada Division of Wildlife, assess the effects of the Trail on wildlife and wildlife habitat to minimize environmental impacts and prevent damage to cultural resources from the use of the Trail.

(B) CLOSURE.—The Secretary, in consultation with the State and the County, may temporarily close or permanently reroute, subject to subparagraph (C), a portion of the Trail if the Secretary determines that—

(i) the Trail is having an adverse impact on—

(I) natural resources; or

(II) cultural resources;

(ii) the Trail threatens public safety;

(iii) closure of the Trail is necessary to repair damage to the Trail; or

(iv) closure of the Trail is necessary to repair resource damage.

(C) REROUTING.—Portions of the Trail that are temporarily closed may be permanently rerouted along existing roads and trails on public lands currently open to motorized use if the Secretary determines that such rerouting will not significantly increase or decrease the length of the Trail.

(D) NOTICE.—The Secretary shall provide information to the public regarding any routes on the Trail that are closed under subparagraph (B), including by providing appropriate signage along the Trail.

(4) NOTICE OF OPEN ROUTES.—The Secretary shall ensure that visitors to the Trail have access to adequate notice regarding the routes on the Trail that are open through use of appropriate signage along the Trail and through the distribution of maps, safety education materials, and other information considered appropriate by the Secretary.

(d) NO EFFECT ON NON-FEDERAL LAND AND INTERESTS IN LAND.—Nothing in this section shall be construed to affect ownership, management, or other rights related to non-Federal land or interests in land.

(e) MAP ON FILE.—The Map shall be kept on file at the appropriate offices of the Secretary.

Subtitle E—Open Space Parks

SEC. 161. OPEN SPACE PARK CONVEYANCE TO LINCOLN COUNTY, NEVADA.

(a) CONVEYANCE.—Notwithstanding sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1171, 1712), not later than 1 year after lands are identified by the County, the Secretary shall convey to the County, subject to valid existing rights, for no consideration, all right title, and interest of the United States in and to the parcels of land described in subsection (b).

(b) DESCRIPTION OF LAND.—Up to 15,000 acres of Bureau of Land Management-managed public land in Lincoln County identified by the county in consultation with the Bureau of Land Management.

(c) COSTS.—Any costs relating to any conveyance under subsection (a), including costs for surveys and other administrative costs, shall be paid by the County, or in accordance with section 113(c)(2) of this title.

(d) USE OF LAND.—

(1) IN GENERAL.—Any parcel of land conveyed to the County under subsection (a) shall be used only for—

(A) the conservation of natural resources; or

(B) public parks.

(2) FACILITIES.—Any facility on a parcel of land conveyed under subsection (a) shall be constructed and managed in a manner consistent with the uses described in paragraph (1).

(e) REVERSION.—If a parcel of land conveyed under subsection (a) is used in a manner that is inconsistent with the uses specified in subsection (d), the parcel of land shall, at the discretion of the Secretary, revert to the United States.

SEC. 162. OPEN SPACE PARK CONVEYANCE TO THE STATE OF NEVADA.

(a) CONVEYANCE.—Notwithstanding section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712), the Secretary shall convey to the State of Nevada, subject to valid existing rights, for no consideration, all right, title, and interest of the United States in and to the parcels of land described in subsection (b), if there is a written agreement between the State and Lincoln County, Nevada, supporting such a conveyance.

(b) DESCRIPTION OF LAND.—The parcels of land referred to in subsection (a) are the parcels of land depicted as ''NV St. Park Expansion Proposal'' on the map entitled ''Lincoln County Conservation, Recreation, and Development Act Map'' and dated October 1, 2004.

(c) COSTS.—Any costs relating to any conveyance under subsection (a), including costs for surveys and other administrative costs, shall be paid by the State.

(d) USE OF LAND.—

(1) IN GENERAL.—Any parcel of land conveyed to the State under subsection (a) shall be used only for—

(A) the conservation of natural resources; or

(B) public parks.

(2) FACILITIES.—Any facility on a parcel of land conveyed under subsection (a) shall be constructed and managed in a manner consistent with the uses described in paragraph (1).

(e) REVERSION.—If a parcel of land conveyed under subsection (a) is used in a manner that is inconsistent with the uses specified in subsection (d), the parcel of land shall, at the discretion of the Secretary, revert to the United States.

Subtitle F—Jurisdiction Transfer

SEC. 171. TRANSFER OF ADMINISTRATIVE JURISDICTION BETWEEN THE FISH AND WILDLIFE SERVICE AND THE BUREAU OF LAND MANAGEMENT.

(a) IN GENERAL.—Administrative jurisdiction over the land described in subsection (b) is transferred from the United States Bureau of Land Management to the United States Fish and Wildlife Service for inclusion in the Desert National Wildlife Range and the administrative jurisdiction over the land described in subsection (c) is transferred from the United States Fish and Wildlife Service to the United States Bureau of Land Management.

(b) DESCRIPTION OF LAND.—The parcel of land referred to in subsection (a) is the approximately 8,503 acres of land administered by the United States Bureau of Land Management as generally depicted on the map entitled ''Lincoln County Conservation, Recreation, and Development Act Map'' and identified as ''Lands to be transferred to the Fish and Wildlife Service'' and dated October 1, 2004.

(c) DESCRIPTION OF LAND.—The parcel of land referred to in subsection (a) is the approximately 8,382 acres of land administered by the United States Fish and Wildlife Service as generally depicted on the map entitled ''Lincoln County Conservation, Recreation, and Development Act Map'' and identified as ''Lands to be transferred to the Bureau of Land Management'' and dated October 1, 2004.

(d) AVAILABILITY.—Each map and legal description shall be on file and available for public inspection in (as appropriate)—

(1) the Office of the Director of the Bureau of Land Management;

(2) the Office of the Nevada State Director of the Bureau of Land Management;

(3) the Ely Field Station of the Bureau of Land Management;

(4) the Caliente Field Office of the Bureau of Land Management;

(5) the Office of the Director of the United States Fish and Wildlife Service; and

(6) the Office of the Desert National Wildlife Complex.

TITLE II—OJITO WILDERNESS

SEC. 201. SHORT TITLE.

This title may be cited as the ''Ojito Wilderness Act''.

SEC. 202. DEFINITIONS.

In this title:

(1) PUEBLO.—The term ''Pueblo'' means the Pueblo of Zia.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) STATE.—The term ''State'' means the State of New Mexico.

(4) MAP.—The term ''map'' means the map entitled ''Ojito Wilderness Act'' and dated October 1, 2004.

(5) WILDERNESS.—The term ''Wilderness'' means the Ojito Wilderness designated under section 3(a).

SEC. 203. DESIGNATION OF THE OJITO WILDERNESS.

(a) IN GENERAL.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), there is hereby designated as wilderness, and, therefore, as a component of the National Wilderness Preservation System, certain land in the Albuquerque District-Bureau of Land Management, New Mexico, which comprise approximately 11,183 acres, as generally depicted on the map, and which shall be known as the ''Ojito Wilderness''.

(b) MAP AND LEGAL DESCRIPTION.—The map and a legal description of the Wilderness shall—

(1) be filed by the Secretary with the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives as soon as practicable after the date of the enactment of this Act;

(2) have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in the legal description and map; and

(3) be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(c) MANAGEMENT OF WILDERNESS.—Subject to valid existing rights, the Wilderness shall be managed by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this title, except that, with respect to the Wilderness, any reference in the Wilderness Act to the effective date of the Wilderness Act shall be deemed to be a reference to the date of the enactment of this Act.

(d) MANAGEMENT OF NEWLY ACQUIRED LAND.—If acquired by the United States, the following land shall become part of the Wilderness and shall be managed in accordance with this title and other laws applicable to the Wilderness:

(1) Section 12 of township 15 north, range 01 west, New Mexico Principal Meridian.

(2) Any land within the boundaries of the Wilderness.

(e) MANAGEMENT OF LANDS TO BE ADDED.—The lands generally depicted on the map as ''Lands to be Added'' shall become part of the Wilderness if the United States acquires, or alternative adequate access is available to section 12 of township 15 north, range 01 west.

(f) RELEASE.—The Congress hereby finds and directs that the lands generally depicted on the map as ''Lands to be Released'' have been adequately studied for wilderness designation pursuant to section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782) and no longer are subject to the requirement of section 603(c) of such Act (16 U.S.C. 1782(c)) pertaining to the management of wilderness study areas in a manner that does not impair the suitability of such areas for preservation as wilderness.

(g) GRAZING.—Grazing of livestock in the Wilderness, where established before the date of the enactment of this Act, shall be administered in accordance with the provisions of section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)) and the guidelines set forth in Appendix A of the Report of the Committee on Interior and Insular Affairs to accompany H.R. 2570 of the One Hundred First Congress (H. Rept. 101–405).

(h) FISH AND WILDLIFE.—As provided in section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this section shall be construed as affecting the jurisdiction or responsibilities of the State with respect to fish and wildlife in the State.

(i) WATER.—Nothing in this section shall affect any existing valid water right.

(j) WITHDRAWAL.—Subject to valid existing rights, the Wilderness, the lands to be added under subsection (e), and lands authorized to be acquired by the Pueblo as generally depicted on the map are withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(k) EXCHANGE.—Not later than 3 years after the date of the enactment of this Act, the Secretary shall seek to complete an exchange for State land within the boundaries of the Wilderness.

SEC. 204. LAND HELD IN TRUST.

(a) IN GENERAL.—Subject to valid existing rights and the conditions under subsection (d), all right, title, and interest of the United States in and to the lands (including improvements, appurtenances, and mineral rights to the lands) generally depicted on the map as ''BLM Lands Authorized to be Acquired by the Pueblo of Zia'' shall, on receipt of consideration under subsection (c) and adoption and approval of regulations under subsection (d), be declared by the Secretary to be held in trust by the United States for the Pueblo and shall be part of the Pueblo's Reservation.

(b) DESCRIPTION OF LANDS.—The boundary of the lands authorized by this section for acquisition by the Pueblo where generally depicted on the map as immediately adjacent to CR906, CR923, and Cucho Arroyo Road shall be 100 feet from the center line of the road.

(c) CONSIDERATION.—

(1) IN GENERAL.—In consideration for the conveyance authorized under subsection (a), the Pueblo shall pay to the Secretary the amount that is equal to the fair market value of the land conveyed, as subject to the terms and conditions in subsection (d), as determined by an independent appraisal.

(2) APPRAISAL.—To determine the fair market value, the Secretary shall conduct an appraisal paid for by the Pueblo that is performed in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(3) AVAILABILITY.—Any amounts paid under paragraph (1) shall be available to the Secretary, without further appropriation and until expended, for the acquisition from willing sellers of land or interests in land in the State.

(d) PUBLIC ACCESS.—

(1) IN GENERAL.—Subject to paragraph (2), the declaration of trust and conveyance under subsection (a) shall be subject to the continuing right of the public to access the land for recreational, scenic, scientific, educational, paleontological, and conservation uses, subject to any regulations for land management and the preservation, protection, and enjoyment of the natural characteristics of the land that are adopted by the Pueblo and approved by the Secretary; Provided that the Secretary shall ensure that the rights provided for in this paragraph are protected and that a process for resolving any complaints by an aggrieved party is established.

(2) CONDITIONS.—Except as provided in subsection (f)—

(A) IN GENERAL.—The land conveyed under subsection (a) shall be maintained as open space, and the natural characteristics of the land shall be preserved in perpetuity.

(B) PROHIBITED USES.—The use of motorized vehicles (except on existing roads or as is necessary for the maintenance and repair of facilities used in connection with grazing operations), mineral extraction, housing, gaming, and other commercial enterprises shall be prohibited within the boundaries of the land conveyed under subsection (a).

(e) RIGHTS OF WAY.—

(1) EXISTING RIGHTS OF WAY.—Nothing in this section shall affect—

(A) any validly issued right-of-way, or the renewal thereof; or

(B) the access for customary construction, operation, maintenance, repair, and replacement activities in any right-of-way issued, granted, or permitted by the Secretary.

(2) NEW RIGHTS OF WAY AND RENEWALS.—

(A) IN GENERAL.—The Pueblo shall grant any reasonable requests for rights-of-way for utilities and pipelines over land acquired under subsection (a) that is designated as the Rights-of-Way corridor #1 as established in the Rio Puerco Resource Management Plan in effect on the date of the grant.

(B) ADMINISTRATION.—Any right-of-way issued or renewed after the date of the enactment of this Act over land authorized to be conveyed by this section shall be administered in accordance with the rules, regulations, and fee payment schedules of the Department of the Interior, including the Rio Puerco Resources Management Plan in effect on the date of issuance or renewal of the right-of-way.

(f) JUDICIAL RELIEF.—

(1) IN GENERAL.—To enforce subsection (d), any person may bring a civil action in the United States District Court for the District of New Mexico seeking declaratory or injunctive relief.

(2) SOVEREIGN IMMUNITY.—The Pueblo shall not assert sovereign immunity as a defense or bar to a civil action brought under paragraph (1).

(3) EFFECT.—Nothing in this section—

(A) authorizes a civil action against the Pueblo for money damages, costs, or attorneys fees; or

(B) except as provided in paragraph (2), abrogates the sovereign immunity of the Pueblo.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4593, the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 4593 was introduced by myself and would designate over 700,000 acres of wilderness and release over 200,000 acres of land currently being managed as wilderness study areas. It would create a 260-mile off-highway vehicle trail; establish roughly 450 miles of utility corridors within Lincoln County for the purposes of designating rights of way for the Southern Nevada Water Authority and Lincoln County Water District. It would privatize not more than 90,000 acres of public land deemed disposable by the Bureau of Land Management within the county, while conveying not more than 15,000 acres of public land to the State and county for use as parks and open space.

It is important to note that this proposal enjoys the support of the entire Nevada congressional delegation and is the product of exhaustive public participation, which is vital in a comprehensive bill such as this.

This bill was subsequently amended by the Committee on Resources, where one additional title was added. As amended, title II would designate the 11,000 Ojito Wilderness Study Area in Sandoval County, New Mexico, as wilderness and take certain Federal land into trust for the Pueblo of Zia for the purposes of consolidating its land holdings and to protect religious and cultural sites in the area.

Mr. Speaker, it is supported by the majority and minority of the committee. I urge adoption of the bill.

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

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

Mr. Speaker, H.R. 4593, as it is being brought to the floor today, is a diverse bill affecting land and resources in Nevada and New Mexico.

First and foremost, I want to take this opportunity to commend my colleague the gentleman from New Mexico (Mr. UDALL) for his work on title II of this legislation, which designates the Ojito Wilderness in New Mexico. Title II is the text of H.R. 3176, introduced by the gentleman from New Mexico (Mr. UDALL) and favorably reported from the Committee on Resources.

The language of title II is a model of the legislative process. The gentleman from New Mexico (Mr. UDALL) has developed a bipartisan proposal that has significant local, State and national support, and we strongly support this aspect of H.R. 4593.

Title I of H.R. 4593 is the Lincoln County, Nevada, lands bill. This is a complex and far-reaching piece of legislation that includes utility corridors and rights of way, land sales and conveyances, also wilderness, ORV trails, land exchanges and water. There are still a number of issues and concerns with this title, but we are pleased that at least the two wilderness areas that were previously dropped have been added back in.

Mr. Speaker, H.R. 4593, as amended, is a compromise, and as such, we have no objection to its consideration by the House today.

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

Mr. GIBBONS. Mr. Speaker, I yield as much time as he shall consume to the gentleman from Nevada (Mr. PORTER), my good friend and colleague from district three.

Mr. PORTER. Mr. Speaker, I rise today to speak in support of H.R. 4593, the Lincoln County Conservation, Recreation, and Development Act of 2004. I appreciate the opportunity to speak in favor of this valuable legislation, and I am proud to be an original cosponsor.

I would also like to thank my colleague, the gentleman from Nevada (Mr. GIBBONS), for introducing this legislation in the House, as well as Senator ENSIGN and Senator REID for introducing companion legislation in the Senate. H.R. 4593 represents an important compromise and enjoys strong bipartisan support from the entire Nevada congressional delegation.

The area I represent in Congress is one of the fastest growing areas in the Nation. The growth of Clark County has been significant, and it is a tribute to the leadership of our elected and administrative officials, the hard work and dedication of local developers and the economic success of the Las Vegas region.

We have worked hard in the State of Nevada to ensure the organized, strategic and orchestrated growth of our community while still maintaining and preserving many of Nevada's environmental treasures and our resources. This growth, while impressive, has created and placed new and increased pressures on our existing precious resources, such as infrastructure, education and water. In my 20 years in public office, I have seized opportunities to better manage this growth and the responsibilities and liabilities it brings.

I see the Lincoln County Conservation, Recreation and Development Act as legislation that can benefit southern Nevada, Lincoln County and the full State of Nevada as our economy and population continue to grow, specifically with the development of additional water resources.

At a time when Clark County continues to lead the Nation in growth with thousands of new residents each month, Nevada has access to the smallest water allocation of the seven States using the Colorado River. By 2002, our population had increased to 1.6 million people, most of whom reside in the Las Vegas Valley, and water use had far surpassed our 300,000-acre-foot allocation from the Colorado River. As a result, we must remain committed to maximizing the use of available Colorado River water while at the same time making use of existing in-State resources.

As drought continues in the West and our State continues to grow, the development of the in-State water resources grows increasingly important. This legislation will help with the proposed development of our in-State resources intended to diversify our water supply and supplement Nevada's water entitlement from the Colorado River. The Lincoln County Conservation, Recreation and Development Act will help to expedite a solution to southern Nevada's current water situation without

compromising public involvement and environmental compliance.

Mr. Speaker, for the past decade, Colorado River water and conservation have been the most cost-effective options to meet demands in southern Nevada. However, as we plan for the future, the continued development of additional water resources has become necessary.

Development of in-State water resources will provide southern Nevada with a long-term, reliable water supply to meet the increased demands of a growing population and ensure supply during times of drought. Accessing these resources requires significant investment, and H.R. 4593 is an important step forward in achieving these goals.

I would like to urge my colleagues in the House to support this important bipartisan legislation and join me in voting for H.R. 4593.

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

Mr. GIBBONS. Mr. Speaker, I also have no additional requests for time, would urge adoption of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the bill, H.R. 4593, as amended.

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

A motion to reconsider was laid on the table.

□ 1445

AUTHORIZING SECRETARY OF THE INTERIOR TO PARTICIPATE IN BROWNSVILLE PUBLIC UTILITY BOARD WATER RECYCLING AND DESALINIZATION PROJECT

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2960) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Brownsville Public Utility Board water recycling and desalinization project.

The Clerk read as follows:

H.R. 2960

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

SECTION 1. BROWNSVILLE PUBLIC UTILITY BOARD WATER RECYCLING AND DESALINIZATION PROJECT.

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

"SEC. 163___. BROWNSVILLE PUBLIC UTILITY BOARD WATER RECYCLING AND DESALINIZATION PROJECT.

''(a) IN GENERAL.—The Secretary, in cooperation with the Brownsville Public Utility Board, may participate in the design, planning, and construction of facilities to reclaim, reuse, and treat impaired waters in the Brownsville, Texas, area.

''(b) COST SHARING.—The Federal share of the cost of the project described in subsection (a) shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—Funds provided by the Secretary shall not be used for operation and maintenance of the project described in subsection (a).''.

(b) CONFORMING AMENDMENT.—The table of sections in section 2 of Public Law 102–575 is amended by inserting after the last item relating title XVI the following:

''Sec. 163__. Brownsville Public Utility Board water recycling and desalinization project.''.

The SPEAKER pro tempore (Mr. PETRI). Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2960, the bill now under consideration.

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

There was no objection.

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

H.R. 2960, authored by the gentleman from Texas (Mr. ORTIZ), amends the Bureau of Reclamation's Title XVI Program to authorize the Secretary of the Interior, in cooperation with the Brownsville Public Utility Board, to participate in the design, planning, and construction of facilities to reclaim, reuse, and treat impaired waters in the Brownsville, Texas, area. The Federal cost-share for the project will not exceed 25 percent of the total projected cost.

This bill will help ensure delivery of high-quality drinking water for the residents of the Brownsville area. By developing nontraditional water supplies, the community is reducing stress on the over-utilized Rio Grande while providing safe and dependable water supplies for future generations, and I therefore urge adoption of this bill.

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

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

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

Mrs. CHRISTENSEN. Mr. Speaker, I want to begin by commending my friend and colleague on the Committee on Resources, the gentleman from Texas (Mr. ORTIZ), for introducing this bill and for working hard to secure its passage.

The community leaders in the Brownsville, Texas, area also deserve recognition for the decision to use water desalinization and water recycling as tools to stabilize their water supplies and reduce the impact of drought. We strongly support this legislation.

Mr. ORTIZ. Mr. Speaker, I rise in support of H.R. 2960, a bill I introduced that will amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Brownsville Public Utility Board water recycling and desalinization project.

I would like to thank Chairman POMBO, Ranking Member RAHALL, as well as Water and Power Subcommittee Chairman CALVERT and Ranking Member NAPOLITANO, for their valuable support on this legislation.

This bill was considered in the House Resources Committee and was passed with no dissent. It will essentially allow the Brownsville PUB to participate in water recycling and desalinization project funding authorized by the Secretary of the Interior.

This bill, H.R. 2960, makes the Brownsville Public Utilities Board (PUB) eligible for a Federal share of Title 16 funding for design, planning, and construction of facilities to reclaim, reuse, and treat impaired waters in the Brownsville area.

PUB's water supply plan has several components including: reclaiming brackish groundwater (not obligated under the Mexican water treaty) through desalinization, and building a pipeline to transport treated sewage for irrigation. This is an important bill for Brownsville and the PUB because it will make them eligible for grants to do the essential work of reclaiming waters that are currently unusable in the South Texas area.

Given our current water situation, and the ongoing water debt with Mexico, Brownsville and the Rio Grande Valley must use all our creativity to find new sources of water for the next century to attend to all the needs of future water users. South Texas has seen an amazing amount of growth, a dynamic we expect to continue for decades to come. The more varied, and more creative, we are in finding new water sources, the more successful we will be in attracting new industry to sustain the growth of our Valley economy.

I ask my colleagues to support this bill.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the bill, H.R. 2960.

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

A motion to reconsider was laid on the table.

PROVO RIVER PROJECT TRANSFER ACT

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3391) to authorize the Secretary of the Interior to convey certain lands and facilities of the Provo River Project, as amended.

The Clerk read as follows:

H.R. 3391

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Provo River Project Transfer Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) AGREEMENT.—The term ''Agreement'' means the contract numbered 04–WC–40–8950 and entitled ''Agreement Among the United States, the Provo River Water Users Association, and the Metropolitan Water District of Salt Lake & Sandy to Transfer Title to Certain Lands and Facilities of the Provo River Project'' and shall include maps of the land and features to be conveyed under the Agreement.

(2) ASSOCIATION.—The term ''Association'' means the Provo River Water Users Association, a nonprofit corporation organized under the laws of the State.

(3) DISTRICT.—The term ''District'' means the Metropolitan Water District of Salt Lake & Sandy, a political subdivision of the State.

(4) PLEASANT GROVE PROPERTY.—

(A) IN GENERAL.—The term ''Pleasant Grove Property'' means the 3.79-acre parcel of land acquired by the United States for the Provo River Project, Deer Creek Division, located at approximately 285 West 1100 North, Pleasant Grove, Utah, as in existence on the date of enactment of this Act.

(B) INCLUSIONS.—The term ''Pleasant Grove Property'' includes the office building and shop complex constructed by the Association on the parcel of land described in subparagraph (A).

(5) PROVO RESERVOIR CANAL.—The term ''Provo Reservoir Canal'' means the canal, and any associated land, rights-of-way, and facilities acquired, constructed, or improved by the United States as part of the Provo River Project, Deer Creek Division, extending from, and including, the Murdock Diversion Dam at the mouth of Provo Canyon, Utah, to and including the Provo Reservoir Canal Siphon and Penstock, as in existence on the date of enactment of this Act.

(6) SALT LAKE AQUEDUCT.—The term ''Salt Lake Aqueduct'' means the aqueduct and associated land, rights-of-way, and facilities acquired, constructed or improved by the United States as part of the Provo River Project, Aqueduct Division, extending from, and including, the Salt Lake Aqueduct Intake at the base of Deer Creek Dam to and including the Terminal Reservoirs located at 3300 South St. and Interstate Route 215 in Salt Lake City, Utah, as in existence on the date of enactment of this Act.

(7) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior or a designee of the Secretary.

(8) STATE.—The term ''State'' means the State of Utah.

SEC. 3. CONVEYANCE OF LAND AND FACILITIES.

(a) CONVEYANCES TO ASSOCIATION.—

(1) PROVO RESERVOIR CANAL.—

(A) IN GENERAL.—In accordance with the terms and conditions of the Agreement and subject to subparagraph (B), the Secretary shall convey to the Association, all right, title, and interest of the United States in and to the Provo Reservoir Canal.

(B) CONDITION.—The conveyance under subparagraph (A) shall not be completed until the Secretary executes the Agreement and accepts future arrangements entered into by the Association, the District, the Central Utah Water Conservancy District, and the Jordan Valley Water Conservancy District providing for the operation, ownership, financing, and improvement of the Provo Reservoir Canal.

(2) PLEASANT GROVE PROPERTY.—In accordance with the terms and conditions of the Agreement, the Secretary shall convey to the Association, all right, title, and interest of the United States in and to the Pleasant Grove Property.

(b) CONVEYANCE TO DISTRICT.—

(1) IN GENERAL.—In accordance with the terms and conditions of the Agreement, and subject to the execution of the Agreement by the Secretary the Secretary shall convey to the District, all right, title, and interest of the United States in and to Salt Lake Aqueduct.

(2) EASEMENTS.—

(A) IN GENERAL.—As part of the conveyance under paragraph (1), the Secretary shall grant to the District permanent easements to—

(i) the National Forest System land on which the Salt Lake Aqueduct is located; and

(ii) land of the Aqueduct Division of the Provo River Project that intersects the parcel of non-Federal land authorized to be conveyed to the United States under section 104(a) of Public Law 107–329 (116 Stat. 2816).

(B) PURPOSE.—The easements conveyed under subparagraph (A) shall be for the use, operation, maintenance, repair, improvement, or replacement of the Salt Lake Aqueduct by the District.

(C) LIMITATION.—The United States shall not carry out any activity on the land subject to the easements conveyed under subparagraph (A) that would materially interfere with the use, operation, maintenance, repair, improvement, or replacement of the Salt Lake Aqueduct by the District.

(D) BOUNDARIES.—The boundaries of the easements conveyed under subparagraph (A) shall be determined by the Secretary, in consultation with the District and the Secretary of Agriculture.

(E) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(i) IN GENERAL.—On conveyance of the easement to the land described in subparagraph (A)(ii), the Secretary, subject to the easement, shall transfer to the Secretary of Agriculture administrative jurisdiction over the land.

(ii) ADMINISTRATIVE SITE.—The land transferred under clause (i) shall be administered by the Secretary of Agriculture as an administrative site.

(F) ADMINISTRATION.—The easements conveyed under subparagraph (A) shall be administered by the Secretary of Agriculture in accordance with section 501(b)(3) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761(b)(3)).

(c) CONSIDERATION.—

(1) ASSOCIATION.—

(A) IN GENERAL.—In exchange for the conveyance under subsection (a)(1), the Association shall pay the Secretary an amount that is equal to the sum of—

(i) the net present value of any remaining debt obligation of the United States with respect to the Provo Reservoir Canal; and

(ii) the net present value of any revenues from the Provo Reservoir Canal that, based on past history—

(I) would be available to the United States but for the conveyance of the Provo Reservoir Canal under subsection (a)(1); and

(II) would be deposited in the reclamation fund established under the first section of the Act of June 17, 1902 (43 U.S.C. 391), and credited under the terms of Reclamation Manual/Directives and Standards PEC 03–01.

(B) DEDUCTION.—In determining the net present values under clauses (i) and (ii) of subparagraph (A), the Association may deduct from the net present value such sums as are required for the reimbursement described in the Agreement.

(2) DISTRICT.—

(A) IN GENERAL.—In exchange for the conveyance under subsection (b)(1), the District shall pay the Secretary an amount that is equal to the sum of—

(i) the net present value of any remaining debt obligation of the United States with respect to the Salt Lake Aqueduct; and

(ii) the net present value of any revenues from the Salt Lake Aqueduct that, based on past history—

(I) would have been available to the United States but for the conveyance of the Salt Lake Aqueduct under subsection (b)(1); and

(II) would be deposited in the reclamation fund established under the first section of the Act of June 17, 1902 (43 U.S.C. 391), and credited under the terms of Reclamation Manual/Directives and Standards PEC 03–01.

(B) DEDUCTION.—In determining the net present values under clauses (i) and (ii) of subparagraph (A), the District may deduct from the net present value such sums as are required for the reimbursement described in the Agreement.

(d) PAYMENT OF COSTS.—In addition to amounts paid to the Secretary under subsection (c), the Association and the District shall, in accordance with the Agreement, pay the Secretary—

(1) any necessary and reasonable administrative and real estate transfer costs incurred by the Secretary in carrying out the conveyance; and

(2) ½ of any necessary and reasonable costs associated with complying with—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(C)(i) the National Historic Preservation Act (16 U.S.C. 470 et seq.); and

(ii) any other Federal cultural resource laws.

(e) COMPLIANCE WITH ENVIRONMENTAL LAWS.—

(1) IN GENERAL.—Before conveying land and facilities under subsections (a) and (b), the Secretary shall comply with all applicable requirements under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(C) any other law applicable to the land and facilities.

(2) EFFECT.—Nothing in this Act modifies or alters any obligations under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 4. EXISTING CONTRACTS.

(a) DEER CREEK DIVISION CONSTRUCTION CONTRACT.—Notwithstanding the conveyances under subsections (a) and (b)(1) of section 3, and subject to the terms of the Agreement any portion of the Deer Creek Division, Provo River Project, Utah, that is not conveyed under that section shall continue to be operated and maintained by the Association, in accordance with the contract numbered I1r–874, dated June 27, 1936, and entitled the ''Contract Between the United States and Provo River Water Users Association Providing for the Construction of the Deer Creek Division of the Provo River Project, Utah''.

(b) PROVO RIVER PROJECT AND JORDAN AQUEDUCT SYSTEM CONTRACTS.—Subject to the terms of the Agreement, any written contract of the United States in existence on the date of enactment of this Act relating to the operation and maintenance of any division or facility of the Provo River Project or the Jordan Aqueduct System is confirmed and declared to be a valid contract of the

United States that is enforceable in accordance with the express terms of the contract.

(c) USE OF CENTRAL UTAH PROJECT WATER.—

(1) IN GENERAL.—Subject to paragraph (2), any entity with contractual Provo Reservoir Canal or Salt Lake Aqueduct capacity rights in existence on the date of enactment of this Act may, in addition to the uses described in the existing contracts, use the capacity rights, without additional charge or further approval from the Secretary, to transport Central Utah Project water on behalf of the entity or others.

(2) LIMITATIONS.—An entity shall not use the capacity rights to transport Central Utah Project water under paragraph (1) unless—

(A) the transport of the water is expressly authorized by the Central Utah Water Conservancy District;

(B) the use of the water facility to transport the Central Utah Project water is expressly authorized by the entity responsible for operation and maintenance of the facility; and

(C) carrying Central Utah Project water through Provo River Project facilities would not—

(i) materially impair the ability of the Central Utah Water Conservancy District or the Secretary to meet existing express environmental commitments for the Bonneville Unit; or

(ii) require the release of additional Central Utah Project water to meet those environmental commitments.

(d) AUTHORIZED MODIFICATIONS.—The Agreement may provide for—

(1) the modification of the 1936 Repayment Contract for the Deer Creek Division of the Provo River Project to reflect the partial prepayment, the adjustment of the annual repayment amount, and the transfer of the Provo Reservoir Canal and the Pleasant Grove Property; and

(2) the modification or termination of the 1938 Repayment Contract for the Aqueduct Division of the Provo River Project to reflect the complete payout and transfer of all facilities of the Aqueduct Divsion.

(e) EFFECT OF ACT.—Nothing in this Act impairs any contract (including subscription contracts) in effect on the date of enactment of this Act that allows for or creates a right to convey water through the Provo Reservoir Canal.

SEC. 5. EFFECT OF CONVEYANCE.

On conveyance of any land or facility under subsection (a) or (b)(1) of section 3—

(1) the land and facilities shall no longer be part of a Federal reclamation project;

(2) the Association and the District shall not be entitled to receive any future reclamation benefits with respect to the land and facilities, except for benefits that would be available to other nonreclamation facilities; and

(3) the United States shall not be liable for damages arising out of any act, omission, or occurrence relating to the land and facilities, but shall continue to be liable for damages caused by acts of negligence committed by the United States or by any employee or agent of the United States before the date of conveyance, consistent with chapter 171 of title 28, United States Code.

SEC. 6. REPORT.

If a conveyance required under subsection (a) or (b)(1) of section 3 is not completed by the date that is 18 months after the date of enactment of this Act, the Secretary shall submit to Congress a report that—

(1) describes the status of the conveyance;

(2) describes any obstacles to completing the conveyance; and

(3) specifies an anticipated date for completion of the conveyance.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 3391, as amended, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 3391, authored the gentleman from Utah (Mr. CANNON), authorizes the Secretary of the Interior to convey title to certain lands and facilities of the Provo River Project in the State of Utah. These facilities are operated and maintained by the Provo River Water Users Association and the Metropolitan Water District of Salt Lake and Sandy under contracts with the Bureau of Reclamation.

The bill, as amended, is the result of diverse stakeholders working cooperatively to pursue solutions to multiple concerns. Reclamation, the association, Metro, the Central Utah Water Conservancy District, Jordan Valley Water Conservancy District, and the Canal Company have created this legislation to address human safety and seismic concerns, and to have the ability to obtain low-interest financing for the rehabilitation cost.

Today, Congress has the opportunity to make this collaborative effort come true for the water users of central Utah; and so, Mr. Speaker, I urge adoption of this bill.

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

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

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

Mrs. CHRISTENSEN. Mr. Speaker, the majority has explained the pending measure. We, on this side of the aisle, have no objection to its consideration.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the bill, H.R. 3391, as amended.

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

A motion to reconsider was laid on the table.

AUTHORIZING SECRETARY OF THE INTERIOR FOR CONSTRUCTION OF LOWER SANTA MARGARITA CONJUNCTIVE USE PROJECT

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4389) to authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, California, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4389

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

SECTION 1. DEFINITIONS.

For the purposes of this section, the following definitions apply:

(1) DISTRICT.—The term ''District'' means the Fallbrook Public Utility District, San Diego County, California.

(2) PROJECT.—The term ''Project'' means the impoundment, recharge, treatment, and other facilities the construction, operation, and maintenance of which is authorized under subsection (b).

SEC. 2. AUTHORIZATION FOR CONSTRUCTION OF LOWER SANTA MARGARITA CONJUNCTIVE USE PROJECT.

(a) AUTHORIZATION.—The Secretary, acting pursuant to the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388), and Acts amendatory thereof or supplementary thereto, as far as those laws are not inconsistent with the provisions of this Act, is authorized to construct, operate, and maintain to make the yield of the Lower Santa Margarita Conjunctive Use Project to be located below the confluence of De Luz Creek with the Santa Margarita River on Camp Joseph H. Pendleton, the Fallbrook Annex of the Naval Weapons Station, and surrounding lands within the service area of the District available for irrigation, municipal, domestic, military, and other uses for the District and such other users as herein provided.

(b) CONDITIONS.—The Secretary of the Interior may construct the Project only after the Secretary of the Interior determines that the following conditions have occurred:

(1) The District has entered into a contract under section 9(d) of the Reclamation Project Act of 1939 to repay to the United States appropriate portions, as determined by the Secretary, of the actual costs of constructing, operating, and maintaining the Project, together with interest as hereinafter provided.

(2) The officer or agency of the State of California authorized by law to grant permits for the appropriation of water has granted such permits to the Bureau of Reclamation for the benefit of the Department of the Navy and the District as permitees for rights to the use of water for storage and diversion as provided in this Act, including approval of all requisite changes in points of diversion and storage, and purposes and places of use.

(3) The District has agreed that it will not assert against the United States any prior appropriative right the District may have to water in excess of the quantity deliverable to it under this Act, and will share in the use of the waters impounded by the Project on the basis of equal priority and in accordance with the ratio prescribed in section 4(b). This

agreement and waiver and the changes in points of diversion and storage under paragraph (2), shall become effective and binding only when the Project has been completed and put into operation.

(4) The Secretary of the Interior has determined that the Project has economic, environmental, and engineering feasibility.

SEC. 3. COSTS.

The Department of the Navy shall not be responsible for any costs in connection with the Project, except upon completion and then shall be charged in reasonable proportion to its use of the Project under regulations agreed upon by the Secretary of the Navy and Secretary of the Interior.

SEC. 4. OPERATION; YIELD ALLOTMENT; DELIVERY.

(a) OPERATION.—The operation of the Project may be by the Secretary of the Interior or otherwise as agreed upon by the Secretaries of the Interior and the Navy and the District, under regulations satisfactory to the Secretary of the Navy with respect to the Navy's share of the impounded water and national security.

(b) YIELD ALLOTMENT.—Except as otherwise agreed between the parties, the Department of the Navy and the District shall participate in the water impounded by the Project on the basis of equal priority and in accordance with the following ratio:

(1) 60 percent of the Project's yield is allotted to the Secretary of the Navy.

(2) 40 percent of the Project's yield is allotted to the District.

(c) CONTRACTS FOR DELIVERY OF WATER.—

(1) IN GENERAL.—If the Secretary of the Navy certifies that the Department of the Navy does not have immediate need for any portion of the 60 percent yield allotted under subsection (b), the official agreed upon to administer the Project may enter into temporary contracts for the delivery of the excess water.

(2) FIRST RIGHT FOR EXCESS WATER.—The first right of the Secretary of the Navy to demand that water without charge and without obligation on the part of the United States after 30 days notice shall be included as a condition of contracts entered into under this subsection. The first right to water available under paragraph (1) shall be given the District, if otherwise consistent with the laws of the State of California.

(3) DISPOSITION OF FUNDS.—Moneys paid to the United States under a contract under this subsection shall be covered into the general Treasury or to the Secretary of the Navy, as services in lieu of payment for operation and maintenance of the Project, and shall not be applied against the indebtedness of the District to the United States.

(4) MODIFICATION OF RIGHTS AND OBLIGATIONS RELATED TO WATER YIELD.—The rights and obligations of the United States and the District regarding the ratio or amounts of Project yield delivered may be modified by an agreement between the parties.

SEC. 5. REPAYMENT OBLIGATION OF THE DISTRICT.

(a) IN GENERAL.—The general repayment obligation of the District shall be determined by the Secretary of the Interior consistent with the Water Supply Act of 1958; provided, however, that for the purposes of calculating interest and determining the time when the District's repayment obligation to the United States commences, the pumping and treatment of groundwater from the Project shall be deemed equivalent to the first use of water from a water storage project.

(b) MODIFICATION OF RIGHTS AND OBLIGATION BY AGREEMENT.—The rights and obligations of the United States and the District regarding the repayment obligation of the District may be modified by an agreement between the parties.

SEC. 6. TRANSFER OF CARE, OPERATION, AND MAINTENANCE.

The Secretary may transfer to the District, or a mutually agreed upon third party, the care, operation, and maintenance of the Project under conditions satisfactory to that Secretary and the District, and with respect to the portion of the Project that is located within the boundaries of Camp Pendleton, satisfactory also to the Secretary of the Navy. If such a transfer takes place, the District shall be entitled to an equitable credit for the costs associated with the Secretary's proportionate share of the operation and maintenance of the Project. The amount of such costs shall be applied against the indebtedness of the District to the United States.

SEC. 7. SCOPE OF ACT.

For the purpose of this Act, the basis, measure, and limit of all rights of the United States pertaining to the use of water shall be the laws of the State of California. That nothing in this Act shall be construed—

(1) as a grant or a relinquishment by the United States of any rights to the use of water that it acquired according to the laws of the State of California, either as a result of its acquisition of the lands comprising Camp Joseph H. Pendleton and adjoining naval installations, and the rights to the use of water as a part of that acquisition, or through actual use or prescription or both since the date of that acquisition, if any;

(2) to create any legal obligation to store any water in the Project, to the use of which the United States has such rights;

(3) to constitute a recognition of, or an admission that, the District has any rights to the use of water in the Santa Margarita River, which rights, if any, exist only by virtue of the laws of the State of California; or

(4) to require the division under this Act of water to which the United States has such rights.

SEC. 8. LIMITATIONS ON OPERATION AND ADMINISTRATION.

Unless otherwise agreed by the Secretary of the Navy, the Project—

(1) shall be operated in a manner which allows the free passage of all of the water to the use of which the United States is entitled according to the laws of the State of California either as a result of its acquisition of the lands comprising Camp Joseph H. Pendleton and adjoining naval installations, and the rights to the use of water as a part of those acquisitions, or through actual use or prescription, or both, since the date of that acquisition, if any; and

(2) shall not be administered or operated in any way which will impair or deplete the quantities of water the use of which the United States would be entitled under the laws of the State of California had the Project not been built.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the following:

(1) $60,000,000 (the current estimated construction cost of the Project, plus or minus such amounts as may be indicated by the engineering cost indices for this type of construction); and

(2) such sums as may be required to operate and maintain the said project.

SEC. 10. REPORTS TO CONGRESS.

Not later than 1 year after the date of the enactment of this Act and periodically thereafter, the Secretary of the Interior and the Secretary of the Navy shall each report to the Congress regarding if the conditions specified in section 2(b) have been met and if so, the details of how they were met.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4389, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 4389, introduced by our colleague, the gentleman from California (Mr. ISSA), authorizes the construction of a groundwater recharge and pumping project in the lower Santa Margarita River Basin in Southern California. If constructed, the project could provide much-needed water to the local water utility district and to the Camp Pendleton Marine Base for its military needs.

Supporters believe this project, in conjunction with ongoing water conservation measures, will augment the local water district's water supply, will relieve additional demands on the future for costly and limited imported water supplies, and sets aside and preserves valuable environmental habitats.

This project is an excellent example of a local agency working to secure safe and dependable water supplies for future generations, and I urge the adoption of the bill.

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

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

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

Mrs. CHRISTENSEN. Mr. Speaker, the majority has explained the pending measure. I see the sponsor of the legislation is preparing to speak on it. We on this side have no objection to its consideration.

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

Mr. GIBBONS. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. ISSA), Congressman to the 49th District of California and a valued member of the Committee on Energy and Commerce.

Mr. ISSA. Mr. Speaker, I thank the gentleman for his comments and for yielding me this time.

Mr. Speaker, I rise today in support of H.R. 4389, which I introduced in June of 2004. I want to take this opportunity to thank the chairman of the Committee on Resources, the subcommittee chairman, the ranking member on the

Subcommittee on Water and Power, and all the staff who have worked so hard to bring this important piece of legislation to the floor in an expeditious fashion.

H.R. 4389 authorizes the construction of a conjunctive use water project on the Santa Margarita River in Fallbrook, California. The project will treat water drawn from the Santa Margarita River and offer a reliable water source to the Camp Pendleton Marines and the surrounding communities. Over 60,000 military and civilian personnel work aboard that base each day. It is home to the 1st Marine Expeditionary Force, 1st Marine Division, 1st Force Service Support Group and many other tenants, more than half of whom have been serving in Iraq as we speak.

Securing a reliable source of drinking water has been an ongoing challenge for this base. In fact, this piece of legislation is really a piece of legislation begun by my predecessor, Mr. Ron Packard, who today continues to oversee the completion of this project. It is truly his legacy we are passing on today.

San Diego County has relatively few natural resources for fresh drinking water and has forced the import of 90 percent of the water it consumes annually. This project is vital for the future of San Diego County because it provides over 15,000 acre feet of drinking water that will not have to be imported from the already overtaxed Colorado River or the Bay-Delta.

Additionally, this bill will provide the first connection to Southern California's imported drinking water supply from the San Diego aqueduct. This will supply quality safe drinking water for Camp Pendleton, and the construction of this project will dramatically improve the quality of life for Marines, their families, and to this important military installation.

Mr. Speaker, I urge support and passage of H.R. 4389.

Mr. ISSA. Mr. Speaker, I rise today in support of H.R. 4389, which I introduced on June 23, 2004. I want to take this opportunity to thank the Chairman of the Resources Committee, the Subcommittee Chairman on Water and Power and all the staff involved for reporting this bill favorably to the floor in an expeditious manner.

H.R. 4389 authorizes the construction of a conjunctive use water project on the Santa Margarita River in Fallbrook, CA. This project will treat water drawn from the Santa Margarita River and offer a reliable water supply for Marine Corps Base, Camp Pendleton and the surrounding communities. Over 60,000 military and civilian personnel work aboard the base everyday. It is the home of 1st Marine Expeditionary Force, 1st Marine Division, 1st Force Service Support Group and many tenant units. Securing a reliable source of quality drinking water has been an ongoing challenge for the base.

San Diego County has relatively few natural sources to draw drinking water from and it is forced to import over 90 percent of all the water consumed annually. This project is vital to the future of San Diego County because it will provide 15,000 acre feet of drinking water; we will not need to import from the Colorado River or the Bay Delta. Additionally, this bill will provide a connection for the first time to Southern California's imported water supply via the San Diego Aqueduct.

The water quality for Camp Pendleton will dramatically improve with the construction of this project, and the quality of life of Marines and their families at this important military installation will be enhanced.

I want to thank the Chairman for the opportunity to speak on H.R. 4389, and I urge my colleagues to vote in favor of this bill.

Ms. BERKLEY. Mr. Speaker, I rise today in support of the Lincoln County Conservation, Recreation, and Development Act of 2004. I would like to thank Mr. GIBBONS, Mr. PORTER, Mr. RAHALL, Mr. POMBO, and the members of the Resources Committee for their diligent work on this bipartisan legislation that is important to all Nevadans.

The Lincoln County Conservation, Recreation, and Development Act is the result of the cooperation and support of the entire Nevada delegation. This carefully crafted piece of legislation strikes a delicate balance between encouraging economic development in Lincoln County, protecting Nevada's environment, and managing essential natural resources.

The Federal Government controls over 98 percent of the land in Lincoln County. Allowing for the private development of a portion of this land would provide for an increase in economic growth in Lincoln County. Property taxes collected would be reinvested to maintain critical government services and improve infrastructure and recreational opportunities within the County. Proceeds from land sales will also be reinvested to preserve and manage parks, trails, and natural resources, and pay for development of a multi-species conservation plan.

This comprehensive legislation will aid in the preservation of our natural resources and public lands in Lincoln County. Nearly 770,000 acres of land will be designated as wilderness, and thousands of acres in Lincoln County will be protected to create more parks and trails for future generations. I am extremely pleased that the Mount Irish, Big Rocks and Mormon Mountain areas were included as wilderness designations in the final version of this vital legislation. These sites are rich in archeological artifacts and wilderness designation provides the necessary protection for these treasures.

I recognize the importance of ensuring that environmentally sensitive lands are protected. Under this legislation the Bureau of Land Management will complete a full environmental impact statement pursuant to the National Environmental Policy Act (NEPA). Another provision provides the Secretary of the Interior the authority to set aside 10,000 acres of the land to be auctioned for potential cultural and natural resource issues that may arise.

This sensible piece of legislation will provide an economic boost to the communities of Lincoln County and protect and promote Nevada's unique natural areas while providing exciting opportunities to sustain future growth in our great State.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the bill, H.R. 4389, as amended.

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

A motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN LAND HELD IN TRUST FOR THE PAIUTE INDIAN TRIBE OF UTAH TO THE CITY OF RICHFIELD, UT

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3982) to direct the Secretary of the Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah, and for other purposes.

The Clerk read as follows:

H.R. 3982

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

SECTION 1. LAND CONVEYANCE TO CITY.

(a) AUTHORIZATION FOR CONVEYANCE.—Not later than 90 days after the Secretary receives a request from the Tribe and the City to convey all right, title, and interest of the United States and the Tribe in and to the Property to the City, the Secretary shall take the Property out of trust status and convey the Property to the City.

(b) TERMS AND CONDITIONS.—The conveyance under subsection (a) shall be subject to the following conditions:

(1) TRIBAL RESOLUTION.—Prior to conveying the Property under subsection (a), the Secretary shall ensure that the terms of the sale have been approved by a tribal resolution of the Tribe.

(2) CONSIDERATION.—Consideration given by the City for the Property shall be not less than the appraised fair market value of the Property.

(3) NO FEDERAL COST.—The City shall pay all costs related to the conveyance authorized under this section.

(c) PROCEEDS OF SALE.—The proceeds from the conveyance of the Property under this section shall be given immediately to the Tribe.

(d) FAILURE TO MAKE CONVEYANCE.—If after the Secretary takes the Property out of trust status pursuant to subsection (a) the City or the Tribe elect not to carry out the conveyance under that subsection, the Secretary shall take the Property back into trust for the benefit of the Tribe.

SEC. 2. TRIBAL RESERVATION.

Land acquired by the United States in trust for the Tribe after February 17, 1984, shall be part of the Tribe's reservation.

SEC. 3. TRUST LAND FOR SHIVWITS OR KANOSH BANDS.

If requested to do so by a tribal resolution of the Tribe, the Secretary shall take land held in trust by the United States for the benefit of the Tribe out of such trust status and take that land into trust for the Shivwits or Kanosh Bands of the Paiute Indian Tribe of Utah, as so requested by the Tribe.

SEC. 4. CEDAR BAND OF PAIUTES TECHNICAL CORRECTION.

The Paiute Indian Tribe of Utah Restoration Act (25 U.S.C. 761) is amended by striking ''Cedar City'' each place it appears and

inserting ''Cedar''. Any reference in a law, map, regulation, document, paper, or other record of the United States to the ''Cedar City Band of Paiute Indians'' shall be deemed to be a reference to the ''Cedar Band of Paiute Indians''.

SEC. 5. DEFINITIONS.

For the purposes of this Act:

(1) CITY.—The term ''City'' means the City of Richfield, Utah.

(2) PROPERTY.—The term ''Property'' means the parcel of land held by the United States in trust for the Paiute Indian Tribe of Utah located in Section 2, Township 24 South, Range 3 West, Salt Lake Base and Meridian, Sevier County, Utah and more particularly described as follows: Beginning at a point on the East line of the Highway which is West 0.50 chains, more or less, and South 8° 21° West, 491.6 feet from the Northeast Corner of the Southwest Quarter of Section 2, Township 24 South, Range 3 West, Salt Lake Base and Meridian, and running thence South 81° 39° East, perpendicular to the highway, 528.0 feet; thence South 26° 31° West, 354.6 feet; thence North 63° 29° West, 439.3 feet to said highway; thence North 8° 21° East, along Easterly line of said highway 200.0 feet to the point of beginning, containing 3.0 acres more or less.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(4) TRIBE.—The term ''Tribe'' means the Paiute Indian Tribe of Utah.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3982, the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 3982 is sponsored by the gentleman from Utah (Mr. CANNON). The legislation authorizes the Secretary of the Interior to take a 3-acre parcel of land owned by the Paiute Indian Tribe out of trust so the tribe can sell it to the City of Richfield, Utah. The land would be sold only on a willing-seller basis for fair market value and would be used by the city to expand its municipal airport.

H.R. 3982 also authorizes the Secretary to transfer three parcels of trust land to two of the Tribe's constituent bands. The parcels, each of which is one acre or less, will remain in trust for the benefit of the individual bands.

Finally, H.R. 3982 changes the name of the Cedar City Band of Paiute Indians of Utah to the Cedar Band of Paiute Indians of Utah. The tribe and all local entities support this bill, and I urge its adoption.

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

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

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

Mrs. CHRISTENSEN. Mr. Speaker, as congressional action is required for land and trusts to be sold, and the Paiute Indian Tribe has contacted us for assistance, we are very supportive of authorizing the Secretary to convey these lands for the tribe.

We support the tribe's sovereign decision to sell these lands and wish them the best in further economic development. We urge our colleagues to support H.R. 3982.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the bill, H.R. 3982.

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

A motion to reconsider was laid on the table.

□ 1500

ALASKA NATIVE ALLOTMENT SUBDIVISION ACT

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1421) to authorize the subdivision and dedication of restricted land owned by Alaska Natives.

The Clerk read as follows:

S. 1421

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Alaska Native Allotment Subdivision Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) RESTRICTED LAND.—The term ''restricted land'' means land in the State that is subject to Federal restrictions against alienation and taxation.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) STATE.—The term ''State'' means the State of Alaska.

SEC. 3. SUBDIVISION AND DEDICATION OF ALASKA NATIVE RESTRICTED LAND.

(a) IN GENERAL.—An Alaska Native owner of restricted land may, subject to the approval of the Secretary—

(1) subdivide the restricted land in accordance with the laws of the—

(A) State; or

(B) applicable local platting authority; and

(2) execute a certificate of ownership and dedication with respect to the restricted land subdivided under paragraph (1) with the same effect under State law as if the restricted land subdivided and dedicated were held by unrestricted fee simple title.

(b) RATIFICATION OF PRIOR SUBDIVISIONS AND DEDICATIONS.—Any subdivision or dedication of restricted land executed before the date of enactment of this Act that has been approved by the Secretary and by the relevant State or local platting authority, as appropriate, shall be considered to be ratified and confirmed by Congress as of the date on which the Secretary approved the subdivision or dedication.

SEC. 4. EFFECT ON STATUS OF LAND NOT DEDICATED.

Except in a case in which a specific interest in restricted land is dedicated under section 3(a)(2), nothing in this Act terminates, diminishes, or otherwise affects the continued existence and applicability of Federal restrictions against alienation and taxation on restricted land or interests in restricted land (including restricted land subdivided under section 3(a)(1)).

The SPEAKER pro tempore (Mr. PETRI). Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill now under consideration.

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

There was no objection.

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

Senate 1421 is legislation sponsored by the gentlewoman from Alaska (Senator MURKOWSKI) that will yield tremendous benefits to Alaska native owners of lands they obtained under the Native Allotment Act of 1906.

The bill resolves a problem that is confounding the State of Alaska, Alaska municipalities and the owners of native allotments. In the past few years, government attorneys have questioned whether current law authorizes the subdivision of Alaska native allotments or the placement of certain easements across them. Some allotments have already been subdivided, and the validity of these subdivisions is now in question.

This bill fixes the problem. It allows Alaska natives to subdivide their allotments and dedicate rights-of-way on them, according to State law, without losing the protections in the restricted status of such lands.

The law does not force Alaska natives to do anything with their lands. Rather, it gives them more freedom to utilize their property in an economically beneficial manner.

This is an excellent, noncontroversial bill worked out cooperatively by all affected parties. I urge the adoption of this bill.

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

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

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

Mrs. CHRISTENSEN. Mr. Speaker, the majority has explained the pending

measure. We on this side have no objection to its consideration.

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

Mr. GIBBONS. Mr. Speaker, I urge the adoption of this measure.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the Senate bill, S. 1421.

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

A motion to reconsider was laid on the table.

NOXIOUS WEED CONTROL AND ERADICATION ACT OF 2004

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 144) to require the Secretary of the Interior to establish a program to provide assistance through States to eligible weed management entities to control or eradicate harmful, non-native weeds on public and private land, as amended.

The Clerk read as follows:

S. 144

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

SECTION 1. NOXIOUS WEED CONTROL AND ERADICATION.

The Plant Protection Act (7 U.S.C. 7701 et seq.) is amended by adding at the end the following new subtitle—

"Subtitle E—Noxious Weed Control and Eradication

"SEC. 451. SHORT TITLE.

''This subtitle may be cited as the 'Noxious Weed Control and Eradication Act of 2004'.

"SEC. 452. DEFINITIONS.

''In this subtitle:

''(1) INDIAN TRIBE.—The term 'Indian Tribe' has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

''(2) WEED MANAGEMENT ENTITY.—The term 'weed management entity' means an entity that—

''(A) is recognized by the State in which it is established;

''(B) is established for the purpose of or has demonstrable expertise and significant experience in controlling or eradicating noxious weeds and increasing public knowledge and education concerning the need to control or eradicate noxious weeds;

''(C) may be multijurisdictional and multidisciplinary in nature;

''(D) may include representatives from Federal, State, local, or, where applicable, Indian Tribe governments, private organizations, individuals, and State-recognized conservation districts or State-recognized weed management districts; and

''(E) has existing authority to perform land management activities on Federal land if the proposed project or activity is on Federal lands.

''(3) FEDERAL LANDS.—The term 'Federal lands' means those lands owned and managed by the United States Forest Service or the Bureau of Land Management.

"SEC. 453. ESTABLISHMENT OF PROGRAM.

''(a) IN GENERAL.—The Secretary shall establish a program to provide financial and technical assistance to control or eradicate noxious weeds.

''(b) GRANTS.—Subject to the availability of appropriations under section 457(a), the Secretary shall make grants under section 454 to weed management entities for the control or eradication of noxious weeds.

''(c) AGREEMENTS.—Subject to the availability of appropriations under section 457(b), the Secretary shall enter into agreements under section 455 with weed management entities to provide financial and technical assistance for the control or eradication of noxious weeds.

"SEC. 454. GRANTS TO WEED MANAGEMENT ENTITIES.

''(a) CONSULTATION AND CONSENT.—In carrying out a grant under this subtitle, the weed management entity and the Secretary shall—

''(1) if the activities funded under the grant will take place on Federal land, consult with the heads of the Federal agencies having jurisdiction over the land; or

''(2) obtain the written consent of the non-Federal landowner.

''(b) GRANT CONSIDERATIONS.—In determining the amount of a grant to a weed management entity, the Secretary shall consider—

''(1) the severity or potential severity of the noxious weed problem;

''(2) the extent to which the Federal funds will be used to leverage non-Federal funds to address the noxious weed problem;

''(3) the extent to which the weed management entity has made progress in addressing the noxious weeds problem; and

''(4) other factors that the Secretary determines to be relevant.

''(c) USE OF GRANT FUNDS; COST SHARES.—

''(1) USE OF GRANTS.—A weed management entity that receives a grant under subsection (a) shall use the grant funds to carry out a project authorized by subsection (d) for the control or eradication of a noxious weed.

''(2) COST SHARES.—

''(A) FEDERAL COST SHARE.—The Federal share of the cost of carrying out an authorized project under this section exclusively on non-Federal land shall not exceed 50 percent.

''(B) FORM OF NON-FEDERAL COST SHARE.—The non-Federal share of the cost of carrying out an authorized project under this section may be provided in cash or in kind.

''(d) AUTHORIZED PROJECTS.—Projects funded by grants under this section include the following:

''(1) Education, inventories and mapping, management, monitoring, methods development, and other capacity building activities, including the payment of the cost of personnel and equipment that promote control or eradication of noxious weeds.

''(2) Other activities to control or eradicate noxious weeds or promote control or eradication of noxious weeds.

''(e) APPLICATION.—To be eligible to receive assistance under this section, a weed management entity shall prepare and submit to the Secretary an application containing such information as the Secretary shall by regulation require.

''(f) SELECTION OF PROJECTS.—Projects funded under this section shall be selected by the Secretary on a competitive basis, taking into consideration the following:

''(1) The severity of the noxious weed problem or potential problem addressed by the project.

''(2) The likelihood that the project will prevent or resolve the problem, or increase knowledge about resolving similar problems.

''(3) The extent to which the Federal funds will leverage non-Federal funds to address the noxious weed problem addressed by the project.

''(4) The extent to which the program will improve the overall capacity of the United States to address noxious weed control and management.

''(5) The extent to which the weed management entity has made progress in addressing noxious weed problems.

''(6) The extent to which the project will provide a comprehensive approach to the control or eradication of noxious weeds.

''(7) The extent to which the project will reduce the total population of noxious weeds.

''(8) The extent to which the project promotes cooperation and participation between States that have common interests in controlling and eradicating noxious weeds.

''(9) Other factors that the Secretary determines to be relevant.

''(g) REGIONAL, STATE, AND LOCAL INVOLVEMENT.—In determining which projects receive funding under this section, the Secretary shall, to the maximum extent practicable—

''(1) rely on technical and merit reviews provided by regional, State, or local weed management experts; and

''(2) give priority to projects that maximize the involvement of State, local and, where applicable, Indian Tribe governments.

''(h) SPECIAL CONSIDERATION.—The Secretary shall give special consideration to States with approved weed management entities established by Indian Tribes and may provide an additional allocation to a State to meet the particular needs and projects that the weed management entity plans to address.

"SEC. 455. AGREEMENTS.

''(a) CONSULTATION AND CONSENT.—In carrying out an agreement under this section, the Secretary shall—

''(1) if the activities funded under the agreement will take place on Federal land, consult with the heads of the Federal agencies having jurisdiction over the land; or

''(2) obtain the written consent of the non-Federal landowner.

''(b) APPLICATION OF OTHER LAWS.—The Secretary may enter into agreements under this section with weed management entities notwithstanding sections 6301 through 6309 of title 31, United States Code, and other laws relating to the procurement of goods and services for the Federal Government.

''(c) ELIGIBLE ACTIVITIES.—Activities carried out under an agreement under this section may include the following:

''(1) Education, inventories and mapping, management, monitoring, methods development, and other capacity building activities, including the payment of the cost of personnel and equipment that promote control or eradication of noxious weeds.

''(2) Other activities to control or eradicate noxious weeds.

''(d) SELECTION OF ACTIVITIES.—Activities funded under this section shall be selected by the Secretary taking into consideration the following:

''(1) The severity of the noxious weeds problem or potential problem addressed by the activities.

''(2) The likelihood that the activity will prevent or resolve the problem, or increase knowledge about resolving similar problems.

''(3) The extent to which the activity will provide a comprehensive approach to the control or eradication of noxious weeds.

''(4) The extent to which the program will improve the overall capacity of the United States to address noxious weed control and management.

''(5) The extent to which the project promotes cooperation and participation between States that have common interests in controlling and eradicating noxious weeds.

''(6) Other factors that the Secretary determines to be relevant.

''(e) REGIONAL, STATE, AND LOCAL INVOLVEMENT.—In determining which activities receive funding under this section, the Secretary shall, to the maximum extent practicable—

''(1) rely on technical and merit reviews provided by regional, State, or local weed management experts; and

''(2) give priority to activities that maximize the involvement of State, local, and, where applicable, representatives of Indian Tribe governments.

''(f) RAPID RESPONSE PROGRAM.—At the request of the Governor of a State, the Secretary may enter into a cooperative agreement with a weed management entity in that State to enable rapid response to outbreaks of noxious weeds at a stage which rapid eradication and control is possible and to ensure eradication or immediate control of the noxious weeds if—

''(1) there is a demonstrated need for the assistance;

''(2) the noxious weed is considered to be a significant threat to native fish, wildlife, or their habitats, as determined by the Secretary;

''(3) the economic impact of delaying action is considered by the Secretary to be substantial; and

''(4) the proposed response to such threat—

''(A) is technically feasible;

''(B) economically responsible; and

''(C) minimizes adverse impacts to the structure and function of an ecosystem and adverse effects on nontarget species and ecosystems.

''SEC. 456. RELATIONSHIP TO OTHER PROGRAMS.

''Funds under this Act (other than those made available for section 455(f)) are intended to supplement, not replace, assistance available to weed management entities, areas, and districts for control or eradication of noxious weeds on Federal lands and non-Federal lands. The provision of funds to a weed management entity under this Act (other than those made available for section 455(f)) shall have no effect on the amount of any payment received by a county from the Federal Government under chapter 69 of title 31, United States Code.

''SEC. 457. AUTHORIZATION OF APPROPRIATIONS.

''(a) GRANTS.—To carry out section 454, there are authorized to be appropriated to the Secretary $7,500,000 for each of fiscal years 2005 through 2009, of which not more than 5 percent of the funds made available for a fiscal year may be used by the Secretary for administrative costs.

''(b) AGREEMENTS.—To carry out section 455 of this subtitle, there are authorized to be appropriated to the Secretary $7,500,000 for each of fiscal years 2005 through 2009, of which not more than 5 percent of the funds made available for a fiscal year may be used by the Secretary for administrative costs of Federal agencies.''.

SEC. 2. TECHNICAL AMENDMENT.

The table of sections in section 1(b) of the Agricultural Risk Protection Act of 2000 is amended by inserting after the item relating to section 442 the following:

''Subtitle E—Noxious Weed Control and Eradication

''Sec. 451. Short title.
''Sec. 452. Definitions.
''Sec. 453. Establishment of program.
''Sec. 454. Grants to weed management entities.
''Sec. 455. Agreements.
''Sec. 456. Relationship to other programs.
''Sec. 457. Authorization of Appropriations.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill now under consideration.

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

There was no objection.

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

Senate 144, introduced by Senator LARRY CRAIG of Idaho and passed by the Senate on March 4, 2003, would establish a program providing assistance through States to eligible weed management entities for the control of noxious weeds on public and private land. In simple terms, S. 144 would amend the Plant Protection Act authorizing the Secretary of Agriculture to fund specific weed control or eradication projects on a competitive basis. The bill also serves to bolster the presence of weed management entities, which exist today in most western States but lack the funding for meaningful control of noxious weeds.

Weed management entities are comprised of community members and local landowners affected by this problem, as well as representatives of the State or Federal Government. Where established, they have proven to be vital in controlling noxious weeds.

Senate 144 aims to deal with the growing threat of noxious weeds in an inclusive manner, across government agencies, and on private lands. It is important to note that due to cost concerns, the authorization of appropriations has been reduced to $15 million per year rather than $100 million per year. Additionally, administrative costs of Federal agencies are limited to 5 percent, ensuring the money gets to the ground where it is needed.

The bill, as amended, is supported by the majority and minority of the Committee on Resources as well as the Committee on Agriculture.

I would like to thank Chairman GOODLATTE and the Agriculture Committee staff for their willingness to work on and approve this important piece of legislation. I urge the adoption of the bill.

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

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

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

Mrs. CHRISTENSEN. Mr. Speaker, across our Nation people are grasping for solutions to better control and mitigate the significant adverse economic and environmental costs associated with invasive plants, animals and insects. The pending measure is the final product of a dialogue initiated by Senators LARRY CRAIG and TOM DASCHLE which began 4 years ago.

Noxious weeds remain a substantial threat to western rangelands. This legislation will provide needed financial and technical support for local weed management programs, particularly in western States, including South Dakota and Idaho.

While I commend the sponsors of this bill for working so diligently on it, the gentleman from West Virginia (Mr. RAHALL), ranking member the Committee on Resources, and I also hope that in the next Congress we might move forward with more comprehensive invasive species legislation to address the ecological challenge of harmful nonnative species on a broader level.

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

Mr. GIBBONS. Mr. Speaker, I urge the adoption of the bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the Senate bill, S. 144, as amended.

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

The title of the Senate bill was amended so as to read: ''An Act to require the Secretary of Agriculture to establish a program to provide assistance to eligible weed management entities to control or eradicate noxious weeds on public and private land.''.

A motion to reconsider was laid on the table.

TRANSFERRING FEDERAL LANDS BETWEEN SECRETARY OF AGRICULTURE AND SECRETARY OF INTERIOR

Mr. GIBBONS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1814) to transfer Federal lands between the Secretary of Agriculture and the Secretary of the Interior.

The Clerk read as follows:

S. 1814

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

SECTION 1. PURPOSES AND DEFINITIONS.

(a) PURPOSES.—The purposes of this Act are—

(1) to transfer administrative jurisdiction of certain Federal lands in Missouri from the Secretary of the Interior to the Secretary of Agriculture for continued Federal operation of the Mingo Job Corps Civilian Conservation Center; and

(2) to not change the Secretary of Labor's role or authority regarding this Job Corps Center.

(b) DEFINITIONS.—For the purposes of this Act—

(1) ''Center'' means the Mingo Job Corps Civilian Conservation Center in Stoddard

County, Missouri, referenced in section 2(a) of this Act;

(2) ''eligible employee'' means a person who, as of the date of enactment of this Act, is a full-time, part-time, or intermittent annual or per hour permanent Federal Government employee of the Fish and Wildlife Service at the Mingo Job Corps Civilian Conservation Center, including the two fully funded Washington Office Job Corps support staff;

(3) ''Environmental Authorities'' mean all applicable Federal, State and local laws (including regulations) and requirements related to protection of human health, natural resources, or the environment, including but not limited to: the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. 9601, et seq.); the Solid Waste Disposal Act (42 U.S.C. 6901, et seq.); the Federal Water Pollution Control Act (33 U.S.C. 1251, et seq.); the Clean Air Act (42 U.S.C. 7401, et seq.); the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136, et seq.); the Toxic Substances Control Act (15 U.S.C. 2601, et seq.); the Safe Drinking Water Act (42 U.S.C. 300f, et seq.); and the National Environmental Policy Act of 1969 (42 U.S.C. 4321, et seq.);

(4) ''U.S. Fish and Wildlife Service'' means the United States Fish and Wildlife Service as referenced at title 16, United States Code, section 742b(b);

(5) ''Forest Service'' means the Department of Agriculture Forest Service as established by the Secretary of Agriculture pursuant to the authority of title 16, United States Code, section 551;

(6) ''Job Corps'' means the national Job Corps program established within the Department of Labor, as set forth in the Workforce Investment Act of 1998, Public Law No. 105–220, §§141–161, 112 Stat. 1006–1021 (1998) (codified at 29 U.S.C. 2881–2901);

(7) ''National Forest System'' means that term as defined at title 16, United States Code, section 1609(a); and

(8) ''National Wildlife Refuge System'' means that term as defined at title 16, United States Code, section 668dd.

SEC. 2. TRANSFER OF ADMINISTRATION.

(a) TRANSFER OF CENTER.—Administrative jurisdiction over the Mingo Job Corps Civilian Conservation Center, comprising approximately 87 acres in Stoddard County, Missouri, as generally depicted on a map entitled ''Mingo National Wildlife Refuge'', dated September 17, 2002, to be precisely identified in accordance with subsection (c) of this section, is hereby transferred, without consideration, from the Secretary of the Interior to the Secretary of Agriculture.

(b) MAPS AND LEGAL DESCRIPTIONS.—

(1) The map referenced in this section shall be on file and available for public inspection in the Office of the Chief, Forest Service, Washington, DC, and in the office of the Chief of Realty, U.S. Fish and Wildlife Service, Arlington, Virginia.

(2) Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior, in consultation with the Secretary of Agriculture, shall file a legal description and map of all of the lands comprising the Center and being transferred by section 2(a) of this Act with the Committee on Resources of the United States House of Representatives and the Committee on Environment and Public Works of the United States Senate, and such description and map shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may make typographical corrections as necessary.

(c) APPLICABLE LAWS.—

(1) Subject to section 3, the Center transferred pursuant to subsection (a) shall be administered by the Secretary of Agriculture and shall be subject to the laws and regulations applicable to the National Forest System.

(2) This transfer shall not conflict or interfere with any laws and regulations applicable to Job Corps.

SEC. 3. IMPLEMENTATION OF TRANSFER.

(a) REVERSION REQUIREMENT.—

(1) In the event that the Center is no longer used or administered for Job Corps purposes, as concurred to by the Secretary of Labor, the Secretary of Agriculture shall so notify the Secretary of the Interior, and the Secretary of the Interior shall have 180 days from the date of such notice to exercise discretion to reassume jurisdiction over such lands.

(2) The reversionary provisions of subsection (a) shall be effected, without further action by the Congress, through a Letter of Transfer executed by the Chief, Forest Service, and the Director, United States Fish and Wildlife Service, and with notice thereof published in the Federal Register within 60 days of the date of the Letter of Transfer.

(b) AUTHORIZATIONS.—

(1) IN GENERAL.—A permit or other authorization granted by the U.S. Fish and Wildlife Service on the Center that is in effect on the date of enactment of this Act will continue with the concurrence of the Forest Service.

(2) REISSUANCE.—A permit or authorization described in paragraph (1) may be reissued or terminated under terms and conditions prescribed by the Forest Service.

(3) EXERCISE OF RIGHTS.—The Forest Service may exercise any of the rights of the U.S. Fish and Wildlife Service contained in any permit or other authorization, including any right to amend, modify, and revoke the permit or authorization.

(c) CONTRACTS.—

(1) EXISTING CONTRACTS.—The Forest Service is authorized to undertake all rights and obligations of the U.S. Fish and Wildlife Service under contracts entered into by the U.S. Fish and Wildlife Service on the Center that is in effect on the date of enactment of this Act.

(2) NOTICE OF NOVATION.—The Forest Service shall promptly notify all contractors that it is assuming the obligations of the U.S. Fish and Wildlife Service under such contracts.

(3) DISPUTES.—Any contract disputes under the Contracts Disputes Act (41 U.S.C. 601, et seq.) regarding the administration of the Center and arising prior to the date of enactment of this Act shall be the responsibility of the U.S. Fish and Wildlife Service.

(d) MEMORANDUM OF AGREEMENT.—

(1) IN GENERAL.—The Chief, Forest Service, and the Director, U.S. Fish and Wildlife Service, are authorized to enter into a memorandum of agreement concerning implementation of this Act, including procedures for—

(A) the orderly transfer of employees of the U.S. Fish and Wildlife Service to the Forest Service;

(B) the transfer of property, fixtures, and facilities;

(C) the transfer of records;

(D) the maintenance and use of roads and trails; and

(E) other transfer issues.

(e) AGREEMENTS WITH THE SECRETARY OF LABOR.—In the operation of the Center, the Forest Service will undertake the rights and obligations of the U.S. Fish and Wildlife Service with respect to existing agreements with the Secretary of Labor pursuant to Public Law 105–220 (29 U.S.C. 2887, et seq.), and the Forest Service will be the responsible agency for any subsequent agreements or amendments to existing agreements.

(f) RECORDS.—

(1) AREA MANAGEMENT RECORDS.—The Forest Service shall have access to all records of the U.S. Fish and Wildlife Service pertaining to the management of the Center.

(2) PERSONNEL RECORDS.—The personnel records of eligible employees transferred pursuant to this Act, including the Official Personnel Folder, Employee Performance File, and other related files, shall be transferred to the Forest Service.

(3) LAND TITLE RECORDS.—The U.S. Fish and Wildlife Service shall provide to the Forest Service records pertaining to land titles, surveys, and other records pertaining to transferred real property and facilities.

(g) TRANSFER OF PERSONAL PROPERTY.—

(1) IN GENERAL.—All federally owned personal property present at the Center is hereby transferred without consideration to the jurisdiction of the Forest Service, except that with regard to personal property acquired by the Fish and Wildlife Service using funds provided by the Department of Labor under the Job Corps program, the Forest Service shall dispose of any such property in accordance with the procedures stated in section 7(e) of the 1989 Interagency Agreement for Administration of Job Corps Civilian Conservation Center Program, as amended, between the Department of Labor and the Department of the Interior.

(2) INVENTORY.—Not later than 60 days after the date of enactment of this Act, the U.S. Fish and Wildlife Service shall provide the Forest Service with an inventory of all property and facilities at the Center.

(3) PROPERTY INCLUDED.—Property under this subsection includes, but is not limited to, buildings, office furniture and supplies, computers, office equipment, vehicles, tools, equipment, maintenance supplies, and publications.

(4) EXCLUSION OF PROPERTY.—At the request of the authorized representative of the U.S. Fish and Wildlife Service, the Forest Service may exclude movable property from transfer based on a showing by the U.S. Fish and Wildlife Service that the property is needed for the mission of the U.S. Fish and Wildlife Service, cannot be replaced in a cost-effective manner, and is not needed for management of the Center.

SEC. 4. COMPLIANCE WITH ENVIRONMENTAL AUTHORITIES.

(a) DOCUMENTATION OF EXISTING CONDITIONS.—

(1) IN GENERAL.—Within 60 days after the date of enactment of this Act, the U.S. Fish and Wildlife Service shall provide the Forest Service and the Office of Job Corps, Employment and Training Administration, Department of Labor, all reasonably ascertainable documentation and information that exists on the environmental condition of the land comprising the Center.

(2) ADDITIONAL DOCUMENTATION.—The U.S. Fish and Wildlife Service shall provide the Forest Service and the Office of Job Corps, Employment and Training Administration, Department of Labor, with any additional documentation and information regarding the environmental condition of the Center as such documentation and information becomes available.

(b) ACTIONS REQUIRED.—

(1) ASSESSMENT.—Within 120 days after the date of enactment of this Act, the U.S. Fish and Wildlife Service shall provide the Forest Service and the Office of Job Corps, Employment and Training Administration, Department of Labor, an assessment, consistent with ASTM Standard E1527, indicating what action, if any, is required on the Center under any Environmental Authorities.

(2) MEMORANDUM OF AGREEMENT.—If the findings of the environmental assessment indicate that action is required under applicable Environmental Authorities with respect to any portion of the Center, the Forest Service and the U.S. Fish and Wildlife Service shall enter into a memorandum of agreement that—

(A) provides for the performance by the U.S. Fish and Wildlife Service of the required actions identified in the environmental assessment; and

(B) includes a schedule for the timely completion of the required actions to be taken as agreed to by U.S. Fish and Wildlife Service and Forest Service.

(c) DOCUMENTATION OF ACTIONS.—After a mutually agreeable amount of time following completion of the environmental assessment, but not exceeding 180 days from such completion, the U.S. Fish and Wildlife Service shall provide the Forest Service and the Office of Job Corps, Employment and Training Administration, Department of Labor, with documentation demonstrating that all actions required under applicable Environmental Authorities have been taken that are necessary to protect human health and the environment with respect to any hazardous substance, pollutant, contaminant, hazardous waste, hazardous material, or petroleum product or derivative of a petroleum product on the Center.

(d) CONTINUATION OF RESPONSIBILITIES AND LIABILITIES.—

(1) IN GENERAL.—The transfer of the Center and the requirements of this section shall not in any way affect the responsibilities and liabilities of the U.S. Fish and Wildlife Service at the Center under any applicable Environmental Authorities.

(2) ACCESS.—At all times after the date of enactment of this Act, the U.S. Fish and Wildlife Service and its agents shall be accorded any access to the Center that may be reasonably required to carry out the responsibility or satisfy the liability referred to in paragraph (1).

(3) NO LIABILITY.—The Forest Service shall not be liable under any applicable Environmental Authorities for matters that are related directly or indirectly to activities of the U.S. Fish and Wildlife Service or the Department of Labor on the Center occurring on or before the date of enactment of this Act, including liability for—

(A) costs or performance of response actions required under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601, et seq.) at or related to the Center; or

(B) costs, penalties, fines, or performance of actions related to noncompliance with applicable Environmental Authorities at or related to the Center or related to the presence, release, or threat of release of any hazardous substance, pollutant, or contaminant, hazardous waste, hazardous material, or petroleum product or derivative of a petroleum product of any kind at or related to the Center, including contamination resulting from migration.

(4) NO EFFECT ON RESPONSIBILITIES OR LIABILITIES.—Except as provided in paragraph (3), nothing in this title affects, modifies, amends, repeals, alters, limits or otherwise changes, directly or indirectly, the responsibilities or liabilities under applicable Environmental Authorities with respect to the Forest Service after the date of enactment of this Act.

(e) OTHER FEDERAL AGENCIES.—Subject to the other provisions of this section, a Federal agency that carried or carries out operations at the Center resulting in the violation of an environmental authority shall be responsible for all costs associated with corrective actions and subsequent remediation.

SEC. 5. PERSONNEL.

(a) IN GENERAL.—

(1) EMPLOYMENT.—Notwithstanding section 3503 of title 5, United States Code, the Forest Service will accept the transfer of eligible employees at their current pay and grade levels to administer the Center as of the date of enactment of this Act.

(b) TRANSFER-APPOINTMENT IN THE FOREST SERVICE.—Eligible employees will transfer, without a break in Federal service and without competition, from the Department of the Interior, U.S. Fish and Wildlife Service, to the Department of Agriculture, Forest Service, upon an agreed date by both agencies.

(c) EMPLOYEE BENEFIT TRANSITION.—Employees of the U.S. Fish and Wildlife Service who transfer to the Forest Service—

(1) shall retain all benefits and/or eligibility for benefits of Federal employment without interruption in coverage or reduction in coverage, including those pertaining to any retirement, Thrift Savings Plan (TSP), Federal Employee Health Benefit (FEHB), Federal Employee Group Life Insurance (FEGLI), leave, or other employee benefits;

(2) shall retain their existing status with respect to the Civil Service Retirement System (CSRS) or the Federal Employees Retirement System (FERS);

(3) shall be entitled to carry over any leave time accumulated during their Federal Government employment;

(4) shall retain their existing level of competitive employment status and tenure; and

(5) shall retain their existing GM, GS, or WG grade level and pay.

SEC. 6. IMPLEMENTATION COSTS AND APPROPRIATIONS.

(a) The U.S. Fish and Wildlife Service and the Forest Service will cover their own costs in implementing this Act.

(b) There is hereby authorized to be appropriated such sums as may be necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

GENERAL LEAVE

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill now under consideration.

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

There was no objection.

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

Mr. Speaker, Senate 1814, introduced by Senator KIT BOND of Missouri, would transfer the management of the Mingo Job Corps Civilian Conservation Center from the Department of the Interior to the Department of Agriculture. This bill was overwhelmingly adopted by the other body, and it is identical to H.R. 3433 as proposed by our distinguished colleague from Missouri (Mrs. EMERSON).

This center is located within the boundaries of the Mingo National Wildlife Refuge and it provides basic training and educational skills to hundreds of at-risk students between the ages of 16 and 24. These students can learn a variety of trades including automotive repair, bricklaying, carpentry, welding and culinary arts. In addition, they obtain critical experience, socialization skills and the confidence they will need to be successful in the workplace.

The U.S. Forest Service operates 18 Job Corps Centers throughout the United States, and they have signed a memorandum of understanding with the U.S. Fish and Wildlife Service which transfers to them responsibility for the operation of this center. This legislation is necessary because the National Wildlife Refuge Administration Act stipulates that the transfer cannot occur administratively. Both agencies strongly support this realignment.

This is a good bill. The Job Corps Center is important to the economy of southeast Missouri, and it will ensure a bright future for hundreds of young men and women. I compliment the sponsors of this measure and urge an ''aye'' vote on Senate 1814.

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

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

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

Mrs. CHRISTENSEN. Mr. Speaker, we have no objection to the consideration of this legislation. We believe it will not harm the integrity of the Mingo National Wildlife Refuge.

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

Mr. GIBBONS. Mr. Speaker, I urge the adoption of the measure.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the Senate bill, S. 1814.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. GIBBONS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

CONGRATULATING AMERICAN DENTAL ASSOCIATION FOR SPONSORING SECOND ANNUAL ''GIVE KIDS A SMILE'' PROGRAM

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 567) congratulating the American Dental Association for sponsoring the second annual ''Give Kids a Smile'' program which emphasizes the need to improve access to dental care for children, and thanking dentists for volunteering their time to help provided needed dental care.

The Clerk read as follows:

H. RES. 567

Whereas access to dental care for children is a vital element of overall health care and development;

Whereas dental caries—more commonly known as tooth decay—is the most common chronic childhood disease;

Whereas untreated tooth decay in children results in thousands of children experiencing poor eating and sleeping patterns, suffering decreased attention spans at school, and being unable to smile;

Whereas due to a confluence of factors, children eligible for Medicaid and the State Children's Health Insurance Program are three to five times more likely than other children to experience and suffer from untreated tooth decay;

Whereas dentists provide an estimated $1.7 billion annually in non-reimbursed dental care;

Whereas the participation of dentists in the second annual ''Give Kids a Smile'' program, established and sponsored by the American Dental Association and held this year on February 6, 2004, serves to remind people in the United States about the need to end untreated childhood dental disease;

Whereas the generous support of numerous corporations, such as Crest Healthy Smiles 2010, Sullivan-Schein Dental, DEXIS Digital X-ray Systems, and Ivoclar Vivadent Inc., helped make this year's ''Give Kids a Smile'' program a success; and

Whereas more than 37,000 volunteers, including more than 15,000 dentists, provided free education, screening, and care services to an estimated one million children at more than 2,500 sites in all 50 States and the District of Columbia during this year's ''Give Kids a Smile'' program: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates the American Dental Association for establishing and continuing its sponsorship of the ''Give Kids a Smile'' program;

(2) emphasizes the need to improve access to dental care for children;

(3) thanks the thousands of dentists, dental hygienists, dental assistants, and others who volunteered their time to bring a smile to the faces of an estimated one million children as part of the ''Give Kids a Smile'' program; and

(4) thanks Crest Healthy Smiles 2010, Sullivan-Schein Dental, DEXIS Digital X-ray Systems, and Ivoclar Vivadent Inc. for their generous support which helped make this year's ''Give Kids a Smile'' program a success.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

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

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

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

There was no objection.

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

I rise today in support of H. Res. 567, introduced by the distinguished gentleman from Virginia (Mr. CANTOR). The resolution congratulates the American Dental Association for establishing the ''Give Kids a Smile'' program and thanks the thousands of dentists who volunteered their time to treat an estimated 1 million children on February 21 of last year, 2003.

Giving children access to dental care is crucial. Dental decay is one of the most common chronic infectious diseases among U.S. children. This preventable health problem begins early, and among low-income children, almost 50 percent of tooth decay remains untreated and may result in pain, dysfunction, underweight and poor appearance, problems that can greatly reduce a child's capacity to succeed in the educational environment.

The ''Give Kids a Smile'' program provides a much-needed service to our community by emphasizing the need to improve access to dental care for children. The program began in 2002 by a group of dentists in the Greater St. Louis Dental Society. Since then the program has grown, and in 2004 events took place at approximately 2,500 locations across the Nation, with about 36,000 dental team volunteers, including over 14,000 dentists, to provide free services to underserved children. The ADA has been crucial in implementing and expanding this program, and they deserve to be commended for their efforts.

Mr. Speaker, I urge my colleagues to support this piece of legislation.

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

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

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

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of this resolution which congratulates the American Dental Association for sponsoring the ''Give Kids a Smile'' program.

I want to say that the participation of dentists in the second annual ''Give Kids a Smile'' program, which was established and sponsored by them, the American Dental Association, and held this year on February 6, 2004, serves as a reminder to people in the United States about the need to end untreated childhood dental disease and, in doing so, also prevent adult dental disease.

This activity was participated in by more than 37,000 volunteers, including more than 15,000 dentists who provided free education, screening and care services to an estimated 1 million children. We want to thank the American Dental Association for doing this and thank the National Dental Association for their support.

This bill was favorably reported by the Committee on Energy and Commerce last week by a voice vote.

Mr. BURTON of Indiana. Mr. Speaker, while I support the goals of the ''Give Kids a Smile'' program, and I commend the American Dental Association for establishing and continuing its sponsorship of the ''Give Kids a Smile'' program, and thank the thousands of dentists, dental hygienists, dental assistants, and others who volunteered their time to this program, I remain deeply concerned about the dental profession's continued reliance on mercury-containing dental amalgams.

The amalgam fillings the American Dental Association so wrongly calls ''silver'' are mainly mercury, not silver at all. Mercury is the single largest ingredient in each filling, representing about 45 to 50 percent of the mercury by weight, or about one-half a gram per filling. That is a colossal amount of mercury in scientific terms—as much as is in an old fashioned thermometer. For example, a young child with six amalgam fillings has the equivalent of six mercury thermometers worth of mercury in their mouth.

No one has ever identified a positive health benefit to mercury in the human body. Thus, it was sound public health policy to eliminate mercury from thermometers, blood pressure gauges, light switches, cosmetics, teething powder, horse liniment, hat-making materials, smokestack emission, and mining operations. In fact, virtually ever industry has either reduced or banned the use of mercury, with the exception of dentistry.

I have repeatedly called upon the dental establishment to ban the use of this highly toxic substance but regrettably, the dental establishment continues to hold to the scientific fiction that a material that is hazardous before it goes into the mouth, and hazardous after it comes back out of the mouth, is somehow perfectly safe while contained in the mouth, and they have repeatedly attempted to block every effort to ban mercury-amalgams.

According to the resolution, one of the underlying reasons behind the ''Give Kids a Smile'' program is that access to dental care for children is a vital element of overall health care and development. Yet, the developing neurological systems of fetuses and young children are especially susceptible to damage by even the slightest trace amounts of mercury. And an increasing body of scientific evidence points to mercury toxicity as a source of neurological problems including, but not limited to, modest declines in intelligence quotient (IQ), tremors, attention deficit disorder (ADD), attention deficit hyperactivity disorder (ADHD), Alzheimer's disease and autism.

I hope that one day soon, the American Dental Association will truly live up to the promise and intent of the ''Give Kids a Smile'' program and stop using mercury-based amalgam fillings for good.

Mr. CANTOR. Mr. Speaker, I rise today to recognize the Nation's dentists who provide free oral health care services to thousands of low-income children across the country. One day each year dentists take time out of their busy schedules and away from their practices to provide important dental care to children who do not have access to that kind of care.

I have seen first-hand the tremendous generosity of dentists and the excitement of the children when Give Kids A Smile day came to Richmond, VA. A local museum was turned into a full-service dentists' office, with children being provided much-needed dental work. The children were excited, and I think the dentists and dental hygienists got an ever bigger kick out of it.

Mr. Speaker, I am pleased that this resolution has come to the floor today, as over

40,000 members of the American Dental Association are together this week at their annual session. I know they must take pride in their generosity and knowing that they have provided so many children with access to important dental care that they otherwise would not receive. I am pleased that Give Kids A Smile day will keep kids smiling.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and agree to the resolution, H. Res. 567.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. BILIRAKIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

SOUTHERN UTE AND COLORADO INTERGOVERNMENTAL AGREEMENT IMPLEMENTATION ACT OF 2003

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 551) to provide for the implementation of air quality programs developed in accordance with an Intergovernmental Agreement between the Southern Ute Indian Tribe and the State of Colorado concerning Air Quality Control on the Southern Ute Indian Reservation, and for other purposes.

The Clerk read as follows:

S. 551

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Southern Ute and Colorado Intergovernmental Agreement Implementation Act of 2003''.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress, after review and in recognition of the purposes and uniqueness of the Intergovernmental Agreement between the Southern Ute Indian Tribe and the State of Colorado, finds that—

(1) the Intergovernmental Agreement is consistent with the special legal relationship between Federal Government and the Tribe; and

(2) air quality programs developed in accordance with the Intergovernmental Agreement and submitted by the Tribe for approval by the Administrator may be implemented in a manner that is consistent with the Clean Air Act (42 U.S.C. 7401 et seq.).

(b) PURPOSE.—The purpose of this Act is to provide for the implementation and enforcement of air quality control programs under the Clean Air Act (42 U.S.C. 7401 et seq.) and other air quality programs developed in accordance with the Intergovernmental Agreement that provide for—

(1) the regulation of air quality within the exterior boundaries of the Reservation; and

(2) the establishment of a Southern Ute Indian Tribe/State of Colorado Environmental Commission.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the Environmental Protection Agency.

(2) COMMISSION.—The term ''Commission'' means the Southern Ute Indian Tribe/State of Colorado Environmental Commission established by the State and the Tribe in accordance with the Intergovernmental Agreement.

(3) INTERGOVERNMENTAL AGREEMENT.—The term ''Intergovernmental Agreement'' means the agreement entered into by the Tribe and the State on December 13, 1999.

(4) RESERVATION.—The term ''Reservation'' means the Southern Ute Indian Reservation.

(5) STATE.—The term ''State'' means the State of Colorado.

(6) TRIBE.—The term ''Tribe'' means the Southern Ute Indian Tribe.

SEC. 4. TRIBAL AUTHORITY.

(a) AIR PROGRAM APPLICATIONS.—

(1) IN GENERAL.—The Administrator is authorized to treat the Tribe as a State for the purpose of any air program applications submitted to the Administrator by the Tribe under section 301(d) of the Clean Air Act (42 U.S.C. 7601(d)) to carry out, in a manner consistent with the Clean Air Act (42 U.S.C. 7401 et seq.), the Intergovernmental Agreement.

(2) APPLICABILITY.—If the Administrator approves an air program application of the Tribe, the approved program shall be applicable to all air resources within the exterior boundaries of the Reservation.

(b) TERMINATION.—If the Tribe or the State terminates the Intergovernmental Agreement, the Administrator shall promptly take appropriate administrative action to withdraw treatment of the Tribe as a State for the purpose described in subsection (a)(1).

SEC. 5. CIVIL ENFORCEMENT.

(a) IN GENERAL.—If any person fails to comply with a final civil order of the Tribe or the Commission made in accordance with the Clean Air Act (42 U.S.C. 7401 et seq.) or any other air quality program established under the Intergovernmental Agreement, the Tribe or the Commission, as appropriate, may bring a civil action for declaratory or injunctive relief, or for other orders in aid of enforcement, in the United States District Court for the District of Colorado.

(b) NO EFFECT ON RIGHTS OR AUTHORITY.—Nothing in this Act alters, amends, or modifies any right or authority of any person (as defined in section 302(e) of the Clean Air Act (42 U.S.C. 7601(e)) to bring a civil action under section 304 of the Clean Air Act (42 U.S.C. 7603).

SEC. 6. JUDICIAL REVIEW.

Any decision by the Commission that would be subject to appellate review if it were made by the Administrator—

(1) shall be subject to appellate review by the United States Court of Appeals for the Tenth Circuit; and

(2) may be reviewed by the Court of Appeals applying the same standard that would be applicable to a decision of the Administrator.

SEC. 7. DISCLAIMER.

Nothing in this Act—

(1) modifies any provision of—

(A) the Clean Air Act (42 U.S.C. 7401 et seq.);

(B) Public Law 98–290 (25 U.S.C. 668 note); or

(C) any lawful administrative rule promulgated in accordance with those statutes; or

(2) affects or influences in any manner any past or prospective judicial interpretation or application of those statutes by the United States, the Tribe, the State, or any Federal, tribal, or State court.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

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

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

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

There was no objection.

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

The bill we are considering today, S. 551, the Southern Ute and Colorado Intergovernmental Agreement Implementation Act of 2003, provides the congressional authorization necessary to allow the Southern Ute Indian tribe and the State of Colorado to implement an important agreement to protect air quality on the Southern Ute reservation in Colorado.

□ 1515

This Intergovernmental Agreement enjoys broad local and regional support. In addition, this bill authorizes the U.S. Environmental Protection Agency to recognize the Southern Ute Tribe as a State for purposes of administration of the Clean Air Act on the tribe's reservation and allows the tribe to enforce air quality programs within the borders of its reservation.

S. 551 also provides a process for the tribe and the Southern Ute/State of Colorado Environmental Commission, created by the Intergovernmental Agreement, to enforce their orders under an approved air quality program.

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

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

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

I rise in support of S. 551, the Southern Ute and Colorado Intergovernmental Agreement Implementation Act of 2003. This legislation is necessary to allow the Southern Ute Indian Tribe to be treated as a state for purposes of administering the Clean Air Act on the Southern Ute Indian Reservation in southwestern Colorado.

Under this bill, both Indian and non-Indian areas within the Reservation can be regulated by a single entity, a joint State/Tribal Commission, composed of three members from the tribe and three members from the State. This makes good common sense and will allow the State and the tribe to properly implement the Clean Air Act.

S. 551 will not alter anyone's duty to comply with the Act nor would it alter any rights of any citizen to bring an action to enforce the Clean Air Act. S. 551 will implement the Intergovernmental Agreement that was negotiated

between the State and the tribe. I understand that the Attorney General of Colorado, Ken Salazar, has been a key negotiator in negotiating this agreement. Without his work, it would not have happened. The State of Colorado, the tribe, and the Attorney General's Office are to be commended for this effort. I urge my colleagues to support Senate 551.

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

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the Senate bill, S. 551.

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

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 18 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1617

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BOOZMAN) at 4 o'clock and 17 minutes p.m.

CLARIFICATION OF TREATMENT OF SUPPLEMENTAL APPROPRIATIONS IN CALCULATING RATE FOR OPERATIONS FOR CONTINUING APPROPRIATIONS

Mr. YOUNG of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5202) to clarify the treatment of supplemental appropriations in calculating the rate for operations applicable for continuing appropriations for fiscal year 2005.

The Clerk read as follows:

H.R. 5202

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

SECTION 1. CLARIFICATION OF TREATMENT OF SUPPLEMENTAL APPROPRIATIONS IN CALCULATING RATE FOR OPERATIONS.

For purposes of the application of section 103 of Public Law 108–309, supplemental appropriations shall be included in the calculation of the rate for operations only in accordance with the attachments to Office of Management and Budget Bulletin No. 04–05 entitled ''Apportionment of the Continuing Resolution(s) for Fiscal Year 2005''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. YOUNG) and the gentleman from Wisconsin (Mr. OBEY) each will control 20 minutes.

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

GENERAL LEAVE

Mr. YOUNG of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5202.

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

There was no objection.

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

Mr. Speaker, the legislation before the House, H.R. 5202, is to assist the Members of the House in understanding scoring relevant to the continuing resolution that we passed last week.

As my colleagues know, the current CR expires on November 20, 2004. As I explained last week, the CR continues all ongoing activities at current rates, including supplemental funding, under the same terms and conditions as fiscal year 2004. As in past CRs, it does not allow new starts, and it restricts obligations on high initial spend-out programs. So the annualized funding levels in this bill will not impinge on our final budget deliberations.

As a courtesy to those in this body who do not understand how OMB determines the rate of operations, I have been asked to put this bill on the floor today to clarify that the term ''rate for operations'' for 2004 supplementals will be apportioned pursuant to OMB Bulletin Number 04–05.

So, in reality, this bill does not change anything. However, some believe it is needed to clarify for CBO the amount of money the executive branch intends to spend during the period of the CR.

The deficit will not change by one dime as a result of this bill. How much money the government spends will not change by one dime as a result of this bill.

CBO's and the Committee on the Budget's job under the Budget Act is to provide an estimate of bills that are being considered and then are enacted into law. Let me emphasize the word estimate, which is based on a set of assumptions made at the time. Those estimates are sometimes good, and sometimes, they are off. An example where they were off was the Medicare bill.

But thankfully, these estimates do not become the actual balance in our checkbook. That is a real number, based on the checks actually issued by the U.S. Treasury. That is the real number that drives the surplus or deficit.

CBO scoring is only relevant to keep a scorecard on how Congress is doing relative to the budget assumptions. As we all know, during the year, we often wait for a revision by CBO of its scoring to determine the level of a deficit. This revision comes when CBO marries its numbers with the reality that is driven by actual spending.

So we are doing this bill today because some feel that we need to set the record straight. I believe the record is already straight and the OMB apportionment process will dictate the actual level of spending of the CR. By the way, under OMB's apportionment process, the CR will actually save $5 billion from the level that was allocated for fiscal year 2005 discretionary spending in the budget.

This savings is going to happen with or without this bill, but I urge that we pass the bill.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,
Washington, DC, September 30, 2004.

Bulletin No. 04–05

To the Heads of Executive Departments and Establishments.

Subject: Apportionment of the Continuing Resolution(s) for Fiscal Year 2005.

1. Purpose and Background. H.J. Res. 107 (continuing resolution) will provide continuing appropriations for the period October 1 through November 20, 2004. I am providing an automatic apportionment for amounts provided by this continuing resolution (CR) as specified in section 2. This Bulletin supplements instructions for apportionment of CRs in OMB Circular No. A–11, section 123, and applies to this CR and any extensions of this CR.

2. Automatic Apportionments. Calculate the amount automatically apportioned through the period ending November 20th (and any extensions of that period) by multiplying the rate (amount) provided by the CR by the lower of: the percentage of the year covered by the CR (e.g., for H.J. Res. 107 use 13.97 percent), or the historical seasonal rate of obligations for the period of the year covered by the CR.

See Attachments A and B to this Bulletin for more detailed instructions on calculating the amount provided by the CR and the amount automatically apportioned. Sec. 111 of the CR requires that the resolution be implemented so that only the most limited funding action permitted in the CR is taken. The Administration has interpreted this section to mandate that agencies in general spend at a minimum level, so as not to infringe upon the prerogative of Congress to set full-year funding levels. Funding apportioned under the CR excludes one-time, nonrecurring projects and activities that were funded in FY 2004, which includes most projects and activities funded by FY 2004 supplemental appropriations. The only FY 2004 supplemental projects and activities that may be factored into the ''not to exceed current rate'' can be found in Attachment B.

Under an automatic apportionment, all of the footnotes and conditions placed on the prior year apportionment remain in effect.

H.J. Res. 107 expires at midnight on Saturday, November 20, 2004.

3. Written Apportionments. If a program requires an amount different from the total amount automatically apportioned, you must request a written apportionment from OMB. Once a written apportionment is approved, the terms and conditions of the automatic apportionment bulletin cease to apply.

JOSHUA B. BOLTEN,
Director.

Attachments.

ATTACHMENT A—CALCULATING THE AMOUNT MADE AVAILABLE BY THE CR AND THE AUTOMATIC APPORTIONMENT

Calculate the amount automatically apportioned (whole dollars) through the period

ending November 20, 2004, (and any extensions of that period) by multiplying the rate (amount) provided by the CR by the lower of: the percentage of the year covered by the CR (rounded to the nearest hundredth); (for a seven-week CR, use 51 days/365 days=13.97%); or the historical seasonal rate of obligations for the period of the year covered by the CR.

1. What is the rate (annualized, full-year amount) provided by the continuing resolution (CR)? The rate (full-year amount) provided by the CR for all accounts is the rate of operations not exceeding the current rate, calculated as follows:

Take the net amount enacted in FY 2004, i.e., add only the supplemental appropriations amounts listed in Attachment B of OMB Bulletin 04–05; subtract any rescissions (e.g., across-the-board reductions), and factor in transfers mandated by law;

Add the unobligated balance (including those for emergencies) carried forward to FY 2004 start-of-the-year (SOY), if any; and

Subtract the unobligated balance (including those for emergencies) at the end of FY 2004 end of year (EOY), if any.

2. Which estimates of FY 2004 (EOY) unobligated balances should agencies use in the calculation? Agencies are required to use current estimates of FY 2004 (EOY) unobligated balances. You can adjust the unobligated balances with the following conditions:

FY 2004 SOY unobligated balances: Use the amount shown on the most recent FY 2004 apportionment/reapportionment. This would be shown on line 2a (''Unobligated balance: brought forward, October 1 (actual)'') of the SF 132/letter apportionment.

FY 2004 EOY unobligated balances: Again, you must use the most recently approved apportionment. For the majority of the accounts, this should be the FY 2005 initial apportionment.

You may request OMB to apportion the revised estimates of unobligated balances, SOY FY 2005, and if apportioned by OMB, you may use the revised amounts to calculate the amount available under the CR.

3. How should mandatory appropriations and balances be treated? A continuing resolution is an appropriations bill. As such, it normally does not affect mandatory appropriations provided in substantive or authorizing legislation. Therefore, for accounts with a mix of discretionary and mandatory appropriations, take the mandatory component out before calculating the amount provided by the CR. This includes both the budget authority and unobligated balances.

4. What is the amount of the automatic apportionment under a CR? Multiple the rate (annualized, full-year amount) provided by the CR (see note 1) by:

The percentage of the year covered by the CR (rounded to the nearest hundredth);

The historical seasonal rate of obligations for the period of the year covered by the CR; or

The lower number will be the amount automatically apportioned.

5. Are entitlement and other mandatory payments whose budget authority was provided in Appropriations Acts for fiscal year 2004 continued at the FY 2004 level or FY 2005 program level?

Sec. 126 of H.J. Res. 107 allows entitlements and other mandatory payments whose BA was provided in Appropriations Acts for FY 2004 to continue at the ''rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2004, etc.'' In other words, these programs can operate at the FY 2005 level but the appropriated administrative expenses associated with these programs must be based on the FY 2004 levels.

ATTACHMENT B—FY 2004 SUPPLEMENTAL PROJECTS AND ACTIVITIES (RECURRING) TO BE INCLUDED IN DETERMINATION OF CURRENT RATE AMOUNTS PROVIDED BY THE CONTINUING RESOLUTION[1]

Agency/Account	*FY 2004 BA*
	[Millions of dollars]
Department of Energy:	
Other Defense Activities	3
Department of Homeland Security:	
U.S. Coast Guard	80
International Security Assistance:	
Economic Support Fund	672
Foreign Military Financing Program	287
Peacekeeping Operations	20
Non-Proliferation, Antiterrorism, Demining & Related Programs	35
Migration and Refugee Assistance	25
Department of Justice:	
FBI, Salaries and Expenses	15
Department of State:	
Contributions for International Peacekeeping	245
International Narcotics Control and Law Enforcement	170
United States Agency for International Development:	
International Disaster and Famine Assistance	70

[1] This list, compiled by OMB, excludes one-time, non-recurring projects and activities funded in FY 2004 Supplemental Appropriation Acts, including the FY 2004 Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan (P.L. 108–106), Title X of the FY 2005 Department of Defense Appropriations Act (P.L. 108–287), and the Emergency Supplemental Appropriations for Disaster Relief Act, 2004 (P.L. 108–303).

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

Mr. OBEY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I think, as the gentleman has so aptly indicated already, the best way that this bill can be described is to put it in the terms that the old Bowery Boys used to say in those B movies many years ago when we were both kids, when Leo Gorcey would say ''dis don't do nuthin' to nobody.'' That is exactly what this legislation does. It ''don't do nuthin' to nobody.''

It is here simply because, evidently, the folks who are on the Committee on the Budget do not, as the gentleman from Florida indicates, understand how the OMB goes about dealing with or enforcing and implementing the continuing resolutions which we pass. Somehow, it seems that the Committee on the Budget or perhaps only the chairman of the Committee on the Budget, I do not know, it seems that they feel that, without this language, OMB will go on a spending spree.

Well, the fact is that what this legislation says is that OMB cannot do something which OMB is already not planning to do. The interpretation that is always given to the continuing resolution by the Committee on Appropriations and by OMB is that the most conservative approach must be used for obligating funds under a CR. Notwithstanding that interpretation, the Committee on the Budget is having its version of a heart attack, suggesting that somehow the continuing resolution, which the gentleman brought to the floor last week, is going to result in runaway spending.

As the gentleman from Florida says, while it pretends to reign in OMB, this resolution will not result in one dime less being spent than would have been the case with the CR that passed the House last week.

I guess all I would say is that I find it interesting that 2 weeks before the end of the fiscal year, when this Congress has still not passed a single domestic appropriations bill, because the bills that were passed in this body have not been accepted by those in the other body, and at a time when we still do not have a transportation bill out of the authorizing committee, at a time when so many pieces of legislation are tied up between the House and the Senate, this House has been asked to waste a good amount of time on the budget process reform bill, which the Committee on the Budget insisted on bringing to the floor earlier in the year, which did a ''brilliant'' job of passing so-called budget reform legislation which guaranteed that Members could continue to do anything whatsoever that they wanted to do on the tax side of the ledger without having to take into account one iota what it did to the deficit. Now we are being asked to pass this meaningless piece of fluff.

It does not matter whether Members vote ''yes'' or ''no'' on this resolution. The result will be the same. So I guess if it makes the chairman of the Committee on the Budget happy, the House may as well go ahead and pass it, but do not deceive yourself into thinking that it does something for or to anybody. It does not.

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

Mr. YOUNG of Florida. Mr. Speaker, I have no requests for time. I just urge a ''yes'' vote, and I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 5202.

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

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o'clock and 26 minutes p.m.), the House stood in recess until approximately 6:30 p.m. today.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BLACKBURN) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

Senate Concurrent Resolution 76, by the yeas and nays;

S. 1814, by the yeas and nays;

House Resolution 567, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remainder of the series will be 5-minute votes.

RECOGNIZING THAT NOVEMBER 2, 2003, SHALL BE DEDICATED TO ''A TRIBUTE TO SURVIVORS'' AT THE UNITED STATES HOLOCAUST MEMORIAL MUSEUM

The SPEAKER pro tempore. The pending business is the question of suspending the rules and concurring in the Senate concurrent resolution, S. Con. Res. 76.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and concur in the Senate concurrent resolution, S. Con. Res. 76, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 331, nays 0, not voting 101, as follows:

[Roll No. 487]

YEAS—331

Abercrombie
Aderholt
Akin
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bell
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burns
Burr
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Cardin
Cardoza
Carson (IN)
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Cole
Collins
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Dooley (CA)
Doolittle
Doyle
Dreier
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Feeney
Ferguson
Filner
Flake
Foley
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green (TX)
Green (WI)
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herseth
Hinchey
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Langevin
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney
Manzullo
Markey
Marshall
Matheson
McCarthy (MO)
McCollum
McCotter
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran (KS)
Moran (VA)
Murphy
Musgrave
Napolitano
Neugebauer
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Osborne
Ose
Otter
Oxley
Pascrell
Pastor
Paul
Pearce
Pence
Peterson (MN)
Petri
Pitts
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schrock
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sherman
Sherwood
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Tancredo
Tanner
Tauscher
Taylor (MS)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Waters
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—101

Ackerman
Alexander
Becerra
Bishop (GA)
Bishop (UT)
Boehlert
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burton (IN)
Buyer
Cannon
Capuano
Carson (OK)
Conyers
Cooper
Cummings
DeMint
Dicks
Doggett
Duncan
Fattah
Forbes
Frost
Gallegly
Gephardt
Gerlach
Gilchrest
Goode
Greenwood
Grijalva
Gutierrez
Hastings (FL)
Herger
Hill
Hinojosa
Hobson
Hoeffel
Houghton
Isakson
Jackson-Lee (TX)
John
Jones (OH)
Kennedy (RI)
Kilpatrick
Lampson
Lantos
Larsen (WA)
Lipinski
Lynch
Majette
Matsui
McCarthy (NY)
McGovern
Meek (FL)
Menendez
Millender-McDonald
Mollohan
Murtha
Myrick
Nadler
Neal (MA)
Nethercutt
Nunes
Ortiz
Owens
Pallone
Payne
Pelosi
Peterson (PA)
Pickering
Portman
Rangel
Reyes
Rodriguez
Royce
Ruppersberger
Rush
Sandlin
Scott (GA)
Shadegg
Shaw
Shays
Shimkus
Smith (MI)
Smith (TX)
Sullivan
Sweeney
Tauzin
Taylor (NC)
Terry
Toomey
Towns
Turner (OH)
Vitter
Wamp
Watson
Watt
Weldon (PA)
Young (AK)

□ 1854

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

So (two-thirds having voting in favor thereof) the rules were suspended and the Senate concurrent resolution was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. HINOJOSA. Mr. Speaker, on rollcall No. 487, had I been present, I would have voted "yea."

TRANSFERRING FEDERAL LANDS BETWEEN SECRETARY OF AGRICULTURE AND SECRETARY OF INTERIOR

The SPEAKER pro tempore (Mrs. BLACKBURN). The pending business is the question of suspending the rules and passing the Senate bill, S. 1814.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. GIBBONS) that the House suspend the rules and pass the Senate bill, S. 1814, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 333, nays 0, not voting 99, as follows:

[Roll No. 488]

YEAS—333

Abercrombie
Aderholt
Akin
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballenger
Barrett (SC)
Barton (TX)
Bass
Beauprez
Bell
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burns
Burr
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Cardin
Cardoza
Carson (IN)
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Cole
Collins
Conyers
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Feeney
Ferguson
Filner
Flake
Foley
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harman
Harris

Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinchey
Hinojosa
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Langevin
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney
Manzullo
Markey
Marshall
Matheson
McCarthy (MO)
McCollum
McCotter
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meeks (NY)
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran (KS)
Murphy
Musgrave
Napolitano
Neugebauer
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Osborne
Ose
Otter
Oxley
Pascrell
Pastor
Paul
Pearce
Pence
Peterson (MN)
Petri
Pitts
Platts
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schrock
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sherman
Sherwood
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sullivan
Tanner
Tauscher
Taylor (MS)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Waters
Waxman
Weiner
Weldon (FL)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—99

Ackerman
Alexander
Bartlett (MD)
Becerra
Berman
Bishop (UT)
Boehlert
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burton (IN)
Buyer
Cannon
Capuano
Carson (OK)
Cooper
Cummings
DeMint
Dicks
Doggett
Dunn
Fattah
Forbes
Frost
Gallegly
Gephardt
Gerlach
Gilchrest
Goode
Green (TX)
Greenwood
Grijalva
Gutierrez
Hastings (FL)
Hill
Hobson
Hoeffel
Houghton
Isakson
Jackson-Lee (TX)
John
Jones (OH)
Kennedy (RI)
Kilpatrick
Lampson
Lantos
Larsen (WA)
Lipinski
Lynch
Majette
Matsui
McCarthy (NY)
McGovern
Meek (FL)
Menendez
Millender-McDonald
Mollohan
Moran (VA)
Murtha
Myrick
Nadler
Neal (MA)
Nethercutt
Nunes
Ortiz
Owens
Pallone
Payne
Pelosi
Peterson (PA)
Pickering
Portman
Reyes
Rodriguez
Ruppersberger
Rush
Sandlin
Saxton
Scott (GA)
Shadegg
Shaw
Shays
Shimkus
Smith (MI)
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Toomey
Towns
Turner (OH)
Vitter
Wamp
Watson
Watt
Weldon (PA)
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1902

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONGRATULATING AMERICAN DENTAL ASSOCIATION FOR SPONSORING SECOND ANNUAL ''GIVE KIDS A SMILE'' PROGRAM

The SPEAKER pro tempore (Mrs. BLACKBURN). The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 567.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and agree to the resolution, H. Res. 567, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yea 338, nays 0, not voting 94, as follows:

[Roll No. 489]

YEAS—338

Abercrombie
Aderholt
Akin
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bell
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burns
Burr
Butterfield
Calvert
Camp
Cantor
Capito
Capps
Cardin
Cardoza
Carson (IN)
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Cole
Collins
Conyers
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Feeney
Ferguson
Filner
Flake
Foley
Ford
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gibbons
Gillmor
Gingrey
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green (TX)
Green (WI)
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinchey
Hinojosa
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Jefferson
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Johnson (CT)
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Jones (NC)
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Keller
Kelly
Kennedy (MN)
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Kind
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Kirk
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Kline
Knollenberg
Kolbe
Kucinich
LaHood
Langevin
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Maloney
Manzullo
Markey
Marshall
Matheson
McCarthy (MO)
McCollum
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McCrery
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McHugh
McInnis
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Ose
Otter
Oxley
Pascrell
Pastor
Paul
Pearce
Pence
Peterson (MN)
Petri
Pitts
Platts
Pombo
Pomeroy
Porter
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Putnam
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Ramstad
Rangel
Regula
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Rogers (AL)
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Rothman
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Royce
Ryan (OH)
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Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
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Slaughter
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Snyder
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Souder
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Stenholm
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Waters
Waxman
Weiner
Weldon (FL)
Weller
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Wicker
Wilson (NM)
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Wolf
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Alexander
Becerra
Berman
Bishop (UT)
Boehlert
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Burton (IN)
Buyer
Cannon
Capuano
Carson (OK)
Cooper
Cummings
DeMint
Dicks
Doggett
Fattah
Forbes
Fossella
Frost
Gallegly
Gephardt
Gerlach
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Goode
Greenwood
Grijalva
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Hastings (FL)
Hill
Hobson
Hoeffel
Houghton
Isakson
Jackson-Lee (TX)
John
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Kennedy (RI)
Kilpatrick
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Owens
Pallone
Payne
Pelosi
Peterson (PA)
Pickering
Portman
Reyes
Rodriguez

Ruppersberger	Smith (MI)	Vitter
Rush	Sweeney	Wamp
Sandlin	Tauzin	Watson
Scott (GA)	Taylor (NC)	Watt
Shadegg	Terry	Weldon (PA)
Shaw	Toomey	Young (AK)
Shays	Towns	
Shimkus	Turner (OH)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 5 minutes remain in this vote.

□ 1910

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent this evening from this chamber. I would like the RECORD to show that, had I been present, I would have voted "yea" on rollcall votes 487, 488, and 489.

PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, I was regrettably delayed in my return to Washington, DC and therefore unable to be on the House Floor for rollcall votes 487, 488, and 489. Had I been here I would have voted "aye" for rollcall vote 487, and "aye" for rollcall vote 488.

In addition, I would have somewhat reluctantly voted "aye" for rollcall vote 489.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, September 30, 2004.

Hon. J. DENNIS HASTERT,
Speaker of the House,
H232 Capitol, Washington, DC.

DEAR MR. SPEAKER: Enclosed are copies of resolutions adopted on September 29, 2004 by the Committee on Transportation and Infrastructure. Copies of the resolutions are being transmitted to the Department of the Army.

Sincerely,

DON YOUNG,
Chairman.

Enclosures.

RESOLUTION—DOCKET 2734, CUYAHOGA RIVER & TRIBUTARIES, SUMMIT COUNTY, OHIO

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army, is requested to review the report on the Cuyahoga River Published in June 1975 entitled, ''Second Interim Preliminary Feasibility Report on Cuyahoga River Flood Control Study,'' other pertinent reports to determine whether modifications to the recommendations contained therein are advisable at the present time in the interest of water quality, environmental restoration and protection, recreation, flood damage reduction and other related purposes within the Cities of Hudson, Munroe Falls, and Cuyahoga Falls, as well as Silver Lake Villager in Summit County, Ohio.

RESOLUTION—DOCKET 2735, GUAYANES RIVER, YABUCOA, PUERTO RICO

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested pursuant to Section 204 of the Flood Control Act of 1970, P.L. 91–611, to survey the Guayanes River in the Yabucoa Valley, Puerto Rico, in the interest of providing improvements for urban flood damage reduction and other related purposes.

RESOLUTION—DOCKET 2736, GLEN JEAN, WEST VIRGINIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Ohio River and Tributaries, Pennsylvania, Ohio and West Virginia published as House Document No. 306, Seventy-fourth Congress, 1st Session, and other pertinent reports to determine whether modifications to the recommendations contained therein are advisable at the present time in the interest of flood damage reduction and related purposes in the community of Glen Jean, West Virginia and its vicinity.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken tomorrow.

NORTH KOREAN HUMAN RIGHTS ACT OF 2004

Mr. LEACH. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 4011) to promote human rights and freedom in the Democratic Republic of Korea, and for other purposes.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''North Korean Human Rights Act of 2004''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Findings.
Sec. 4. Purposes.
Sec. 5. Definitions.

TITLE I—PROMOTING THE HUMAN RIGHTS OF NORTH KOREANS

Sec. 101. Sense of Congress regarding negotiations with North Korea.
Sec. 102. Support for human rights and democracy programs.
Sec. 103. Radio broadcasting to North Korea.
Sec. 104. Actions to promote freedom of information.
Sec. 105. United Nations Commission on Human Rights.
Sec. 106. Establishment of regional framework.
Sec. 107. Special Envoy on Human Rights in North Korea.

TITLE II—ASSISTING NORTH KOREANS IN NEED

Sec. 201. Report on United States humanitarian assistance.
Sec. 202. Assistance provided inside North Korea.
Sec. 203. Assistance provided outside of North Korea.

TITLE III—PROTECTING NORTH KOREAN REFUGEES

Sec. 301. United States policy toward refugees and defectors.
Sec. 302. Eligibility for refugee or asylum consideration.
Sec. 303. Facilitating submission of applications for admission as a refugee.
Sec. 304. United Nations High Commissioner for Refugees.
Sec. 305. Annual reports.

SEC. 3. FINDINGS.

Congress makes the following findings:

(1) According to the Department of State, the Government of North Korea is ''a dictatorship under the absolute rule of Kim Jong Il'' that continues to commit numerous, serious human rights abuses.

(2) The Government of North Korea attempts to control all information, artistic expression, academic works, and media activity inside North Korea and strictly curtails freedom of speech and access to foreign broadcasts.

(3) The Government of North Korea subjects all its citizens to systematic, intensive political and ideological indoctrination in support of the cult of personality glorifying Kim Jong Il and the late Kim Il Sung that approaches the level of a state religion.

(4) The Government of North Korea divides its population into categories, based on perceived loyalty to the leadership, which determines access to food, employment, higher education, place of residence, medical facilities, and other resources.

(5) According to the Department of State, ''[t]he [North Korean] Penal Code is [d]raconian, stipulating capital punishment and confiscation of assets for a wide variety of 'crimes against the revolution,' including defection, attempted defection, slander of the policies of the Party or State, listening to foreign broadcasts, writing 'reactionary' letters, and possessing reactionary printed matter''.

(6) The Government of North Korea executes political prisoners, opponents of the regime, some repatriated defectors, some members of underground churches, and others, sometimes at public meetings attended by workers, students, and schoolchildren.

(7) The Government of North Korea holds an estimated 200,000 political prisoners in camps that its State Security Agency manages through the use of forced labor, beatings, torture, and executions, and in which many prisoners also die from disease, starvation, and exposure.

(8) According to eyewitness testimony provided to the United States Congress by North Korean camp survivors, camp inmates have been used as sources of slave labor for the production of export goods, as targets for martial arts practice, and as experimental victims in the testing of chemical and biological poisons.

(9) According to credible reports, including eyewitness testimony provided to the United States Congress, North Korean Government officials prohibit live births in prison camps, and forced abortion and the killing of newborn babies are standard prison practices.

(10) According to the Department of State, ''[g]enuine religious freedom does not exist in North Korea'' and, according to the United States Commission on International Religious Freedom, ''[t]he North Korean state severely represses public and private religious activities'' with penalties that reportedly include arrest, imprisonment, torture, and sometimes execution.

(11) More than 2,000,000 North Koreans are estimated to have died of starvation since the early 1990s because of the failure of the centralized agricultural and public distribution systems operated by the Government of North Korea.

(12) According to a 2002 United Nations-European Union survey, nearly one out of every ten children in North Korea suffers from acute malnutrition and four out of every ten children in North Korea are chronically malnourished.

(13) Since 1995, the United States has provided more than 2,000,000 tons of humanitarian food assistance to the people of North Korea, primarily through the World Food Program.

(14) Although United States food assistance has undoubtedly saved many North Korean lives and there have been minor improvements in transparency relating to the distribution of such assistance in North Korea, the Government of North Korea continues to deny the World Food Program forms of access necessary to properly monitor the delivery of food aid, including the ability to conduct random site visits, the use of native Korean-speaking employees, and travel access throughout North Korea.

(15) The risk of starvation, the threat of persecution, and the lack of freedom and opportunity in North Korea have caused large numbers, perhaps even hundreds of thousands, of North Koreans to flee their homeland, primarily into China.

(16) North Korean women and girls, particularly those who have fled into China, are at risk of being kidnapped, trafficked, and sexually exploited inside China, where many are sold as brides or concubines, or forced to work as prostitutes.

(17) The Governments of China and North Korea have been conducting aggressive campaigns to locate North Koreans who are in China without permission and to forcibly return them to North Korea, where they routinely face torture and imprisonment, and sometimes execution.

(18) Despite China's obligations as a party to the 1951 United Nations Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees, China routinely classifies North Koreans seeking asylum in China as mere ''economic migrants'' and returns them to North Korea without regard to the serious threat of persecution they face upon their return.

(19) The Government of China does not provide North Koreans whose asylum requests are rejected a right to have the rejection reviewed prior to deportation despite its obligations under the 1951 United Nations Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees.

(20) North Koreans who seek asylum while in China are routinely imprisoned and tortured, and in some cases killed, after they are returned to North Korea.

(21) The Government of China has detained, convicted, and imprisoned foreign aid workers attempting to assist North Korean refugees in proceedings that did not comply with Chinese law or international standards.

(22) In January 2000, North Korean agents inside China allegedly abducted the Reverend Kim Dong-shik, a United States permanent resident and advocate for North Korean refugees, whose condition and whereabouts remain unknown.

(23) Between 1994 and 2003, South Korea has admitted approximately 3,800 North Korean refugees for domestic resettlement, a number that is small in comparison with the total number of North Korean escapees but far greater than the number legally admitted in any other country.

(24) Although the principal responsibility for North Korean refugee resettlement naturally falls to the Government of South Korea, the United States should play a leadership role in focusing international attention on the plight of these refugees, and formulating international solutions to that profound humanitarian dilemma.

(25) In addition to infringing the rights of its own citizens, the Government of North Korea has been responsible in years past for the abduction of numerous citizens of South Korea and Japan, whose condition and whereabouts remain unknown.

SEC. 4. PURPOSES.

The purposes of this Act are—

(1) to promote respect for and protection of fundamental human rights in North Korea;

(2) to promote a more durable humanitarian solution to the plight of North Korean refugees;

(3) to promote increased monitoring, access, and transparency in the provision of humanitarian assistance inside North Korea;

(4) to promote the free flow of information into and out of North Korea; and

(5) to promote progress toward the peaceful reunification of the Korean peninsula under a democratic system of government.

SEC. 5. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on International Relations of the House of Representatives; and

(B) the Committee on Foreign Relations of the Senate.

(2) CHINA.—The term ''China'' means the People's Republic of China.

(3) HUMANITARIAN ASSISTANCE.—The term ''humanitarian assistance'' means assistance to meet humanitarian needs, including needs for food, medicine, medical supplies, clothing, and shelter.

(4) NORTH KOREA.—The term ''North Korea'' means the Democratic People's Republic of Korea.

(5) NORTH KOREANS.—The term ''North Koreans'' means persons who are citizens or nationals of North Korea.

(6) SOUTH KOREA.—The term ''South Korea'' means the Republic of Korea.

TITLE I—PROMOTING THE HUMAN RIGHTS OF NORTH KOREANS

SEC. 101. SENSE OF CONGRESS REGARDING NEGOTIATIONS WITH NORTH KOREA.

It is the sense of Congress that the human rights of North Koreans should remain a key element in future negotiations between the United States, North Korea, and other concerned parties in Northeast Asia.

SEC. 102. SUPPORT FOR HUMAN RIGHTS AND DEMOCRACY PROGRAMS.

(a) SUPPORT.—The President is authorized to provide grants to private, nonprofit organizations to support programs that promote human rights, democracy, rule of law, and the development of a market economy in North Korea. Such programs may include appropriate educational and cultural exchange programs with North Korean participants, to the extent not otherwise prohibited by law.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the President $2,000,000 for each of the fiscal years 2005 through 2008 to carry out this section.

(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.

SEC. 103. RADIO BROADCASTING TO NORTH KOREA.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States should facilitate the unhindered dissemination of information in North Korea by increasing its support for radio broadcasting to North Korea, and that the Broadcasting Board of Governors should increase broadcasts to North Korea from current levels, with a goal of providing 12-hour-per-day broadcasting to North Korea, including broadcasts by Radio Free Asia and Voice of America.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Broadcasting Board of Governors shall submit to the appropriate congressional committees a report that—

(1) describes the status of current United States broadcasting to North Korea; and

(2) outlines a plan for increasing such broadcasts to 12 hours per day, including a detailed description of the technical and fiscal requirements necessary to implement the plan.

SEC. 104. ACTIONS TO PROMOTE FREEDOM OF INFORMATION.

(a) ACTIONS.—The President is authorized to take such actions as may be necessary to increase the availability of information inside North Korea by increasing the availability of sources of information not controlled by the Government of North Korea, including sources such as radios capable of receiving broadcasting from outside North Korea.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the President $2,000,000 for each of the fiscal years 2005 through 2008 to carry out subsection (a).

(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, and in each of the 3 years thereafter, the Secretary of State, after consultation with the heads of other appropriate Federal departments and agencies, shall submit to the appropriate congressional committees a report, in classified form, on actions taken pursuant to this section.

SEC. 105. UNITED NATIONS COMMISSION ON HUMAN RIGHTS.

It is the sense of Congress that the United Nations has a significant role to play in promoting and improving human rights in North Korea, and that—

(1) the United Nations Commission on Human Rights (UNCHR) has taken positive steps by adopting Resolution 2003/10 and Resolution 2004/13 on the situation of human rights in North Korea, and particularly by requesting the appointment of a Special Rapporteur on the situation of human rights in North Korea; and

(2) the severe human rights violations within North Korea warrant country-specific attention and reporting by the United Nations Working Group on Arbitrary Detention, the Working Group on Enforced and Involuntary Disappearances, the Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions, the Special Rapporteur on the Right to Food, the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, the Special Rapporteur on Freedom of Religion or Belief, and the Special Rapporteur on Violence Against Women.

SEC. 106. ESTABLISHMENT OF REGIONAL FRAMEWORK.

(a) FINDINGS.—The Congress finds that human rights initiatives can be undertaken on a multilateral basis, such as the Organization for Security and Cooperation in Europe (OSCE), which established a regional framework for discussing human rights, scientific and educational cooperation, and economic and trade issues.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United Sates should explore the possibility of a regional human rights dialogue with North Korea that is modeled on the Helsinki process, engaging all countries in the region in a common commitment to respect human rights and fundamental freedoms.

SEC. 107. SPECIAL ENVOY ON HUMAN RIGHTS IN NORTH KOREA.

(a) SPECIAL ENVOY.—The President shall appoint a special envoy for human rights in North Korea within the Department of State (hereafter in this section referred to as the ''Special Envoy''). The Special Envoy should be a person of recognized distinction in the field of human rights.

(b) CENTRAL OBJECTIVE.—The central objective of the Special Envoy is to coordinate and promote efforts to improve respect for the fundamental human rights of the people of North Korea.

(c) DUTIES AND RESPONSIBILITIES.—The Special Envoy shall—

(1) engage in discussions with North Korean officials regarding human rights;

(2) support international efforts to promote human rights and political freedoms in North Korea, including coordination and dialogue between the United States and the United Nations, the European Union, North Korea, and the other countries in Northeast Asia;

(3) consult with non-governmental organizations who have attempted to address human rights in North Korea;

(4) make recommendations regarding the funding of activities authorized in section 102;

(5) review strategies for improving protection of human rights in North Korea, including technical training and exchange programs; and

(6) develop an action plan for supporting implementation of the United Nations Commission on Human Rights Resolution 2004/13.

(d) REPORT ON ACTIVITIES.—Not later than 180 days after the date of the enactment of this Act, and annually for the subsequent 5 year-period, the Special Envoy shall submit to the appropriate congressional committees a report on the activities undertaken in the preceding 12 months under subsection (c).

TITLE II—ASSISTING NORTH KOREANS IN NEED

SEC. 201. REPORT ON UNITED STATES HUMANITARIAN ASSISTANCE.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, and in each of the 2 years thereafter, the Administrator of the United States Agency for International Development, in conjunction with the Secretary of State, shall submit to the appropriate congressional committees a report that describes—

(1) all activities to provide humanitarian assistance inside North Korea, and to North Koreans outside of North Korea, that receive United States funding;

(2) any improvements in humanitarian transparency, monitoring, and access inside North Korea during the previous 1-year period, including progress toward meeting the conditions identified in paragraphs (1) through (4) of section 202(b); and

(3) specific efforts to secure improved humanitarian transparency, monitoring, and access inside North Korea made by the United States and United States grantees, including the World Food Program, during the previous 1-year period.

(b) FORM.—The information required by subsection (a)(1) may be provided in classified form if necessary.

SEC. 202. ASSISTANCE PROVIDED INSIDE NORTH KOREA.

(a) HUMANITARIAN ASSISTANCE THROUGH NONGOVERNMENTAL AND INTERNATIONAL ORGANIZATIONS.—It is the sense of the Congress that—

(1) at the same time that Congress supports the provision of humanitarian assistance to the people of North Korea on humanitarian grounds, such assistance also should be provided and monitored so as to minimize the possibility that such assistance could be diverted to political or military use, and to maximize the likelihood that it will reach the most vulnerable North Koreans;

(2) significant increases above current levels of United States support for humanitarian assistance provided inside North Korea should be conditioned upon substantial improvements in transparency, monitoring, and access to vulnerable populations throughout North Korea; and

(3) the United States should encourage other countries that provide food and other humanitarian assistance to North Korea to do so through monitored, transparent channels, rather than through direct, bilateral transfers to the Government of North Korea.

(b) UNITED STATES ASSISTANCE TO THE GOVERNMENT OF NORTH KOREA.—It is the sense of Congress that—

(1) United States humanitarian assistance to any department, agency, or entity of the Government of North Korea shall—

(A) be delivered, distributed, and monitored according to internationally recognized humanitarian standards;

(B) be provided on a needs basis, and not used as a political reward or tool of coercion;

(C) reach the intended beneficiaries, who should be informed of the source of the assistance; and

(D) be made available to all vulnerable groups in North Korea, no matter where in the country they may be located; and

(2) United States nonhumanitarian assistance to North Korea shall be contingent on North Korea's substantial progress toward—

(A) respect for the basic human rights of the people of North Korea, including freedom of religion;

(B) providing for family reunification between North Koreans and their descendants and relatives in the United States;

(C) fully disclosing all information regarding citizens of Japan and the Republic of Korea abducted by the Government of North Korea;

(D) allowing such abductees, along with their families, complete and genuine freedom to leave North Korea and return to the abductees' original home countries;

(E) reforming the North Korean prison and labor camp system, and subjecting such reforms to independent international monitoring; and

(F) decriminalizing political expression and activity.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Agency for International Development shall submit to the appropriate congressional committees a report describing compliance with this section.

SEC. 203. ASSISTANCE PROVIDED OUTSIDE OF NORTH KOREA.

(a) ASSISTANCE.—The President is authorized to provide assistance to support organizations or persons that provide humanitarian assistance to North Koreans who are outside of North Korea without the permission of the Government of North Korea.

(b) TYPES OF ASSISTANCE.—Assistance provided under subsection (a) should be used to provide—

(1) humanitarian assistance to North Korean refugees, defectors, migrants, and orphans outside of North Korea, which may include support for refugee camps or temporary settlements; and

(2) humanitarian assistance to North Korean women outside of North Korea who are victims of trafficking, as defined in section 103(14) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(14)), or are in danger of being trafficked.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—In addition to funds otherwise available for such purposes, there are authorized to be appropriated to the President $20,000,000 for each of the fiscal years 2005 through 2008 to carry out this section.

(2) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.

TITLE III—PROTECTING NORTH KOREAN REFUGEES

SEC. 301. UNITED STATES POLICY TOWARD REFUGEES AND DEFECTORS.

(a) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State, in consultation with the heads of other appropriate Federal departments and agencies, shall submit to the appropriate congressional committees and the Committees on the Judiciary of the House of Representatives and the Senate a report that describes the situation of North Korean refugees and explains United States Government policy toward North Korean nationals outside of North Korea.

(b) CONTENTS.—The report shall include—

(1) an assessment of the circumstances facing North Korean refugees and migrants in hiding, particularly in China, and of the circumstances they face if forcibly returned to North Korea;

(2) an assessment of whether North Koreans in China have effective access to personnel of the United Nations High Commissioner for Refugees, and of whether the Government of China is fulfilling its obligations under the 1951 Convention Relating to the Status of Refugees, particularly Articles 31, 32, and 33 of such Convention;

(3) an assessment of whether North Koreans presently have unobstructed access to United States refugee and asylum processing, and of United States policy toward North Koreans who may present themselves at United States embassies or consulates and request protection as refugees or asylum seekers and resettlement in the United States;

(4) the total number of North Koreans who have been admitted into the United States as refugees or asylees in each of the past five years;

(5) an estimate of the number of North Koreans with family connections to United States citizens; and

(6) a description of the measures that the Secretary of State is taking to carry out section 303.

(c) FORM.—The information required by paragraphs (1) through (5) of subsection (b) shall be provided in unclassified form. All or part of the information required by subsection (b)(6) may be provided in classified form, if necessary.

SEC. 302. ELIGIBILITY FOR REFUGEE OR ASYLUM CONSIDERATION.

(a) PURPOSE.—The purpose of this section is to clarify that North Koreans are not barred from eligibility for refugee status or asylum in the United States on account of any legal right to citizenship they may enjoy under the Constitution of the Republic of Korea. It is not intended in any way to prejudice whatever rights to citizenship North Koreans may enjoy under the Constitution of the Republic of Korea, or to apply to former North Korean nationals who have availed themselves of those rights.

(b) TREATMENT OF NATIONALS OF NORTH KOREA.—For purposes of eligibility for refugee status under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157), or for asylum under section 208 of such Act (8 U.S.C. 1158), a national of the Democratic People's Republic of Korea shall not be considered a national of the Republic of Korea.

SEC. 303. FACILITATING SUBMISSION OF APPLICATIONS FOR ADMISSION AS A REFUGEE.

The Secretary of State shall undertake to facilitate the submission of applications under section 207 of the Immigration and Nationality Act (8 U.S.C. 1157) by citizens of North Korea seeking protection as refugees (as defined in section 101(a)(42) of such Act (8 U.S.C. 1101(a)(42)).

SEC. 304. UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES.

(a) ACTIONS IN CHINA.—It is the sense of Congress that—

(1) the Government of China has obligated itself to provide the United Nations High Commissioner for Refugees (UNHCR) with

unimpeded access to North Koreans inside its borders to enable the UNHCR to determine whether they are refugees and whether they require assistance, pursuant to the 1951 United Nations Convention Relating to the Status of Refugees, the 1967 Protocol Relating to the Status of Refugees, and Article III, paragraph 5 of the 1995 Agreement on the Upgrading of the UNHCR Mission in the People's Republic of China to UNHCR Branch Office in the People's Republic of China (referred to in this section as the ''UNHCR Mission Agreement'');

(2) the United States, other UNHCR donor governments, and UNHCR should persistently and at the highest levels continue to urge the Government of China to abide by its previous commitments to allow UNHCR unimpeded access to North Korean refugees inside China;

(3) the UNHCR, in order to effectively carry out its mandate to protect refugees, should liberally employ as professionals or Experts on Mission persons with significant experience in humanitarian assistance work among displaced North Koreans in China;

(4) the UNHCR, in order to effectively carry out its mandate to protect refugees, should liberally contract with appropriate nongovernmental organizations that have a proven record of providing humanitarian assistance to displaced North Koreans in China;

(5) the UNHCR should pursue a multilateral agreement to adopt an effective ''first asylum'' policy that guarantees safe haven and assistance to North Korean refugees; and

(6) should the Government of China begin actively fulfilling its obligations toward North Korean refugees, all countries, including the United States, and relevant international organizations should increase levels of humanitarian assistance provided inside China to help defray costs associated with the North Korean refugee presence.

(b) ARBITRATION PROCEEDINGS.—It is further the sense of Congress that—

(1) if the Government of China continues to refuse to provide the UNHCR with access to North Koreans within its borders, the UNHCR should initiate arbitration proceedings pursuant to Article XVI of the UNHCR Mission Agreement and appoint an arbitrator for the UNHCR; and

(2) because access to refugees is essential to the UNHCR mandate and to the purpose of a UNHCR branch office, a failure to assert those arbitration rights in present circumstances would constitute a significant abdication by the UNHCR of one of its core responsibilities.

SEC. 305. ANNUAL REPORTS.

(a) IMMIGRATION INFORMATION.—Not later than 1 year after the date of the enactment of this Act, and every 12 months thereafter for each of the following 5 years, the Secretary of State and the Secretary of Homeland Security shall submit a joint report to the appropriate congressional committees and the Committees on the Judiciary of the House of Representatives and the Senate on the operation of this title during the previous year, which shall include—

(1) the number of aliens who are nationals or citizens of North Korea who applied for political asylum and the number who were granted political asylum; and

(2) the number of aliens who are nationals or citizens of North Korea who applied for refugee status and the number who were granted refugee status.

(b) COUNTRIES OF PARTICULAR CONCERN.—The President shall include in each annual report on proposed refugee admission pursuant to section 207(d) of the Immigration and Nationality Act (8 U.S.C. 1157(d)), information about specific measures taken to facilitate access to the United States refugee program for individuals who have fled countries of particular concern for violations of religious freedom, identified pursuant to section 402(b) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)). The report shall include, for each country of particular concern, a description of access of the nationals or former habitual residents of that country to a refugee determination on the basis of—

(1) referrals by external agencies to a refugee adjudication;

(2) groups deemed to be of special humanitarian concern to the United States for purposes of refugee resettlement; and

(3) family links to the United States.

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

The Chair recognizes the gentleman from Iowa (Mr. LEACH).

GENERAL LEAVE

Mr. LEACH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4011.

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

There was no objection.

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

Madam Speaker, I rise in support of H.R. 4011, the North Korean Human Rights Act of 2004. As approved unanimously by the Senate last week, the bill contains three modest changes from the text passed by this body in July. First it expresses the sense of Congress that the United States should explore the possibility of a regional dialogue on human rights with North Korea. Second, it mandates the appointment of a special envoy on human rights in North Korea within the State Department. Finally, it enhances the discretion of the executive branch by recasting conditions on assistance to the North Korean government as a sense of Congress provision.

I deeply appreciate the efforts of the Senate to ensure that the 108th Congress speaks with a unanimous, bipartisan voice on these issues of shared concern. In this connection, I would like to express my particular gratitude to Senators BROWNBACK, BAYH, LUGAR, BIDEN and their capable staff members.

During the past 2½ years, the Subcommittee on Asia and the Pacific has received testimony from a number of North Koreans who have survived some of the gravest rigors of the human condition. Their accounts buttress the growing awareness that the people of North Korea have endured some of the most acute humanitarian traumas of our time.

Inside North Korea they suffer at the hands of a totalitarian dynasty that permits no dissent and strictly curtails freedoms of speech, press, religion, and assembly. The regime maintains a brutal system of prison camps that house an estimated 200,000 political inmates who are subjected to slave labor, torture, and even lethal chemical experimentation. Since the collapse of the centralized agricultural system in the 1990s, more than 2 million North Koreans are estimated to have died of starvation.

North Koreans outside of North Korea are also uniquely vulnerable. Many thousands are hiding inside China, which currently refuses to allow the U.N. High Commissioner For Refugees to evaluate and identify genuine refugees among the North Korea migrant population. China forcibly returns North Koreans to North Korea, where they routinely face imprisonment, torture, and sometimes execution. Inside China, North Korean women and girls are particularly vulnerable to trafficking and sexual exploitation.

Provoked by these crises, this broadly bipartisan legislation aims to promote international cooperation on human rights and refugee protection and increased transparency in the provision of humanitarian assistance to the people of North Korea.

On the human rights front, this bill underscores the importance of human rights issues in future negotiations with North Korea. It authorizes funds for programs to promote human rights, democracy, rule of law, market economy, and freedom of information. It also urges additional North Korea-specific attention by appropriate U.N. human rights authorities.

On the humanitarian front, the bill authorizes increased funding for assistance to North Koreans outside of North Korea, including refugees, orphans, and trafficking victims. It endorses but also seeks greater transparency for the delivery of U.S. humanitarian aid inside North Korea. Finally, it outlines human rights and humanitarian principles that should govern future direct aid to the North Korean government.

In terms of refugee protection, the bill requires a formal clarification of U.S. policy and affirms the eligibility of North Koreans to seek protection as refugees under United States law. It also urges the U.N. High Commissioner For Refugees to use all available means to gain access to North Koreans in China.

Although the principal responsibility for North Korean refugee resettlement naturally falls with the government of South Korea, the United States should play a leadership role in focusing international attention on the plight of these refugees in formulating shared international solutions to their profound humanitarian dilemma.

I wanted to remove any misapprehension that overseas audiences may have about the intent, content, or motives behind this bill. Unequivocally, I would state this legislation is a purely humanitarian endeavor. There are no hidden agendas related to geostrategic concerns and strategies. Indeed, the committee of jurisdiction is deeply indebted to the concerns expressed by thousands of American citizens of Korean descent, who are convinced that for too long the international community has largely ignored the plight of their brethren in the north.

As explained in the report of the Committee on International Relations:

''H.R. 4011 is motivated by a genuine desire for improvements in human rights, refugee protection and humanitarian transparency.

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''It is not a pretext for a hidden strategy to provoke regime collapse or to seek collateral advantage in ongoing strategic negotiations. While the legislation highlights numerous egregious abuses, the Congress remains willing to recognize progress in the future, and hopes for such an opportunity.''

Similarly, with regard to China, this bill is not solely critical; it is also aspirational. It makes clear that the United States and the international community stand ready to provide more assistance to help defray the costs associated with North Korean migrant presence when China begins fulfilling its obligations as a party to the 1951 U.N. Refugee Convention. We genuinely hope for that opportunity.

I would like to thank my colleagues for their strong bipartisan endorsement of this bill. I also would like to thank the many nongovernmental and civic organizations who have informed and supported this legislation. In this regard, the pivotal efforts of the North Korea Freedom Coalition, a group of more than 40 nonpartisan NGOs, deserves particular mention.

Finally, I would like to note the particular contributions of Senator SAM BROWNBACK, whose leadership in the other body has inspired House action on this issue. And in this body, the attention and insight of the gentleman from California (Mr. LANTOS), the gentleman from American Samoa (Mr. FALEOMAVAEGA), the gentleman from California (Mr. BERMAN), the gentleman from New York (Mr. ACKERMAN), and the gentleman from Florida (Mr. WEXLER) on the Democratic side, and the gentleman from California (Mr. COX), the gentleman from California (Mr. ROYCE), and the gentleman from New Jersey (Mr. SMITH) on this side of the aisle are deeply appreciated.

Madam Speaker, H.R. 4011 is a responsible, creative approach to an ongoing human rights tragedy and deserves our unanimous support.

Madam Speaker, I reserve the balance of my time.

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

I strongly support this legislation, and I urge my colleagues to do so as well.

I would first like to commend my good friend, the gentleman from Iowa (Mr. LEACH), for his introduction of the North Korean Human Rights Act, and the gentleman from American Samoa (Ranking Member FALEOMAVAEGA) for his hard work on the bill as well.

Madam Speaker, United States policy towards North Korea has been a principal focus of American policymakers for over a decade. Both Republican and Democratic administrations have actively sought to encourage the North Korean leadership to end its nuclear and missile programs and to end its destabilizing influence in the northeast Asian region.

But as the United States attempts to encourage North Korea to give up its weapons of mass destruction and to establish positive relationships with the United States, Japan, South Korea, and China, we have paid insufficient attention to the horrendous human rights situation in North Korea and the desperate humanitarian crisis caused by the North Korean misrule.

Madam Speaker, the legislation before the House will correct this imbalance. The North Korean Human Rights Act will press the administration to actively pursue a human rights and humanitarian agenda with North Korea, as we also attempt to resolve our security differences with the North.

According to the annual State Department Human Rights Report, North Korea is one of the world's worst human rights abusers. Over the past decade, millions of North Korean citizens starved to death because of their own government's gross incompetence, while the North Korean leadership lived a luxurious life in their tucked-away villas. The North Korean gulags, furthermore, overflow with North Korean prisoners with no hope of release.

North Korea does not hold free and fair elections, and there is no freedom of the press. North Korean citizens do not have the right to speak out against their government or to practice a religion.

In short, Madam Speaker, the North Korean people have no hope of changing their government unless the United States and other world democracies stand up for freedom in North Korea.

This important legislation will also help focus attention on the large number of North Korean refugees that have been created by the North's misrule, particularly those refugees in China. It is critically important that the U.N. High Commissioner For Refugees have access to this floating population and that the North Korean refugees be treated appropriately.

Madam Speaker, the legislation before the House tackles all of these important subjects. It will direct that human rights remain on the negotiation table with the North. It demands better accountability for international food aid to North Korea. It encourages a solution on the North Korean refugee issue with China, and it attempts to increase American broadcasting in North Korea.

This bill is an excellent piece of legislation, and I strongly support its passage.

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

Mr. LEACH. Madam Speaker, I yield 5 minutes to the distinguished gentleman from New Jersey (Mr. SMITH), who is the House's great leader on human rights issues.

Mr. SMITH of New Jersey. Madam Speaker, I thank the gentleman for yielding me this time.

I want to rise and really pay tribute to the leadership of the gentleman from Iowa (Mr. LEACH) in bringing this legislation not just to the floor today, but to what will be its ultimate enactment into law. I thank the gentleman for his leadership on human rights in North Korea, as well as human rights in the Asian Pacific region. The gentleman has been a stalwart and a real leader, and this is just another important product of that work; and I, and I know many others, are very grateful for his leadership.

This bill is the culmination of a concerted bipartisan effort to act against the unspeakable cruelties occurring under the Kim Jong Il regime. In this regard, I want to commend the efforts as well of the North Korean Freedom Coalition which sponsored, as many Members know, the historic North Korea Freedom Day rally in Washington on April 28, as well as the Korean-American Church Coalition, which built strong support for this bill out in the grass-roots.

Madam Speaker, since the mid-1990s, as many as 2 million North Koreans have died because of failed North Korean economic policies. Despite the loss of nearly 10 percent of the country's population to a man-made famine, Kim Jong Il's regime uses food as a weapon to control its population by rewarding loyalty and withholding food from enemies of the regime. In North Korean society the entire population is divided into three class labels assigned on the basis of loyalty to the regime: ''core,'' ''wavering,'' and ''hostile.'' These labels continue to be used to prioritize access to jobs, region of residence, and entitlement to items distributed through the Public Distribution System.

Humanitarian relief organizations such as the U.N. World Food Program are prohibited by North Korea from distributing food and relief supplies directly to starving victims. Instead, the brutal dictatorship siphons off food aid and gives it to the Communist leadership and to the Army. H.R. 4011 authorizes increased funding for assistance for North Korean refugees, orphans, and trafficking victims outside of North Korea and conditions additional humanitarian assistance inside North Korea upon significant improvements in transparency and monitoring. It is the sense of Congress that future assistance to North Korea should be prohibited unless the government ensures that internationally recognized human rights standards are met and Pyongyang makes substantial progress towards respecting basic human rights such as decriminalizing political expression, providing for family reunification, and reform of its prison camp system.

Madam Speaker, North Korea's human rights abuses, as we now know, are a nightmare of epic proportions. Its regime restricts every basic freedom of its people. It attempts to control all information, brainwashes citizens into

following a cult of personality, and threatens international security through the reckless use of its nuclear weapons program. President Bush was clearly correct in labeling North Korea as a nation as part of the ''axis of evil.''

An estimated 150,000 to 200,000 political prisoners in North Korea are held in camps where they are subjected to torture, forced labor, starvation, and execution. Prisoners in these camps include thousands who attempted to flee the country to avoid starvation, but were returned to North Korea, regrettably, by the Chinese. Eye witnesses from these camps have testified before a hearing that the gentleman from Iowa (Chairman LEACH) held on the subcommittee and told us horrific stories of savage torture, forced abortions, and persecution of Christians. Mothers have seen their newborn children killed right in front of their very eyes by North Korean prison guards.

Madam Speaker, H.R. 4011 also provides additional support and protection for the courageous North Koreans who have been able to escape by clarifying that North Koreans are eligible to apply for U.S. refugee and asylum consideration, and designating North Koreans who have been persecuted or mistreated by the North Koreans as a priority 2 group of special humanitarian concern to the United States. H.R. 4011 also underscores China's obligation to provide UNHCR with access to North Koreans in China and urges the UNHCR to assert its right to arbitration with China in an effort to secure access to North Koreans in China.

This is a very, very important human rights bill. Again, I want to commend the chairman for his extraordinary leadership in bringing it to the body today.

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

In conclusion, let me just stress as strongly as I can that the regime in North Korea is one of the most difficult in the world. Economically, it is based upon the selling of weapons, the selling of drugs, and the selling of counterfeit money. We would like what is best for the North Korean people, that is, the possibility that this regime can come into this new century in a way that is acceptable in behavior to the international community and, therefore, in a manner that gives hope and prosperity to the North Korean people.

We would like a rogue state that, quite frankly, is partly a criminal state, to become a civilized community. But we have nothing in this bill that is aimed at doing anything except providing incentives for a regime to do better and for a society to be better off. With that emphasis on a humanitarian goal, not a geo-strategic one, a humanitarian one, we urge the greatest possible support from this body and for a new policy and a new kind of era for United States and North Korean relations.

Mr. ROYCE. Madam Speaker, I rise in support of H.R. 4011, the North Korea Human Rights Act, of which I am an original cosponsor.

I would like to commend the gentleman from Iowa, Mr. LEACH, and thank the leadership for expeditiously bringing this bill to the floor.

Madam Speaker, the House passed this legislation unanimously in July. Last week, the other body passed this bill with minor changes. With its passage today, this important piece of legislation heads to the President's desk.

This legislation has been years in the making. In May 2002, the Asia Subcommittee held the first of our hearings that have focused on the humanitarian plight in North Korea. At this hearing and others, our committee heard testimony from North Korean defectors. As Chairman of the US-Republic of Korea Interparliamentary Exchange, I have led Congressional delegations to Seoul where we have met with defectors lucky enough to escape the regime of Kim Jong Il. Here we heard firsthand accounts of the brutal conditions that face the average North Korean—where the regime apportions and withholds food based on perceived citizen loyalty to Kim Jong Il. These meetings and hearings have helped to lay the foundation for this legislation.

Madam Speaker, much has been made about the best way to approach North Korea, which poses a nuclear threat. I believe that there is a strong consensus to bring about change in North Korea. This legislation makes it clear that human rights conditions in North Korea should remain a key element in future negotiations between the United States, North Korea, and other concerned parties in Northeast Asia.

In order to ensure his survival, Kim Jong Il tries to keep an iron grip on all information in North Korea. U.S. backed Radio Free Asia is working to counter Kim Jong Il's propaganda, bringing objective news to the North Korean people. Surveys indicate that North Korean defectors are listening to RFA's broadcasts. A former North Korean military officer tells the story of one official shouting to another during a policy debate, "You . . . must listen to [the] radio coming from the outside world! Then you will know that we have been living like frogs in a well! [with blinders on]."

That is why this bill calls for an increase of radio broadcasts into North Korea to twelve hours per day. And because of the problem of access to suitable radios in North Korea, the legislation requests a report detailing the steps the U.S. government is taking to increase the availability of information inside North Korea—including the provision of radios. This should maximize North Koreans access to foreign broadcasts like Radio Free Asia. The stakes couldn't be higher. We are talking about helping to free people and by doing so, improving our security.

This legislation is a responsible initiative to promote human rights, refugee protection, and increased transparency in the delivery of humanitarian aid to the North Korean people. It deserves our support.

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

The SPEAKER pro tempore (Mrs. BLACKBURN). The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and concur in the Senate amendment to H.R. 4011.

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

A motion to reconsider was laid on the table.

URGING GOVERNMENT OF UKRAINE TO ENSURE DEMOCRATIC, TRANSPARENT, AND FAIR ELECTIONS PROCESS FOR PRESIDENTIAL ELECTION ON OCTOBER 31, 2004

Mrs. JO ANN DAVIS of Virginia. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 415) urging the Government of Ukraine to ensure a democratic, transparent, and fair election process for the presidential election on October 31, 2004, as amended.

The Clerk read as follows:

H. CON. RES. 415

Whereas the establishment of a democratic, transparent, and fair election process for the 2004 presidential election in Ukraine and of a genuinely democratic political system are prerequisites for that country's full integration into the Western community of nations as an equal member, including into organizations such as the North Atlantic Treaty Organization (NATO);

Whereas the Government of Ukraine has accepted numerous specific commitments governing the conduct of elections as a participating State of the Organization for Security and Cooperation in Europe (OSCE), including provisions of the Copenhagen Document;

Whereas the election on October 31, 2004, of Ukraine's next president will provide an unambiguous test of the extent of the Ukrainian authorities' commitment to implement these standards and build a democratic society based on free elections and the rule of law;

Whereas this election takes place against the backdrop of previous elections that did not fully meet international standards and of disturbing trends in the current pre-election environment;

Whereas it is the duty of government and public authorities at all levels to act in a manner consistent with all laws and regulations governing election procedures and to ensure free and fair elections throughout the entire country, including preventing activities aimed at undermining the free exercise of political rights;

Whereas a genuinely free and fair election requires a period of political campaigning conducted in an environment in which neither administrative action nor violence, intimidation, or detention hinder the parties, political associations, and the candidates from presenting their views and qualifications to the citizenry, including organizing supporters, conducting public meetings and events throughout the country, and enjoying unimpeded access to television, radio, print, and Internet media on a non-discriminatory basis;

Whereas a genuinely free and fair election requires that citizens be guaranteed the right and effective opportunity to exercise their civil and political rights, including the right to vote and the right to seek and acquire information upon which to make an informed vote, free from intimidation, undue influence, attempts at vote buying, threats of political retribution, or other forms of coercion by national or local authorities or others;

Whereas a genuinely free and fair election requires government and public authorities

to ensure that candidates and political parties enjoy equal treatment before the law and that government resources are not employed to the advantage of individual candidates or political parties;

Whereas a genuinely free and fair election requires the full transparency of laws and regulations governing elections, multiparty representation on election commissions, and unobstructed access by candidates, political parties, and domestic and international observers to all election procedures, including voting and vote-counting in all areas of the country;

Whereas increasing control and manipulation of the media by national and local officials and others acting at their behest raise grave concerns regarding the commitment of the Ukrainian authorities to free and fair elections;

Whereas efforts by the national authorities to limit access to international broadcasting, including Radio Liberty and the Voice of America, represent an unacceptable infringement on the right of the Ukrainian people to independent information;

Whereas efforts by national and local officials and others acting at their behest to impose obstacles to free assembly, free speech, and a free and fair political campaign have taken place in Donetsk, Sumy, and elsewhere in Ukraine without condemnation or remedial action by the Ukrainian Government;

Whereas numerous substantial irregularities have taken place in recent Ukrainian parliamentary by-elections in the Donetsk region and in mayoral elections in Mukacheve, Romny, and Krasniy Luch; and

Whereas the intimidation and violence during the April 18, 2004, mayoral election in Mukacheve, Ukraine, represent a deliberate attack on the democratic process: Now, therefore, be it

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

(1) acknowledges and welcomes the strong relationship formed between the United States and Ukraine since the restoration of Ukraine's independence in 1991;

(2) recognizes that a precondition for the full integration of Ukraine into the Western community of nations, including as an equal member in institutions such as the North Atlantic Treaty Organization (NATO), is its establishment of a genuinely democratic political system;

(3) expresses its strong and continuing support for the efforts of the Ukrainian people to establish a full democracy, the rule of law, and respect for human rights in Ukraine;

(4) urges the Government of Ukraine to guarantee freedom of association and assembly, including the right of candidates, members of political parties, and others to freely assemble, to organize and conduct public events, and to exercise these and other rights free from intimidation or harassment by local or national officials or others acting at their behest;

(5) urges the Government of Ukraine to meet its Organization for Security and Cooperation in Europe (OSCE) commitments on democratic elections and to address issues previously identified by the Office of Democratic Institutions and Human Rights (ODIHR) of the OSCE in its final reports on the 2002 parliamentary elections and the 1999 presidential elections, such as illegal interference by public authorities in the campaign and a high degree of bias in the media;

(6) urges the Ukrainian authorities to ensure—

(A) the full transparency of election procedures before, during, and after the 2004 presidential elections;

(B) free access for Ukrainian and international election observers;

(C) multiparty representation on all election commissions;

(D) unimpeded access by all parties and candidates to print, radio, television, and Internet media on a non-discriminatory basis;

(E) freedom of candidates, members of opposition parties, and independent media organizations from intimidation or harassment by government officials at all levels via selective tax audits and other regulatory procedures, and in the case of media, license revocations and libel suits, among other measures;

(F) a transparent process for complaint and appeals through electoral commissions and within the court system that provides timely and effective remedies; and

(G) vigorous prosecution of any individual or organization responsible for violations of election laws or regulations, including the application of appropriate administrative or criminal penalties;

(7) further calls upon the Government of Ukraine to guarantee election monitors from the ODIHR, other participating States of the OSCE, Ukrainian political parties, candidates' representatives, nongovernmental organizations, and other private institutions and organizations, both foreign and domestic, unobstructed access to all aspects of the election process, including unimpeded access to public campaign events, candidates, news media, voting, and post-election tabulation of results and processing of election challenges and complaints;

(8) strongly encourages the President to fully employ the diplomatic and other resources of the Government of the United States to ensure that the election laws and procedures of Ukraine are faithfully adhered to by all local and national officials, by others acting at their behest, and by all candidates and parties, during and subsequent to the presidential campaign and election-day voting;

(9) strongly encourages the President to clearly communicate to the Government of Ukraine, to all parties and candidates, and to the people of Ukraine the high importance attached by the Government of the United States to this presidential campaign as a central factor in determining the future relationship between the two countries; and

(10) pledges its enduring support and assistance to the Ukrainian people's establishment of a fully free and open democratic system, their creation of a prosperous free market economy, their establishment of a secure independence and freedom from coercion, and their country's assumption of its rightful place as a full and equal member of the Western community of democracies.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Florida (Mr. WEXLER) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the concurrent resolution under consideration.

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

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H. Con. Res. 415 regarding free and fair elections in Ukraine. I want to commend the gentleman from Illinois (Chairman HYDE) for introducing this important and timely resolution and thank the ranking Democrat of the full committee, the gentleman from California (Mr. LANTOS), for his strong support.

On October 31, the people of Ukraine will go to the polls to participate in an election for their next president. The development of a strong democracy in Ukraine has been slow and difficult over the past 13 years by any measure. However, no issue will be more important to Ukraine's future standing with the West than the strength of its democracy. Therefore, this election, in many ways represents a historic opportunity for the people of Ukraine to decide whether or not democracy can flourish in this important nation.

Ukraine has an obvious need to maintain positive relations with its neighbor, Russia. But with its resources and economic potential, Ukraine can and should be an important element in the further stabilization of Europe. However, its long-term commitment to democracy is the only way Ukraine can become a full partner with the democracies of the Euro-Atlantic community. Because of the importance of relations between Ukraine and the West, Ukraine has been reassured time and again that the door to the West remains open. This month will be a crucial test of whether the Ukrainian people and their government are willing to make the effort to walk through that door.

Regrettably, recent statements and actions by some in the current political leadership have raised concerns in the international community and in this Congress about whether this election will be open and fair. Based on problems witnessed in the past elections in Ukraine, I believe it is important that Ukraine's leaders understand that this election will be regarded as a litmus test of Ukraine's commitment to democracy and to its future in Europe.

It seems incomprehensible to me that with the rocky relationship the West has had at times with the outgoing leadership in Kiev, that either of the major candidates running for election would want his victory tainted by an unfair electoral process, biased media coverage, and even thuggery.

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Why would the next President of Ukraine want to spend the next 5 years under a cloud of legitimacy?

Many visitors to Ukraine, including several from this House over the past few months, have raised the issue of free and fair elections. All have been reassured by President Kuchma, Prime Minister Yanukovich, Foreign Minister

Gryshcenko, and Speaker of the Parliament, Lytvyn, that every effort will be made to meet the government's commitment for a free and fair election. I am afraid, however, that in many instances thus far, the rhetoric has not been matched by the actions.

At the Subcommittee on Europe markup of this resolution in June, our former subcommittee chairman, Doug Bereuter, noted that they would hold those government officials to their word. We know that Ukraine's leaders have heard our message, but we are concerned that some of them are not taking that message seriously.

H. Con. Res. 415 notes the importance of the presidential election to the success of Ukraine's transition to democracy. The resolution addresses reports of government harassment of those who support opposition candidates and of threats and violence against opposition leaders and their families. It speaks to allegations of harassment of independent media in Ukraine and about allegations of possible outright election fraud.

The resolution stresses how important it will be for President Kuchma and other senior officials to take active steps to ensure that the kinds of foul play seen in past elections do not become the norm during the remainder of this presidential election.

Finally, the manager's amendment which has been included also includes language calling on the United States Government to ensure that all of Ukraine's election laws are being followed by the presidential candidates and those working on their behalf.

Mr. Speaker, we in the Congress remain committed to assisting Ukraine in building a stable, democratic and prosperous nation. What better way for President Kuchma to leave office than to ensure that the people of Ukraine have a free and fair choice as to who will lead them over the next 5 years?

We hope the elections in just a few weeks' time will prove that Ukraine too shares these same goals.

I urge adoption of this resolution.

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

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

Mr. Speaker, I rise in strong support of this resolution. Mr. Speaker, I want to thank my friends and colleagues, the gentleman from California (Mr. LANTOS), the gentleman from Illinois (Mr. HYDE), the gentleman from New Jersey (Mr. SMITH) and Doug Bereuter for sponsoring this important resolution, as well as the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

Mr. Speaker, this resolution reaffirms U.S. Congressional support for the democratic aspirations of the Ukrainian people and the establishment of a genuine democracy in Ukraine. Given the importance of Ukraine to the stability of southeastern Europe and the strong ties between the Ukrainian and American people, we must make every effort to put the relationship between our two nations on a strong and democratic footing.

Unfortunately, the conduct of the previous parliamentary and presidential elections in Ukraine was judged to be flawed by the Organization for Security and Cooperation in Europe. We in Congress had hoped that the Government of Ukraine had learned from its past mistakes, but all the evidence elected collected so far about the conduct of this year's presidential campaign points otherwise.

As the Ukrainian presidential election approaches in just 3 weeks, the prospect for the election to be free and fair seems bleak.

Despite high-level protests by the United States government and the Congress over the continued manipulation and control of the media by national and local Ukrainian officials, these violations have continued unabated and raise grave concerns regarding the commitment of the Ukrainian Government to free and fair elections.

I am also uneasy about the efforts of the Government of the Russian Federation to tilt the election in favor of the presidential candidate from the ruling party.

Mr. Speaker, Ukraine has been a country at the crossroads for the past 12 years. This election will show the world whether the Ukrainian Government is committed to democracy and the rule of law. It will also serve as an indicator of the Ukraine's readiness to become a valuable member of the Western community of democracies.

Congressional consideration of this resolution today, just 3 weeks before the presidential election, sends an important message to the Ukrainian electorate and the Ukrainian political elite that the U.S. Congress cares deeply about the political future of Ukraine.

Mr. Speaker, the United States seeks a strong and lasting relationship with Ukraine. Ukraine has already shown its good will by joining coalition forces in Iraq. However, history has shown that the most enduring and fruitful alliances can be sustained between genuine democracies which share the same values and aspirations.

I would like to express my sincere hope that Ukraine will succeed in conducting a democratic and fair election. Ukraine will then be on a firm path of becoming a full-fledged member of Europe.

I strongly urge my colleagues to support this resolution.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield as much time as he may consume to my colleague the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I am very pleased that the House moved to the timely consideration of H. Con. Res. 415, which calls upon the government of Ukraine to ensure a democratic, transparent and fair election process for that country's presidential elections that are about to take place on October 31. As chairman of the Helsinki Commission, I join the gentleman from Illinois (Chairman HYDE) in sponsoring this important resolution. H. Con. Res. 415 makes clear the expectation that Ukrainian authorities should, consistent with their own laws and international agreements, ensure an election process that enables all of the candidates to compete on a level playing field.

International attention, Mr. Speaker, is now rightly focused on ensuring free, fair, open and transparent presidential elections on October 31, with a second round likely on November 21. These elections are critically important to the future of Ukraine, yet we see on a daily basis an election campaign that seriously calls into question Ukraine's commitment to OSCE principles.

Without exaggeration, Ukraine is facing a critical election, a choice not only between Euro-Atlantic integration versus reintegration into the former Soviet Eurasian space, but a choice between further development toward a European-style democracy, such as in Poland or Hungary, versus the increasingly authoritarian system that prevails in Russia today.

Unfortunately, the pre-election environment in Ukraine gives great cause for concern. Ukrainian voters clearly are not receiving balanced and objective information about all of the candidates in the race. Ukraine's state-owned television channels are heavily biased against the democratic opposition candidate, Viktor Yushchenko, who is leading in the polls nevertheless.

Independent media providing Ukrainians with objective information about the campaign, including channel 5, are being shut down in various regions. Journalists who do not follow the secret instructions from the presidential administration, it is called temnyky, are harassed and even fired. Given the stakes in these elections, Mr. Speaker, we should not be surprised that the ruling regime has launched an all-out campaign against the free media and against the opposition, the most recent of numerous examples being the highly suspicious poisoning of Viktor Yushchenko.

In addition, numerous obstacles to a free and fair political campaign have been placed by the national authorities, including intimidation of citizens, candidates and campaigns, the harassment of citizen expressions of political views, and the illegal use of State resources to promote the candidacy of Prime Minister Viktor Yanukovich.

Equal conditions for candidates, including unimpeded access to media, and an end to the intimidation and harassment of candidates and citizens must be provided during the remainder of the presidential campaign and will be key in determining whether or not the Ukrainian presidential elections will be judged as free and fair by the OSCE and the international community.

The elections will be a watershed for the future direction of that country.

Ukraine has tremendous potential. An independent, democratic Ukraine where the rule of law prevails is vital to the security and stability of Europe. Ukrainian authorities need to radically improve the election environment, however, if there is to be hope for these elections to meet those standards.

Mr. Speaker, this resolution urges the Ukrainian government to guarantee freedom of association and assembly, and it is not guaranteed now; ensure full transparency of the election process; free access for Ukrainian and international election observers; and unimpeded access by all candidates to the media on a nondiscriminatory basis.

I urge all Members to support this.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. MURPHY). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 415, as amended.

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

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 878, CREATING ADDITIONAL FEDERAL COURT JUDGESHIPS

Mr. SESSIONS (during consideration of H. Con. Res. 415) from the Committee on Rules, submitted a privileged report (Rept. No. 108–723) on the resolution (H. Res. 814) providing for consideration of the bill (S. 878) to authorize an additional permanent judgeship in the district of Idaho, and for other purposes, which was referred to the House Calendar and ordered to be printed.

BELARUS DEMOCRACY ACT OF 2004

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 854) to provide for the promotion of democracy, human rights, and rule of law in the Republic of Belarus and for the consolidation and strengthening of Belarus sovereignty and independence, as amended.

The Clerk read as follows:

H.R. 854

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Belarus Democracy Act of 2004''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The United States supports the promotion of democracy, respect for human rights, and the rule of law in the Republic of Belarus consistent with its commitments as a participating state of the Organization for Security and Cooperation in Europe (OSCE).

(2) The United States has a vital interest in the independence and sovereignty of the Republic of Belarus and its integration into the European community of democracies.

(3) In November 1996, Lukashenka orchestrated an illegal and unconstitutional referendum that enabled him to impose a new constitution, abolish the duly-elected parliament, the 13th Supreme Soviet, install a largely powerless National Assembly, and extend his term of office to 2001.

(4) Democratic forces in Belarus have organized peaceful demonstrations against the Lukashenka regime in cities and towns throughout Belarus which led to beatings, mass arrests, and extended incarcerations.

(5) Victor Gonchar, Anatoly Krasovsky, and Yuri Zakharenka, who have been leaders and supporters of the democratic forces in Belarus, and Dmitry Zavadsky, a journalist known for his critical reporting in Belarus, have disappeared and are presumed dead.

(6) Former Belarus Government officials have come forward with credible allegations and evidence that top officials of the Lukashenka regime were involved in the disappearances.

(7) The Belarusian authorities have mounted a major systematic crackdown on civil society through the closure, harassment, and repression of nongovernmental organizations, and independent trade unions.

(8) The Belarusian authorities actively suppress freedom of speech and expression, including engaging in systematic reprisals against independent media.

(9) The Lukashenka regime has reversed the revival of Belarusian language and culture, including through the closure of the National Humanities Lyceum, the last remaining high school where classes were taught in the Belarusian language.

(10) The Lukashenka regime harasses the autocephalic Belarusian Orthodox Church, the Roman Catholic Church, the Jewish community, the Hindu Lights of Kalyasa community, evangelical Protestant churches (such as Baptist and Pentecostal groups), and other minority religious groups.

(11) The Law on Religious Freedom and Religious Organizations, passed by the National Assembly and signed by Lukashenka on October 31, 2002, establishes one of the most repressive legal regimes in the OSCE region, severely limiting religious freedom and placing excessively burdensome government controls on religious practice.

(12) The parliamentary elections of October 15, 2000, and the presidential election of September 9, 2001, were determined to be fundamentally unfair and nondemocratic.

(13) The Government of Belarus has made no substantive progress in addressing criteria established by the OSCE in 2000, ending repression and the climate of fear, permitting a functioning independent media, ensuring transparency of the elections process, and strengthening of the functions of parliament.

SEC. 3. ASSISTANCE TO PROMOTE DEMOCRACY AND CIVIL SOCIETY IN BELARUS.

(a) PURPOSES OF ASSISTANCE.—The assistance under this section shall be available for the following purposes:

(1) To assist the people of the Republic of Belarus in regaining their freedom and to enable them to join the European community of democracies.

(2) To encourage free and fair presidential, parliamentary, and local elections in Belarus, conducted in a manner consistent with internationally accepted standards and under the supervision of internationally recognized observers.

(3) To assist in restoring and strengthening institutions of democratic governance in Belarus.

(b) AUTHORIZATION FOR ASSISTANCE.—To carry out the purposes of subsection (a), the President is authorized to furnish assistance and other support for the activities described in subsection (c), to be provided primarily for indigenous Belarusian groups that are committed to the support of democratic processes.

(c) ACTIVITIES SUPPORTED.—Activities that may be supported by assistance under subsection (b) include—

(1) the observation of elections and the promotion of free and fair electoral processes;

(2) development of democratic political parties;

(3) radio and television broadcasting to and within Belarus;

(4) the development of nongovernmental organizations promoting democracy and supporting human rights;

(5) the development of independent media working within Belarus and from locations outside the country and supported by nonstate-controlled printing facilities;

(6) international exchanges and advanced professional training programs for leaders and members of the democratic forces in skill areas central to the development of civil society; and

(7) other activities consistent with the purposes of this Act.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.— There are authorized to be appropriated to the President to carry out this section such sums as may be necessary for each of the fiscal years 2005 and 2006.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to the authorization of appropriations under paragraph (1) are authorized to remain available until expended.

SEC. 4. RADIO BROADCASTING TO BELARUS.

(a) PURPOSE.—It is the purpose of this section to authorize increased support for United States Government and surrogate radio broadcasting to the Republic of Belarus that will facilitate the unhindered dissemination of information.

(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to such sums as are otherwise authorized to be appropriated, there are authorized to be appropriated such sums as may be necessary for fiscal year 2005 and each subsequent fiscal year for radio broadcasting to the people of Belarus in languages spoken in Belarus.

SEC. 5. SENSE OF CONGRESS RELATING TO SANCTIONS AGAINST BELARUS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the sanctions described in subsection (c) should apply with respect to the Republic of Belarus until the President determines and certifies to the appropriate congressional committees that the Government of Belarus has made significant progress in meeting the conditions described in subsection (b).

(b) CONDITIONS.—The conditions referred to in subsection (a) are the following:

(1) The release of individuals in Belarus who have been jailed based on political or religious beliefs.

(2) The withdrawal of politically motivated legal charges against all opposition figures and independent journalists in Belarus.

(3) A full accounting of the disappearances of opposition leaders and journalists in Belarus, including Victor Gonchar, Anatoly Krasovsky, Yuri Zakharenka, and Dmitry Zavadsky, and the prosecution of those individuals who are responsible for their disappearances.

(4) The cessation of all forms of harassment and repression against the independent media, independent trade unions, nongovernmental organizations, religious organizations (including their leadership and members), and the political opposition in Belarus.

(5) The implementation of free and fair presidential and parliamentary elections in Belarus consistent with OSCE commitments.

(c) PROHIBITION ON LOANS AND INVESTMENT.—

(1) UNITED STATES GOVERNMENT FINANCING.—No loan, credit guarantee, insurance, financing, or other similar financial assistance should be extended by any agency of the United States Government (including the Export-Import Bank and the Overseas Private Investment Corporation) to the Government of Belarus, except with respect to the provision of humanitarian goods and agricultural or medical products.

(2) TRADE AND DEVELOPMENT AGENCY.—No funds available to the Trade and Development Agency should be available for activities of the Agency in or for Belarus.

(d) MULTILATERAL FINANCIAL ASSISTANCE.—It is further the sense of Congress that, in addition to the application of the sanctions described in subsection (c) to the Republic of Belarus (until the President determines and certifies to the appropriate congressional committees that the Government of Belarus has made significant progress in meeting the conditions described in subsection (b)), the Secretary of the Treasury should instruct the United States Executive Director of each international financial institution to which the United States is a member to use the voice and vote of the United States to oppose any extension by those institutions of any financial assistance (including any technical assistance or grant) of any kind to the Government of Belarus, except for loans and assistance that serve humanitarian needs.

SEC. 6. MULTILATERAL COOPERATION.

It is the sense of Congress that the President should continue to seek to coordinate with other countries, particularly European countries, a comprehensive, multilateral strategy to further the purposes of this Act, including, as appropriate, encouraging other countries to take measures with respect to the Republic of Belarus that are similar to measures described in this Act.

SEC. 7. REPORT.

(a) REPORT.— Not later than 90 days after the date of the enactment of this Act, and not later than 1 year thereafter, the President shall transmit to the appropriate congressional committees a report that describes, with respect to the preceding 12-month period, and to the extent practicable the following:

(1) The sale or delivery of weapons or weapons-related technologies from the Republic of Belarus to any country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)), has repeatedly provided support for acts of international terrorism.

(2) An identification of each country described in paragraph (1) and a detailed description of the weapons or weapons-related technologies involved in the sale.

(3) An identification of the goods, services, credits, or other consideration received by Belarus in exchange for the weapons or weapons-related technologies.

(4) The personal assets and wealth of Aleksandr Lukashenka and other senior leadership of the Government of Belarus.

(b) FORM.—A report transmitted pursuant to subsection (a) shall be in unclassified form but may contain a classified annex.

SEC. 8. DECLARATION OF POLICY.

Congress hereby—

(1) calls upon the Lukashenka regime to cease its persecution of political opponents or independent journalists and to release those individuals who have been imprisoned for opposing his regime or for exercising their right to freedom of speech;

(2) expresses its grave concern about the disappearance of Victor Gonchar, Anatoly Krasovsky, Yuri Zakharenko, and Dmitry Zavadsky and calls upon the Lukashenka regime to cooperate fully with the Belrussian civil initiatve ''We Remember'' and to extend to this organization all necessary information to find out the truth about the disappearances;

(3) calls upon the the Lukashenka regime to cooperate fully with the Parliamentary Assembly of the Council of Europe (PACE) and its specially appointed representatives in matters regarding the resolution of the cases of the disappeared; and

(4) commends the democratic opposition in Belarus for their commitment to participate in October 2004 Parliamentary elections as a unified coalition and for their courage in the face of the repression of the Lukashenka regime in Belarus.

SEC. 9. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) OSCE.—The term ''OSCE'' means the Organization for Security and Cooperation in Europe.

(3) SENIOR LEADERSHIP OF THE GOVERNMENT OF BELARUS.—The term ''senior leadership of the Government of Belarus'' includes—

(A) the President, Prime Minister, Deputy Prime Ministers, government ministers, Chairmen of State Committees, and members of the Presidential Administration of Belarus;

(B) any official of the Government of Belarus who is personally and substantially involved in the suppression of freedom in Belarus, including judges and prosecutors; and

(C) any other individual determined by the Secretary of State (or the Secretary's designee) to be personally and substantially involved in the formulation or execution of the policies of the Lukashenka regime that are in contradiction of internationally recognized human rights standards.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Florida (Mr. WEXLER) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 854.

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

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 854 and would like to commend the gentleman from New Jersey (Mr. SMITH) for his tireless efforts in support of democracy worldwide, and in this case in Belarus.

Belarus is perhaps the last country in Europe to embrace democracy. In just 2 weeks that nation will hold important elections for parliament in what will be a litmus test for President Lukashenko's commitment to democracy and the direction he intends to take Belarus in the future. I regret that the political situation there at the moment does not look very promising.

In June, the House overwhelmingly passed H. Res. 624, introduced by our former colleague Doug Bereuter, which emphasizes that if Belarus is ever to become more integrated into the Western community of nations, it must work towards the establishment of a genuinely democratic political system in which the freedom of association and assembly are guaranteed, where political candidates from the opposition will be free from political harassment and intimidation as they campaign for office, and in which the media are free to act independently, free from government control or intimidation, where there exists a system in which elections and the electoral process are open, transparent and fair.

For all of these reasons, it was important that the Congress emphatically express our strong support for free, fair and transparent elections and more definitive progress towards establishing a functioning democracy in Belarus.

The bill we have before us today provides a mechanism by which we can influence that progress. H.R. 854 would authorize assistance for democracy promotion, for building strong democratic institutions, radio broadcasting, and the development of an independent media. But we know how the current government feels about these matters, and we anticipate a lack of cooperation. So the bill also provides a series of sanctions which could be implemented if certain conditions in Belarus are not adequately addressed or resolved.

I would also note that in Europe, the situation in Belarus is of equal concern. The OSCE, the OSCE Parliamentary Assembly and the Parliamentary Assembly of the Council of Europe have all expressed deep concerns over Belarus and its elections.

H.R. 854 rather precisely explains the concerns and recommendations of the United States Congress, and I urge adoption of this important bill.

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

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

Mr. Speaker, I rise in strong support of this bill.

Mr. Speaker, first I would like to commend my friend and colleague from New Jersey (Mr. SMITH) for being a stalwart supporter of democracy in Belarus and for his willingness to offer this legislation.

Just a few months ago, this House passed an important resolution on the

upcoming parliamentary elections in Belarus. This resolution, authored by our former colleague Doug Bereuter and myself, called upon the Government of Belarus to ensure that these important elections be conducted in a free and fair manner. Regrettably, since then, the political situation in Belarus has deteriorated, not improved.

The dictatorial regime of Aleksandr Lukashenka continues to cling to power, using brutal force, intimidation, and illegal maneuvering to secure his reign. If Lukashenka succeeds, as he did in 1996 when he amended the constitution in a seriously flawed referendum, and as he did in 2001 when he extended his term in office through an election that was neither free nor fair, and as he did in 2003 when he similarly stole local elections, the United States Government must have a clear and effective strategy to promote human rights and democracy in Belarus.

Our legislation directs the President to focus our assistance on core democracy programs in Belarus, namely, promotion of free elections, support for civil society, strengthening of democratic political parties, and support for independent media and international exchanges. Lukashenka's regime must understand that we will not forget the cause of human rights and democracy in Belarus, and that the United States and Belarus will not have a fully normal relationship until Belarus moves assertively towards a democratic form of government.

Belarus is strategically located in Eastern Europe, bordering Poland and Lithuania, both members of NATO and the European Union, and Ukraine and Russia. We cannot afford to give up on the cause of democracy and freedom in Belarus.

The Lukashenka regime is one of the most notorious human rights abusers in the world, routinely suppressing the rights of Belarusian citizens. The regime has been implicated in the political murders of its opponents, disappearances of opposition leaders, repression of independent media, harassment of NGOs, and other egregious violations of internationally recognized and accepted democratic norms.

Lukashenka bears full responsibility for these abuses, as nothing in Belarus happens without his knowledge or full acquiescence. The United States, the European Union, member states of the Organization for Security and Cooperation in Europe, and international human rights NGOs have all called upon the Lukashenka dictatorship to end its human rights abuses and restore democracy to Belarus.

Although the anti-Lukashenka forces in Belarus have boycotted previous elections, the opposition is participating in the upcoming elections and has united into a coalition of five democratic parties that will campaign as a block.

Although this coalition faces an uphill battle, we should nevertheless commend the leaders and members of this coalition for their courage and determination to bring democracy to Belarus and provide them our unqualified support.

In the congressional tradition of setting policy that has been instrumental in defeating dictatorships in Europe, Asia, and Africa, this legislation will promote democracy, human rights, and the rule of law and consolidate the independence and sovereignty of Belarus.

I strongly support passage of this bill and urge my colleagues to do so as well.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to commend my colleague, the gentleman from New Jersey (Mr. SMITH), the sponsor of this bill, who works tirelessly to promote democracy over in Europe; and I am sorry he is not here to speak on this bill.

Mr. SMITH of New Jersey. Mr. Speaker, I rise to urge passage of H.R. 854, the Belarus Democracy Act. With important parliamentary elections in Belarus scheduled for October 17, it is essential that we pass the Belarus Democracy Act. This Congress must demonstrate its strong support for pro-democracy forces in Belarus and advance U.S. interests in the region. Now is the time to send a strong signal.

Since his election in 1995, Belarusian dictator Alexander Lukashenka has steadily undermined democratic institutions through a series of unfair elections and a seriously flawed constitutional referendum. The U.S. State Department, Helsinki Commission which I Chair, as well as the OSCE, the OSCE Parliamentary Assembly, the United Nations, the Council of Europe, the European Union and other international entities have all chronicled the appalling state of human rights and democracy there. Located in the heart of Europe, Belarus is juxtaposed to our NATO allies and will soon border the European Union.

The Lukashenka regime has repeatedly violated basic freedoms of speech, expression, assembly, association and religion. Since I introduced the Belarus Democracy Act last year, the situation in Belarus has only become more difficult.

Just within the last few months, the independent media, non-governmental organizations (NGOs), independent trade unions, religious groups, and democratic opposition leaders have faced increased harassment, arrest, detentions, and even violence. Opposition leaders have been imprisoned and beaten. NGOs have been closed down with increasing frequency. Independent media outlets continue to feel the wrath of the powers-that-be, including closures, defamation lawsuits, exorbitant fines, confiscations of newspapers or the suspension of their distribution, censorship and the deportation of an independent journalist from Ukraine who had lived in Belarus since 1990. Independent trade unions are subject to a pattern of obstruction, harassment and intimidation by the authorities.

In short, the situation in Belarus continues its downward spiral with daily reports of growing repression and human rights violations.

Here in Washington and at various OSCE Parliamentary Assembly meetings, I've had occasion to meet with the wives of the disappeared. The cases of their husbands—Yuri Zakharenka, Victor Gonchar, Anatoly Krasovsky, and journalist Dmitri Zavadsky who disappeared in 1999 and 2000 and are presumed to have been murdered—are a stark illustration of the climate of fear that pervades in Belarus. I am pleased that just last week the United States, together with the European Union, has decided to restrict admission to four top Belarusian officials implicated in these politically motivated disappearances. Reports of arms and weapons deals between the Belarusian regime and rogue states continue to circulate. Lukashenka and his regime were open in their support of Saddam Hussein. On August 24, the Treasury Department charged that Infobank of Belarus has been involved with money laundering involving fraudulent transactions pertaining to Iraq, where funds laundered by Saddam Hussein's regime were derived from schemes to circumvent the UN Oil-for-Food program.

PROVISIONS OF BDA

Mr. Speaker, the main purpose of the BDA is to demonstrate U.S. support for those struggling to promote democracy and respect for human rights in Belarus despite the onerous pressures they face from the anti-democratic regime. This bill authorizes necessary assistance for democracy-building activities such as support for NGOs, independent media—including radio and television broadcasting to Belarus—and international exchanges.

The bill also encourages free and fair parliamentary elections, conducted in a manner consistent with international standards—in sharp contrast to the 2000 parliamentary and 2001 presidential elections in Belarus which flaunted democratic standards. As a result of those elections, Belarus has the distinction of lacking legitimate presidential and parliamentary leadership, which contributes to its self-imposed isolation. Parliamentary elections now have an added dimension, with Lukashenka's September 7 announcement of a referendum to take place on the same day, that would pave the way to extend his rule beyond 2006, when his tenure is due to expire, to potentially join the ranks of ''presidents for life'' like President Niyazov in Turkmenistan and others in Central Asia.

As matters stand now, the deck appears to be stacked in Lukashenka's favor, as the Belarusian Government has almost total control of the electoral process. Opposition parties have been allocated a negligible percentage of seats on district and precinct election commissions, and many candidates proposed by Belarusian democratic opposition parties have been denied registration. To their credit, the embattled opposition and non-governmental organizations have not given up. I have met with the leaders of the Belarusian opposition and have been impressed with their determination to participate in the coming elections and their courageous work to advance democracy, human rights and the rule of law, despite all of the obstacles placed in their way by the Lukashenka regime.

In addition, this bill includes ''sense of Congress'' language that would impose sanctions against the Lukashenka regime. U.S. Government financing would be prohibited, except for

humanitarian goods and agricultural or medical products. The U.S. Executive Directors of the international financial institutions would be encouraged to vote against financial assistance to the Government of Belarus except for loans and assistance that serve humanitarian needs. This bill also requires reports from the President concerning the sale or delivery of weapons or weapons-related technologies from Belarus to rogue states and on the personal assets and wealth of Lukashenka and other senior leadership in Belarus.

I hope that the Belarus Democracy Act will help support those who desire a genuinely independent, democratic Belarus and serve as a catalyst to facilitate Belarus' integration into democratic Europe. The measure is designed to be a counterweight to the pattern of clear, gross and uncorrected human rights violations by the Lukashenka regime. The Belarusian people—who have suffered so much both under past and present dictatorships—deserve to live in a society where democratic principles and human rights are respected. We must stand firmly on the side of those who long for freedom.

Mr. PALLONE. Mr. Speaker, I rise today to express my support for H.R. 854, the Belarus Democracy Act of 2003. This important piece of legislation will take significant steps toward the democratization of Belarus and offer support for those living in the country and seeking a democratic process in fundamental areas such as elections, media and human rights. If passed, this bill will ensure that a fair and free electoral process will exist in the former Soviet state. In addition, this bill will work toward the development of a media that is non-state controlled and independent. Furthermore, this bill will establish training programs and methods of international exchange for the individuals that will advance the development of a democratic and civil society.

By placing specific economic sanctions on Belarus, the United States will send a clear message that major democratic reforms must take place in order for the country to become an independent state that is integrated into Europe. I am in full support of H.R. 854, and I urge my fellow colleagues to vote in favor of this vital piece of legislation, which will go very far in assisting the democratization process in Belarus.

Mr. HYDE. Mr. Speaker, I submit for the RECORD an exchange of letters concerning the bill H.R. 854 between the Chairman of the Committee on International Relations and the Chairman of the Committee on the Judiciary.

CONGRESS OF THE UNITED STATES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC, July 13, 2004.

Hon. F. JAMES SENSENBRENNER, Jr.,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter concerning H.R. 854, the ''Belarus Democracy Act of 2003,'' which was referred primarily to the Committee on International Relations and additionally to the Committees on the Judiciary and Financial Services. This Committee ordered the bill reported favorably on February 25, 2004.

I concur that the referral to the Committee on the Judiciary was based on §5(c), a sense of Congress provision that the President should use his powers under the Immigration and Nationality Act to deny entry to the United States to the senior leadership of the Government of Belarus. The manager's amendment which the Committee will call up does not include §5(c) or any other provisions that fall within the Rule X jurisdiction of the Committee on the Judiciary.

I appreciate your willingness to waive further consideration of the bill in the Committee on the Judiciary so that the bill may proceed expeditiously to the floor. I concur, that in taking this action, your Committee's jurisdiction over the bill is in no way diminished or altered. I will, as you request, include this exchange of letters in the CONGRESSIONAL RECORD during consideration of the legislation on the House floor.

I appreciate your cooperation in this matter.

Sincerely,

HENRY J. HYDE,
Chairman.

CONGRESS OF THE UNITED STATES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, July 13, 2004.

Hon. HENRY HYDE,
Chairman, Committee on International Relations, House of Representatives, Washington, DC.

DEAR CHAIRMAN HYDE: I am writing regarding H.R. 854, the ''Belarus Democracy Act of 2003'' which was referred primarily to the Committee on International Relations and additionally to the Committees on the Judiciary and Financial Services. The Committee on International Relations ordered the bill reported favorably on February 25, 2004, but as of this time has not filed a report.

The referral to the Committee on the Judiciary was based on §5(c), a sense of Congress provision that the President should use his powers under the Immigration and Nationality Act to deny entry to the United States to the senior leadership of the Government of Belarus. I understand that you have indicated your willingness to take the bill to the floor under suspension of the rules with a manager's amendment that does not include §5(c) or any other provisions that fall within the Rule X jurisdiction of the Committee on the Judiciary.

Based on your willingness to follow this course, I am willing to waive further consideration of the bill in the Committee on the Judiciary so that the bill may proceed expeditiously to the floor. The Committee on the Judiciary takes this action with the understanding that the Committee's jurisdiction over the bill is in no way diminished or altered. I would appreciate your including this letter and your response in the CONGRESSIONAL RECORD during consideration of the legislation on the House floor.

I appreciate your cooperation in this matter.

Sincerely,

F. JAMES SENSENBRENNER, Jr.,
Chairman.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and pass the bill, H.R. 854, as amended.

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

A motion to reconsider was laid on the table.

□ 1945

COMMENDING PEOPLE AND GOVERNMENT OF GREECE FOR SUCCESSFUL COMPLETION OF 2004 SUMMER OLYMPIC GAMES

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 774) commending the people and Government of Greece for the successful completion of the 2004 Summer Olympic Games.

The Clerk read as follows:

H. RES. 774

Whereas in August 2004, the Summer Olympic Games returned to Greece, their ancient birthplace and the land of the Acropolis, Homer, and Plato, reminding all of the origin of democracy;

Whereas the people and Government of Greece, through extraordinary diligence, energy, and imagination, hosted a successful 2004 Summer Olympic Games in Athens;

Whereas Greece demonstrated an extraordinary ability to accommodate more than 10,000 athletes from 202 countries, along with hundreds of thousands of spectators, foreign dignitaries, and journalists, and did so efficiently, securely, and with hospitality;

Whereas the 2004 Summer Olympic Games hosted by Greece proudly displayed the ideals of the Olympic movement, promoting mutual understanding, friendship, and peace among nations through noble athletic competition;

Whereas close cooperation between Greece and the United States on several aspects of the Olympic Games, including security, was consistent with the longtime friendship and alliance between two nations that have stood side by side in defense of a shared commitment to freedom and democracy for more than 100 years;

Whereas Greece provided the world with the unique experience of seeing the Olympics framed by ancient wonders such as the Parthenon on the Acropolis and the stadium in Olympia;

Whereas Greece displayed its modern achievements through extraordinary Olympic venues, world-class infrastructure, and breathtaking and high-tech opening and closing ceremonies; and

Whereas following completion of the games, United States Olympic Committee Chairman Peter Ueberroth stated that ''history will record these Games as among the greatest, if not the greatest, of all time'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the people of Greece for the successful completion of the 2004 Summer Olympic Games; and

(2) agrees with United States Olympic Committee Chairman Peter Ueberroth that ''history will record these Games as among the greatest, if not the greatest of all time''.

The SPEAKER pro tempore (Mr. MURPHY). Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Florida (Mr. WEXLER) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend

their remarks and include extraneous material on H. Res. 774, the resolution under consideration.

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

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I might consume.

I rise in strong support of H. Res. 774 commending the people and government of Greece for the successful completion of the 2004 Summer Olympic Games, and I want to commend our colleagues, the gentleman from Massachusetts (Mr. MEEHAN), the gentleman from Florida (Mr. BILIRAKIS), and the gentlewoman from New York (Mrs. MALONEY) for introducing this legislation.

For 17 glorious days this summer, with the spectacular setting of the ancient Parthenon and Acropolis as background, the Nation of Greece hosted the world to what has been referred to by some as one of the greatest games of all times.

As we followed the progress of the preparations, we realized it surely was not easy to accomplish. The costs were high, and the tensions associated with providing security for 10,000 athletes and hundreds of thousands of visitors and spectators placed great pressure on the government of Greece. But in the end, the world-class venues and infrastructure provided, the breathtaking opening and closing ceremonies and, of course, the competition itself afforded the world an unparalleled look at the energy, diligence, hospitality and imagination of the people of Greece.

All of Greece has a right to be proud of what was accomplished this summer. This resolution reaffirms that recognition.

I urge adoption of this resolution.

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

Mr. WEXLER. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of this resolution.

Mr. Speaker, I would first like to commend our colleague, the gentleman from Massachusetts (Mr. MEEHAN), for introducing this important resolution.

The 2004 Olympic Games in Athens recently unfolded before the eyes of hundreds of millions of people around the world, some watching in person, but many more on television. It is fair to say, Mr. Speaker, that the Athens games were an unqualified success.

Despite fears of terrorism or that key Olympic venues would not be ready, Athens was more than prepared to receive tens of thousands of athletes and officials from around the world, and the Olympic spirit thrived as athletes lived out their dreams.

These were truly historic games. The Summer Olympic Games returned to Greece, their ancient birthplace, for the first time. The games brought together people from all over the world; 202 countries participated in the Athens Olympics, including athletes from Afghanistan and Iraq.

The Greek people and the government of Greece, through extraordinary diligence, energy and enthusiasm, hosted over 10,000 athletes with efficiency and security. The Greek officials developed transportation infrastructure to ensure that athletes and spectators could easily get to all Olympic venues and practice facilities.

The United States and the government of Greece cooperated closely on several aspects of the Olympic games, including security. This cooperation solidified the long-standing alliance and friendship between our two Nations which stand side-by-side in defense of a shared commitment to freedom and democracy.

The 2004 Olympics in Greece showed us the best combination of a modern, world-class infrastructure and high-tech innovation, framed by the ancient wonders of Greece, the birthplace of Western culture and democracy.

Mr. Speaker, I want to join the sponsors of this resolution in agreeing with the United States Committee Chairman Peter Ueberroth that ''history will record these Games as among the greatest, if not the greatest, of all time.''

I strongly support this resolution and urge its unanimous passage.

Mrs. MALONEY. Mr. Speaker, I rise today in strong support of H. Res. 774, commending the people of Greece for hosting a successful and safe Olympics.

As co-chair of the Congressional Caucus on Hellenic Issues, it is my great honor to recognize Greece for its recent achievements.

I am very fortunate and privileged to represent Astoria, Queens—one of the largest and most vibrant communities of Greek Americans in this country.

I never had any doubts that Greece would be an excellent host for the 2004 Olympic Games, truly one of the greatest ever to be held.

For three weeks in August, the people of Greece welcomed the world to participate in an event which allows countries to set aside their political differences for a brief time to come together in the spirit of peace and sportsmanship.

Thousands of athletes from around the world returned to the birthplace of the Olympics to determine the fastest, the strongest, the best in each competition.

From the swimming pool to the volleyball courts to the track and field arena, moments of perseverance and victory will be etched in our memories forever.

As gracious hosts, the people of Greece showed the visiting delegations its beautiful historic and natural treasures, ensuring that they would remember their time in Greece for more than only their events.

We heard much talk in the months leading up to the Games that the Greeks would not be ready.

But they proved everyone wrong.

The venues were completed and were the sites of some of the most exciting Olympic competitions ever.

The opening and closing ceremonies were unbelievable.

The volunteers were phenomenal, and the transportation was efficient.

And most importantly, the outstanding security preparations taken in advance of the Games resulted in the safety of both the athletes and visitors.

The 2004 Games have set an example for how future host cities will prepare for this magnificent event.

The dollars and time spent on security were well worth the investment.

I am tremendously proud of Greece for what it has accomplished.

I an hopeful that its economy will benefit from the Games for years to come.

I am confident that millions of tourists are planning vacations as we speak to Greece so that they can see for themselves the ancient ruins and its gorgeous coastline.

And so that they can meet for themselves Greece's greatest treasure . . . its people.

I would like to thank my good friend Representative MEEHAN for introducing this resolution, and I urge my colleagues to support it.

Mr. MEEHAN. Mr. Speaker, I thank the distinguished Chairman and Ranking Member of the International Relations Committee for bringing this resolution to the floor.

I rise today in strong support of H. Res. 774, to pay tribute to the people and Government of Greece for hosting an unforgettable 2004 Summer Olympic Games.

This summer, the Olympic Games returned to their ancient birthplace. The people of Greece proudly displayed the ideals of the Olympic movement, promoting mutual understanding, friendship, and peace among nations through noble athletic competition.

Greece overcame daunting security challenges and safely accommodated more than 10,000 athletes from 202 countries, along with hundreds of thousands of spectators, foreign dignitaries, and journalists.

These visitors and the Olympics' television viewers worldwide experienced the games much as they must have been played originally, framed by ancient wonders such as the Parthenon on the Acropolis and the stadium in Olympia.

Greece also displayed its modern achievements such as extraordinary Olympic venues and breathtakingly high-tech opening and closing ceremonies.

In the words of United States Olympic Committee Chairman Peter Ueberroth, ''history will record these Games as among the greatest, if not the greatest, of all time.''

The United States and Greece have long enjoyed a deep friendship that grew from a shared commitment to freedom and democracy more than 100 years ago.

We were proud to work in close cooperation with Greece this year to ensure the safety and success of this summer's games.

I therefore join in commending the people of Greece for hosting an extraordinary 2004 Summer Olympic Games, and urge the House to pass this resolution. Zeto Ellas!

Mr. BILIRAKIS. Mr. Speaker, I rise today to express my highest praise and congratulations for the magnificent way Greece hosted the 2004 Summer Olympics. I strongly support H. Res. 774, a resolution which commends the people and government of Greece for the superb Olympic Games held this summer in Athens.

The task of hosting the modern Olympic Games is filled with honor, but also presents

a colossal challenge. With dedication, commitment to hard work, and inspirational leadership, Greece met the challenge while proudly showcasing the ideals of the Olympics and promoting friendship and peace among nations.

As the host to the biggest sporting event in the world, Athens rose magnificently to the challenge and demonstrated the pride and honor that comes with such an occasion. The leadership shown by the government of Greece, and more specifically, the Prime Minister of Greece, Costas Karamanlis, inspired Athens to a great celebration of commitment, dedication, and human endeavor. The mayor of Athens, Dora Bakoyianni, was responsible for presenting the Olympics not only as a modern sporting occasion, but also as an ancient tradition with superb new modern facilities surrounded by historic and architectural wonder.

The Olympic Games left behind not only a memory of great athletic competition, but a legacy of peace, nobility, and honor that should be at the forefront of all international occasions. The Athens Olympic Organizing Committee, under the direction of Gianna Dasklaki-Angelopoulos, presented such a colossal event which surpassed all expectations. She and her staff succeeded in showcasing all that Athens has to offer, old and new, as the birthplace of the Olympics and a frontrunner in modern development. With Athens being the birthplace of the modern Olympics games and containing so many beautiful ancient monuments, there could not have been a more perfect setting for a truly wonderful celebration of athleticism.

The citizens and government of Greece put on a show that made Hellenes from around the world proud. As a Greek-American, I am most proud. I commend Greece for ensuring that the 2004 Summer Olympic Games would not be forgotten. I encourage my colleagues to support H. Res. 774.

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

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 774.

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

A motion to reconsider was laid on the table.

EXPRESSING SENSE OF CONGRESS REGARDING OPPRESSION BY CHINA OF FALUN GONG IN UNITED STATES AND CHINA

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 304) expressing the sense of Congress regarding oppression by the Government of the People's Republic of China of Falun Gong in the United States and in China.

The Clerk read as follows:

H. CON. RES. 304

Whereas Falun Gong is a peaceful spiritual movement that originated in the People's Republic of China but has grown in popularity worldwide and is now accepted and practiced by thousands in the United States;

Whereas demonstrations by Falun Gong practitioners in the People's Republic of China and the United States have been peaceful, meditative sessions;

Whereas the Constitution of the People's Republic of China provides to the citizens of that country freedom of speech, assembly, association, and religious belief;

Whereas members of the Falun Gong spiritual movement, members of Chinese pro-democracy groups, and advocates of human rights reform in the People's Republic of China have been harassed, libeled, imprisoned, and beaten for demonstrating peacefully inside that country;

Whereas the Chinese Government has also attempted to silence the Falun Gong movement and Chinese prodemocracy groups inside the United States;

Whereas on June 12, 2003, 38 Members of Congress filed an Amended Brief of Amicus Curiae in support of the Falun Gong at the United States District Court, Northeastern District of Illinois, Eastern Division;

Whereas Chinese consular officials have pressured local elected officials in the United States to refuse or withdraw support for the Falun Gong spiritual group;

Whereas Dr. Charles Lee, a United States citizen, has reportedly been mentally and physically tortured since being detained by Chinese authorities in early 2003;

Whereas the apartment of Ms. Gail Rachlin, the Falun Gong spokeswoman in the United States, has been broken into 5 times by agents of the Chinese regime since the regime banned Falun Gong in 1999 in China;

Whereas over the past 5 years China's diplomatic corps has been actively involved in harassing and persecuting Falun Gong practitioners in the United States;

Whereas on June 23, 2003, Falun Gong practitioners were attacked outside a Chinese restaurant in New York City by local United States-based individuals with reported ties to the Chinese Government;

Whereas 5 Falun Gong practitioners were assaulted outside of the Chinese Consulate in Chicago on September 7, 2001, while exercising their constitutionally protected rights to free speech, leading to battery convictions in Cook County Criminal Court of Jiming Zheng on November 13, 2002, and Yujun Weng on December 5, 2002, both assailants being members of a Chinese-American organization in Chicago, the Mid-USA Fujian Township Association, which maintains close ties with the Chinese Consulate;

Whereas individuals that physically harassed Falun Gong practitioners in San Francisco on October 22, 2000, were later seen at anti-Falun Gong meetings and the Chinese Consulate in San Francisco;

Whereas San Francisco City Supervisor Chris Daly, after receiving complaints that Chinese officials were intimidating his constituents, authored a resolution condemning human rights violations and persecution of Falun Gong members by the Chinese Government;

Whereas Mr. Daly and the other members of the San Francisco City Council subsequently received a letter from the Chinese Consul General in San Francisco, claiming that Falun Gong was an ''evil cult'' that was undermining the ''normal social order'' in the People's Republic of China, and that Mr. Daly's resolution should therefore be rejected, which it subsequently was;

Whereas in November 2000, the former Mayor of Saratoga, California, Stan Bogosian, issued a proclamation honoring the contributions of Falun Gong practitioners to the Saratoga community, which prompted the Chinese Consulate in San Francisco to write to Mr. Bogosian urging him to retract his support for local Falun Gong activities;

Whereas many local and national media organizations have reported that other local officials across the United States, including the mayors of several major cities, have been pressured by Chinese consular officials to recant statements of support for the Falun Gong;

Whereas journalists have cited fear of hurting trade relationships as the motivation for some local United States officials to recant their support for Falun Gong after receiving pressure from Chinese consular officials; and

Whereas the Constitution of the United States guarantees freedom of religion, the right to assemble, and the right to speak freely, and the people of the United States strongly value protecting the ability of all people to live without fear and in accordance with their personal beliefs: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) the Government of the People's Republic of China should—

(A) immediately stop interfering in the exercise of religious and political freedoms within the United States, such as the right to practice Falun Gong, that are guaranteed by the United States Constitution;

(B) cease using the diplomatic missions in the United States to spread falsehoods about the nature of Falun Gong;

(C) release from detention all prisoners of conscience, including practitioners of Falun Gong, who have been incarcerated in violation of their rights as expressed in the Constitution of the People's Republic of China;

(D) immediately end the harassment, detention, physical abuse, and imprisonment of individuals who are exercising their legitimate rights to freedom of religion, including the practices of Falun Gong, freedom of expression, and freedom of association as stated in the Constitution of the People's Republic of China; and

(E) demonstrate its willingness to abide by international standards of freedom of belief, expression, and association by ceasing to restrict those freedoms in the People's Republic of China;

(2) the President should, in accordance with section 401(a)(1)(B) of the International Religious Freedom Act of 1998 (22 U.S.C. 6401(a)(1)(B)), and with the intention of dissuading the Chinese Government from attempting to stifle religious freedom in the People's Republic of China and the United States, take action such as—

(A) issuing an official public demarche, a formal protest, to the Chinese Foreign Ministry in response to the repeated violations by the Chinese Government of basic human rights protected in international covenants to which the People's Republic of China is a signatory; and

(B) working more closely with Chinese human rights activists to identify Chinese authorities who have been personally responsible for acts of violence and persecution in the People's Republic of China;

(3) the Attorney General should investigate reports that Chinese consular officials in the United States have committed illegal acts while attempting to intimidate or inappropriately influence Falun Gong practitioners or local elected officials, and, in consultation with the Secretary of State, determine an appropriate legal response; and

(4) officials of local governments in the United States should—

(A) in accordance with local statutes and procedures, recognize and support organizations and individuals that share the goals of all or part of the local community, including Falun Gong practitioners; and

(B) report incidents of pressure or harassment by agents of the People's Republic of China to Members of Congress, the Attorney General, and the Secretary of State.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentlewoman from California (Ms. LEE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN).

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 304, the resolution under consideration.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I would like to commend my colleagues, the gentlewoman from California (Ms. WOOLSEY) and the gentlewoman from California (Ms. LEE), for their dedication and support of this resolution. I would also like to thank the gentleman from Illinois (Chairman HYDE), as well as the gentleman from California (Mr. LANTOS), our ranking member, and our entire leadership for bringing this resolution to the floor today.

I rise today to call attention to the horrific specter of the repression imposed upon a peaceful spiritual movement, the Falun Gong, by the largest authoritarian regime in the world today, the Communist regime in China.

On July 22, 1999, a date which will live in the annals of human rights violations as a day of infamy, the Beijing authorities declared the Falun Gong illegal, branding it a so-called ''evil cult.'' This immediately prompted mass arrests, torture and reported deaths of Falun Gong practitioners in official custody, which continues unabated to this present day.

These Falun Gong practitioners still in Chinese custody include at least one American citizen, Dr. Charles Lee. Members of Congress have repeatedly called for his immediate release, and we renew that call here today.

This chamber has repeatedly condemned the Chinese regime's abhorrent violations of human rights and the violations of freedom of belief and conscience of the Falun Gong. We have done so by rendering our overwhelming support to bipartisan resolutions that I have introduced with my colleague, the gentlewoman from California (Ms. WOOLSEY), and numerous others.

However, H. Con. Res. 304 is different. This resolution before us today is addressing something even more ominous. With over 70 cosponsors, this resolution focuses on reports and investigations on the use of fear, intimidation and oppression, often connected with violence, right here within the borders of our own country, within the United States.

Falun Gong practitioners, while peacefully and nonviolently exercising their constitutional rights to free speech and assembly, have been intimidated from California to New York by agents of the Chinese regime. They have, as we have outlined in this resolution, been physically harassed on the streets of San Francisco, assaulted on the streets of Chicago outside of the Chinese consulate and attacked on the streets of New York by individuals with reported ties to the Chinese regime.

Let those listening to this debate, including representatives of any foreign governments having strategies for suppressing free speech in this country, remember one thing: This is the United States of America, the cradle of freedom and democracy. We will not sit idly by as you infringe upon the rights of our citizens and residents who practice Falun Gong. Any interference in the exercise of free speech inside our land will result in the expulsion of those who engage in such actions.

In the land of the free, all voices will be heard. In the home of the brave, a hundred or more flowers will bloom, including the Falun Gong's spiritual movement.

I ask my colleagues to send a clear message to the Chinese regime and to immediately and unconditionally stop its deplorable treatment of the Falun Gong spiritual movement, both inside China and specifically here in the United States.

I ask for a ''yes'' vote on H. Con. Res. 304.

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

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

I strongly support this resolution. It is a very important resolution, and I urge my colleagues to do so as well.

Mr. Speaker, 5 years ago, the Chinese government launched a very brutal crackdown of the Falun Gong spiritual movement throughout China. Tens of thousands of Falun Gong practitioners were brutally beaten, thrown in jail and tortured.

□ 2000

Over 800 Falun Gong practitioners have been killed and tens of thousands remain locked up in Chinese prisons, in psychiatric institutions, and reformed through labor camps. The ongoing Chinese suppression of the Falun Gong is one of the greatest human rights abuses of our time and will, undoubtedly, be marked as one of the darkest periods in modern Chinese history.

Congress has repeatedly spoken out against the repression of Falun Gong practitioners in China. The resolution before us today, however, focuses the spotlight on a new element of the Chinese Government's anti-Falun Gong campaign, the attempt to quash any support for Falun Gong in the United States.

Over the past 5 years, Chinese diplomats in the United States have engaged in a campaign of intimidation and pressure against Falun Gong practitioners here in the United States and those who advocate on their behalf. Apparently not satisfied with the brutal suppression of Falun Gong adherence in China, China has decided to export these repressive policies to the United States.

As the resolution notes, local officials in the United States have been pressured to vote against resolutions condemning the persecution of Falun Gong. Practitioners of Falun Gong in the United States have also been harassed and physically assaulted by individuals associated with Chinese diplomatic missions. Media organizations attempting to fairly cover the treatment of Falun Gong have been pressured by Chinese officials, particularly if their papers ran editorials critical of the Chinese Government.

Mr. Speaker, the Chinese Government's heavy-handed tactics against Falun Gong in the United States will backfire. As Americans see firsthand the extremes to which the Chinese Government will go to stop Falun Gong, sympathy for the plight of Falun Gong practitioners everywhere is sure to grow. Mr. Speaker, this resolution puts the Congress firmly on record against such pressure tactics, and I strongly support its passage.

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

Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. WOOLSEY), whose leadership on this issue is to be commended and who has worked in a bipartisan fashion with the gentlewoman from Florida to bring this resolution to the floor.

Ms. WOOLSEY. Mr. Speaker, I rise in strong support of H. Con. Res. 304, a resolution that condemns the harassment of Falun Gong practitioners in China and here in the United States. I first want to thank the gentlewoman from Florida (Ms. ROS-LEHTINEN), with whom I coauthored and introduced this important resolution in October of last year. I also want to thank the House leadership for allowing this important legislation to come to the House floor, and the gentlewoman from California (Ms. LEE) for yielding me this time.

Finally, I want to thank the loyal and dedicated Falun Gong practitioners who have diligently stopped by my offices over the last 2 years. It has been my pleasure to work with them on this issue.

Mr. Speaker, in April of 1999, 10,000 Falun Gong practitioners staged a peaceful demonstration in front of the Communist Party headquarters near Tiananmen Square. They protested China's oppressive regime. Of course,

we are all familiar with the events that took place in Tiananmen Square in 1989, when thousands of individuals protesting the Chinese regime were brutally beaten and many killed, but China's abuses of Falun Gong practitioners both in China and here in the United States have not received the same attention.

China's rulers have condemned Falun Gong since the 1999 protest, calling this peaceful spiritual movement an evil cult, and embarking on an official campaign to eradicate the movement. China has imprisoned, tortured, and even murdered hundreds of people simply because they peacefully practice Falun Gong. Included among those who have been jailed and tortured are American citizens of Chinese descent.

Charles Lee, a California native, is one such victim. In the year 2003, he traveled to China to visit his extended family. Immediately upon stepping off the airplane, Charles Lee was arrested by Chinese officials. Despite the United States State Department appeals for his release, he has been jailed and tortured in a Chinese prison since his abduction.

Other American Falun Gong practitioners have been assaulted, robbed, and harassed right here in America. Miss Gail Rachlin, the Falun Gong spokeswoman in the United States, has had her New York apartment broken into not once, not twice, but five times over in the last 5 years; and it appears the break-ins have been by Chinese agents.

China's diplomats to the United States too have been actively involved in harassing and persecuting Falun Gong practitioners here in the United States. When San Francisco City Supervisor Chris Daly heard some of his constituents had been harassed by Chinese officials, he authored a resolution for the San Francisco Board condemning the persecution of Falun Gong members by the Chinese Government. In response, the Chinese Consul General in San Francisco sent Mr. Daly a harshly worded letter, claiming that Falun Gong undermines the normal social order in China and should be condemned.

The same experience has been repeated time and time again in dozens of cities across the country. A local official introduces a resolution in support of Falun Gong, and in response the Chinese consulate in the U.S. condemns that resolution as well as the local official who sponsored it.

Mr. Speaker, that is why H. Con. Res. 304 expresses the sense of Congress that the Government of the People's Republic of China immediately stop interfering in the exercise of religious and political freedoms within the United States, including the right to practice Falun Gong. This resolution also states that China immediately cease its harassment, detention, and torture of any individual exercising his or her legitimate rights to freedom of religion, freedom of expression, and freedom of association, as affirmed by the Constitution of the People's Republic of China.

The right to practice the religion or spiritual movement of one's choice is ingrained in the very fabric of the United States Constitution. That is why it is counter to what we stand for in our country that Chinese officials have persecuted Falun Gong practitioners and harassed local American officials right here in our country.

I urge all of my colleagues to support this important resolution. Send a strong message to China that we demand the proper treatment of both Americans and Chinese individuals who practice the Falun Gong spiritual movement.

Mr. SMITH of New Jersey. Mr. Speaker, I rise to urge passage of H. Con. Res. 304, expressing the sense of Congress that the Government of the People's Republic of China should cease its persecution of Falun Gong practitioners in the United States and in China. Ms. ROS-LEHTINEN, I commend you for introducing this legislation and for speaking out against human rights abuses throughout the world.

Members of Congress need to be aware of the brutal suppression of human rights and religious freedoms being carried out by the People's Republic of China. From forced abortion and labor camps, to the imprisonment and sometimes even execution of brave Chinese who dare to stand up for their faith or political beliefs, Hu Jintao's regime, like that of Jiang Zemin before, is one of the worst violators of human rights in the world.

While Christians, Tibetan Buddhists, and Muslim Uighurs are all being persecuted for the faith, the suffering of peaceful Falun Gong practitioners has been especially intense. In 1999, China's dictators launched a brutal campaign to completely eradicate Falun Gong from their country through whatever means necessary, claiming that Falun Gong was a threat to "social order" in China. The reason behind this campaign of brutality is clear: by the mid to late 1990s, the number of Falun Gong practitioners began to exceed the number of members of the Communist Party. Like all dictators and totalitarian terror systems, the PRC fears and hates what it cannot control. So it sought to destroy and intimidate those who practice Falun Gong. I would also note that the regime has labeled as "cults" and is now oppressing other groups with followings comparable to that of the Falun Gong, such as the Xiang Gong, Guo Gong, and Zhong Gong qigong groups.

Falun Gong is not a religion, per se, but rather more like a philosophy. Based on the principles of Truthfulness, Compassion, and Tolerance, Falun Gong uses a series of five physical and mental exercises to assist its members to purify themselves spiritually and peacefully resolve conflicts. Whatever one may say about the merits of their beliefs, the evidence is very clear that Falun Gong practitioners are peaceful individuals who want to be left alone to practice their beliefs as they see fit.

To carry out the task of smashing those who practice Falun Gong, the Beijing dictatorship created "610" offices throughout China to oversee and direct the persecution of Falun Gong through brainwashing, torture, and murder.

The State Department Human Rights Report for 2003 has several pages documenting the plight of the Falun Gong. We know at least 250 Falun Gong members have died as a result of torture thus far. For instance, in only a three-month period from June to August last year, more than 50 Falun Gong died in custody, many from torture in detention camps. Other estimates place the total body count higher. Bodies of the tortured victims are often cremated immediately to conceal evidence of torture. The report indicated that Falun Gong adherents sent to mental health institutions have been administered psychiatric drugs and electric shock treatments by Chinese authorities.

Several thousand Falun Gong practitioners—estimated at 125,000 or higher—are held in labor camps, prisons, and mental hospitals, where they are forced to endure torture brainwashing sessions. For example, in December 2003, Liu Chengjun, sentenced to 19 years in prison in March 2002 for involvement in illegal Falun Gong television broadcasts, was reportedly beaten to death by police in Jilin City Prison.

The government continues to find new ways to crack down on Falun Gong. Over the past year, the Government initiated a comprehensive effort to round up practitioners not already in custody and sanctioned the use of high-pressure tactics and mandatory anti-Falun Gong study sessions to force practitioners to renounce Falun Gong. Even practitioners who had not protested or made other public demonstrations of belief reportedly were forced to attend anti-Falun Gong classes or were sent directly to reeducation-through-labor camps, where in some cases, beatings and torture reportedly were used to force them to recant. These tactics reportedly resulted in large number of practitioners signing pledges to renounce the movement.

At the National People's Congress session in March, Premier Wen Jiabao's Government Work Report emphasized that the Government would "expand and deepen its battle against cults," including Falun Gong. Thousands of individuals were still undergoing criminal, administrative, and extrajudicial punishment for engaging in Falun Gong practices, admitting that they adhered to the teachings of Falun Gong, or refusing to criticize the organization or its founder.

During April to June 2003, the Government launched fresh accusations that Falun Gong practitioners were disrupting SARS-prevention efforts. State-run media claimed that, beginning in April, Falun Gong followers "incited public panic" and otherwise "sabotaged" anti-SARS efforts in many provinces by preaching that belief in Falun Gong will prevent persons from contracting SARS. Authorities detained hundreds of Falun Gong adherents on such charges, including 69 in Jiangsu Province during May and 180 in Hebei Province during June.

But Beijing is not confining its disgusting torture and brainwashing campaign to its own people. Chinese-American citizens and permanent residents are also victims. One American citizen, Dr. Charles Li, was arrested January 22, 2003 in China upon his arrival at an airport. A Falun Gong practitioner, the Chinese government alleges he attempted to sabotage television and radio equipment, even though he had just arrived in the country. Dr. Li has gone on continual hunger strikes to protest his

arrest but been subject to forced feedings. There are reports that he is being subjected to brainwashing and anti-Falun Gong propaganda. At least 37 other Falun Gong practitioners who have family members that are residing in the U.S. are also in prison in China. Authorities also detained foreign Falun Gong practitioners from other countries. For example, in January 2003, two Australian citizens were deported for engaging in Falun Gong activities in Sichuan Province.

As my colleagues know, a sizeable number of Falun Gong practitioners reside here in the United States. They attempt to raise awareness about the horrors their fellow believers are subject to through meeting with government officials and through holding peaceful protests. Just this past August, Falun Gong members gathered on the Mall to pass out literature and inform Americans of the great suffering those in their faith are enduring. When Hu Jintao and other state leaders responsible for this purge are visiting foreign countries, Falun Gong members travel overseas to protest and raise awareness of the brutal persecution.

In response, China's persecution against the Falun Gong has moved outside of China's own borders. Large numbers of Falun Gong in the United States have reported to have been harassed. The FBI is currently investigating beatings of Falun Gong practitioners in Atlanta and Chicago. On June 23, 2003, Falun Gong practitioners in New York were harassed and physically violated by Chinese nationals associated with the consulate. Charges have been filed with the authorities. Li Li and some of her friends were involved with this incident.

Persecution of Falun Gong in China is horrific enough itself. The fact that China is now exporting its repression to weaker foreign nations under the guise of "safety" and "public order" is even worse. The cancer of China's repression is spreading all over the world. The PRC is not content to beat and torture and silence those inside its own borders. Now it is seeking to bully other nations into doing its bidding. When will this country wake up and stand up to this kind of nonsense?

I call upon all members of this body to support H. Con. Res. 304. I call on the administration to step up its efforts to speak up for the Falun Gong and out against the actions of the Chinese government immediately.

Mr. HOYER. Mr. Speaker, the U.S. State Department's 2004 International Religious Freedom report for China begins as follows: "During the period covered by this report, the Government's respect for freedom of religion and freedom of conscience remained poor, especially for many unregistered religious groups and spiritual movements such as the Falun Gong."

According to the report, the arrest, detention, and imprisonment of Falun Gong practitioners continued, and practitioners who refuse to recant their beliefs are sometimes subjected to harsh treatment in prisons and reeducation-through-labor camps and there have been credible reports of deaths due to torture and abuse.

Foreign observers estimate that half of the 250,000 officially recorded inmates in the country's reeducation-through-labor camps are Falun Gong adherents.

Falun Gong blends aspects of Taoism, Buddhism, and the meditation techniques and physical exercises of qigong (a traditional Chinese exercise discipline) with the teachings of Falun Gong leader Li Hongzhi. Despite its spiritual content, Falun Gong does not consider itself a religion and has no clergy or places of worship.

Mr. Speaker, this resolution calls upon the government of China to immediately end the harassment, detention, physical abuse, and imprisonment of individuals who are exercising their legitimate rights to freedom of religion, freedom of expression, and freedom of association as stated in the Constitution of the People's Republic of China.

The importance of this cannot be overstated—the protection of religious freedom is intimately connected to the protection of other fundamental human and civil rights, as well as to the growth of democracy.

A government that acknowledges and protects freedom of religion and conscience is one that understands the inherent and inviolable dignity of the human person, and is more likely to protect, the other rights fundamental to human dignity, such as freedom from arbitrary arrest or seizure, or freedom from torture and murder.

Mr. Speaker, this resolution sends an important message to the government of China that we will not look the other way when they violate the basic rights of their people, and that we demand of our partners in the international community the protection of the most basic human rights—freedom to worship freely.

Mr. PALLONE. Mr. Speaker, I would like to express my support for H. Con. Res. 304, a resolution honoring the tradition and practice of Falun Gong. As a cosponsor of this resolution, I urge my colleagues to vote yes on this important piece of legislation.

H. Con. Res. 304 calls on the Chinese Government to stop interfering with the religious and political rights of individuals in the United States to practice Falun Gong. The Chinese Government has gone so far as to spread falsehoods about Falun Gong and to harass, detain, abuse and imprison Falun Gong practitioners. The practitioners are simply exercising their legitimate right to freedom of religion and expression, and the actions of the Chinese Government conflict with international standards of freedom and human rights and must end immediately.

I have an admiration for the practitioners and adherents of Falun Gong and I am invested in the movement both in the United States and abroad. I remain committed to the task of making Falun Gong safe to practice in any country in the world. The members of Falun Gong are opposed by a Chinese government that unjustly views them as dissenters. This view is entirely without merit. In reality, Falun Gong is an inherently peaceful, apolitical movement that stresses nonviolence and meditation. Since Falun Gong was outlawed in 1999, hundreds of nonviolent practitioners have been arrested, tortured, libeled, and detained without charge or proof of any wrongdoing.

Sadly, the unwarranted and unprovoked aggression against Falun Gong has not ceased, nor is it limited to China. There have been unprovoked attacks in the United States and Falun Gong members have been subjected to a humiliating and denigrating blacklist.

One incident that I found particularly offensive took place in June 2003. Falun Gong members were attacked and beaten while holding a nonviolent protest in New York City. In an effort to end the discrimination that confronts Falun Gong practitioners, I wrote a letter to the Manhattan District Attorney, Robert Morgenthau, requesting an investigation of this case. I hope that justice prevails in this case.

With passage of H. Con. Res. 304, we can send a strong signal condemning China's human rights abuses and we can take one step closer to ensuring Falun Gong members the freedom of religion and assembly guaranteed to them by law.

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

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

The SPEAKER pro tempore (Mr. MURPHY). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 304.

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

A motion to reconsider was laid on the table.

SENSE OF CONGRESS REGARDING HUMANITARIAN ASSISTANCE TO COUNTRIES OF CARIBBEAN DEVASTATED BY HURRICANES CHARLEY, FRANCES, IVAN, AND JEANNE

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 496) expressing the sense of Congress with regard to providing humanitarian assistance to countries of the Caribbean devastated by Hurricanes Charley, Frances, Ivan, and Jeanne, as amended.

The Clerk read as follows:

H. CON. RES. 496

Whereas in May 2004, the National Oceanic and Atmospheric Association (NOAA) predicted that 2004 would be an above-normal Atlantic hurricane season;

Whereas from August to September 2004 Hurricanes Charley, Frances, Ivan, and Jeanne devastated countries of the Caribbean and the southern, midwestern, and eastern regions of the United States;

Whereas the people of the United States, who have encountered the harsh consequences of the recent hurricanes, can empathize with the countries of the Caribbean as they begin the recovery process;

Whereas Hurricane Frances displaced 800 people and destroyed 80 homes in the Bahamas;

Whereas Hurricane Frances caused an estimated $125,000,000 in damage to the islands of the Bahamas;

Whereas four hurricanes have struck the region within five weeks;

Whereas 90 percent of homes in Grenada sustained significant damage as a result of Hurricane Ivan;

Whereas the International Committee of the Red Cross estimates that 60,000 of the 95,000 inhabitants of Grenada were made homeless as a result of the devastation;

Whereas Hurricane Ivan is the worst natural disaster to hit Jamaica in 50 years;

Whereas an estimated 13,000 Jamaicans were displaced during Hurricane Ivan;

Whereas more than 60 people died and hundreds were injured as a result of Hurricanes Charley, Frances, and Ivan;

Whereas as a result of Hurricane Jeanne, at least 2,000 people have died in Haiti while it is estimated that another 1,000 people are currently missing;

Whereas many others have died in the Dominican Republic and Puerto Rico due to Hurricane Jeanne;

Whereas the United States Agency for International Development reports that there is flooding in more than 80 percent of Gonaives, Haiti, and more than 30 percent of Port-de-Paix, Haiti;

Whereas hurricane recovery assistance is being sought from the Caribbean-American community, the European Union, and Canada;

Whereas the financial burden of providing emergency and reconstruction assistance to the devastated countries is much greater than the Caribbean region can sustain by itself;

Whereas the cost of providing humanitarian emergency assistance to the countries of the Caribbean continues to increase with each natural disaster;

Whereas the cost of assisting Grenada, Jamaica, the Bahamas, the Dominican Republic, Haiti, and other island nations with reconstruction after the hurricane season of 2004 could exceed $250,000,000;

Whereas in addition to disaster relief, governments of the countries of the Caribbean are under pressure to secure their communities and prevent looters and other criminals from causing further harm to their citizens who are struggling to recover from the devastation caused by the hurricanes;

Whereas the United States Agency for International Development's Office of United States Foreign Disaster Assistance (OFDA) is coordinating with the Caribbean Disaster Emergency Response Agency (CDERA) and members of the Eastern Caribbean Donor Group (ECDG), including the Pan American Health Organization (PAHO), International Federation of Red Cross and Red Crescent Societies (IFRC), the United Nations Development Program (UNDP), and the Canadian International Development Agency (CIDA) to provide urgently needed food, potable water, temporary shelter, and other basic necessities;

Whereas multilateral development banks, such as the World Bank and the Inter-American Development Bank, and other international organizations, such as the United Nations and the Organization of American States, have joined the United States in providing urgently needed assistance to the countries of the Caribbean that have suffered the most from the effects of the hurricanes;

Whereas the damage caused by the hurricanes have demonstrated that proper building and housing codes that are consistently enforced significantly reduce the human and financial toll caused by natural disasters;

Whereas the Caribbean region is recognized as the third border of the United States and the economic turmoil caused by the hurricanes of August and September 2004 will have an effect on the United States; and

Whereas the countries of the Caribbean will need significant assistance from the international community for both relief and reconstruction efforts: Now, therefore, be it

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

(1) commends the governments of the countries of the Caribbean for their efforts to respond and assist the people of the region after the devastation caused by Hurricanes Charley, Frances, Ivan, and Jeanne from August to September 2004;

(2) commends the efforts of the Caribbean-American community to provide relief to family and friends suffering in the region;

(3) supports the efforts of the United States Government to assist in coordinating international efforts to help the people of the region, particularly in Grenada, Jamaica, Haiti, and the Bahamas, with assessing damage and providing relief to affected communities;

(4) urges the international community to take all necessary steps to provide emergency relief and support reconstruction efforts; and

(5) urges the President, acting through the Administrator of the United States Agency for International Development to—

(A) continue to make available to private volunteer organizations, United Nations agencies, and regional institutions the necessary funding to mitigate the effects of the recent natural disasters that have devastated the countries of the Caribbean; and

(B) provide assistance for the promulgation and enforcement of housing and building codes in the countries of the Caribbean.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentlewoman from California (Ms. LEE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN).

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H. Con. Res. 496, the concurrent resolution now under consideration.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of House Concurrent Resolution 496, expressing the sense of Congress with regard to providing humanitarian assistance to the countries of the Caribbean devastated by Hurricanes Charley, Frances, Ivan, and Jeanne.

As a Member whose home State of Florida has experienced firsthand the fury of these hurricanes, my heart goes out to our neighbors in the Caribbean as they begin to rebuild their lives amidst the debris. Thus, at a time when hundreds of thousands of people across the Caribbean are coping with the destruction left by these four recent hurricanes, this resolution could not be more timely.

Mr. Speaker, I want to congratulate the gentlewoman from California (Ms. LEE) for introducing this measure, and I would like to thank our Subcommittee on the Western Hemisphere chairman, the gentleman from North Carolina (Mr. BALLENGER), as well as the gentleman from Illinois (Mr. HYDE), the gentleman from California (Mr. LANTOS), and our leadership for their efforts in helping to bring this resolution to the floor this evening.

Mr. Speaker, in August and September of this year, Hurricanes Charley, Frances, Ivan, and Jeanne swept over the Caribbean, battering the islands of Grenada, the Bahamas, Jamaica, the Caymans, Haiti, the Dominican Republic, Cuba, and other smaller islands. In their wake, they left nearly 2,000 dead, many thousands more injured and hundreds of thousands homeless. The cost in lost homes and property has yet to be tallied, but in many of these places the destruction has been near total.

While the humanitarian response has been immediate, a long-term recovery plan is needed to prevent further suffering. I would like to commend the administration for immediately dispatching to the Caribbean emergency relief teams from USAID and the Office of Foreign Disaster Assistance. Through their efforts, humanitarian relief supplies have been reaching the affected areas and the many who are now suffering. As we speak, the Bush administration is preparing a recovery package which will likely be included in an emergency supplemental appropriations bill that is expected on the floor at a future date.

But this is only the beginning. As with the recovery and the reconstruction of our own communities in those States ravaged or affected by these hurricanes, the full magnitude of the situation and the total need will not become clear for weeks to come. However, our friends and neighbors in the Caribbean need our help now. It is, therefore, my hope that this resolution will pass the House, as I believe it serves as an official call to action to help relieve the suffering caused by these recent hurricanes. Therefore, I urge my colleagues to vote in favor of this important resolution.

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

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

I want to begin by thanking the gentlewoman from Florida, also our ranking member, the gentleman from California (Mr. LANTOS), the gentleman from Illinois (Mr. HYDE), along with my colleagues on this side of the aisle and on the other side of the aisle, including the gentleman from North Carolina (Mr. BALLENGER), for their support and for their commitment to make sure that this important resolution moves off of this floor tonight.

I also want to thank our staff, Paul Oostburg, Ted Brennan, Caleb McCarry, also Khalil Munir and Jamila Thompson of my staff, who all worked very, very hard, very diligently, and very quickly to craft this bill before us today.

Mr. Speaker, this is a bipartisan resolution; and it is a very minor, very small resolution in terms of the enormity of the disaster that it is addressing, but it is a resolution that expresses the need for humanitarian assistance to hurricane-ravaged Caribbean countries. H. Con. Res. 496 acknowledges the hardship endured by all Caribbean islands, it recognizes the

international response to the tragedy, and it outlines the need for relief and reconstruction efforts throughout the affected areas.

Americans, all of us, especially Floridians and Californians, know firsthand the suffering experienced by natural disasters: hurricanes, fires, tornadoes and earthquakes. For weeks, we have watched the devastation throughout the region in Grenada, the Bahamas, Jamaica, Haiti, St. Vincent, St. Lucia, and Barbados, just to mention a few of the affected countries.

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Four hurricanes struck within 5 weeks. Over 440,000 individuals were displaced. This is hard to even imagine.

Mr. Speaker, we need to step up and lend a helping hand. We cannot sit back and wait as people suffer in Florida and in the Caribbean. I understand that the administration has proposed $50 million in emergency spending for relief to the region, and I must say that that is a good, small, very small, step for a start. But we know that much more will be needed to help the entire region.

In Grenada, the hardest hit island by Hurricane Ivan, the land is barren. Countless homes are destroyed, and schools will not open until 2005. What is going to happen to the young people of Grenada who need and want to go to school? The Grenadian Ambassador, the Honorable Dennis Antoine, shared with me the devastation to his country. Ivan the Terrible caused, he said, ''The total destruction of the police headquarters, the official residence of both the governor general and the prime minister, parliament house, schools, churches, roads, bridges, one of two hospitals, the airport tower and the national stadium. More than 70 percent of the population is virtually homeless, and there is in excess of 60,000 persons needing relief.''

Stories were similar in the Bahamas where all 29 of the inhabited islands felt the impact of Hurricane Frances. A few weeks later, Hurricane Jeanne assaulted Grand Bahama and Abaco where the flood waters were just receding. In Jamaica, the largest English-speaking Caribbean country, 18,000 people were displaced by Hurricane Ivan. Many other Caribbean countries affected by the storms have remained so focused on assisting their neighbors that they have not even had the chance to fully assess their own damage. However, the preliminary estimates for damages in St. Vincent and the Grenadines, a country that sustained lesser harm, is more than their government's annual budget.

For the Bahamas and Grenada, the damage cost total is more than $1 billion, but we must remember that more than 15 islands throughout the region were affected. Throughout the Caribbean, primary crops, such as bananas, nutmeg, cocoa and sugar are just totally destroyed. Clearly, Caribbean economies are simply overwhelmed. There is a Haitian saying that an empty sack cannot stand up. More than 2,000 Haitians lost their lives. Hundreds remain missing. My heart breaks for those suffering and struggling. The Haitian people are resilient people, but we must help.

Tropical Storm Jeanne was not even a category 1 hurricane when it demolished the Haitian towns of Gonaives and Port de Paix. It exemplifies how even the smallest natural disasters wreak havoc on the poorest people. In Haiti's flood-torn cities, children sleep on tin roofs because flood waters have still not subsided. Gunshots are heard in darkness as thieves and thugs continue to steal from the people and cheat them of their chance for protection and peace. Men and women dig mass graves, scrambling to identify the bodies of lost loved ones. And the government cannot even provide security to distribute emergency supplies.

We need to join the efforts of the international community and show support for all the affected countries. The Caribbean-American community and neighboring Caribbean nations responded to the calls of assisting the hardest hit countries immediately. Across our borders, churches, nonprofit organizations, businesses and activists have rushed to support the entire region. Although the United States Agency for International Development assisted in some relief efforts, the United States Government can, we must, do more. We must work with other donors and Caribbean countries to plan and support the relief and reconstruction effort.

Our third border is in great need and the United States needs to show our support for the entire region. Again, I want to thank my colleagues for supporting this effort. Again, this is a very good first start. I look forward to working with our appropriators, including our colleague from Detroit, Michigan (Ms. KILPATRICK), who has been a tremendous advocate for the region, in order to obtain adequate emergency funding for the more than 15 Caribbean countries devastated by these hurricanes. Time is of the essence, Mr. Speaker.

Mr. Speaker, I yield 4 minutes to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) who is a leader not only in the Virgin Islands but for the entire Caribbean region who knows firsthand and has experienced firsthand the devastation of natural disasters.

Mrs. CHRISTENSEN. I thank the gentlewoman for yielding me this time.

Mr. Speaker, I am a cosponsor of House Concurrent Resolution 496, and I rise in strong support of the resolution which calls on Congress to support badly and immediately needed humanitarian assistance to the Caribbean countries which were devastated by the recent hurricanes, as we provide aid to the people of Florida; and our hearts go out to them as well.

Mr. Speaker, Hurricanes Charley, Frances, Gaston, Ivan and Tropical Storm Jeanne have caused widespread damage in large numbers of our neighboring Caribbean countries. We have seen the tragedy in Haiti where Hurricane Jeanne resulted in more than 2,000 deaths, many more still missing and over a quarter of a million people homeless. In Grenada, Hurricane Ivan destroyed 78 percent of the island's electrical system and homes as well as hospitals, schools and their spice industry. And Hurricane Frances has caused an estimated $125 million in damage to the islands of the Bahamas. More than 440,000 individuals have been displaced throughout the region.

These storms left a path of destruction across a region that is our third border and which was already stressed and whose economies were already heavily burdened in part by our own homeland security needs. They do not have the capacity to respond. These countries, which include six of the top ten most indebted countries in the world, are in desperate need of our assistance for everything, emergency health services, water, shelter, food and infrastructure.

To put the situation into perspective, the U.N.'s Office For the Coordination of Humanitarian Affairs in an October 1 report pointed out that Grenada, one of the smallest countries in the western hemisphere, bases its economy on tourism and agriculture and imports most of the food that it consumes. The majority of the island's 102,000 inhabitants make their living out of these two vital sectors which were severely hit by Hurricane Ivan. The negative impact of the disaster has been enormous at all levels and in all sectors, disrupting the livelihood of every single Grenadian and causing serious damage to the backbone of the country's economy.

Mr. Speaker, President Bush and the administration have announced they will provide $50 million to assist the region, specifically Haiti, Jamaica and Grenada, with small amounts for the Bahamas, Trinidad and Tobago, and St. Vincent and the Grenadines. That is not enough. Much more will be needed to help the entire region. Because so many of the economies of the countries in the region have been severely damaged because vital income-producing crops were destroyed, and replanting and new seeding processes will not yield salable produce for several years, the members of the Congressional Black Caucus have called for an appropriation of $500 million for reinforcement and alternative economic development.

Mr. Speaker, my district is part of the region. We know the devastation of hurricanes, not only to the physical structures but to the emotions and to the families, and the difficulty of recovery. Even with the strong and resilient spirit of the people of the Caribbean, things are very, very difficult today.

I join my colleagues in urging this body to support the adoption of this

resolution as well as our request for additional funding for the region.

Ms. LEE. Mr. Speaker, I want to thank the gentlewoman from the Virgin Islands for that very powerful statement and for laying out what is at stake and the reality of life during these very tragic times for those in the Caribbean region.

Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Ms. WATERS) whose commitment to the Caribbean is longstanding and unwavering.

Ms. WATERS. Mr. Speaker, I thank the gentlewoman from California for helping to organize us to be able to address this most important issue this evening.

I rise in support of H. Con. Res. 496, a resolution that simply supports humanitarian assistance to countries of the Caribbean devastated by Hurricanes Charley, Frances, Ivan and Jeanne. The recent hurricanes have had devastating impacts on several Caribbean nations. In Grenada, Hurricane Ivan destroyed 90 percent of the homes and 78 percent of the electrical system, as well as numerous government buildings, hospitals, schools and churches. Approximately 60,000 of the island's 95,000 inhabitants were left homeless. In Jamaica, 18,000 people were displaced by Hurricane Ivan, which was the worst natural disaster to hit Jamaica in 50 years. The Bahamas incurred an estimated $125 million in damage as a result of Hurricanes Frances and Jeanne. In Haiti, Hurricane Jeanne caused extensive flooding and left 300,000 people homeless. More than 1,500 Haitians were killed, and another 900 are still missing. Thousands of people are in desperate need of food, clean water, emergency shelter and medical care. Relief efforts continue to be hampered by water and mud covering the main roads, and stagnant waters have given rise to a large mosquito population that could lead to a malaria epidemic.

The nations of the Caribbean are small island nations that do not have the capacity to respond to the widespread death and destruction caused by hurricanes of this magnitude. Immediate assistance from the United States is critical to enable these countries to meet the emergency needs of their people and begin to rebuild damaged homes and infrastructure.

I am thankful that the President did show some concern, and he proposed $50 million in supplemental appropriations to cover disaster relief for the nations of the Caribbean that have been devastated by hurricanes and tropical storms. But it is a very small amount, and it cannot begin to meet the tremendous needs of thousands of Haitians, let alone the needs of our other Caribbean neighbors. The affected countries and territories include Bahamas, Barbados, the Cayman Islands, Dominican Republic, Grenada, Haiti, Jamaica, St. Lucia, Puerto Rico, St. Vincent, the Grenadines, Trinidad, Tobago, the Turks and Caicos, even Venezuela, Cuba, the U.S. Virgin Islands, have all felt the devastation of these hurricanes. So we need a lot more to respond to this terrible devastation.

Even though the President has proposed $50 million in supplemental appropriations, it is a small amount, and it cannot begin to meet the tremendous needs of thousands of Haitians, let alone the needs of all of these other countries. The Congressional Black Caucus is on record now in asking the President for at least $500 million in disaster relief to mount an effective response. Of course, I would urge my colleagues to vote for H. Con. Res. 496. I would also urge my colleagues to provide a supplemental appropriation of at least $500 million in disaster assistance to help our Caribbean neighbors rebuild their homes and their lives after these unprecedented storms. This resolution does not have that amount in it, and we know that we must do the work with the Appropriations Committee, but this is a resolution that would give recognition to this tremendous devastation that has taken place and squarely place us on record in wanting to respond to it.

I am very thankful for the opportunity to share with the gentlewoman from California this concern as we demonstrate through this resolution.

Mr. BALLENGER. Mr. Speaker, I am a cosponsor of H. Con. Res. 496. I fully support helping to relieve the suffering of people in the Caribbean. The news reports of the death and destruction in Haiti, Greneda and elsewhere in the Caribbean is just terrible. We all want to reach out and help our neighbors who are suffering.

USAID's Office of Foreign Disaster Assistance has been on the ground distributing emergency aid since just after these storms hit. The $50 million aid package proposed by the Administration is, by all measures, a good start.

But, it should not be considered an end to U.S. assistance. The current proposal represents what the Administration believes can be spent in the first year. By way of comparison, $52 million was expended during the first year of implementing disaster reconstruction after Hurricane Mitch hit in 1999. I expect to see more aid going to the Caribbean in subsequent years.

Mr. Speaker, while I believe that $50 million is not sufficient to meet the needs of the Caribbean in the long term, I do believe it is enough to meet the immediate needs of those nations hardest hit. To meet the long term needs of these countries, I would support an effort to provide additional reconstruction funds. Although I am retiring, I am willing to work with my colleagues to secure long term assistance for the Caribbean nations before I go. I hope that my colleagues here tonight will join me in this area.

I thank my colleague from California for bringing this important resolution recognizing the terrible suffering inflicted on the Caribbean by the same hurricanes that did so much damage to our own country. I urge my colleagues to support this resolution.

Mrs. JONES of Ohio. Mr. Speaker, I rise in support of H. Con. Res. 496, a bi-partisan effort urging that Congress support humanitarian assistance to Caribbean countries devastated by the recent hurricanes.

Four hurricanes—Charley, Frances, Ivan and Jeanne—hit the region within five weeks. The affected countries and territories include the Bahamas, Barbados, the Cayman Islands, Cuba, the Dominican Republic, Grenada, Haiti, Jamaica, St. Lucia, Puerto Rico, St. Vincent and the Grenadines, Trinidad and Tobago, the Turks and Caicos, Venezuela, and the U.S. Virgin Islands, but the burden is felt by all. More than 440,000 individuals displaced throughout the region.

Tropical Storm Jeanne killed more than 2,000 people in Haiti, and hundreds remain missing. Men and women dig mass graves, scrambling to identify the bodies of lost loved ones. An estimated 300,000 people remain homeless as a result of the floods.

With eight weeks left to the 2004 Atlantic Hurricane season, the Caribbean Disaster Emergency Response Agency (CDERA) is urging the Caribbean to remain vigilant. The call comes against the background of an updated hurricane season forecast yesterday which calls for three more storms and two hurricanes this month with a 33 percent chance of a land falling storm and 17 percent chance of a land falling hurricane.

The Administration announced providing $50 million to assist the region—specifically Haiti, Jamaica, and Grenada with small amounts for the Bahamas, Trinidad and Tobago, and St. Vincent and the Grenadines. this is a good start, but much more will be needed to help the entire region.

Mr. Speaker, I rise to reiterate my support for H. Con. Res. 496 and urge the Administration to provide even more aid to assist the region.

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

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

The SPEAKER pro tempore (Mr. MURPHY). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 496, as amended.

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

A motion to reconsider was laid on the table.

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SPECIAL ORDERS

The SPEAKER pro tempore (Mr. MURPHY). Under the Speaker's announced policy of January 7, 2003, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

THE JUDGES OF MADISON COUNTY, PART THREE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. NORWOOD) is recognized for 5 minutes.

Mr. NORWOOD. Mr. Speaker, tonight is part three on the judges of Madison County, Illinois. As I promised last week, I am back on the floor tonight to talk about a place that has the dubious distinction of being America's number one ''judicial hellhole,'' Madison County, Illinois.

Mr. Speaker, they do not give out awards like the number one ''judicial hellhole'' from the American Tort Reform Association to just anyone. No, sir, only a court that continually misapplies civil laws, regularly violates fundamental constitutional rights of defendants, and caters to the interests of opportunistic trial lawyers can get a recognition like that. Sadly, Mr. Speaker the Circuit Court of Madison County, Illinois, got this distinction the old-fashioned way; they earned it.

Tonight, Mr. Speaker, I want to continue a story I started last week on one of the ways they earned this awful award by trashing someone's first amendment rights. I stood on the floor last week, and I told the Members about the former Attorney General and U.S. Court of Appeals Judge Griffin Bell and his experience with Madison County. I told the Members that, at a public forum in April of this year, Judge Bell said that counties like Madison County are a serious ''stain on our system,'' meaning the judicial system. I also told the Members that Judge Bell called for an investigation into the administration of civil justice in Madison County. I finally told the Members, Mr. Speaker, that the wrath of the ''judicial hellhole'' was felt the very next day when Judge Bell and his firm were barred from appearing in their courtroom. But as Paul Harvey might say, what I did not tell the Members, Mr. Speaker, was the ''rest of the story.''

Hold on to your hat, Mr. Speaker, because, not long after that outrageous act by the Madison County Court, the St. Louis Post-Dispatch reported that a Madison County judge closed his courtroom to report his warning to cover a hearing about a fee dispute between prominent local trial lawyers. See, Mr. Speaker, as it turns out, the hearing was likely to include arguments over the lawyers' share of fees stemming from a very large class-action settlement, and for once, dollar amounts would likely be released regarding the sizable sums of money that these greedy trial lawyers stood to pocket.

So what happened? Well, you guessed it. The Madison County judge simply refused public access to the transcripts and exhibits from that hearing. Yet, once again, free speech lost, and trial lawyers won.

Mr. Speaker, the message from Madison County Circuit Court judges is simple: We have absolutely no respect for the first amendment. Folks speaking out against our brand of civil injustice should expect intimidation and retaliation, and finally, when court is in session, no one is safe unless of course he is of their trial lawyers.

Mr. Speaker, last month, I wrote a letter to U.S. Attorney General Ashcroft asking him to formally investigate the judicial hijinks taking place in Madison County, Illinois. To my surprise, one of the Madison County trial lawyers, a Mr. Randall Bono, took time to ask in a local newspaper, why in the world would someone from Georgia ''have an interest'' in Madison County?

Mr. Speaker, that is pretty easy. When sleazy trial lawyers like Randall Bono retire when they are 42 years old, because they have pocketed millions of dollars through frivolous lawsuits, when a local court decides to hear cases from around the country it has no business hearing, when the local judicial system stops being a public trust and becomes a private trough for greedy trial lawyers like Randall Bono, when these and countless other injustices are allowed to continue anywhere in this great Nation, it is not a local issue, Mr. Speaker; it is a national issue. And this Congressman from Georgia, for one, has had enough.

Mr. Speaker, let me make this loud and clear to trial lawyers like Randall Bono and corrupt judges of Madison County: They may try to hush up, but I am coming after them, and I cannot and I will not be intimidated on these issues.

SMART SECURITY AND DISABLED VETERANS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, the Bush administration is shamefully neglecting the men and women who serve in the United States Military, even as they return home from a war in Iraq, having lost arms, legs, other parts of their bodies, to suffer forever from other physical or mental disabilities such as post-traumatic stress disorder.

In August of 2003, when I spent some time at Bethesda Naval Hospital where I was recuperating from back surgery, we were faced with and I met with the wounded soldiers because I visited them while I was in the hospital, the wounded, who had come home forever changed by the war in Iraq. Meeting with these soldiers and their families and seeing their injuries gave me a firsthand look at the true horrors of war. I became more committed than ever that our government should cover all the expenses of any injury that results from war. But that is just not happening.

The disability benefits and health care system that currently assists 5 million American servicemen and women has become so overburdened by the addition of over 26,000 wounded soldiers from the wars in Iraq and Afghanistan, is now woefully incapable of providing the benefits and services that were promised before those individuals went to war. Currently, there is a backlog of more than 300,000, and let me say it again, 300,000 service-related claims, and that number is increasing every single day. And since President Bush shamefully relied on thousands of National Guard and Army Reserve soldiers to fight in Iraq, these veterans now deserve veterans benefits, too. It is only appropriate.

Just as President Bush failed utterly in his planning of the Iraq War, he also failed utterly in planning how the Veterans' Administration system would address the hundreds of thousands of soldiers returning from that war. The cowboy mentality of the Bush administration is quite clear: Shoot first, ask questions later, even if asking those questions could have saved lives.

Worst of all, some of our soldiers still are not getting the necessary equipment that can save their lives; the advanced body armor that is capable of stopping bullets from assault rifles; armor for tanks to prevent the destruction of U.S. military convoys; and the water equipment to keep them hydrated in the scorching desert heat. Parents are sending that equipment to their kids, buying it here and sending it to them.

The failure to give this equipment to each and every soldier is particularly shameful considering that, last November, Congress passed legislation to fund the war effort to the tune of $87 billion. That is on top of the $78 billion in supplemental funds that was appropriated in March of 2003. Yet reports show that billions of those dollars are being misused, misappropriated and even stolen in Iraq.

And, now, the President plans to reprogram $3.4 billion of last year's $18.4 billion supplemental, using it for military purposes instead of for Iraq's reconstruction. So, now, we are forced to pilfer money that was supposed to pay for infrastructure needs for the Iraqi people.

How many more soldiers have to have their limbs shot off before this administration will wake up? How many more soldiers have to die for a President's mistake? There has to be a better way. There has to be a better way than this, and we must fully support the thousands of soldiers who sacrifice to serve and protect America.

That is why I have introduced H. Con. Res. 392, a SMART security platform for the 21st Century. SMART stands for Sensible, Multilateral, American Response to Terrorism. SMART security treats war as an absolute last resort. It fights terrorism with stronger intelligence and multilateral partnerships, and it controls the spread of weapons of mass destruction with aggressive diplomacy, strong regional security arrangements and vigorous inspection regimes. SMART security means equipping our troops with the tools that are essential to their survival and then helping them with proper health care once they get home. But the hawkish Bush administration, which quickly led this country

to war, is failing in helping men and women in uniform when they get out of war.

EXCHANGE OF SPECIAL ORDER TIME

Mr. WELDON of Florida. Mr. Speaker, I ask unanimous consent to take the Special Order time of the gentleman from Oklahoma (Mr. COLE).

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

There was no objection.

STEM CELL RESEARCH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. WELDON) is recognized for 5 minutes.

Mr. WELDON of Florida. Mr. Speaker, I come from the Sunshine State of Florida, and I rise tonight to shed a little sunshine, speak out some truth regarding the facts on stem cell research and specifically President Bush's position on stem cell research. And I would like to highlight some of the inaccuracies, misstatements and lack of candor that is coming from presidential candidate JOHN KERRY.

Senator KERRY's statements are notable for their sweeping inaccuracy. And as a physician who has formerly and still does take care of patients suffering from diseases like Alzheimer's and diabetes mellitus, I am very concerned that these statements are creating a false hope on the part of many people who suffer from these conditions. And, further, I am very disturbed by the fact that it appears as though the Senator is trying to exploit their suffering for his own personal political gain.

Senator KERRY has repeatedly stated that he intends to lift the Bush ban on stem cell research. What he does not tell us is that there is no Bush ban on stem cell research. Indeed, just this past year, under the Bush administration, some $300 million has been spent on adult stem cell research, and on embryonic stem cell research, there has been about $35 million spent. The facts are simple, and they are basically this: This body, the Congress of the United States, passed a ban on Federal dollars being used for research that involves the destruction of a human embryo.

□ 2045

Interestingly, Senator KERRY has voted for that, it is in the Labor, Health and Human Services bill, and he has voted for it I understand repeatedly; and that is where the ban is. It is actually in a bill this body passed and that Presidential candidate JOHN KERRY actually voted for. He is now criticizing President Bush for something that he actually voted for.

So what is the truth? What is really going on? Well, this body voted for no funding on any research that involves the destruction of a human embryo. When you do embryonic stem cell research in humans, you have to destroy a human embryo in order to do that research. You have to take stem cells out of that embryo and, in the process of doing that, you destroy it. This is not illegal in the United States. It is perfectly legal to do it. The debate is exclusively over Federal funding of it.

Now, what President Clinton did is he played a very clever game around the intent of the law. He allowed these embryos to be destroyed in outside labs, and then the embryonic stem cells were shipped over to the NIH and he allowed Federal funding to be used for that.

I, along with others, felt that President Clinton was violating the law when he was doing that. And we asked him to stop, and he did not. Ultimately, George Bush came into office, and this was one of the first significant biomedical issues that the Bush administration had to wrestle with, and the decision was made that they would stop doing that. They would essentially stop being complicit in violation of the law and they would comply with the law.

So what is exactly the controversy here, you might say? Stem cell research, embryo stem cell research, what exactly is going on is very, very simple. We have been using adult stem cells, and adult stem cells are stem cells from our own bodies, in treating people with diseases for years and years and years and years.

I have in this chart next to me on my left an example of a person who had bad rheumatoid arthritis, and this is something we call a rheumatoid nodule. They were treated with adult stem cells, and you can see in this photo that nodule clears up, the rheumatoid arthritis goes away.

This is another chart of the same person. It may be a little bit hard to see, but this is before the treatment, the joints were very inflamed and red. You can see a nodule here on the thumb. Then after an adult stem cell treatment, it all clears up.

There are some people who feel that these embryonic stem cells will be better at this kind of treatment, but it has never been done. Nobody has ever taken an embryonic stem cell and treated a human being for anything.

What I believe Senator KERRY wants is he wants Federal dollars to be used for embryonic stem cell research in humans, even though it has never even been successfully done in animals. I think this is the wrong thing to do, and I think Mr. KERRY needs to retract some of these misstatements that he has been making.

GREAT VICTORY FOR FARM LABOR ORGANIZING COMMITTEE IN REACHING LABOR AGREEMENT

The SPEAKER pro tempore (Mr. MURPHY). Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, I am proud to speak this evening on behalf of the people of our congressional district in Ohio. All Members like to rise when something really significant has happened, and I come from a part of America, northern Ohio, that has always fought for the betterment of the working conditions of people, across our region, across our State, across our country, and indeed across the world.

This past week, and I will place the article in the RECORD, something truly historic has occurred, something that deserves mention in the CONGRESSIONAL RECORD of our Nation, and that is the great victory by the Farm Labor Organizing Committee of Northwest Ohio and its magnificent leader, Baldemar Velasquez, in achieving the first labor agreement on behalf of thousands and thousands of migrant workers across this continent, for the first time giving them the ability to earn a decent wage, to have decent working conditions, and to contract for their labor, to begin to get rid of the corruption that surrounds individuals who move around this continent, exploiting people and forcing them to pay bounty if they want to go back to their nation, forcing them to pay a bounty if they want a job, and then ignore them, ignore their welfare when they are working with no rights at all.

Every year, 9 million people come to the United States of America, most of them illegally, to work in our fields, picking blueberries, cutting cabbage, working in meat plants, working in food processing facilities with absolutely everybody sort of closing their eyes to their welfare, everybody making money off their backs, and yet those workers having no standing.

This past week, through this incredible agreement, the Farm Labor Organizing Committee has finally given the most exploited people on this continent the first platform to stand on. I could not be prouder to represent any group of people than this group.

I can remember as a young college graduate coming back to my community in Ohio and wearing a button that said FLOC, the Farm Labor Organizing Committee, and it had the words ''viva la causa,'' long live the cause. Indeed the cause has finally been victorious across this great continent.

This contract that the workers have gotten will cover over 8,000 workers, dozens of growers, and hopefully begin to ameliorate the terrible conditions forced on workers on this continent because of NAFTA, all that came before it and the worsening conditions that came after, as millions of Mexican farmers were thrown off their land and became a mobile group of people across this continent with no place to live, no decent wages, coming into our market, trafficked by among the most despicable people that have ever lived.

I am just so proud of the Farm Labor Organizing Committee. This is the first

contract for guest workers in our Nation's history, in Mexico's history, and, indeed, in Latin America's history.

What will happen is that workers will receive a decent wage, not terrific for working in the hot sun 12 hours a day, $8.06 an hour, for the backbreaking work they do. It has been covered in articles in the Toledo Blade which reported this front page story: ''Pact to affect 8,000 migrants.''

The pact was signed in North Carolina after a several-year boycott of the second-largest pickling company in our country called Mt. Olive Pickle. It talks about FLOC's 35 years of struggle to provide migrant workers with better working conditions and fair wages. Initially, the contracts were signed locally in our region of Ohio with companies like Campbell's Soup and Vlasic Pickle, but finally it has expanded to other parts of the country where workers will now be paid $8.06 an hour, a federally set minimum wage rate for what are called H2–A workers, the workers that do come into our country. But again I say, so many are illegally trafficked by unscrupulous labor barons they call ''coyotes.'' And workers could earn up to $12 an hour on piecework. So it provides for people who have the ability to work harder to be paid more.

Undocumented workers who are under control of unscrupulous smugglers and farm labor contractors, this provides the ability, finally, to get rid of those terrible, terrible individuals.

Mr. Speaker, I could not be prouder than to come to this floor this evening and congratulate Baldemar Velasquez and the Farm Labor Organizing Committee for building a better world.

Mr. Speaker, I include for the RECORD the article from the Toledo Blade.

PACT TO AFFECT 8,000 MIGRANTS

(By Jon Chavez)

In what would be its first major organizing victory outside Ohio and Michigan, the Toledo-based Farm Labor Organizing Committee today is expected to sign a three-way labor agreement in North Carolina with Mt. Olive Pickle Co. Inc., which has been the subject of a FLOC boycott since 1999.

At a ceremony in Raleigh, N.C., this morning, FLOC officials said they will sign a three-year labor pact with the North Carolina Growers Association, of Vass, N.C., which represents about 1,050 farms that raise 27 different crops ranging from cucumbers to tobacco, and a related agreement with Mt. Olive.

It's a marked change in business in mostly nonunion North Carolina. The contracts will cover the most union workers in the state, and FLOC will be its largest labor organization.

Covered by the agreements will be nearly 8,000 migrant workers who travel from Mexico to North Carolina, numbers that will more than double FLOC's membership rolls.

Baldemar Velasquez, president of FLOC, was ecstatic yesterday. ''I knew eventually they would have to do something. I just never knew the timing would be this soon,'' he told The Blade.

Lynn Williams, a spokesman for Mt. Olive, said the company would not comment until the contract is signed.

How individual farmers feel is unclear. They can choose to opt out of the association, which a party to the contract. But how those growers would be affected is uncertain.

The agreements cover migrants who harvest crops and work with visas issued under a U.S. Department of Labor program called H–2A. The growers association helps place H–2A workers at various farms as needed.

The pacts will provide the workers with specific wage rates for either hourly work or for how much is picked (depending on the crop), a formal procedure to address grievances, and third-party verification to ensure all parties are living up to the agreement.

FLOC was born in the fields of northwest Ohio nearly 35 years ago as a means to provide migrant workers with better working conditions and fair wages. Initially, it reached contracts with individual growers but became a formidable force in the industry when it reached an agreement in 1986 with Campbell Soup Co. and its subsidiary, Vlasic Pickle, and a group of growers to improve wages and working conditions.

The agreements in North Carolina follow a similar arrangement and similarly occurred after years of public boycotts and pressure tactics by the farm union.

In FLOC's agreement with Mt. Olive Pickle, the nation's second-largest pickle firm, the Mount Olive, N.C., company endorses the separate contract between the union and growers association and it provides economic incentives for the deal to occur.

Mr. Velasquez said that about 60 cucumber growers will get a 10 percent price increase for their crops they supply to Mt. Olive. That increase will be passed along in the form of wage increases for the 800 to 1,000 workers who work for those growers.

Those workers are paid $8.06 an hour, a federally set minimum wage rate for H–2A workers. Under the new pact, which raises pay rates, workers could earn up to $12 an hour. ''It depends, but a good picker could earn that,'' Mr. Velasquez said.

Growers do not have to participate in the contract. However, those who remain in the association will be covered by the agreement and receive the crop price increases, said Stan Eury, director of the growers association.

The agreements do not prohibit farmers who are not part of the association from supplying Mt. Olive Pickle. At least a few suppliers now do not belong to the association.

David Rose, a sweet-potato and tobacco farmer from Nashville, N.C., said there have been rumors for months that a farm labor contract was in the works. He declined to say how many farmers might leave the association.

Still, Mr. Rose, of JB Rose Farms Inc., said the labor agreements likely will have an impact on all farmers.

The key provisions of the contracts were not necessarily wages.

Workers frequently complained of abuses by growers but were fearful to report them because they might be blacklisted and later denied a work visa, Mr. Velasquez said. The agreements provide a list of worker rights, including a hiring seniority system that the union will administer through a work office to be set up in Mexico.

''The pact goes from Mexico all the way to Ohio, so that will eliminate debate around blacklisting of workers,'' Mr. Velasquez said. ''They'll be union members by the time they enter the U.S.''

For the growers, there is a formal grievance system and third-party inspections to verify compliance, which should protect the farmers' image if they are treating their workers right, he said.

''The worst part of it for them is the terrible negative image that comes with these issues,'' the Toledo labor leader said. ''They don't like the publicity.''

In a statement, Mr. Eury agreed that credibility is important.

''Unfortunately the lines have been blurred between the treatment of H–2A foreign guest-workers and undocumented workers who are under control of unscrupulous smugglers and farm labor contractors,'' the statement said. ''Our industry is continually judged as a whole by the misdeeds of a few.''

The three parties began negotiating about six weeks ago at the behest of Mt. Olive, Mr. Velasquez said. The first hint became publicly known last month when FLOC said a large growers' association agreed to not meddle in the union's organizing activity.

After reaching agreement on key principles, details of the pact were worked out in about a week, Mr. Velasquez said.

Both Mt. Olive and the growers researched FLOC's previous labor agreements with growers for Campbell and Vlasic.

''They studied it and told us they could live with it,'' Mr. Velasquez said. ''They had also called some growers in Ohio to see how it had worked up there. The growers gave them some positive feedback.''

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 5 minutes.

(Mr. SOUDER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. STUPAK) is recognized for 5 minutes.

(Mr. STUPAK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

INFLUX OF WOUNDED STRAINS VA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

Mr. STRICKLAND. Mr. Speaker, I rise tonight to talk about a matter that is of very grave importance to the veterans of our country. I am referring to an article that was in The Washington Post this past Sunday. The article mentioned that thousands of U.S. troops are now returning to this country from Iraq and Afghanistan with physical injuries and mental health problems. They are encountering a VA benefit system that is already overburdened, and officials and veterans groups are concerned that the challenge could grow as this Nation remains at war.

Currently, we have had well over 1,000 of our soldiers killed in Iraq, and we have had 6,000 to 7,000 of our soldiers seriously injured. Many of those soldiers have lost limbs, they have been blinded, they have sustained brain injuries and terrible disfigurements. Many of those injuries are occurring as the result of roadside bombs which explode as these soldiers are out on patrol.

The disability benefits and health care system, as noted in The Washington Post article, this system that

provides services for about 5 million American veterans, has been overloaded for decades. We know that. The current backlog consists of more than 300,000 claims. That is 300,000 of our veterans who are waiting to get their claims adjudicated.

Mr. Speaker, because we have mobilized so many of our Reservists and National Guard persons to fight in Iraq and Afghanistan, nearly 150,000 have become eligible for health care and VA benefits as of August 1, and that number is rising. But this is the alarming information that is contained in The Washington Post article.

It says: ''At the same time, President Bush's budget for 2005 calls for cutting of the Department of Veterans Affairs staff that handles benefit claims, and some veterans report long waits for benefits and confusing claims decisions.''

Think of that. At a time when we are at war, when more and more of our soldiers are being terribly injured and are in need of the VA health care system, when claims are backlogged amounting to 300,000, the President sends this Congress a budget that actually calls for cuts in the number of people who are responsible for processing these claims.

The article that I am referring to makes reference to one particular soldier. ''I love the military. That was my life,'' says this soldier, ''but I don't believe they are taking care of me now.''

He is Staff Sergeant Gene Westbrook, 35, of Lawton, Oklahoma. He was paralyzed in a mortar attack near Baghdad this past April, but he has received no disability benefits because they say his paperwork is missing. Now he is trying to support himself, his wife and his three children on his regular military pay of $2,800 a month as he awaits a ruling that could provide him up to $6,500 a month in terms of VA disability benefits.

Mr. Westbrook was deployed to Iraq in January where he served as a drill sergeant. He was sent to train Iraqi Army recruits. While on duty on April 28, south of Sadr City in Baghdad, he was hit by a mortar shell and the shrapnel severed his spine. He is now paralyzed from the chest down. He has limited movement in his right arm and he battles constant infections. His wife takes care of him full time.

Sergeant Westbrook praises the Army for the medical care he has received, but is it not shameful that this veteran would be waiting for benefits, and that we would have a President who would cut the budget for those who are charged with processing these claims?

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The SPEAKER pro tempore (Mr. MURPHY). Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. HINCHEY) is recognized for 5 minutes.

(Mr. HINCHEY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

(Mr. MCDERMOTT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

(Mr. BLUMENAUER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

U.S. FOREIGN POLICY PLAGUED WITH ATTENTION DEFICIT DISORDER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. RYAN) is recognized for 5 minutes.

Mr. RYAN of Ohio. Mr. Speaker, it has been a very interesting time in the past couple of years. I have come to this floor on many occasions to talk about what is happening in Afghanistan. The truth and the reality I think is becoming more apparent to all of us as American citizens; and as the Presidential debates and the Presidential contest and the election of this year coming up in the next few weeks is coming to a close, this issue is becoming more and more relevant.

I think it is becoming more and more relevant, Mr. Speaker, because it illustrates that the foreign policy of the United States of America has attention deficit disorder.

After 9/11, in which we were attacked by Osama bin Laden, al Qaeda, housed by the Taliban in Afghanistan, an international coalition went to Afghanistan and said to the world that we are together in the fight against terrorism. Unfortunately, several months after that, the United States, pretty much by itself, even though the President said the other night, well, we have Poland with us; well, now Poland is withdrawing its troops and its support from the battle in Iraq.

So we shift our focus from the battle in Afghanistan, and the international coalition that we had, to Iraq. The satellites that were focused on Afghanistan trying to find Osama bin Laden, trying to find exactly what was going on with the drug trade and opium production in Afghanistan, the satellites turned and began to face Iraq. Troops that we had in Afghanistan went to Iraq. Interrogators that we had in Afghanistan went to Iraq. Funding that should have gone to Afghanistan went to Iraq.

Now, the President said several weeks ago that the Taliban is gone, that the Taliban does not exist anymore. That is completely and utterly false. The Taliban is still in existence. They are still fomenting problems in Afghanistan. They are still controlling some of the attacks that are going on in Afghanistan. And the quotes in today's paper were saying, a quote from a high-ranking official in the Taliban, the quote was, we are going to kill anyone who goes and tries to vote in Afghanistan elections, anyone who wants to run for office in Afghanistan, and anyone who would otherwise participate in the elections in Afghanistan. Why? Because Karzai is a puppet to the United States of America.

We have 17,000 troops in Afghanistan. We have 130,000 troops in Iraq. We cannot find Osama bin Laden. And today in the newspapers all over the country, stated from Afghanistan officials who are working with the United States, United States officials, that the trail to Osama bin Laden is cold. Cold. We have nowhere to go, we have nowhere to look; we do not know where he is. We dropped the ball, we outsourced the project to people in Afghanistan instead of giving it to the best, most highly trained, highly skilled units in the world, because we have attention deficit disorder, because we had to go to Iraq, we had to drop $200 billion, and everything this administration said to us before the war has proven not to be true.

We are going to be able to use the oil in Iraq for reconstruction: not true. We have spent $200 billion; the taxpayer has spent funding this debacle in Iraq. We were told we were going to be greeted as liberators. Now we are greeted as occupiers. It has gotten so bad in Iraq, the Italians are now paying $1 million to get hostages back. So the Italians are paying $1 million to the insurgents in Iraq to fund the insurgents against us. It is ridiculous. This has been a debacle from the get-go, and it is time we square things around before we have a narco-state in Afghanistan on our hands.

THE TRUTH ABOUT THE MEDICARE MODERNIZATION ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from Georgia (Mr. GINGREY) is recognized for 60 minutes as the designee of the majority leader.

Mr. GINGREY. Mr. Speaker, it is a pleasure to come before my colleagues

on the House floor this evening to spend an hour with them talking about the new Medicare Prescription Drug part D and Medicare Modernization Act, which was passed in December 2003 in a bipartisan fashion by this body and signed into law by President Bush. But before we get started, I want to spend time going through a lot of the nuances of this bill and make sure that all of my colleagues, and especially, of course, if some seniors and people that are watching this body and paying attention to what we say here on this floor, it will help them better understand, and I think we will have spent a very, very beneficial hour this evening.

Before I get started, I cannot help but think about, this is October 4, the fall of the year, the most beautiful time of the year in many parts of this great Nation of ours, especially in my home State of Georgia and my 11th Congressional District in the northern part of the State. In 27 days will be one of my favorite holidays, and I am sure my colleagues would agree with me that Halloween, Halloween is always one of the most fun times of the year, especially if you have children, as I have. Now they are adults. I also now have precious grandchildren. What an exciting thing to go door to door in your neighborhood, in a safe environment, trick or treating, maybe even scaring people a little bit, scaring other kids with the costumes and the spooks and the goblins; and every now and then, if you do not get a good treat when you knock on somebody's door, some mean old, grumpy adult, you will scare them too.

But what we are seeing today in this body, maybe because it is a Presidential election year, but all of a sudden, Halloween does not seem so funny to me anymore, because what I am seeing from Members of this very body is adults scaring adults. And not just scaring adults, but scaring specific adults, and that is the great senior citizens of this country. In fact, I call these scare tactics, without putting on a costume, it is mainly just rhetoric, I call it Mediscare, Mediscare.

I am sure lots of seniors, I know they have in my district, because I have gone across the 17 counties doing well over 60 town hall meetings now with senior citizens, talking to the seniors about this new program, this good program, this good first step. But they have already been scared. They have been scared by so much of this rhetoric, as an example, that says you are going to lose your Medicare as you know it. They, the Republican majority, the President of the United States, this administration, they are going to take away Medicare as you know it. That is one Mediscare tactic.

Another: this bill is nothing but a giveaway to the pharmaceutical industry; that is all it is. The pharmaceutical industry contributes all of this money to Republican Members of the Congress to buy this bill. In fact, the pharmaceutical industry, they drew up the bill. It is nothing but a giveaway to the pharmaceutical industry.

I am going to refute some of these Mediscare tactics, and on that one I would like to right at the outset say, if that were true, when Medicare was first signed into law by a Democratic President, Lyndon Johnson, in 1965, and we had part A and part B, part A, the hospital part; part B, the doctor part. I never heard anybody say, and I am sure my colleagues never heard anybody saying that part A was nothing but a giveaway to the hospitals, or that part B was nothing but a giveaway to the doctors, because they happen to be the ones who respectively provided that care under part A and part B.

No, they did not call it a giveaway. In fact, the hospitals and the doctors, over the 38 years of the program, and it is a good program, I think it has served us well. I do not think we could get too many of my physician colleagues, and oh, by the way, I think my colleagues know that I am one of seven physician members of this body; not many of my colleagues are saying today Medicare part A or medicare part B, certainly my rural hospitals in the 11th Congressional District of Georgia, they are not saying Congressman, part A medicare has been nothing but a money tree for us, it has been wonderful, part A has been great for rural hospitals. No. They are struggling. Every day they are struggling.

So we hear all of these things and these scare tactics and telling the seniors, even now that we have this interim prescription drug discount program, because it takes a while to get the prescription drug benefit, the insurance part, and it is totally, totally optional, not required; but we will not have that ready until January of 2006. But this President and this Congress and this leadership, this Republican leadership, knew that our seniors needed relief right now. They really do. Some are trying to make these decisions about paying their utility bill or their mortgage payment; and all of a sudden, it is time to refill that prescription and they do not have the money to do it. And they are breaking pills and they are skipping pills. These seniors, those who are on fixed income, those low-income seniors who are in that bind really cannot wait until January 1 of 2006. They need relief right now.

That is what the interim prescription drug discount program is all about. It is a Godsend for them. Yet, here again, Halloween is upon us, really a Presidential election is upon us, just 3 days after Halloween. That is what it is all about. But to scare seniors, especially those needy seniors who, by just signing up for that prescription drug Medicare-approved discount card get a $600 credit each of the 2 years; a $1,200 credit toward the purchase of those much and badly, desperately needed drugs. They are being scared into not signing up, not picking up that telephone and dialing 1–800 Medicare and spending 15 to 20 minutes at most on the phone and getting that card in their hand.

These cards have been available since June 1 of this year. I am very pleased that 1.8 million currently have them of the low-income, needy seniors, and something like 4 million overall. But we need to do better, and the reason we are not doing better is simply because of this Halloween Mediscare mentality of scaring seniors into not participating.

□ 2115

Well, enough of that. We will get back to that maybe a little later in the hour. But let us talk a little bit about the reason that we need to have a prescription drug benefit under Medicare.

Well, it is a 38-year-old program. Medicare as we know it is a 38-year-old program. It is a 20th century health care program with no coverage for prescription drugs, none whatsoever, except certain medications that are actually administered by a physician in a doctor's office intravenously or intramuscularly to treat maybe end stage renal disease and cancer, chemotherapy. Anything else, any time the general practitioner, the family practitioner, the general internist, writes those three or four prescriptions, none of that, that is all out of pocket. And many of our seniors do not have any coverage.

They do not have an insurance program through the VA program or TRICARE or as retirees for let us say a State worker or Federal employee or maybe a generous benefit from a company they have worked for for 35, for 40 years. Many of them do not have that. They have absolutely nothing. So this program is way, way overdue. And so many other Congresses and other presidents, the Democratic majority have made promises to our seniors and talked about delivering, delivering on a promise and failed to do so. And all of the sudden this President has the courage and the wisdom and the insight and the compassion to get a tough bill through this Congress. And now, instead of getting credit for that, these Medicare tactics are trying to discredit him over that. Amazing. In fact, down right appalling.

Another scare tactic is this, and I know we all have heard it. When we debated the bill there was a lot of discussion about this, and some of the seniors organizations were very concerned about, is it possible that when we start offering a prescription drug benefit under Medicare, are many of the conditions that currently have a health retirement benefit for their employees, for their retired employees, that does include prescription drugs, are they going to be encouraged because now this Medicare Prescription Drug Part B is an optional benefit to seniors to just drop these programs?

So that is another one of the scare tactics. Yeah, do not vote for this bill because, if you do, the first thing that is going to happen is your company,

that you worked for 30, 35 years, they are going to drop you like a hot potato, as the expression goes.

Let me point out to my colleagues, and I want to call their attention to this first slide. What this slide shows is that, over the last 12 years, the number of large employers who have been offering health care for their retirees, the number that has actually begun to drop this coverage, even before we passed this bill, has been decreasing over these last 12 years. This first part of the slide shows people who are under 65 and are retired. In 1991, 88 percent of them were covered by health care that included a prescription drug benefit. In 2003, this coverage has dropped to 72 percent.

Now, this is for the people who are under 65. What happens now when they become Medicare eligible at age 65? In 1991, the percentage that were covered by their former employer was 80 percent, less than those under 65 who are not eligible for Medicare yet. And the drop off again is substantial, from 1991 to 2003, down to 61 percent.

The point of this first slide is basically to show that this is already happening, this is already happening. And it is not because of the fact that we now are offering a prescription drug benefit to these seniors who now, if they are dropped by these plans by their former employer, they have nothing. They have no coverage at all. And as part of this new Medicare modernization and prescription drug act, and I do not know exactly what the dollar amount of the estimated cost is, the Congressional Budget Office very clearly said to the Congress, it is going to cost $420 billion over 10 years. We have got another number later on that, was over $500 billion, but a significant amount of that money, something like $75 billion dollars is going to these companies, these large companies, large and small companies, to help them wrap around the Medicare prescription drug benefit so they will continue, they will continue to offer health insurance that includes prescription drugs and actually bend this curve, not make it worse, but maybe stop this normal attrition that is already occurring without the prescription drug benefit and the modernization to Medicare. This is already happening. So we are going to turn that curve around. And I sincerely believe that that will happen.

Remember at the outset when I said about some of the Medicare rhetoric, and the first one I think we mentioned was they, the Republican majority, the President, indeed, they are about to take away Medicare as you know it. And the chairman of the Committee on Ways and Means, the gentleman from California (Mr. THOMAS), was quoted as saying, ''Well, we certainly hope so,'' and roundly criticized by our colleagues on the other side of the aisle.

What the chairman meant by that was quite simply, Medicare as we know it has been sorely lacking for all these years, no prescription drug benefit, part A and Part B, yes. But all of the sudden we are going to offer something that hopefully keeps seniors out of the hospital, they now have coverage for that, do they not, under Medicare part A, and out of the nursing home also under Medicare part A, but that coverage is not to infinity.

What happens is, when our seniors go into the hospital, there is a significant co-pay, and they use up their days, and then everything is out-of-pocket. They have to go into a skilled nursing home for a very limited number of days per illness, and then, everything after that is out of their pocket. And in many instances, they literally go broke in a nursing home and have to go on Medicaid and lose a lot of pride and a lot of dignity in the process. But even more importantly, as the gentleman from California (Mr. THOMAS), so concisely and clearly indicated, Medicare as we know it needs improvement. And Medicare as we know it, if we do not do something to improve it and we continue to let people get terribly sick with end-stage renal disease or significant coronary blockage, and they end up in the hospital needing bypass surgery or maybe an amputation, and then possibly spend the rest of their lives in a nursing home because their high blood pressure was not treated in a timely fashion and they suffered what we refer to medically as a cerebral vascular accident but what you know as a stroke, yes, they get treated all right in the hospital and in the nursing home until their money runs out. But is that the compassionate thing to do?

That is Medicare as we know it. That is exactly what the gentleman from California (Mr. THOMAS) was talking about when he said, Medicare as we know it needs to go. We need to improve upon it. And that is what we are going to do, and that is what we are doing with this interim drug discount program. And starting in January 1 of 2006, the opportunity for our seniors, the option or choice, it is not required, of course, but hopefully, just as many who signed up back in 1965. It was President Truman himself, former President Truman who voluntarily signed up for Medicare Part B in 1965; and some 95 percent, maybe more than that, of our seniors who are on Medicare, are voluntarily on Part B because it is a good program.

The taxpayers are paying 75 percent of that premium, even though it has gone up over the years, because the cost of health care has gone up. But that is formula driven. But we need to change Medicare as we know it. And that is what we are doing with this bill, this new law. And I thank God for that. And I think our seniors thank God for that, and they thank this Congress, the Members that voted for this bill, and they thank President Bush for having the courage to see this through and deliver on a promise.

When I came to the Congress in 2003, almost 2 years ago, as only one of seven physician Members on the House side, we have Dr. FRIST, the majority leader on the Senate side, a lot of people told me back home, they said, especially my physician constituency, my friends that I had practiced medicine with for almost 30 years, You are going to go up to Washington and you are going to solve all of our problems, and you are going to explain to the 434 other Members, the non-physician Members how to get it done, what our needs are, what the problems are, what the problems with health care in general but for Medicare and our seniors specifically. We are counting on you. We are counting on you to make sure that everybody else understands this, and we solve the problems.

And I would say to them today, I am working on it. I am trying hard. But what I found when I arrived here is lots of folks, some physicians, many not, who have been working on health care and working to deliver a more modern 21st century health care system for our seniors; the same thing that we Members of Congress enjoy, all of our Federal employees under the Federal health employees benefit program, State employees, people indeed under the TRICARE system, enjoy, 21st century medicine. And there have been many Members in this body who have been working tirelessly for quite a few years before this Member, this physician Member arrived.

One of those is here with me tonight, and I am so proud to call her my friend and colleague. She is not a physician, but her husband is a physician. In fact, he is a retired OB–GYN just like myself. And as the chairman of the Subcommittee on Health of the Committee on Ways and Means, I am going to state that she has been invaluable to me and to all of her colleagues in sharing her knowledge, in making the most complex, arcane part of Medicare law understandable, understandable to me and to all the Members.

So it is with a great deal of pleasure that I recognize her here this evening and let her take as much time as she wants to talk a little bit more about the specifics of this bill. The gentlewoman from Connecticut (Mrs. JOHNSON).

□ 2130

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the gentleman very much for yielding. As a representative from Georgia, not only has he been very effective here in this body of the House, but as a physician Member, he has been extremely effective. This is the first time we should have had a critical mass of physicians to participate in these debates, which are striking at the heart of the inadequacy of the public program in regard to our seniors.

Medicine found ways to stop our seniors from dying of heart attacks, but then it left them living with cardiac problems. Medicare as a payor could pay for heart transplants and all those

things that can deal with diagnosed heart illness, but we cannot pay for all those programs that we now know that medicine has now developed to prevent cardiac illness from getting worse and leading people to needing heart transplants and serious heart operations.

That just gives you some idea. When we say Medicare is no longer adequate to provide health care to our seniors, that is what we mean. The whole world has moved into the world of disease management to prevent diseases from getting worse, to identify them real early, prevent them from getting worse, and that is what this bill does.

It will welcome seniors into Medicare in 2006 with a Welcome to Medicare physical. At that physical, we will identify those early signs of diabetes, heart disease, hypertension, and will start then to help seniors manage those illnesses and have the support in managing it and have the medications to manage it so that they do not end up in the emergency room, they do not end up in the hospital beds.

That is why, in the end, we were able to pass this bill, because Members who were concerned about the deficit came to understand that, if you do not modernize Medicare, it will go bankrupt. If you do modernize Medicare, you can move the money from the hospital emergency room treatment setting to the preventative setting and provide both with better quality health care and a financially secure system.

The point that the gentleman made earlier about employer-provided health care for retirees was absolutely right on target. We want our employers to stay in the business of providing retiree health care. We want the big union plans to stay in the business of providing retiree health care, but their fastest growing cost is pharmaceuticals, and it will drive them out of business. It will bankrupt their plans if we do not do something about it.

In this bill, we do do something about it. We share that cost with them, and for that reason, most employers and most unions, most public programs, State employer and municipal employers will be able to stay in the business of providing comprehensive health care for their retirees, including prescription drugs, in a way that they could not have if we had not passed this bill.

So this bill is not only terrific from the point of view of those who already have health care from their employers, it is terrific from the point of view of seniors who do not have good drug coverage. Some have very good, but most do not. They either have no drug coverage or inadequate drug coverage but under this bill, seniors will do very nicely.

If the gentleman has time, I would like to talk a little bit about the prescription drug benefit under this bill.

Mr. GINGREY. Mr. Speaker, I thank the gentlewoman from Connecticut (Mrs. JOHNSON) very much, and if she will, I would like for her to go over that a little bit because I think there is still a lot of confusion about that, and if the gentlewoman can take a few more minutes and explain that. I know the Members would appreciate hearing from her.

Mrs. JOHNSON of Connecticut. Mr. Speaker, a lot of seniors have, first of all, been misled to think that the discount card is the Medicare reform bill. The discount card is not the program. The discount card is only an intermediate step, and it is one that, in my district at least, seniors who were spending $1,000, $1,500 a year on drugs can save considerably through a discount card. They can save usually, at least we are finding, about a third of their costs.

We are also finding that seniors who do not have any drug costs are remembering that if they have a discount card, that if they go to the doctor and he prescribes an antibiotic, which is often over $100, they will be able to save about a third of the cost of that antibiotic when they go to the pharmacy to buy it. So even seniors without regular drug expenditures are recognizing that the discount card is a good thing for them, but it is only an interim step.

The real program that goes into effect a year from January is a very generous program to those who need it the most. For seniors who have incomes under 135 percent of the poverty income; and remember, 50 percent, just think about this, 50 percent of all the retired women all across our Nation are in this category; 50 percent of retired women will have no premium, no deductible. They will get their generic drugs for $1 to $3 and their brand name drugs for $3 to $5. What a giant step forward, for half of America's retired women, to get prescription drugs with no premium at all, no deductible, $1 to $3 for generics and $3 to $5 for brand name. That will mean that none of those seniors will have to make the choice between food on the table or taking the drugs that will keep them healthy.

Then 70 percent of all of our seniors in America, men and women, will have 75 percent of the cost of their drugs paid for under this program. Medicare is an 80/20 deal. We pay 80 percent; you pay 20 percent. Eventually, we will get this Medicare prescription drug benefit back up to that so there will be consistency, but at the beginning, it will be 75 percent government paid, that is, the taxpayers, that is, your children, and 25 percent you pay. There will be a premium, of course, and a deductible. Just like there is a premium and deductible for Medicare part B, there will be a premium and deductible for the prescription drug bill. Although the premium will be far lower than it is for part B. It will not be over $35. It might be a lot less if things continue to go the way they are going.

So Medicare will offer a prescription drug benefit that for 70 percent of America's retirees will cover 75 percent of the cost of all their drugs. Now, if you have very high costs, you will have to spend $3,600 before you get the catastrophic coverage, but that $3,600 can be paid by you, by your children. It can be paid by charitable organizations. It can be paid a number of different ways, and for anyone whose income is 150 percent of poverty, which is about $14,000 I think for a single and about $19,000 for a couple, I think that is about right, anyone under those amounts will not have to pay this $3,600.

Anyone that lives in a State like Connecticut that has a ConnPACE program or like Pennsylvania that has a PACE program, any State program that provides subsidies for seniors with prescription drugs, they will never be exposed to that $3,600, and over time, we will make sure that the $3,600 expenditure for catastrophic coverage is not required of anyone who cannot afford it. But if you can afford it, it is good for you to pay it rather than the taxpayers because it lowers the burden on our children of the enormous costs associated with Medicare, Social Security and Medicaid's payment for long-term care which, when the baby boomers retire, is going to be extraordinary.

So, as a retiree, I will want to pay my share if I need to get to that catastrophic level and if I can afford the $3,600. So this is a totally generous program to those who need it the most. It is a very generous program to 70 percent of seniors because it covers 75 percent of your drugs, and for everyone else, it is very generous up to that $2,250. Then it requires some effort before you reach the 95 percent coverage, but for that effort, you can have help.

We just want to make sure that everyone has the help they need to reach the catastrophic, but it is a very generous program. I am proud of it. I am proud of the way it modernizes the quality of care you will get by, helping you manage your disease so you will not end up on the operative table.

I am extremely proud of the way it revitalizes rural health care because, without this bill, rural doctors would be out of business in many parts of the country. The small rural hospitals would be quietly going under, and we would literally lose that provider system that provides health care in the rural areas.

Medicare is like the post office. We have to be able to deliver everywhere all across the country to every single senior, no matter how small a community they live in, and to do that, we have to make the changes we make in this bill to assure a healthy delivery system of doctors, of hospitals, of home health agencies and of all of those providers that are crucial to a high quality of health care for our seniors all across this America.

So this bill is a huge reform. It revitalizes the quality of care Medicare can deliver. It revitalizes the system so it will truly be a national delivery system, and it modernizes the benefit

package by providing prescription drugs to our seniors. They fought hard for it. They deserved it. Inaction would have been absolutely a travesty, and anyone who voted for inaction when there was an opportunity to advance Medicare in so many areas was really, in my personal opinion, misguided.

The seniors could not wait. They should not wait, and we will have this nationwide new program up and running in January of 2006, and the seniors will benefit for generations to come.

I thank the gentleman from Georgia (Mr. GINGREY) very much for letting me join him for this Special Order on what is a very, very important new opportunity for seniors.

Mr. GINGREY. Mr. Speaker, I thank the gentlewoman from Connecticut, the honorable chairman of the Subcommittee on Health of the Committee on Ways and Means. I know she has got a very busy evening, as all of her evenings here in the Congress are just jam-packed with other obligations, for her to come by tonight and help us share this time and explain, as I said earlier, you can see what I am talking about, she makes it so clear and understandable. I invite her to stay as long as she can, and if she needs to leave, I understand that, but I am very, very appreciative of her work and her expertise. I thank her so much.

What I wanted to say, just kind of in following up on some of her remarks, this is a bipartisan bill. This new Medicare Modernization and Prescription Drug Act that preserves, protects, strengthens and simplifies Medicare as we know it, that is what we are talking about, and I am proud that it was a bipartisan vote.

There were some Members on both sides of the aisle who were concerned about the bill, for different reasons, and voted against it. I think 28 of my Republican colleagues actually voted against passage of this bill, and remember what they said when they came down and spoke against the bill and in a vote of conscience voted against it? They thought that the bill was costing too much; we could not afford it. We could not afford to deliver on this promise.

Their concerns with the deficit, of course, are understandable. Their concerns with the need to continue to successfully wage this war against terrorism and to win is very understandable. So these 28 Members, my colleagues on my side of the aisle, voted no. They wanted to do it. They knew it was a good program that they felt its time had come, but yet did not think we could afford to do it. They voted no.

I think it is an accurate statement to my friends on the other side of the aisle, the Democrats who voted against the bill, most of them felt that we were not doing enough. Another one of those Medicare tactics I was talking about in this Halloween season is, the hole in the donut is too big; the hole in the donut is big enough to drive a truck through.

So they wanted to do more. In fact, the proposal that I heard from a number of Members on the other side of the aisle who voted ''no'' was, well, let us close that hole in the donut so we give better coverage to everybody, especially good coverage to those needy seniors that the gentlewoman from Connecticut was talking about.

□ 2145

But that bill would have cost us something like $2 trillion over a 10-year period of time. And we certainly could not afford that. Yet, for whatever reason, those who felt like we were not doing enough and we needed to do more, and those who felt like even though we were not doing enough we could not even afford that much, that was a vote of conscience on their part. And that is understandable.

But the bill did pass in a bipartisan fashion, a much wider margin, I might add, than the other body, than the Senate. But my Republican colleagues who voted ''no,'' a vote of conscience, you do not hear one single voice from my side of the aisle going around and scaring seniors and telling them do not accept a Medicare prescription drug discount card, this interim program, which is available right now. And many of those beneficiaries are eligible for that $600 credit. All they have to do is pick up the telephone, 15-minute conversation, and they have got that prescription drug discount card, which probably lowers the cost of their prescriptions maybe 20 percent, if it is a brand-name drug, possibly up to 40 percent if it is generic, in addition to the $600 per year or $1,200 over the course of the interim program.

You do not hear my friends who voted ''no,'' a fiscally conservative vote, you do not hear them telling the seniors not to sign up for those cards. But you do hear that from my colleagues on the other side of the aisle who voted ''no.'' Again, a vote of due conscience because they thought we were not doing quite enough, that we needed to do more. Wish we could. Hopefully, as the gentlewoman from Connecticut (Mrs. JOHNSON) said, as we go further along into this program, we will be able to do more; and we will work with our colleagues on the other side of the aisle to try to make it a program, which is already a great first start, even better as we go forward, as we can better afford to do more.

Oh no, that is not enough for them. They have to scare seniors, and they have been doing it ever since December of 2003. Not just this Halloween season, but of course the rhetoric is getting a little more heated now because not only are we getting close to Halloween but we also are getting closer to November 2, and we all know what November 2 is. So it is all about who gets the credit or, from their perspective, who gets the discredit. They want to scare the seniors enough and tell them do not even accept the prescription drug discount card, when they can get $600 a year credit in their medications and, in many instances if they are a low-income senior, will cost them nothing. Unbelievable. Unbelievable.

The gentlewoman from Connecticut was talking a little bit about the basic program, the part B, the insurance program, that will be available as a voluntary option in January 2006. For the average senior whose income is, let us say, more than $18,000 to $20,000 a year, this is what the program will cost. And I want to call my colleagues' attention to this slide.

Basically, $35 a month premium, a $250 deductible per year, and then 25 percent copay. That means the good news is Medicare and the general taxpayer, those individuals who are still out there in the workforce paying that payroll tax, cover 75 percent, up to $2,250.

Now, yes, there is a gap in coverage. This is what we refer to as the hole in the donut. And beyond that point, until the senior has spent $3,600 out of pocket, there is no coverage and the senior has to pay 100 percent. That is the part we are going to improve as time goes on. But the good news in that, the glass being half full and not half empty, is that when they reach that point, then the coverage is 95 percent insurance and 5 percent copay.

Mr. Speaker, I want my colleagues to pay attention to this next slide, just to give them an example of some of the savings that will be affected by this interim prescription drug discount program. If a senior is paying today $100 per month for prescription drugs, and believe me those who have had those town hall meetings and talked to their seniors, many of them are paying $100 a month, some are paying $500 a month and more. But let us just take $100 a month. They will have an annual savings of $773, basically reducing their annual prescription cost for drugs, for prescription drugs, by 64 percent.

Let us take another example. Let us say it is $500 a month. Let us say it is a senior, someone like myself, who has had a little heart surgery and is on four medications a month, each one of them costing $100-plus. Pretty quickly they are up to $500 a month. Well, this prescription drug plan, over a period of a year, is going to save them $2,700, reducing their annual cost by 45 percent.

Let us continue. How about $800 a month? How many have relatives, parents, or grandparents who may be on six or eight prescription drugs a month and they are paying over $800 a month? The annual savings, $5,871, some 61 percent reduction of their annual cost for prescription drugs. Simply amazing.

Mr. Speaker, I think it was the Honorable Speaker Tip O'Neill who said a few years ago ''all politics is local,'' so let me spend a few minutes talking about my district, the 11th in Georgia. I want to call my colleagues' attention to this slide.

In Georgia's Eleventh Congressional District alone, the average senior will save $1,488 off their prescription drug

costs over 18 months. Over an 18-month period of time $1,488 savings. That is not pocket change. That is certainly not pocket change for seniors, many of whom are on a fixed income. These savings represent 42 percent off of the typical senior's drug cost.

In fact, it is estimated that prescription drug savings for the State of Georgia, all the seniors in the State of Georgia will reach $186 million; $186 million. That will certainly help the bottom line in Georgia, and the bottom line especially for our needy seniors.

I also want to call attention to this next slide. This is just a typical example of what a Medicare prescription drug discount card looks like. And I guess the most important thing here, and I know we have 1.8 million seniors who have these, but we want more to take advantage, because the time is slipping away and the opportunity to get that credit that so many of them are eligible for. We do not want them to lose that opportunity. But the most important thing about this card is that it has the Medicare seal of approval. That way you know that that is the real deal. That is the card.

There will be plenty to choose from. They are available now. In fact, they have been available since June 1 of this year. It is time for our seniors to reject the Mediscare rhetoric and get these cards. Sign up for them. All you have to do is pick up that telephone and dial 1–800–Medicare, and they will walk you through the steps in 15 or 20 minutes.

Mr. Speaker, this is another slide that I am calling my colleagues' attention to; and basically what it reflects in the respective States is how many Medicare beneficiaries are there who will actually pay no more than $5 per prescription under this new Medicare Modernization Act and Prescription Drug Bill. The State that, of course, jumps off the page at me is my State. I am sure my colleagues feel the same as they look at this slide and pick out their State, whether you are from the West, the North, the East, the South, or wherever, or in the heartlands.

When I look at Georgia, the great State of Georgia, and realize that 233,000, 233,000 Georgians under this new plan, because of their income, because they are on a fixed income, maybe they are below 150 percent of the Federal poverty level, the most that they will pay on this program is $5 per prescription. That is it, $5 per prescription. That is 233,000 in the great State of Georgia.

We have some tremendous strains, of course, in the Medicare program. I mentioned at the outset how tough it is for the physicians to stay in the program, that it is not a giveaway. Part B is not a giveaway to the doctors. Fortunately, many, through compassion, are staying in the program. But it is certainly no giveaway. And for sure no giveaway to our hospitals is part A. And, parenthetically, part D, the prescription drug part, is no giveaway to the pharmaceutical industry.

But just look at this slide, my fellow colleagues. Look at this and pick out your State and see the benefit to your hospitals, especially your rural hospitals, that are struggling so badly to keep those doors open. Outside of the school system, they are probably the largest employer in your county, in your congressional district. Just look at the benefit that your State gets through the hospitals under this program.

Here again, I go right to Georgia, and that is where it is most important to me. Over $550 million worth of benefit to the hospitals, especially the rural hospitals in the State of Georgia. That is $550 million, almost half a billion dollars. This is a Godsend to these hospitals. And that is what we are doing with this Medicare and Modernization Prescription Drug Act.

Mr. Speaker, I realize we are coming to the close of our hour, which has been, I think, a good time to spend talking with my colleagues and making sure that everybody understands. We have done something very historic in this 108th Congress. We have finally delivered on a promise that was made a long time ago. Thirty-eight years is a long, long time for our seniors to wait for a prescription drug benefit to modernize this Medicare program, which is still in the 20th century.

The rest of us, those of us who are not yet quite 65, although some Members of this body are, we have a benefit plan that has an emphasis on wellness, on prevention, and making sure that catastrophic illnesses do not occur to us.

□ 2200

This is such an important point to remember that including a prescription drug benefit may very well, in the long term, over a 10-year period of time, result in some savings to the Medicare program. Yes, we are estimating it might cost $500 billion over 10 years, but I want my colleagues to understand that it will only cost $500 billion over 10 years if it does not work. Because I would suggest that if it does work, and I sincerely believe as the President believes in this compassionate effort to finally deliver that we are going to reduce the cost of Medicare that we spend on part A, the hospital part, we are going to keep people out of the hospital. We are going to reduce the cost of part B, the part of Medicare that we spend on physician reimbursement because we are not going to be doing as much open heart surgery. We are not going to be doing as much renal dialysis and kidney transplants. We are not going to have as many people in the nursing homes for the rest of their lives who are trying to recover from a CVA, or, as you know it, a stroke, because these seniors will be able to control that high blood pressure that heretofore they could not. They knew they had it but they could not take their medication, and the only benefit they get is when a catastrophe has occurred.

I thank my colleagues for giving me an opportunity to talk to them tonight about this great program that is going to only get better. I think it is time to stop scaring our seniors. We have got 27 days before Halloween. We have got about 30 days before our elections. Let us take the politics out of this. Let us not try to ride our reelection train on the back of our seniors by scaring them over this program. It is unconscionable to do that. They deserve so much better. And you are better. I know that.

We get awfully partisan up here sometimes, but when we talk out in the halls or we realize that we are all basically the same, we have got families, we have got children, we have got grandchildren, we have got seniors in our district, let us all work toward the betterment of them through this program and quit scaring our seniors. Beyond this Halloween and this election and going forward in the 109th Congress, we will make this program even better than it is now.

THE NATIONAL DEBT

The SPEAKER pro tempore (Mr. MURPHY). Under the Speaker's announced policy of January 7, 2003, the gentleman from Tennessee (Mr. TANNER) is recognized for 60 minutes as the designee of the minority leader.

Mr. TANNER. Mr. Speaker, I come here to the floor tonight to talk about something that is not very pleasant to think about, much less talk about, but as President Jimmy Carter once said, the highest office in this land of ours is that of citizen, because the citizen makes the determination as to the course that our country's leaders take. All of us are citizens, and therefore, all of us ought to be aware of what I consider to be a grave and growing danger, maybe second only to terrorism in our country tonight. The issue that I am referring to is our Nation's overwhelming Federal debt. I do not believe most of our citizens, the highest officeholders in this land, realize just how bad this debt and deficit is and how much it is rapidly deteriorating in terms of our Nation's financial balance sheet.

We have embarked for the last 4 years on an unprecedented and unsustainable borrowing binge that is going to place our citizens in hock not only from the standpoint of paying ever-increasing taxes just to service the debt, much like we do our credit card debt, but what we are doing to ourselves, to our country and to our children and grandchildren.

Let me talk to you a little bit about mind-numbing figures, numbers. I will try to limit that, but let me just try to explain. We hear two different debt numbers. We hear of our Federal debt being $7.3 trillion, and it is. That is the total obligation of our country vis-a-vis our deficits, our budgets and so on. About $3 trillion of that $7.3 trillion is money basically that we owe to each other; we owe to the Social Security

trust fund that we have borrowed from; we owe to the veterans' organizational trust funds that we have; the airport trust fund; the highway trust fund; on and on. That $3 trillion is money that we the people, the citizens, owe to the various trustees, and we have to make good on that in the future. That is not the part of the $7.3 trillion I want to talk about tonight. I want to talk tonight about the $4.3 trillion that I call hard money, hard dollars that we have actually borrowed from individuals and corporations in this country and from around the world that we will talk about in a few minutes. I hope before you turn off listening to us, you will listen to what we have to say about that, because it is truly frightening.

I do not know, reading history, of any country that has managed to remain strong and free and bankrupt. My friends, my citizens, that is where this country is headed. The deterioration of the Federal balance sheet in the last 4 years is truly breathtaking. These numbers right here, we have borrowed in the last 45 months or so $1 trillion if we add all of this up, $1 trillion. I do not have to tell all of us, myself included, who have debt on our house, our car or our credit cards, what $1 trillion means. It means, at 5 percent interest, we have actually increased taxes on the American people in the last 45 months by $50 billion a year each and every year. That is called a debt tax that we will talk about later. It must come off the top. It must be paid. It cannot be repealed, and that is where we have put ourselves collectively in the last just 4 years.

This second chart shows how much the debt limit levels have increased just since 2001. In 2001, the debt ceiling was $5.9 trillion. In 2004, it will be $8.07 trillion, and by 2014, according to the Congressional Budget Office projection, that is assuming that everything stays the same, it will be $13 trillion. I suggest to you that, if you are in an airplane, you are in a death spiral financially on this chart right here. If you do not do something different, if we do not do something different, if you do not demand that the leaders of this country in this one-party government we have now do something different, we are going to hit the ground. There is no way this country can sustain and service this kind of debt.

I talked about servicing the debt. Last year, on this $4 trillion plus, we paid $159 billion in interest. We wrote checks for $159 billion. This will go on as we see under present law. By the end of 2008, we will be spending $1 trillion a year just to service our debt. It is clearly unsustainable. There is no way that you can take that much money out of our economy just to service debt for which we get no military prowess, no education, no health care, no highways, no bridges, no anything but just the privilege of paying taxes so we can pay debt.

At this point, I want to again emphasize, if you are just talking about debt, we are in an unprecedented and unsustainable headlong dive into bankruptcy. I want to ask my friend from Texas now to talk a little bit about what we do. But after he does, please stay tuned because we are going to talk about who owns it, and that is truly frightening. My friend from Texas (Mr. STENHOLM) is one of the leaders here in the Congress for financial responsibility, for commonsense approaches to government in terms of what we can afford. He has been so for over 20 years. He is the father around here of the balanced budget amendment. He introduced it, I guess, as soon as he got here, and he is one who has unquestioned credibility and credentials on our Nation's debt, deficit, financial balance sheet, you name it. I am glad the gentleman has joined us tonight.

Mr. STENHOLM. I thank my friend from Tennessee for yielding and thank him for taking this hour tonight. I not only want to thank him, but I want to thank USA Today for what they did today on the front page of their newspaper. We have been in this Chamber several times this year talking about this, but nobody pays any attention. You would think that you are making this up, what you have just shown, how the deficit has turned around. We have listened to the explanations from our friends on the other side who are in control of the fiscal matters of this country right now. Here is the paper, front page: $84,454 is the average householder's personal debt, as you mentioned. We have got home mortgages. If you are in small business, you borrow money. Your personal family, you borrow money. You have got credit card debt. You have got a car loan, et cetera. So the average per household is $84,454. The average debt that you are talking about tonight plus the unfunded liabilities of Social Security and Medicare, and I found it rather fascinating that the previous 1 hour did not ever mention the debt that is associated with the Medicare program right now, that did not mention that we were kind of misled, and I was one of the bipartisan supporters of the pharmaceutical drug Medicare reform bill, and I supported it because of the rural hospital components, but nobody mentioned the fact that we were misled about what the cost of that bill was going to be, those of us who supported it. We were not told 100 percent of the truth, and that is another story for another day.

But you are going to get into something in a minute that I think is going to get even more the attention of the American people. I remember, 1981, when we in this body in a bipartisan way increased the debt ceiling to, I believe, $980 billion. We are talking tonight about $7.3 trillion. It was $980 billion in 1981. We did not worry too much about that at that time because we owed most of that money to ourselves. When you owe money to yourselves, I remember the debate very clearly, it is not a problem because we are just taking it out of this pocket and putting it in another one. But, today, it has changed a little.

I think that leads into the point the gentleman was wanting to make. I want to talk more about this unfunded liability again, things we are not doing in this 108th Congress.

□ 2215

It has been now labeled, and I think correctly, the biggest do-nothing Congress since 1948; i.e., we have been in session less this year than any Congress since 1948. And that means that we have got an energy bill we have not passed. That means we have got a budget we have not passed. That means that, sometime this week, we are going to reach the debt ceiling of $7.384 trillion, which means we have got to up our credit card limit, or we default on these notes that we have got. And so all of this time, nothing is being talked about until today on the front page, some newspaper, some media, paid a little bit of attention to it.

But when we talk about debt, we do not owe it to ourselves anymore, and one of the most frightening aspects of this debt today is the one that the gentleman is just about to talk about.

Mr. TANNER. Mr. Speaker, reclaiming my time, I thank the gentleman for his comments.

I hope that we have communicated the breathtaking magnitude of this federal debt, $7.3 trillion in a $10 trillion economy. We cannot sustain that. It is like, if one makes $50,000 a year and they owe 70 percent of that in debt, they are in deep trouble, and I will talk about that in a minute. But the gentleman from Washington has joined us.

Mr. Speaker, would he like to say something before I get into whom we owe?

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

Mr. TANNER. I yield to the gentleman from Washington.

Mr. McDERMOTT. Mr. Speaker, I think it is rather unusual that the gentleman from Texas (Mr. STENHOLM), the gentleman from Tennessee (Mr. TANNER), and I are all up here today talking about the same issue because I really think it is time to get some real value out of the administration's color-coded warning system. It is time to declare a code red on the Nation's debt crisis.

The front page story today, which has been alluded to, from USA Today analyzed the financial obligations facing Americans because of government debt. USA Today called it the hidden debt, and it totals a staggering $53 trillion. That translates into $473,456 per household. This money we need right now to meet the future obligations for programs like Medicare, Social Security, and government pensions. It grows by $1 trillion a year as long as this administration's budget binge continues.

The bills come due in earnest beginning in 2008. That is not very far away.

It is a blink of an eye in real terms. So far, the answer out of this administration seems to be a strategy of letting the financial crisis reach epic proportions and then renege on the promise that the country has made to the greatest generation. And that, in my view, is not right.

When Americans need their government most, at retirement, the administration has not put forth a credible plan to honor our commitment to senior citizens. When Americans are most vulnerable, entering retirement after a lifetime of hard work and sacrifice, this administration is budget binging and simply cannot go on.

What will they say to seniors? Well, we would not do the math. Or we did the math and left it to the next administration to be responsible. The road the administration has put this Nation on is a fast track to catastrophe. This is far from a dire warning.

Economists and other experts on both sides of the aisle know the consequences of what USA Today is reporting today. The nonpartison, independent CBO looked at the President's budget. The CBO concluded, ''These long-term budget projections show clearly that the budget is on an unsustainable path.'' That is not rhetoric. That is a dose of reality about where this administration has taken the country.

It gets even worse if a major disruption in oil supplies or another terrorist attack shakes the world's confidence in America. There is a major crisis at America's doorstep, but this administration serves up anecdotes instead of answers.

America's national security cannot be separated from America's economic security. And knowing that this Nation faces a looming debt load surpassing $53 trillion, the administration simply denies the crisis and keeps rewarding the rich with increasing tax cuts. Every day that the administration pretends everything is rosy is another day closer to a crisis when decisions will be forced, not made. That is because America is being run on borrowed money as much as borrowed time.

America is increasingly dependent on foreign governments to finance the U.S. Government spending. Is that the administration's idea of how to keep America secure? The way the administration is going, our insatiable appetite for foreign capital to keep the United States going will match our insatiable appetite for oil. Dealing with one is bad enough. Dealing with both is downright scary.

What happens when foreign countries decide to push the limit and demand more and more of us, not in dollars but in policies? If anyone doubts that carrot-and-stick approach, I would say look back on our own recent history. How many times has the United States tied economic assistance to another nation for concessions on something we want in return? The answer is, too many times to count.

National security depends upon economic security and is not built on top of an international debt or a mountain of international IOUs. We owe the greatest generation something more than a than an IOU. We owe the next generation something more than an anvil of debt hanging around their necks. We owe it to ourselves to face the reality that is facing us this day.

Here is the scale.

America is the greatest economic engine on the face of the earth. Last year, America's entire economic output was $11 trillion, as has been mentioned before. That was the total gross domestic product. As impressive as that is, the GDP pales in comparison to the $53 trillion coming due. Last year's entire economic output of the greatest country on earth is a mere one-fifth of the debt load America faces. Common sense ought to tell us where math like that gets us.

The war on America's debt is going to challenge us in ways we have never seen before. The danger is the economic policies set in motion by the current administration will pit one generation against another; the seniors against the folks in our age group against our kids. Every day the administration denies the problem is another day the war on debt becomes harder to win. We can act while we are still responsible to make choices. Or America can wait until we make or are forced to make draconian cuts.

The Greatest Generation made the greatest sacrifice on behalf of every generation. America owes them a debt of gratitude, not a mountain of debt that imperils everything they fought for. It is time to put the common good ahead of uncommon gain in this country. We have done it before, and we can do it again.

I think the gentleman from Tennessee (Mr. TANNER) ought to be commended for coming out here and raising this issue. At 10:30 at night, the people of the west coast are still watching, and I am sure people in Tennessee are watching, and people in Texas are watching, and they have got to think about this. This is not being discussed in this campaign. But George Bush has run us off the road. So my hat is off to the gentleman for coming out and talking about this.

Mr. TANNER. Mr. Speaker, reclaiming my time, I thank the gentleman for joining us. I got interested in this, it has been 2 years ago now, and I have learned more about the Nation's debt structure and so forth than I ever thought I would. And the more I think about it, the more concerned I become. And we are talking about this gross federal debt.

Let me try to boil it down. Of the last year, we paid gross interest on the $7.3 trillion of $318 billion. If we do the math, that is, 17.8 percent of every dollar that comes into this town is going out in interest. That is a 17.8 percent mortgage on our country. If we just talk about the $4 trillion, the hard dollars, and take away the money we owe each other, we have got almost a 9 percent mortgage on the country now, and it is going up every single day.

Mr. MCDERMOTT. Mr. Speaker, who is financing it?

Mr. TANNER. Mr. Speaker, I am going to answer that question, and I guess now is as good a time as any. The foreign-held debt in January of 2001 was $1.01 trillion. The foreign-held debt in July of this year was $1.81 trillion. That is a difference of $800 billion since 2001, a 79 percent increase in what foreigners hold.

If we look at this chart, in 1980, of our debt foreigners held 17 percent of it. Last year, they held 37 percent of it. That is over a 23-year period.

But look at this one. In just 1 year, through July of 2004, it has gone from 37 to 42. That is what I am talking about when, on page 2 of the story, we will hear this, oh, well, this deficit is not any greater than it has been in times gone by as a percentage of the gross domestic product. That may be true, but what they do not tell us is that, in those times before, it was Americans buying war bonds. It was Americans buying T-bills and Americans buying notes. That is not true any longer. We are now dependent on the infusion of foreign capital to buy our notes, our T-bills and our bonds to finance this government. This is a recipe for financial disaster. It has to be.

One of the heart-breaking things about this is that people just do not focus on it and do not understand the magnitude of the problem. We think about the foreign aid bill. Do my colleagues realize that this year we will ship overseas four times the amount of the foreign aid bill in interest alone? Eighty-four billion dollars we are shipping out of this country to foreign-held debt. This is something that I think people ought to be aware of.

And this chart will show who owns our debt. In July of 2004, we owed the Japanese $695.8 billion. We owe mainland China $166.9 billion; United Kingdom, $130.4 billion; Caribbean banking centers, $90.9 billion; Korea, $61.5 billion; Taiwan, $57.6 billion; Hong Kong, $50.4 billion; Germany, $49 billion; Switzerland, $48 billion. We owe OPEC $43.9 billion. We owe Mexico $34.1 billion; Canada, $33.3 billion; Singapore, $26.1 billion. We owe Luxembourg $26 billion; Ireland, $18.2 billion; Brazil, $16.2 billion; Italy, $15.7 billion; Turkey, $15 billion; India, $14.9 billion; the Netherlands, $14.6 billion; Belgium, $14.6 billion; Thailand, $14.3 billion; Israel, $13.8 billion; France, $13.6 billion; Spain, $11.9 billion; Sweden, $10.4 billion; Australia, $9.7 billion; others, $7.5 billion. We owe $1.813.1 trillion out of the $4 trillion to people who are not Americans and who may not see the world as we see it in the future. And therein lies, I think, an unacceptable risk that we are putting our country in. We are creating a financial risk to our country that is, in my view, unacceptable.

The percentage of debt that was in foreign-held hands when President Bush took office has gone up, as I said, $800 billion. And the percentage of the 2003 deficit last year that we had, do my colleagues know what happened? Seventy percent of our deficit last year was financed by foreigners.

□ 2230

Not us. We are not paying for it. We are not paying for anything. Foreigners are financing our deficit spending. And if you do not think that is dangerous, then you have not studied history.

I yield further to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, I hope our colleagues are paying a little attention to this tonight, because when we have been on this floor offering to be part of a solution, if people are watching this right now, folks are beginning to think, I would hope, okay, what should we do about it? What do you propose we do about it? How do you stop this, or is it no problem?

Well, I do not think anybody can come to the conclusion that this is no problem. If they do, they are living on a different world than the gentleman is or I am. It is a problem. It is a major problem.

Not only is this foreign debt, but then when you look at the unfunded liabilities of our Social Security system, for our children and grandchildren, and I want to emphasize right here, no one watching this has to worry about your Social Security check today. That is not the problem. It is our children and grandchildren that have got to worry about it. The Medicare situation right now is a $30 trillion unfunded liability. That is the more immediate problem.

But our point tonight is in emphasizing this body, the 108th Congress, has done nothing to address the problem the gentleman is showing, has done nothing to address the Social Security unfunded liability, has done nothing to deal with Medicare, other than dig the hole deeper; and that is the concern that we bring tonight.

It is time that we start doing something about it. Sometime this week, it is estimated that on Friday the United States of America will reach our credit card limit, $7.384 trillion; and when you reach that limit, you cannot borrow any more.

Now, the Blue Dogs, we have written a letter to the gentleman from Illinois (Speaker HASTERT), saying Mr. Speaker, we will vote to increase the debt ceiling, we will provide some bipartisan support for doing that, and we ask you to bring it to the floor and do it out in the open, with one proviso: reinstate one small rule that worked in 1990, 1992 and 1997, pay-as-you-go.

It says if you are going to spend more money for any purpose, you have got to pay for it. If you are going to cut taxes, you have got to cut the spending first; not just say you are going to do it, but actually do it before you cut the taxes so you do not dig the deficit hole deeper.

We think that is a reasonable compromise. The gentleman and I and 36 of our colleagues have said on this side of the aisle, we will do that.

Instead, what we hear from the leadership of this House is we are not going to vote on it until the lame duck session. We are going to put the Treasurer of the United States, who has asked us to increase the debt ceiling, we are going to put the good faith and credit of the United States into requiring the Treasurer of the United States to use every gimmick at his disposal, borrowing the Civil Service trust fund dollars, again, they have already been borrowed and spent, but we are going to do it again, because, as you know, these trust funds are a figment of imagination of anybody.

The military, the irony tonight, is that for the next 6 weeks we are going to force the Treasurer of the United States to borrow the military trust funds. The men and women who are putting their lives on the line tonight for us in Afghanistan and Iraq, work in paying into their trust fund for their retirement, we are going to manipulate that for the next 6 weeks just to keep us from voting to increase the debt ceiling. That borders on immorality. We hear a lot about that around this body, and it is wrong.

It is time for us to start dealing. You will find, Mr. Speaker, there are some considerable number of Democrats that will work with you would you allow us the opportunity to do so.

Finally, on the point the gentleman is making here, the gentleman mentioned debt tax awhile ago. All we hear about around here is tax cuts, tax cuts out the gazoo.

What the gentleman has shown tonight is the largest tax increase that this country has ever seen, because once you owe $7 trillion, let us round it off now because it will be $8 trillion within the next year, $8 trillion, a 1 percent increase in the interest rates of this country, a 1 percent increase is a $80 billion tax increase, and where are we going to send 42 percent of that tax increase? To our good foreign neighbors that are financing our spending binge in this country.

This is the biggest not only tax increase, but, as the gentleman pointed out tonight, the biggest foreign aid bill that this country has ever passed. And yet you would not believe it based on the rhetoric we hear in this body night after night.

Mr. TANNER. Mr. Speaker, I see our friend from Mississippi (Mr. TAYLOR) has joined us. I thank the gentleman for coming down. Some of us sometimes feel like a canary in a coal mine. They send a canary in a coal mine to see if it can live because of the gases and so forth. We have been talking about this, the Blue Dogs and others, for at least a year.

I think maybe with the gentleman from Texas (Mr. STENHOLM), what he said about USA Today, maybe we are getting through now and people are beginning to see. As I said earlier, the citizens of this country need to know this. I do not think they really fully know, because nobody has talked that much about it, but we are on a road to financial Armageddon. What we are doing around here is just plain wrong.

I thank the gentleman from Mississippi for joining us tonight.

Mr. TAYLOR of Mississippi. Mr. Speaker, I thank the gentleman for yielding.

Later on this week there will be a debate between the two candidates for President. I distinctly remember the incumbent telling me a little over 3½ years ago that he could increase spending, decrease taxes and pay down the national debt.

Having watched this body for decades have huge annual operating deficits, I did not think it could work. It just did not make sense. It took fiscal restraints, it took some tax increases that I voted against, but it took both of those things to balance the budget. And here he was coming in saying, I am going to spend more, I am collecting less, and I am going to balance the budget.

So on the night of my son's 13 birthday, they passed the President's budget. At that time our Nation was $5,643,283,000,000 in debt and owed over $1 trillion to the Social Security trust fund, and yet he said what we needed to do was spend more and collect less.

In slightly over 3 years the national debt has increased by $1,735,784,685,911. To put that into context, if you went all the way from the American Revolution, the cost of the American Revolution, the cost of the War of 1812, the cost of the Mexican American War, the Civil War, Spanish-American War, World War I, World War II, Korea and Vietnam, all the things that happened in those years, all the way up to 1979, our Nation borrowed $1 trillion. In a little over 3 years, our Nation has borrowed $1.7 trillion. Where did it come from?

The gentleman from Tennessee (Mr. TANNER) has done a great job of talking about we borrowed it from the Communist Chinese. By the way, if you are concerned about Taiwan's independence, imagine a scenario where the Chinese are getting ready to invade Taiwan and say, By the way, if you defend Taiwan, we are calling in the note for $160 billion you owe us, plus the note for the other $50 billion you owe to Hong Kong, since we now own them also. So we are calling in the note for over $200 billion if you defend Taiwan. I have got to tell you, I do think that is part of their strategy. I have said that here on the House floor. If you think big deficits are a good idea, then you like borrowing money from the Communist Chinese.

But worse than that, every single American who has a job, from a kid who is working at a snowball stand to Bill Gates, everybody pays at least on

their first $68,000 of income on their Social Security. There was a solemn promise made back during the Reagan Presidency when those taxes were increased that that money would be set aside for no other purpose than paying Social Security benefits.

Right now, our Nation owes the Social Security trust fund $1.6 trillion with no plan to pay it back. The past 3 years, they have stolen an additional $521 billion from the Social Security trust fund.

So if you watch the debates Thursday night, and I hope some television commentator somewhere is watching this, how about a great question: How do you plan to pay back the $1.6 trillion that has been stolen from the Social Security trust fund, including the $521 billion that has been stolen in just over the past 3 years? Because if you do not have a plan to pay it back, then you stole it.

So in order to get about $600 billion in tax breaks, $521 billion stolen from the Social Security trust fund, the rest is borrowed from the Communist Chinese. A heck of a deal.

As a matter of fact, if you take a look at it, for every dollar the American people got back in tax breaks, our Nation has borrowed three. That is a heck of a sound business decision.

So if you have watched the House floor in the past couple of weeks, you know that we have had votes on things like gay marriage, which I opposed. We have had votes on things like burning the flag, which I oppose. We have had a lot of talk of morals; we have had a lot of talk of patriotism.

So let me pose to my Republican friends who vote for most of these things, a moral question: Is it moral for you to spend money that you are going to stick your kids with the bill? What moral father, what moral mother would go out and buy a house or a fancy car and say, I don't care what it costs, because my kids are going to pay for it.

What moral grandparent would go out and buy something and say, I don't care what it costs. My grandkids are going to pay for it.

Mr. TANNER. Or just pay the interest on it and let them pay it off.

Mr. TAYLOR of Mississippi. Right. Talk about patriotism. What patriot would bankrupt the country he loves? That is exactly what has been going on for the last 3 years.

We hear talk about sound economic principles. Really? What is so sound about borrowing $3 for every $1 the citizens got back in tax breaks? New York loan sharks do not charge that kind of interest. Yet it is what we continue to pay.

So I think the questions that I would hope the press will be asking Thursday night are how did we get into this jam and what is your plan, both of you candidates, for getting us out it?

What is my plan? Number one, I think we need a constitutional amendment to protect the trust funds. We have a solemn promise. If we take money out of a person's paycheck and say it is going towards Social Security, then it should go towards nothing but Social Security. If we take money out of a person's paycheck to pay for Medicare, then it should go towards nothing but Medicare. It is pretty simple. If we tell a Federal employee we are going to take money out of their paycheck and set it aside for their retirement, then we ought to do just that.

But what you do not know and probably do not want to hear is that as of this moment this Nation owes you, every Social Security recipient, a total of $1.6 trillion has been taken out of your trust fund. For those of you who paid into Medicare, and every working American has, we owe you $270 billion. If you are a Federal employee, we owe you $622 billion in your retirement fund.

By the way, if a private sector employer had done that, if a private sector employer had dug into his employees' retirement fund for any reason, no matter how good, whether it was to help a crippled child, whether it was to help someone go to college, whether it was to pay a disaster loan, if they borrowed into it for any reason, they would go to jail. Yet the people who run our country continue to do that with absolutely no remorse for what they have done, and, sadder still, with absolutely no plan for paying it back.

So I say to the gentleman from Tennessee (Mr. TANNER), I do appreciate the opportunity to be here tonight.

For you House employees, I hate keeping you here tonight. There is one week left in this session. I promise not to do this to you on a regular basis. I think these are things the American public needs to know about. I think this is the time to talk about it.

Mr. TANNER. I yield to the gentleman from Texas (Mr. STENHOLM).

Mr. STENHOLM. Mr. Speaker, I was just going to add a couple of points here.

It is not just the three of us talking about this. The Comptroller General David Walker, the government's chief accountant, is traveling the Nation warning of the impending crisis. ''I am desperately trying to get people to understand the significance of this for our country, our children and our grandchildren,'' Walker says. ''How this is resolved could affect not only our economic security but our national security,'' which the gentleman has pointed out and the gentleman from Mississippi (Mr. TAYLOR). ''We are heading to a future where we will have to double taxes or cut Federal spending by 50 percent.''

Alan Greenspan has been begging this Congress and this administration to deal with the deficit, but nobody seems to be listening.

□ 2245

This is a major problem which requires a solution, and we just seem to be ignoring it and sweeping it under the table like it is not there, but it is there.

Mr. TANNER. Mr. Speaker, if this has not depressed us enough, this year, so far, in 2004, the increase in the privately held debt is $380 billion. The increase in foreign-held debt is $370 billion. Ninety-seven percent of the increase in privately held debt is in the hands of foreigners.

There is a fellow, Alan Sloan, who wrote not long ago in The Washington Post about us financing our government with borrowed money from anywhere on Earth where people will let us have some in exchange for our IOU, and he said this: ''Whose bread I eat, his song I sing.'' What of course he was talking about is, as the gentleman from Mississippi (Mr. TAYLOR) pointed out, when you are in hock all over the world, but particularly to Beijing, and look at what they have done; I cannot believe that this is just happenstance.

Just since 2000, they have increased their holdings of our debt 119 percent. Now, there is a reason for that, and it is not because they see the world the same way the United States does every day. I am not bashing China, other than to say, we are creating a financial liability, a financial vulnerability that is tantamount to a national security issue. There is no other way we can say it. To point that out, there is a former official of the People's Bank of China, the country's central bank, who was recently quoted and said the U.S. dollar is now at the mercy of Asian governments.

I want to tell my colleagues, we not only have a horrendous balance of trade situation with Asia but, if this is true, then we are no longer the architects of our own destiny financially. There is no way this country can be strong and free and put in the position we are in, in hock all over the world, getting worse by the day. Mr. Speaker, 97 percent of the privately held debt this year increased by foreigners.

Mr. STENHOLM. Mr. Speaker, I want to make an observation right here, because I know if any of our colleagues, and we have two on the floor from our friends on the other side of the aisle right now, their thinking right now, if it has been as it has been when we have had open expressions of opposition to some of our solutions, is that you are forgetting to say we are at war, and wars are expensive. No, we are not forgetting for one second that we are at war, and 20 percent of this problem is directly related to the war, 20 percent. I use as my reference for that, Alan Greenspan.

The gentleman from Tennessee brought up another interesting point that really is directly tied to the point the gentleman is making tonight. How many times have we been on this floor worried about the trade deficit? I rhetorically ask the question of my constituency back home many times: How long can America keep sending over $500 billion, exporting our jobs to other countries at the rate we are without the law of economics taking over? I do not know the answer to that question,

and I do not know anybody who does know the answer to that question, but there is an answer, and the market is ultimately going to answer that.

But now, tonight, the gentleman has shown, as Paul Harvey says, the rest of the story. What happens to those dollars when we ship them across to other countries? They come back. They have to come back. They are buying our debt with those dollars. If they did not, we would have a much more serious economic situation almost overnight.

Mr. TANNER. And if they stop, we have a crisis.

Mr. STENHOLM. That is the crisis.

Now, we hear folks saying, well, Charlie, this deficit is not the largest in the history of our country as a percent of GDP, and I concede that point readily, because that is a fact, if we will also use the same GDP figures for spending and for revenue. And having been around this body now for almost 26 years, I tend to go back and see, well, what was it in 1978 when I was elected and what is it in 2004 today. And spending as a percent of GDP by the Federal Government for all programs has gone down one-half of 1 percent. Revenue has gone down by 5 percent. Therefore, we are perfectly willing to borrow from foreign interests that which we demand the right to spend for all of the purposes that we are spending today. And when we hear this, there is another thing; and this is the point I wanted to make.

The current accounts deficit, the gentleman mentioned that, is the largest that it has been in the history of our country today: 6.9 percent of gross domestic product in the current accounts deficit. Mr. Speaker, 3.4 percent is where it was in 1987 when Black Monday occurred and the stock market crashed because of something that happened. As USA Today says today, an oil crisis, something happens, we have a problem. We are double, 100 percent worse off today in the current accounts deficit than we were in 1987.

Well, one other little figure, facts and figures. The gentleman talked about the debt tax. Forty percent of all income taxes paid by the United States citizenry last year went to pay interest on the national debt. Forty percent of all of our taxes are going to pay interest on the debt; and yet the debt, the deficit, and the rising debt is of no problem to the leadership of this House. Mind-boggling.

Mr. TANNER. Mr. Speaker, I yield to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Speaker, it is funny how people change. There was a guy who was a Representative from Illinois and he believed in a balanced budget. His name is DENNIS HASTERT. Back when he was just Member HASTERT, he gave great speeches on the House floor about the importance of a Balanced Budget Amendment to the Constitution. So whether the gentleman from Tennessee (Mr. TANNER) is here, whether the gentleman from Texas (Mr. STENHOLM) is here, whether I am here, whether the gentleman from California (Mr. CUNNINGHAM) is here, no matter who is here, the rules are that Congress cannot spend more than they collect in taxes.

The gentleman from Illinois (Mr. HASTERT) he came to the floor back then and said, Mr. Chairman, I rise today in support of a Balanced Budget Amendment. ''It is an amazing statistic that interest payments on our national debt were 5 times higher in 1993,'' we are going back a ways, ''than outlays for all education, job training, and employment programs combined. Clearly, until our monstrous'' then ''$4.3 trillion Federal deficit is eliminated, interest payments will continue to eat away at the important initiatives which the government funds. I will not stand by and watch Congress recklessly squander the future of our children and grandchildren. Mr. Chairman, when I served in the Illinois legislature, the fact that we had a balanced budget amendment to our State Constitution enabled us to practice strong fiscal discipline. We must have the same safeguard at the Federal level. The American people have wanted a Balanced Budget Amendment for a long time because they know it is the only way to force Congress to make the tough spending choices.''

That comes out of the CONGRESSIONAL RECORD March 17, 1994. The gentleman from Illinois (Mr. HASTERT) became Speaker in January of 1999, almost 5 years ago. In the 5 years that he has been Speaker, he has not allowed a single vote on a Balanced Budget Amendment to the Constitution. We have had a number of votes on amending the American Constitution on things that I voted for, things like preventing gay marriage, things like preventing flag desecration, but not a single vote on what I consider to be the most important issue in America right now, and that is passing a law that whether or not the gentleman from California (Mr. CUNNINGHAM), or the gentleman from Texas (Mr. STENHOLM), or the gentleman from Tennessee (Mr. TANNER), or myself, the Speaker, or no matter who sits in our chairs, those people who serve the public will spend no more than they collect in taxes.

I say to the Speaker of the House, the gentleman from Illinois (Mr. HASTERT), we have about 1 week left in this session. I, for one, would like the opportunity to vote on a Balanced Budget amendment. You have blocked it for 5 years now. One of the reasons I will never vote for you for Speaker is because what you said as a Member did not translate into what you did as Speaker of the House.

I believe it is important. Almost every State has laws that say, you cannot spend more than you collect in taxes. In my State of Mississippi, city councilmen and county supervisors are held personally liable if they spend more than they collect in taxes. And guess what? They do not spend more than they collect in taxes. We need that sort of responsibility here.

So I say to the gentleman from Tennessee (Mr. TANNER), thank you for pointing out the evils of the debt. We have outlined some solutions tonight. We are hoping guys like the gentleman from Illinois (Mr. HASTERT) or whoever the next Speaker is will give us a vote on that. And I am ready to do that, I say to the gentleman from California (Mr. CUNNINGHAM), and I hope he is ready to do that. But at the very least, let us have a vote on it. Let us show the American people who is for a Balanced Budget Amendment and who is not. Quit hiding behind the Speaker of the House who, for 5 years now, has blocked that vote, even though he came to this floor on any number of occasions and said how important it was for our Nation to have that.

Mr. STENHOLM. Mr. Speaker, one of the reasons why he has not brought it up is we cannot have the kinds of budgets that have been here in this body for the last 3 or 4 years and get to a balanced budget. We have to change our overall budget philosophy and go back to pay-as-you-go. It is pretty simple arithmetic. We cannot run this country on philosophy. The banks will not lend us money on philosophy all of our lives. At some point, the law of economics is going to take over and as the charts the gentleman from Tennessee (Mr. TANNER) has shown us tonight, if it does not begin to get the attention, which I am glad again today, USA Today put it on the front page, maybe now, tomorrow night in the debates between the two candidates for Vice President, this issue will come up.

Maybe Thursday or Friday night it will become part of the debate, and people will start asking the question, what is your plan? The three of us will be here, hopefully with three friends from the other side of the aisle with a plan; and if we will start working together, we can begin to address this problem. But we cannot do it with the game plan that we are under today. The game plan today is giving the results of what the gentleman is showing us right now in the charts.

Mr. TANNER. Mr. Speaker, I want to thank my colleagues for coming, and we will wrap this up. But there are three things that I hope people who have listened to this tonight will come away with. Number one, we are in an unprecedented spiral of debt. We are borrowing money now faster than this country has ever borrowed it. There is not a reputable economist in this land that thinks that growth can catch up to this debt curve that is plunging us into bankruptcy. Not one reputable economist will say that growth will catch up with this.

As I said earlier at the top of the hour, we are in an airplane; and if we do not do something different, we are in a death spiral. It is going to hit the ground. It is that simple. No question about that.

The second thing is I hope people will realize that as bad as this is, what is

worse is who is financing it. Back in World War II, back in World War I, back any time we had a national crisis in this country and we had to raise money through borrowing, we did it with war bonds and so forth, and people in this country invested in the good of the Nation. That is not happening. We are now mortgaging our country, 90 percent this year. It has gone up 79 percent in the last 4 years. We are borrowing from people who do not have America's best interests at heart. I hope that is the second lesson that comes out of this tonight. Please, if you think that is important, if you know, as I do, that we are creating a financial vulnerability second only as a matter of national security to the war on terrorism, because we will lose control of our own financial destiny, control of our economy if this is not quickly reversed.

And third, the way to reverse it is to immediately establish the rules of pay-as-you-go. Every family does it. If I want to spend some money over here, I have to cut somewhere over here. It is that simple. We all do it. They refuse, the Republican leadership here refuses to put what we call PAYGO rules back in. They work. If you have a good idea, that is fine. How are you going to pay for it? You have to cut somewhere else to do it. We ought to demand, the citizens, the highest officeholders in our land must demand financial accountability that has been sadly and, in my judgment, heart-breakingly absent here. I yield to the gentleman from Mississippi.

Mr. TAYLOR of Mississippi. Mr. Speaker, just along the lines of the gentleman from Tennessee (Mr. TANNER), and I am really reminded of it when I see a great American hero sitting across the aisle from us, someone who fought for his country in Vietnam, was an ace, probably has some different views than what we do. But I will say this: I greatly respect the gentleman from California (Mr. CUNNINGHAM), and I greatly respect everyone who has ever served our country. I have enormous respect for all of those fighting in Iraq and Afghanistan tonight.

□ 2300

But I will say this. Those of us who are fortunate enough not to have to fight these wars, ought to at the very least be willing to pay for them right now and not stick those young soldiers and their children with the bill for this war.

That is what is going on. We are just kicking the can. We are asking the kids to fight for us now, and, by the way, when you get home, here is the bill. And if you cannot pay for it, your children and your children's children will pay for it.

Almost every tax on the books, as regrettable as taxes are, almost every tax on the books was put on during wartime. Never in the American history has there been a tax break during a war, never, because every other generation says, we have a challenge we are going to pay for.

This generation needs to step forward as other generations did. And those of us who are fortunate enough not to fight this war ought to at least be willing to pay for it right now.

Mr. TANNER. Mr. Speaker, we want to thank the staff. We apologize for keeping them here this late. This is a message that we hope people will begin to think about.

TO CAST ASIDE A FRIEND

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 2003, the gentleman from California (Mr. CUNNINGHAM) is recognized for half the time before midnight, approximately 30 minutes.

Mr. CUNNINGHAM. Mr. Speaker, I am not going to talk about spending, deficits, taxes, Democrats, Republicans. I am going to do something a little different on the floor. I will talk about a vision for world peace. And the title is ''To Cast Aside a Friend,'' maybe a little different perspective on Saudi Arabia.

There was a speech in which the individual talked about a Saudi businessman who was talking about the murderous events on September 11. We know it as 9/11. The Saudi was worried about the derailment of the partnership and alliance that Saudi Arabia and the United States have enjoyed over the past 60 years for the betterment of a free world, both for Saudi Arabia and for the United States.

I recently visited Saudi Arabia for a couple of weeks, and I want to talk a little bit about what I found there, the support for the United States but yet some of the anger towards the United States, not hatred, but anger.

There has been a fire storm of criticism against Saudi Arabia in the months since 9/11, and the relationships between Saudi Arabia and the United States has been condemned and vilified. I believe Saudi Arabia remains a valuable ally to the United States. The detractors will say that Saudi Arabia is an incubator for terrorism simply because many were Saudis on that flight during 9/11, and they were citizens.

The individuals to whom I spoke in the cabinet and the Shura council, which is like the Congress of the United States, were in disbelief when they were told that Saudis were on that airplane. One of the reasons that some of the people who were reported on those airplanes were still walking around Saudi Arabia, so they said, no, it cannot be. It is misinformation. And when it was proven that it was, they were in disbelief.

If you have a gang of thugs in a city, it does not represent the mainstream of that city. And I found through the citizens I was able to speak to, businessmen, to teachers, to almost every cabinet member, to the Shura council, to women in universities and colleges in Saudi Arabia, and I found nothing but support for the United States, and a lot want to keep the relationship and better the relationship.

Osama bin Laden was targeting Saudi Arabia, not just the United States, and more specifically, he was targeting the relationship between the two countries by using Saudis as hijackers in 9/11. We know he could have used dozens of different nationalities on those airplanes, but Osama bin Laden wants to bring down the Saudi regime which condemned and expelled him years before.

Second, the disparagers will say that Saudi Arabia is an incubator of terrorism because of school systems.

I will be including this because I do not have time tonight to read the whole thing, but it goes into talk about the bank system, the lending system and how Saudis have shut down terrorism.

I would like to first cover what I found about education. We had about 20,000 Saudi Arabian students in the United States before 9/11. One of the fathers sent his son back. He was a senior in college. And after 9/11 he went through the airplane, and INS saw that he was a Saudi student, held up his visa and made the statement, ''Okay, smile for me like a terrorist.''

This is the inhumane treatment that many of the students and the ill treatment that people from the Mideast are receiving when they come back into the United States. So when I say anger by the Saudis, not hate, in some cases, I believe it is justified.

I have an individual in my district. He has been an American citizen for many, many years. His brother still lives in Saudi Arabia. His brother's son, named Bater, came through the airport as he had many, many times to come back to school within the United States. He ended up on some list. No one was able to find out what list or why that list existed.

Upon arrival, he was put in handcuffs and shackled, his legs shackled like a common criminal. He was held at the airport and shipped back to Riyadh. No explanation. When he got back to Riyadh, guess what? The United States found out that the allegations were not true.

Now, can you imagine how my constituent's brother treated him when he came back to Saudi Arabia? He still loves the United States. The son, Bater, loves the United States. But would there be anger? If it was my son, you bet.

These are the kinds of things that Secretary Colin Powell is working on to find out, how do we allow the students to come back into the United States, $1.2 billion just from students coming in from Saudi Arabia? Seventy-five percent of the Saudi cabinet graduated from U.S. schools and colleges and universities. Most of them end up with Ph.D.s. These are the leaders running the country in Saudi Arabia; and every one of them with whom I spoke

supported the United States and wanted to regain that kindling relationship. It is best in their economic and their political lives to be friends with the United States.

One other area that I have heard criticism of Saudi Arabia, that they teach Wahhabism. Eighty-five percent of the curriculum in Saudi Arabia is okay by the United States; 15 percent was marginal; and 5 percent taught intolerance. Well, guess what? The Saudi government under the Crown Prince said, all right, imams, the teachers; they fired over 3,000 of these imams who were teaching intolerance. They have changed the curriculum to go along with a 100-percent okay by the United States. They either fired these imams or they actually threw them in jail, and now, they actually have a school curriculum to purport no intolerance, will be taught within the Saudi schools.

The curriculum had not changed much in 40 years in Saudi Arabia, but they are doing that because they know that is also in their best interest. Now, also, 75 percent of the Shura council, that is like our Congress, Republicans or Democrats or however they are made up over there, but to the person there when I spoke to them, their Shura council supported the United States.

□ 2310

It was an odd thing though, Mr. Speaker. Every person that had just visited the United States and the Cabinet or the Shura Council had not made those personal relationships, not made friendships, learned our economic system, learned why a free society is good. They rejected the United States and said I do not need the United States; I will send my son to Australia, or New Zealand or to England to learn.

My fear, Mr. Speaker, is that in a very short time we have 75 percent of the Cabinet and the Council and the leadership in Saudi Arabia that is very strong supporters of the United States. If we lose that relationship because their sons and their daughters and this generation is going to other countries to study, we are going to lose that mass friendship toward the United States and the support that we have today, and that is scary.

The next generation will be lost. Many of the businesses that support the United States are now purporting to Russia and China and Vietnam to New Zealand and Australia. We are losing $40 billion a year in just trade and business because of the way that we are treating Saudi Arabia.

One of the key issues I think in the relationship is visa delay. It is critical. Secretary Colin Powell, when I spoke to him, is working diligently to make sure that we improve the visa situation and at the same time ensure national security and homeland security in visa issuance. That is a difficult task but we have got to do it. These visa restrictions are alienating students and the Saudi people themselves.

In medical care and health care, most Saudis come to the United States for their health care. One of the groups were talking about health care a minute ago, but our hospitals and doctors lose over $1 billion a year from Saudis coming to our hospitals. When you take a look at the hotels, the restaurants, the transportation that they use, the firms that they contact for business, we are looking in excess of $15 billion a year that the United States loses in revenue. Four hundred in new business opportunities have been lost between 2003 and 2004.

Colin Powell once said that like our Statue of Liberty our Nation has a spine of steel but our torch is a welcome torch, and that is all we are trying to do, Mr. Speaker, is to make sure that our longest-serving friend in the Middle East, Saudi Arabia, remains our friend, and we castigate those that would say otherwise.

I would be a fool to say that Saudi Arabia does not have its own problems. Are there people that want to kill us in Saudi Arabia? Absolutely, but I want to tell my colleagues, there are other areas in what I looked at as well.

The leadership in Saudi Arabia escorted me to several banks where I witnessed American, Canadian and British auditors in every bank making sure that every single dollar that goes through there is legitimate and not going to service terrorism. They have taken their charities into one group, and anyone that invests in a charity cannot do it with cash. You cannot use an ATM card. You cannot use a credit card. The individual that puts the money into the charity has got to be identified and identify where the money is going to, penny for penny. We could not do that in this country, but yet Saudi Arabia is trying to cut off any fiscal resources that the terrorists could use, both through money laundering in their banks or through charities, and they have done a good job.

It is not just with the United States. They are working with Interpol. They are working with MI5. They are working with our intelligence services on a day-to-day basis on banking, on money laundering, on charities.

Mr. Speaker, I sit on the Permanent Select Committee on Intelligence, and I cannot get into a lot of it, but I want to tell my colleagues that the intelligence that we receive from Saudi Arabia rivals the information that we receive from our strongest allies, and I want to tell my colleagues also, Mr. Speaker, they are suffering miserably against al Qaeda. Just in the past weeks they have killed or captured 300 al Qaeda, at a loss of many of their police and their own military. Many have realized that if they pet the wolf, the wolf is going to bite them. They are in full array trying to share as much information as they can with us and our allies.

Crown Prince Abdallah Aziz and King Fahd are visionaries, Mr. Speaker. I would like to submit for the RECORD copies of initiatives and actions taken by Saudi Arabia to combat terrorism. There are reams of pages of loss of life of Saudi police and military that talks about the captures in here. It documents it. It talks about their international cooperation, the regard to charitable organizations, combat money laundering, legal and regulatory actions.

I would also like, Mr. Speaker, to submit for the RECORD political and economic reforms in the kingdom of Saudi Arabia, and somewhere in here I think most importantly are the public statements by senior Saudi officials condemning extremism and promoting modernization.

POLITICAL AND ECONOMIC REFORM IN THE KINGDOM OF SAUDI ARABIA

The Government of Saudi Arabia has implemented a number of political and economic reforms to encourage political participation, promote economic growth, increase foreign investment and expand employment opportunities. The Kingdom has been updating and modernizing its academic curricula, and monitoring its religious schools. It plans to hold municipal elections as part of a comprehensive streamlining of local government. In addition, the Kingdom is promoting its free market economy by privatizing twenty major state enterprises, establishing fourteen regulatory authorities to carry out reforms, improving foreign investment laws, revising a broad range of commercial laws and implementing intellectual property rights to foster innovation. It is also becoming a more significant player in international trade by seeking membership in the World Trade Organization (WTO).

SAUDI ARABIA AND REFORM IN THE ARAB WORLD

In January 2003, the Kingdom of Saudi Arabia presented a bold initiative entitled 'Charter to Reform the Arab Position' to encourage economic and political reform in the Arab world.

The Charter urges Arab states to recognize the need for internal reform and greater participation by citizens in the political process as important steps toward the development of Arab human resources and the democratization of the Arab world.

The initiative calls on Arab states to implement a Greater Arab Free Trade Zone by the end of 2005. The goal of this agreement is for Arab states to implement unified tariffs and duties within 10 years, which will serve as the basis for the establishment of a Common Arab Market (CAM). It also encourages members of the League of Arab States to modernize local economies, privatize government-owned industries and open economic development opportunities to outside investment and participation.

At the end of the 16th Arab Summit in Tunis, May 22–23, 2004, Saudi Arabia along with the other 21 members of the Arab League issued the ''Tunis Declaration'' and pledged to carry out political and social reforms, promote democracy, expand popular participation in politics and public affairs, and reinforce women's rights.

SAUDI ARABIA AND POLITICAL INITIATIVES AND LEGISLATION

In 1992, Custodian of the Two Holy Mosques King Fahd bin Abdulaziz introduced three major political developments to modernize the government within the framework of the Kingdom's traditions:

The formation of the Consultative Council (Majlis Al-Shura)—The Consultative Council currently consists of 120 members who serve four-year terms.

The establishment of Consultative Councils in each of the 13 provinces of Saudi Arabia—The Consultative Councils are composed of leading citizens who help provide input and review management of the provinces by their respective local governments.

The introduction of the Basic Law of Governance—The Basic Law is similar to a constitution.

On November 29, 2003, King Fahd approved changes that would enhance the legislative role of the Consultative Council. The amendments to Articles 17 and 23 of the Consultative Council System grant the Council the power to propose new bills or amendments to regulations in force and debate such proposals without prior approval from the King.

Elections

On October 13, 2003, Saudi Arabia approved groundbreaking plans to streamline local and municipal governments by introducing elections for half of the members of each municipal council to ensure that citizens have a strong voice in local affairs. A one-year period was given to the authorities responsible for managing and finalizing the election procedures.

The proposal for elections marked an important step in the Kingdom's ongoing reform agenda and followed King Fahd's address to the Consultative Council on May 17, 2003, where he said: '' I would like to confirm that we will continue on the path of political and economic reform. We will work to improve our system of government and the performance of the public sector and broaden popular participation in the political process.''

On July 10, 2004, Saudi Arabia announced that the basic regulations and systematic procedures for the election process had been established, and that committees had worked through the details for establishing election centers, registering voters and candidates and setting deadlines in the election of members in 178 municipal councils across all cities and villages in the Kingdom's 13 provinces.

On September 7, 2004, the Minister of Municipal and Rural Affairs Prince Met'eb bin Abdulaziz issued directives that a committee be set up to supervise the upcoming municipal elections in Riyadh Province. The committee, affiliated with the Ministry's general committee for the election process, will supervise implementation of the rules and regulations and all other preparatory and executive works.

In addition, Saudi Arabia briefed a visiting team of United Nations experts on the measures completed by the Ministry of Municipal and Rural Affairs relating to the elections, and the UN team held meetings with the committees supervising the process.

On September 11, 2004, dates were announced for the three phases of the election process: for Riyadh province, February 10, 2005, with voter registration from November 23 to December 22, 2004; for the four southern provinces and the Eastern Province, March 3, 2005, with voter registration from December 14, 2004, to January 12, 2005; and for the rest of the country, April 21, 2005, with voter registration from February 15 to March 16, 2005. Candidates can register for the three phases December 26 to 30, January 30 to February 3, and March 20 to 24, respectively.

King Abdulaziz Center for National Dialogue

On August 3, 2003, Crown Prince Abdullah announced the establishment of the King Abdulaziz Center for National Dialogue to promote the public exchange of ideas as an essential part of life in Saudi Arabia. So far, three rounds of talks have taken place, covering standards of education, the emergence of extremism, and the role of women. The next national dialogue will be in October 2004 and will focus on youth issues. In his address to the European Policy Centre on February 19, 2004, Saudi Arabia's Minister of Foreign Affairs Prince Saud Al-Faisal said: ''The Center for National Dialogue was established with a broad agenda including, but not limited to, reassessment of the standards of education; dealing with the emergence of extremism; the essential role women should play in society; and institutional development. Diversity and tolerance are the guiding principles.''

National Human Rights Association (NHRA)

In March 2004, Custodian of the Two Holy Mosques King Fahd bin Abdulaziz approved the establishment of the first independent human rights organization in Saudi Arabia. The National Human Rights Association (NHRA) implements the international human rights charters signed by the Kingdom. The NHRA, which includes a special panel to monitor violations of women's rights, was formed following the October 2003 human rights conference entitled ''Human Rights in Peace and War''. The human rights conference concluded with the issuance of the ''Riyadh Declaration'' which states that respect for human life and dignity is the foundation of human rights; that a human being deserves respect, regardless of race, color or sex; that violation of human rights is a crime deserving severe punishment; that to hold a human being in custody without legal basis is forbidden by Islamic laws; that disregard for privacy and property rights is a violation of human rights; and that tolerance of faith is required by Islam, which also prohibits coercing people to follow a certain religion.

Press law

On July 17, 2001, the Kingdom endorsed a 30-article law to restructure the press industry and allow journalists to establish a trade association. On February 24, 2003, the Saudi Journalists Association was officially established to protect the rights of journalists in the Kingdom and coordinate relations between journalists and the media establishment, and on June 7, 2004, elected a nine-member board that includes two women. In March 2004, the Consultative Council passed a resolution urging the Ministry of Culture and Information to encourage greater freedom of expression in the Saudi media, and to open up opportunities for investment in the media to the Saudi private sector.

Education

In Saudi Arabia today, there are eight public universities, more than 100 colleges and more than 26,000 schools. Some five million students are enrolled in the education system, which boasts a student to teacher ratio of 12.5 to 1—one of the lowest in the world. Of the 5.2 million students enrolled in Saudi schools, half are female, and of the 200,000 students at Saudi universities and colleges, women comprise more than half of the student body. The government allocates about 25 percent of the annual state budget to education. Recent initiatives include:

In February 2002, Saudi Arabia initiated a process of evaluating and assessing its school curriculum. This audit determined that about five percent of textbooks contained possibly offensive language. A program was put into place to eliminate such material and textbooks and curricula have been updated and modernized. Two pilot programs, one in Riyadh and one in Jeddah, have been established to experiment with new teaching methods.

Student councils are being set up in public schools to begin educating young Saudis about civic responsibilities and participatory governance.

In August 2002, the Department of Statistics reported that 93.2 percent of Saudi women and 89.2 percent of Saudi men are literate.

Saudi Arabia is open to foreign investment for private higher education.

In October 2003, Dr. Maha Abdullah Orkubi was appointed Dean of the Jeddah branch of the Arab Open University (AOU), the first time for a Saudi woman to be appointed to such a senior academic position.

Saudi Arabia has introduced English language classes to the Sixth Grade for the 2004–2005 academic year in order to improve English teaching at intermediate and secondary schools.

Religion

During 2003, two thousand imams who had been violating prohibitions against the preaching of intolerance were disciplined or removed from their positions, and more than 1,500 have been referred to educational programs. The Ministry of Islamic Affairs has begun a three-year program to educate imams and monitor mosques and religious education to purge extremism and intolerance. On April 27, 2004, at a reception in New York co-sponsored by the U.S.-Saudi Business Council and the Council on Foreign Relations (CFR), Saudi Arabia's Minister of Foreign Affairs Prince Saud Al-Faisal explained: ''It is the religious establishment in Saudi Arabia that in fact is proving to be the body most qualified to de-legitimatize Al-Qaeda's claims, the very religious community that is being attacked and discredited.'' For more information about the efforts of Saudi Arabia's religious establishment, please consult the ''Public Statements by Senior Saudi Officials Condemning Extremism and Promoting Moderation'' report, which can be found on the Embassy web site at <www.saudiembassy.net>.

Judicial Regulations

Saudi Arabia has recently passed several important regulations to ensure a fair and balanced justice system, including:

Law of Procedure Before Shari'ah Courts

In September 2001, Saudi Arabia passed the Law of Procedure Before Shari'ah Courts to regulate the rights of defendants and legal procedures. In addition to granting defendants the right to legal representation, the law outlines the processes by which pleas, evidence and experts are accepted by the court.

Code of Law Practice

In January 2002, the Code of Law Practice went into effect in Saudi Arabia. The law outlines the specific requirements necessary to become an attorney, including education, registration and admission to the courts as well as licensing. The law also defines the duties and rights of lawyers, including the right of attorney-client privilege.

Criminal Procedure Law

In May 2002, the Criminal Procedure Law, a 225-article bill, was passed to regulate the rights of defendants and suspects before the courts and police. The law protects a defendant's rights with regard to interrogation, investigation, and incarceration and also grants the defendant access to the Bureau of Investigation and Prosecution. Members of the Bureau of Investigation and Prosecution are to ensure, through visits, that the rights of the defendants and persons in custody are being protected. The law also outlines a series of regulations that justice and law enforcement authorities must follow during all stages of the judicial process, from arrest and interrogation, to trial and the execution of verdicts, ensuring that the judicial process remains fair and balanced.

In April 2004, the Ministry of Justice organized a symposium on the Kingdom's judicial system. The communiqué declared that

Shariah [Islamic Law] is viable at all times and places; that legal procedures should be filed in a manner that supports the individual's rights and penal procedures should reflect human dignity in accordance with Shariah; and that equal rights should be extended to individuals with regard to legal aid in all phases of penal lawsuits of a public nature.

SAUDI ARABIA AND ECONOMIC INITIATIVES AND LEGISLATION

Applying for accession to the World Trade Organization (WTO)

Saudi Arabia is one of the largest economies outside the World Trade Organization (WTO). Recent steps toward privatization and market liberalization have called for fresh negotiations on Saudi Arabia's bid to join the WTO. In the accession process, the Kingdom is negotiating bilateral agreements with current WTO members while adopting the organization's various trade rules. The Kingdom of Saudi Arabia and the European Union signed a bilateral agreement on August 31, 2003, guaranteeing free access to goods and services. Moreover, Saudi Arabia has already signed 35 bilateral trade agreements with other members of the WTO, including China, Japan, Canada, Brazil, Argentina and Australia. Talks between Saudi Arabia and the United States are ongoing in mid-September, 2004.

On July 5, 2004, the Council of Saudi Chambers of Commerce and Industry (CSCCI) announced plans to set up early next year a center that will provide technical and support services to Saudi businesses in preparation for the Kingdom's accession to the WTO.

Copyright Law

On June 9, 2003, the Council of Ministers endorsed the Copyright Law, a 28-article document that meets the requirements of the World Trade Organization's Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS), placing Saudi Arabia one step closer to entry in the WTO. The law protects intellectual property including print publications, lectures, audio recordings, visual displays, as well as computer programs and works of art. The law establishes a range of fines and actions that can be effected for copyright violations. Saudi Arabia has also joined the Universal Copyright Convention and the Berne Convention for the Protection of Literary and Artistic Works to further protect intellectual property and encourage continued development and innovative thinking.

Patent Law

On July 17, 2004, the Council of Ministers approved a 65-article law on patents, integrated circuits, plant varieties and industrial designs. The new law also meets the requirements of TRIPS and the Paris Agreement for Industrial Property.

The Capital Markets Law

On June 16, 2003, the Council of Ministers passed the Saudi Arabian Capital Markets Law. The law will stimulate and strengthen the Saudi economy and increase the participation of Saudi citizens in the capital markets. The law:

Establishes the Saudi Arabian Securities and Exchange Commission (SASEC) to protect investor interests, ensure fair business, promote and develop the capital market, license brokers and offer securities to the public.

Establishes the Saudi Arabian Stock Exchange (SASE), which will incorporate the national securities depository center.

Foreign Investment Law

The Foreign Investment Law, enacted by the Saudi Arabian General Investment Authority (SAGIA), was set up to allow foreign investors to own property, transfer capital and profits, claim full ownership of their projects and enjoy a reduction in tax rates. The law protects foreign investors from confiscation of property without a court order or expropriation of property, except for public interest, against an equitable compensation. In August 2002, SAGIA passed an amendment to the Executive Rules of the Foreign Investment Act strengthening the legal framework, allowing foreigners to, for instance, own land and avoid double taxation.

Capital Gains Tax

On January 12, 2004, the Cabinet cut the capital gains tax on foreign investors from 45 percent to 20 percent and fixed the tax on natural gas at 30 percent.

U.S.-Saudi Council for Trade and Investment

On July 31, 2003, Saudi Arabia and the United States signed an agreement to strengthen commercial and investment relations. As a result, the U.S.-Saudi Council for Trade and Investment was established to meet at least once a year to enable representatives of both countries to review the signing of additional agreements on trade, protection of intellectual property rights, investment, vocational training and environmental issues. There are 337 joint ventures between the two countries with a total investment of more than $21 billion. American companies are the largest group of foreign investors in the Kingdom.

Enacting the GCC Customs Union

The Customs Union was established on January 1, 2003, by the Gulf Cooperation Council (GCC) to standardize customs duties in the six member countries. In accordance with the Customs Union, the Government of Saudi Arabia approved the reduction to 5 percent of customs for goods formerly charged between 7 and 12 percent. In addition, the GCC agreed to the principle of a single port of entry. Most related laws and regulations will be standardized by the end of 2005.

SAUDI ARABIA AND AGENCIES THAT PROMOTE REFORM

The following is a list of agencies established to help implement economic reform in Saudi Arabia.

Supreme Economic Council (SEC)

In August 1999, Saudi Arabia announced the formation of the Supreme Economic Council (SEC). The SEC evaluates economic, industrial, agricultural and labor policies to assess their effectiveness. Privatization efforts have gained momentum since the creation of the SEC, which oversees economic restructuring aimed at opening up Saudi markets and attracting investments.

Supreme Council for Petroleum and Minerals (SCPM)

Saudi Arabia established the Supreme Council for Petroleum and Minerals (SCPM) in January 2000, as a body responsible for policymaking on the exploitation of petroleum, gas and other hydrocarbon materials. The SCPM passed the Gas Initiative to develop natural gas fields, transmission pipelines and petrochemical projects in cooperation with international as well as national companies.

Supreme Commission of Tourism (SCT)

The Supreme Commission of Tourism (SCT) was established in April 2000 to help the tourism sector grow and encourage investment from the private sector. Each year, two million Muslims from all over the world visit Saudi Arabia to perform the Hajj, and many more come to perform the minor pilgrimage of Umrah. The Kingdom is a popular destination for non-religious activities as well. The Kingdom is rich in history and culture and has a variety of tourist attractions to offer, including archeological sites, varied landscapes and shorelines rich in marine life. On March 15, 2004, the Cabinet approved a general strategy for developing the nation's tourism to be carried out by the SCT. The Kingdom's tourist industry is expected to create 489,000 jobs, a number that could reach as high as 2.3 million.

Saudi Arabian General Investment Authority (SAGIA)

In April 2000, the Saudi Arabian General Investment Authority (SAGIA) was set up to further promote foreign investment and serve the business community as a one-stop shop for licenses, permits, and other business paperwork. The 2000 Foreign Investment Law included property ownership rights for foreign investors as well as reduced tax rates for businesses. SAGIA works with the Supreme Economic Council (SEC) and the Supreme Commission of Tourism (SCT) and serves as a mediator between investors and the government.

Food and Drugs Authority (FDA)

In March 2003, a Food and Drugs Authority (FDA) was established to provide consumer protection and ensure the safe utilization of all foodstuffs, pharmaceuticals, medical devices and electronic products.

The Council of Saudi Chambers of Commerce and Industry (CSCCI)

The Council of Saudi Chambers of Commerce and Industry represents the regional Chambers of Commerce and Industry at both national and international levels. The Council monitors and researches economic issues, helps encourage economic growth, organizes seminars and conferences both within the Kingdom and abroad, and creates foreign investment opportunities through trade missions to other nations. In addition, the Council's work has resulted in the issuance of new regulations that allow foreign businessmen, investors, and representatives of foreign firms to acquire entry visas to the Kingdom without having to consult with the Ministry of Foreign Affairs.

ECONOMIC INDICATORS

The best indicator of Saudi Arabia's economic growth is the increase in the Gross Domestic Product (GDP), from $20 billion in 1970 to $211.20 billion in 2003. Saudi Arabia's current economy is now the largest in the Middle East.

In 2003 and 2004, Saudi Arabia was given ''A'' credit ratings by 'Standard and Poor's' for longterm local currency and foreign currency, based on the Kingdom's macro-economic stability and substantial external liquidity.

Today, Saudi Arabia is the world's 25th largest importer/exporter, with foreign trade of $78 billion. In 2003, trade between Saudi Arabia and the United States totaled more than $22 billion.

Saudi Arabia is the world's largest oil exporter and has the world's largest spare production capacity. The Kingdom has utilized oil revenues to expand and diversify the Saudi economy to reduce its dependence on oil, which has resulted in impressive gains in the non-oil sector. In 2003, the non-oil industrial sector is estimated to have grown by 3.9%; the construction sector by 2.8%; electricity, gas, and water by 6.2%; transport and communications by 4.3%; and wholesale, retail, restaurants, and hotels by 4.4% in real prices.

In 1975, Saudi Arabia had about 470 industrial plants with overall investments estimated at $2.7 billion. By 2001, the total number of factories in the Kingdom exceeded 3,300 with a total investment of more than $90 billion.

The role of the private sector has increased substantially with its GDP rising 28-fold in real terms from 1973 to 2002. Over that period, non-oil exports increased from $26 million to over $10 billion, and in 2003, the private sector GDP is estimated to have grown by 3.7% in current prices and 3.4% in real terms, according to Deputy Governor of the Saudi Arabian Monetary Agency (SAMA) Muhammed Al-Jasser in a speech in April 2004.

The all-share index on the Saudi stock exchange stood at 4384 as of December 11, 2003, compared to 2518 at the beginning of the year, representing an increase of more than 74%. Value of shares traded amounted to $143.2 billion at the end of November 2003, compared to $35.73 billion in 2002. In May 2004, the index reached 6455.

In the past decade, Saudi Arabia's 10 licensed commercial banks have seen a substantial growth in domestic banking. In 2003, combined capital and reserves of the banks increased to $12.5 billion with total assets of $145 billion. Recently, eight leading money exchangers operating throughout the Kingdom agreed to merge and form the Al-Bilad Bank, which will be Saudi Arabia's eleventh commercial bank. The Al-Bilad Bank has a capital of $.08 billion and is expected to launch its operations in the first quarter of 2005.

''The underlying goal of these reforms is to realize the country's vast economic potential while creating new opportunities both inside and outside Saudi Arabia, and to expand and diversify the Kingdom's economy while creating job opportunities for a rapidly growing population.''—Ali Al-Naimi, Minister of Petroleum and Mineral Resources, July 22, 2003.

SAUDI ARABIA AND PRIVATIZATION

In November 2002, the Kingdom of Saudi Arabia announced plans to privatize many of its vital economic sectors. The Supreme Economic Council (SEC) has taken overall charge of the program, specifying the sectors to be privatized and setting out a strategic plan and timetable for the privatization program. Sectors open to privatization include: telecommunications, civil aviation, desalination, highway management, railways, sports clubs, health services, government hotels, municipal services, education services, operation and management of social service centers, Saudi employment services, agricultural services, construction and management of abattoirs, public parks and recreation centers, and cleaning and waste collection. Concrete examples of privatization efforts include:

Telecommunications

In December 2002, the Saudi Telecom Company (STC) was privatized, and 30 percent of its shares were sold to the public in an Initial Public Offering (IPO) that raised more than $4 billion.

Postal services

In 2002, the Saudi government approved the transfer of the responsibilities of the state-run postal services from the Ministry of Posts, Telegraphs and Telephones (PTT) to the private sector. In January 2003, Dr. Khaled Al-Otaibi, Director General of Posts at the Ministry of Posts, Telegraphs and Telephones (subsequently renamed Telecommunications and Information Technology), reported that privatization of the postal services has been operating successfully, with about 100 agencies established by the private sector.

Saudi Railway Organization (SRO)

On April 11, 2004, General President of the Saudi Railways Organization (SRO) Khaled AlYahya confirmed that three major rail projects have been approved by the Supreme Economic Council (SEC) for immediate implementation by the private sector. The first project will extend the existing Dammam-Riyadh line to Jeddah. The second will connect Makkah with Madinah through Jeddah. The third will link Riyadh with the phosphate and bauxite mines in the provinces of Qasim and Northern Borders.

Airports

The Kingdom will privatize the management and operation of local and international airports. However, airport security will remain in the hands of the government. Saudi Arabia has 24 domestic airports and three international, in Riyadh, Jeddah and Dammam.

Saudi Arabian Airlines (SAA)

Saudi Arabian Airlines is the largest airline in the Middle East, with a fleet of 117 aircraft carrying more than 12 million passengers per year to 50 cities on four continents. Research has begun for its partial privatization. The privatization effort promises to be a successful endeavor resulting in increased revenues and enhanced performance. In addition, the SEC approved, in June 2003, the opening of the Saudi aviation sector to private enterprise, giving private companies the opportunity to provide domestic airline services.

Ports Authority

The Ports Authority has assigned several projects to the private sector to expedite the handling of goods and maritime services at the Kingdom's eight seaports. For example, at the Jeddah Islamic Port and the King Abdulaziz Port in Dammam, the King Fahd Vessel Repair Yard (located at both ports) and the two areas for processing re-exports are now leased by the private sector.

Health care sector

The Ministry of Health strongly supports the privatization of some state-run hospitals, and in 2003 employed a private company to promote its pre- and post-natal healthcare education program, with the program introduced in more than 85 percent of the Kingdom's hospitals. To further privatization efforts, on October 28, 2003, the Minister of Commerce and Industry, Dr. Hashem bin Abdullah Yamani, approved the formation of a joint stock company for medical care that will establish, own and manage health facilities, including hospitals.

Urban transportation system

Transportation Minister Dr. Jubarah Al-Suraiseri announced in August 2003 that plans are under way to privatize and reorganize Saudi Arabia's urban transportation system.

National Company for Cooperative Insurance (NCCI)

On May 18, 2004, the SEC approved selling off government shares in the Arab world's largest insurance company, the National Company for Cooperative Insurance (NCCI). The sale of government shares in NCCI will help open up the Kingdom's insurance market, which is estimated at more than $2.5 billion. NCCI has assets of about half a billion dollars and is the only insurance company officially licensed in Saudi Arabia.

Saudi Arabian Mining Company ''Ma'aden''

On May 19, 2004, the SEC approved the privatization of the Saudi Arabian Mining Company ''Ma'aden'', which is wholly owned by the Ministry of Petroleum and Mineral Resources. As a first step toward privatization, ''Ma'aden'' is setting up a unit to study and evaluate the precious and base metals sector starting January 1, 2005.

''First of all, I wish to make clear that the government of Saudi Arabia has since the very beginning been extremely supportive of the private economic sector.''—Crown Prince Abdullah, Asharq Alawsat, (Arabic daily), May 13, 2002.

SAUDI ARABIA AND FOREIGN INVESTMENT

In April 2000, the Saudi Arabian General Investment Authority (SAGIA) was set up to further promote foreign investment and serve the business community as a one-stop shop for licenses, permits, and other business paperwork. Since its establishment, SAGIA has licensed more than 2,000 projects worth around $15 billion.

Telecommunications

The Saudi Communication Commission (SCC) was established on December 29, 2001, to open up the market and enable foreign companies to invest in telecommunications. On August 10, 2004, the Council of Ministers licensed UAE's Etisalat to establish and operate the second mobile phone network that includes GSM service.

Insurance

A new Insurance Law was passed on July 14, 2003, that will establish legal structures governing insurance and reinsurance transactions in the Kingdom. Foreign companies are encouraged to invest in the insurance sector.

Saudi Railway Organization (SRO)

In January 2003, the Kingdom of Saudi Arabia short-listed eight foreign companies to consult on the three railway projects to connect the western Red Sea port of Jeddah with the eastern Arabian Gulf port of Dammam, link Jeddah to the holy cities of Makkah and Madinah, and give access to mining projects in the north.

Energy sector

Agreements worth more than $7 billion have been reached with international oil companies for investments in the energy sector, including a project with Royal Dutch/Shell and TotalFinaElf, to develop upstream gas operations in the southern part of the Empty Quarter [Rub' al-Khali]. These are the first of what is expected to be a total of more than $25 billion of investments over the next few years.

Mining

In April 2003, the Minister of Petroleum and Mineral Resources announced that a new mining strategy was being finalized to bolster private investment in the mining sector. The Mineral Investment Act was passed on September 13, 2004; it will create jobs and allow local and foreign investors to explore the country's mineral resources. The Kingdom is rich in minerals such as phosphate, iron ore, bauxite, zinc, and copper.

Health care sector

The new laws facilitating the transfer of certain state-run hospitals to the private sector will allow foreign investors to own hospitals. The foreign investor does not need to have a medical background and does not require a Saudi sponsor.

Water and Electricity Sector

In August 2003, the Ministry of Water and Electricity invited Saudi and international companies to bid on water desalination and electricity projects worth more than $8 billion. The offers were extended in March 2004.

SAUDI ARABIA AND OIL

In 2003, Saudi Arabia's oil revenue totaled $85 billion. The Kingdom has always acknowledged that unstable energy markets and unrealistically low or high oil prices harm both producers and consumers. Following the horrific attacks on September 11, 2001, the Kingdom dispatched 9 million additional barrels of oil to the United States to ensure price stability and availability. In the fall of 2002, in order to maintain market stability, Saudi Arabia boosted oil production

to compensate for the fall in Venezuelan production, and in the spring of 2003, it boosted output to compensate for the loss of Iraqi production.

On August 11, 2004, Saudi Arabia's Minister of Petroleum and Mineral Resources Al-Naimi stated: ''The Kingdom of Saudi Arabia, in collaboration with the other OPEC countries, endeavors to ensure the stability of the international oil market and prevent oil prices from escalating in a way that may negatively affect the world economy or oil demand. To achieve this goal, the Kingdom has increased its production during the last three months to meet the growing demand for Saudi oil. This increase amounted to more than one million barrels per day, bringing to more than 9.3 million barrels daily the average production of the Kingdom during the past three months.''

SAUDI ARABIA AND ECONOMIC DIVERSIFICATION

Over the past three decades, the non-oil sector of the Saudi economy has grown from 35 percent to more than 60 percent of total GDP.

Production of gas—Natural gas is used for the Kingdom's domestic consumption for power generation, seawater desalination and various other functions, primarily in the petrochemical industry. With 234 trillion cubic feet of natural gas reserves in 2002, the Kingdom has the fourth largest non-associated gas reserves in the world, and they are still growing. Part of the Kingdom's oil and gas strategy includes expanding the capacity of the gas network from 3 billion to 7 billion cubic feet.

Mining—Saudi Arabia has the largest supply of mineral resources in the region, including precious, base and industrial minerals. The government is encouraging enterprises for extracting and processing these minerals—an area where U.S. companies play a major role.

Construction Materials—The Kingdom of Saudi Arabia is the largest producer of construction materials in the Middle East, and construction is the Kingdom's largest non-oil industry. According to the National Commercial Bank (NCB), the largest bank in Saudi Arabia, the construction and building materials sector currently contributes an annual $12 billion to the Saudi economy. Saudi Arabia's construction products, including cement, tiles, marble, glass, granite, cable, air-conditioning equipment and fabricated iron and steel, are all exported throughout the region.

Pharmaceuticals—Saudi Arabia has a $1.17 billion pharmaceutical market estimated to grow at 15 percent annually. With more than 2,400 pharmacies and more than 4,600 registered drugs, both generic and patented, Saudi Arabia is the largest consumer of pharmaceuticals in the Gulf region. The United States exported more than $82 million worth of pharmaceuticals to the Kingdom in 2001, a 47 percent increase from the previous year.

Banks—On October 6, 2003, during a visit by German Chancellor Gerhard Schroeder, the Kingdom gave Deutsche Bank approval to open a branch and operate as the first independent, wholly foreign-owned bank in Saudi Arabia. Additional possibilities for wholly foreign-owned banks in Saudi Arabia include BNP Paribas Bank of France and J.P. Morgan Chase Bank.

Stock Exchange—The Stock market has developed significantly over the past decade and is, by far, the largest in the Middle East. Value of shares traded amounted to $143.2 billion at the end of November 2003, compared to $35.73 billion in 2002.

SAUDI ARABIA AND EMPLOYMENT

The following information is based on data on the labor force from the Central Department of Statistics (CDS) of Saudi Arabia's Ministry of Economy and Planning for the year 2002.

Employment figures

The total population in Saudi Arabia increased from 12 million in 1980 to more than 20 million in 2000. The Saudi labor force is defined as all Saudis, 15 years of age and older, who are either employed or seeking a job, and in 2002 amounted to 3.15 million (consisting of 2.68 million males and 465,000 females) with an unemployment rate of 9.6 percent. The Kingdom is involved in various initiatives to increase employment levels among young people and women.

The creation of job opportunities

The Saudi government seeks to create jobs through the various reforms addressed in this booklet such as economic diversification, privatization, opening up the market and other initiatives, including:

The National Program for Training and Employment

The National Program for Training and Employment helps Saudi citizens find jobs in both the public and private sectors. The Program is responsible for the creation of job opportunities, job training and Saudization.

Saudization

Saudization is a measure that applies limitations to the number of foreign workers employed in order to slowly increase dependency on Saudi workers. In 2002, the non-Saudi labor force amounted to 3.09 million. The government continues to provide incentives to create more employment opportunities for its citizens as well as provide incentives for participation in job training.

Centennial fund

On July 8, 2004, Custodian of the Two Holy Mosques King Fahd bin Abdulaziz approved the formation of a charitable foundation called the ''Centennial Fund'' that will provide assistance to all Saudi citizens, both men and women, who seek to achieve economic independence by setting up small business enterprises. On July 20, 2004, the Centennial Fund signed an agreement with the Saudi Arabian General Investment Authority (SAGIA) to work together in helping Saudi entrepreneurs to translate their commercial ideas into projects.

Employment of women

In 2002, there were 465,000 Saudi women in the labor force; this represents 15 percent of the total Saudi labor force. Saudi women are owners or part owners of more than 22,000 businesses. Accounting, banking and computer training centers have been established to prepare women for jobs, and as a result, more opportunities have opened up for women, including those in the technological, automotive and other industrial sectors.

INITIATIVES AND ACTIONS TAKEN BY THE KINGDOM OF SAUDI ARABIA TO COMBAT TERRORISM

Following the horrific events of September 11, an international coalition composed of more than 100 nations was formed to combat terrorism. Saudi Arabia is an active partner in this coalition and has been working diligently with the United States and other nations to destroy terrorist organizations and eliminate the threat they pose to the international community.

Saudi Arabia, as the birthplace and cradle of Islam, has a very special role to play in the war on terrorism. Its opposition to Al-Qaeda's hateful ideology sends a clear message to the world that these extremists and their cult do not represent the peaceful Islamic religion. This stand has unfortunately made the Kingdom even more of a target, but the people of Saudi Arabia are determined not to let terrorism destroy their country or corrupt their faith.

The attached report is a compilation of the Kingdom's counter-terror efforts to date. The people of Saudi Arabia remain staunch allies of the international community in its campaign against terrorism.

In its efforts to confront terrorism, Saudi Arabia has: Questioned thousands of suspects; arrested more than 600 individuals; dismantled a number of Al-Qaeda cells; seized large quantities of arms caches; extradited suspects from other countries; and established joint task forces with the United States.

''I vow to my fellow citizens and to the friends who reside among us, that the State will be vigilant about their security and well-being. Our nation is capable, by the Grace of God Almighty and the unity of its citizens, to confront and destroy the threat posed by a deviant few and those who endorse or support them. With the help of God Almighty, we shall prevail.''—Crown Prince Abdullah bin Abdulaziz, Deputy Prime Minister and Commander of the National Guard, May 13, 2003.

ARRESTS AND QUESTIONING OF SUSPECTS

Saudi intelligence and law enforcement authorities have been working closely with the United States and other countries as well as with Interpol to identify, question and when appropriate, arrest suspects. Since September 11, Saudi Arabia has questioned thousands of suspects and arrested more than 600 individuals with suspected ties to terrorism.

Specific actions

On September 5, 2004, three security officers were killed when their car caught fire after being hit by gunfire while pursuing a suspect vehicle. The officers were part of a security force carrying out operations in the southern part of the city of Buraidah. Seven militants were arrested in the operation. The deaths of Sergeant Mufleh Saad Ruweishid Al–Rasheedi, Sergeant Sayer Farhan Ghanim Al-Nomasi and Murif Shakir Eid Al-Rasheedi bring to 36 the total of security personnel who have lost their lives fighting terrorism since May 2003.

On September 3, 2004, one security officer, Yousef bin Ayed Al-Harbi, was killed and three injured during operations in Buraidah. Surveillance of a suspected residence and vehicle led to an exchange of fire between security forces and another vehicle. After a pursuit through a residential neighborhood, the driver of the second vehicle was killed, and another individual involved in the incident was arrested.

On September 2, 2004, the Ministry of Interior announced that Abdullah bin Abdulaziz bin Ahmed Almughrin had voluntarily surrendered to security authorities. He was wanted for his involvement in setting up an Al–Qaeda cell in the Eastern Province, three of whose members were recently arrested. The cell is suspected of preparing the attack in Al–Khobar on May 30, 2004. Almughrin is also suspected of having links to other parties, both inside and outside the Kingdom, that have been planning acts of terrorism.

On August 30, 2004, security forces in the Eastern Province were carrying out investigations when a car carrying four persons tried to break through security barriers. In the ensuing exchange of fire, one of them was killed, and the other three wounded, and arrested. The search operation also led to the arrest of another suspect, and the seizure of two vehicles that had been under surveillance by the security forces.

On August 11, 2004, Abdulrahman bin Obaid-Allah Al-Harbi was killed in the vicinity of the Holy Mosque in Makkah after he

attacked security officers who were trying to apprehend him. He was wanted for his involvement with an extremist group and the manufacturing of explosives.

On August 5, 2004, Faris Ahmad Jamaan Al Showeel Alzahrani, one of the leaders of the group that has been calling for terrorist attacks, was arrested. Saudi Arabia's most-wanted list now stands at 11 at large, with 12 killed and three in custody.

On July 22, 2004, Fayez bin Rasheed bin Mohammad Al-Khashman Al-Dossary surrendered to security authorities in the city of Taif, expressing the desire to benefit from the grace period offered by Custodian of the Two Holy Mosques King Fahd bin Abdulaziz.

On July 20, 2004, in a raid on a suspected hideout in the city of Riyadh, security forces killed two suspects, one of whom, Isa Saad Mohammad bin O'ooshan, was on the list of Saudi Arabia's most-wanted. Recovered during the raid were the partial remains of Mr. Paul Marshall Johnson, Jr., the American who was kidnapped and murdered by Al-Qaeda in June.

On July 17, 2004, Ibrahim Al-Sadiq Al–Bakri Al-Qaidi arrived in the Kingdom from Damascus, where he had surrendered to the Saudi Embassy, expressing the desire to benefit from the grace period offered by Custodian of the Two Holy Mosques King Fahd bin Abdulaziz.

On July 13, 2004, top Al-Qaeda suspect Khalid bin Odeh bin Mohammed Al-Harbi, also known as Abu Sulaiman Al-Makki, surrendered to Saudi authorities at the Saudi Embassy in Iran and was later transported to Saudi Arabia.

On July 3, 2004, the Ministry of Interior confirmed the deaths of two militants, Rakan Muhsin Mohammed Alsaykhan and Nasir Rashid Nasir Alrashid, who were on the list of 26 most wanted that was published in December 2003. The two died of wounds received in an incident on April 12 in the Riyadh suburb of Al-Fayha, in which a security officer lost his life.

On July 1, 2004, terrorist Awad bin Mohammed bin All Al-Awad, wanted for his involvement in the April 12 incident, was killed and another suspect was arrested and has been identified as Abdulrahman bin Mohammed bin Abdulrahman Al Abdulwahab, wanted in connection with the murder of a German resident in Riyadh on May 22. A security officer, Private Muslih bin Saad Al-Qarni, was killed in this incident.

On June 30, 2004, a terrorist was killed in a shootout in Riyadh, later identified as Fahd bin All Aldakheel Algablan. Security forces seized, in addition to weapons such as Kalashnikovs and pistols, a laboratory for preparing explosive devices, equipment for forging documents, and materials for medical treatment and first aid.

On June 23, 2004, in a televised address read on behalf of Custodian of the Two Holy Mosques King Fahd bin Abdulaziz by Crown Prince Abdullah bin Abdulaziz, Deputy Prime Minister and Commander of the National Guard, the government of the Kingdom of Saudi Arabia offered those involved in terrorist activity a last opportunity to repent and voluntarily surrender within one month, or face resolute and determined force: whoever surrendered would be assured due process in accordance with Shariah [Islamic Law]. Hours later, Sa'aban bin Mohammed bin Abdullah Al-Lailahi Al-Shihri, wanted for the past two years, became the first militant to accept the offer and surrender to authorities. On June 28, 2004, Osman Hadi Al Maqboul Almardy Alomary became the second to do so; he is on the list of Saudi Arabia's 26 most-wanted that was posted last December.

On June 18, 2004, Abdulaziz Abdulmohsen Almughrin, head of the deviant group that has been terrorizing the Kingdom, and which was responsible for the brutal murder of U.S. hostage Paul Johnson, was one of the four suspects killed in a siege in the Maalaz area of the city of Riyadh. The three others killed were identified as Faisal bin Abdulrahman Al-Dakheel, Turki bin Fehaid Al-Mutairi, and Ibrahim bin Abdullah Al-Duraihem. One security officer was killed, and two others wounded. Found at the scene were three cars, one of which had been used in a recent attack on a BBC journalist and his photographer; ammunition and weapons, including sub-machine guns, rocket launchers, pipe bombs and grenades; and a stack of identity papers.

On June 1, 2004, security forces killed two suspects during a shootout in an isolated area of Al-Hada on the Taif-Makkah road. The two suspects had been identified as being implicated in the criminal terrorist attack that took place in Al Khobar on May 29, 2004, that resulted in the deaths of 22 people, including one American and three Saudis. Security forces rescued 41 hostages in that incident; one of the four terrorists was wounded and apprehended.

On May 20, 2004, security forces killed four terrorist suspects and injured another in a gunfight in Qasim Province. The security forces came under heavy fire from machine-guns after locating five terrorist suspects in a rest house in Khudairah, a village in the area of Buraidah. Two security officers were killed. Weapons and ammunition were confiscated.

On May 1, 2004, four terrorists were killed after carrying out an attack in Yanbu that left eight people dead and twenty others wounded. The four belonged to one family: Sameer Sulaiman Alansari, Sami Sulaiman Alansari, Ayman Abdulqader Alansari, and Mustafa Abdulqader Abed Alansari.

On April 22, 2004, five terror suspects were killed following a shootout with security forces in the Al-Safa neighborhood in Jeddah. Four of them were identified as Ahmad Abdulrahman Saqr Alfadhli, Khalid Mobarak Habeeb-Allah Alqurashi, Mostafa Ibrahim Mohammad Mobaraki, and Talal A'nbar Ahmad A'nbari, numbers 23, 11, 25, and 13 on the most wanted list published on December 6, 2003.

On April 18, 2004, the Ministry of Interior issued a statement explaining the developments following incidents on April 12 and 13, 2004; confirming that security forces had seized two trucks loaded with 4,118 kilograms of explosives ready for detonation, plus a car full of weapons; and adding that various other items and weapons had also been seized at different locations. Eight suspects have been arrested in connection with these events.

On March 15, 2004, security forces killed one of Saudi Arabia's most wanted terror suspects: Khalid Ali Ali-Haj, who was on the December 6 list of wanted terrorist suspects. Ali-Haj was a Yemeni national who trained at Al-Qaeda camps in Afghanistan where he worked closely with Osama bin Laden. Security forces searched his car and found six hand grenades, two Kalashnikov assault rifles, ten Kalashmkov ammunition magazines, three 9–mm pistols and the equivalent of about $137,000 in cash.

On February 22, 2004, the Ministry of Interior confirmed the death of A'amir Mohsin Moreef Al Zaidan Alshihri, who was on the December 6 list of wanted terrorist suspects. He died some time after being wounded during a clash with police in Riyadh on November 6, 2003. The body was recently recovered from where it was buried, just outside the city, and DNA tests proved that it was Alshihri.

On January 30, 2004, security forces stormed a rest house in Al–Siliye district in the east of the city of Riyadh, arrested seven suspects and seized a number of items including a car rigged with explosives, five rocket-propelled grenade launchers, seven machine guns, 11 pistols, five hand grenades, 21 detonators, military uniforms, and ammunition.

On January 12, 2004, the Ministry of Interior announced that, over the past six months, large quantities of ammunition and weapons had been seized. The total weight of confiscated explosives was 23,893 kilograms. In addition, 301 rocket propelled grenades together with launchers, 431 homemade grenades, 304 explosive belts (ready for use by suicide bombers), 674 detonators, 1,020 small arms and 352,398 rounds of ammunition were confiscated. The Ministry of Interior also called on everyone in Saudi Arabia to cooperate in fighting terrorism and extremism.

On December 30, 2003, Mansoor Mohammad Ahmad Faqeeh, whose name had been published in a December 6 list of 26 wanted terrorist suspects, surrendered to security authorities.

On December 8, 2003, the Ministry of Interior announced that Ibrahim Mohammad Abdullah Alrayis, whose name was on the December 6 list, had been killed by security forces. The Ministry statement praised citizens' cooperation with the security forces, who are pursuing those wanted and those who are trying to undermine the country's security and safety.

On December 6, 2003, the Ministry of Interior published the names and photos of 26 suspects wanted by security forces in connection with the terrorist incidents that have taken place in the Kingdom in the past few months, urging them to surrender to the authorities. The Ministry called on all citizens and residents to report information they may have about any of the wanted suspects. Immediate financial rewards of up to $1.9 million are being offered for information leading to the arrest of any wanted suspect, or any other terrorist elements and cells.

On November 26, 2003, a suspected terrorist was arrested. The suspect's hiding place was linked to the terrorist cell involved in the November 9 car bombing at the Al-Muhaya residential complex in Riyadh. Search of the hiding place revealed large quantities of arms and documents. Items discovered by security forces include one SAM–7 surface to air missile, five rocket-propelled grenade launchers, 384 kilogram of the powerful explosive RDX, 89 detonators, 20 hand grenades, eight AK–47 assault rifles, 41 AK–47 magazines, and 16,800 rounds of ammunition. Also recovered were four wireless communication devices, three computers, computer disks and CDs, and SR 94,395 in cash, as well as numerous identity cards and leaflets calling for the perpetration of acts of terror.

On November 25, 2003, a car bomb plot was foiled in Riyadh. The encounter with security forces led to the deaths of two wanted terrorist suspects: Abdulmohsin Abdulaziz Alshabanat, who was killed in the exchange of fire, and Mosaed Mohammad Dheedan Alsobaiee, who committed suicide by detonating the hand grenade he was carrying. The vehicle that was seized was loaded with explosives and camouflaged as a military vehicle.

On November 20, 2003, Abdullah bin Atiyyah bin Hudeid Al-Salami surrendered to security authorities. He was wanted for suspected terrorist activities.

On November 6, 2003, security forces investigating a suspected terrorist cell in the Al-Suwaidi district of the city of Riyadh came under fire from the suspects, who attempted to flee while attacking security forces with machine guns and bombs. In the exchange of fire, one terrorist was killed and eight of the security officers suffered minor injuries. On

the same day, in the Al-Shara'ei district of the city of Makkah, two terrorist suspects, who were surrounded by security forces, used home-made bombs to blow themselves up. Their suicide followed a firefight during which they refused to surrender when requested by the security officers.

On November 3, 2003, Saudi police arrested six suspected Al-Qaeda militants after a shootout in the holy city of Makkah in Saudi Arabia. The raid on an apartment triggered a shootout that left two suspected terrorists dead, and one security officer wounded.

On October 20, 2003, security forces raided several terrorist cells in various parts of the country, including the city of Riyadh, the Al-Majma'a District in Riyadh Province, Makkah Province, the Jeddah District of Makkah Province, and Qasim Province. Security forces confiscated items including C4 plastic explosives, home-made bombs, gas masks, and large quantities of assault rifles and ammunition.

On October 8, 2003, security forces raided a farm in the northern Muleda area of Qasim Province and were able to arrest a suspect. Three other suspects fled the scene. Two security officers suffered injuries.

On October 5, 2003, security forces arrested three suspects during a raid in the desert to the east of Riyadh.

On September 23, 2003, security forces surrounded a group of suspected terrorists in an apartment in the city of Jizan. During a gun battle, one security officer was killed and four officers injured. Two suspects were arrested and one killed. The suspects were armed with machine guns and pistols and a large quantity of ammunition.

On July 28, 2003, security forces killed six terrorist suspects and injured one in a gunfight at a farm in Qasim Province, 220 miles north of the capital, Riyadh. Two security officers were killed and eight suffered minor injuries. Four people who harbored the suspects were arrested.

On July 25, 2003, three men were arrested at a checkpoint in Makkah for possessing printed material that included a ''religious edict'' in support of terrorist acts against Western targets.

On July 21, 2003, the Minister of Interior announced that Saudi authorities had defused terrorist operations which were about to be carried out against vital installations and arrested 16 members of a number of terrorist cells after searching their hideouts in farms and houses in Riyadh Province, Qasim Province and the Eastern Province. In addition, underground storage facilities were found at these farms and homes containing bags, weighing over 20 tons, filled with chemicals used in the making of explosives.

On July 3, 2003, Turki Nasser Mishaal Aldandany, a top Al-Qaeda operative and one of the masterminds of the May 12 bombings, was killed along with three other suspects in a gun battle with security forces that had them surrounded.

On June 26, 2003, Ali Abdulrahman Said Alfagsi Al-Ghamdi, a.k.a. Abu Bakr Al-Azdi, surrendered to Saudi authorities. Al-Ghamdi, considered one of the top Al-Qaeda operatives in Saudi Arabia, is suspected of being one of the masterminds of the May 12 bombings in Riyadh.

On June 14, 2003, security forces raided a terrorist cell in the Alattas building in the Khalidiya neighborhood of Makkah. Two Saudi police officers and five suspects were killed in a shootout. Twelve suspects were arrested, and a number of booby-trapped Qur'ans and 72 home-made bombs, in addition to weapons, ammunition, and masks were confiscated.

On May 31, 2003, Yousif Salih Fahad Al-Ayeeri, a.k.a. Swift Sword, a major Al-Qaeda operational planner and fundraiser, was killed while fleeing from a security patrol.

On May 27–28, 2003, eleven suspects were taken into custody in the city of Madinah. Weapons, false identity cards and bomb-making materials were confiscated. In addition, Saudi national Abdulmonim Ali Mahfouz Al-Ghamdi was arrested, following a car chase. Three non-Saudi women without identity cards, who were in the car he was driving, were detained.

In May 2003, three clerics, All Fahd Al-Khudair, Ahmed Hamoud Mufreh Al-Khaledi and Nasir Ahmed Al-Fuhaid, were arrested after calling for support of the terrorists who carried out the Riyadh attacks. In November 2003, Ali Fahd Al-Khudair recanted his religious opinions on Saudi TV. Shortly after, a second cleric, Nasir Ahmed Al-Fuhaid, recanted and withdrew his religious opinions describing them as a ''grave mistake''. On December 16, 2003, Ahmed Hamoud Mufreh Al-Khaledi became the third cleric to recant on national television.

Saudi Arabia has provided extensive intelligence and military cooperation in the assault on Al-Qaeda. Given the sensitivity of these operations, disclosure of specific actions or the nature of Saudi cooperation in these areas has intentionally been limited. However, public disclosures to date have revealed major Saudi contributions to the breakup of a number of Al-Qaeda cells, the arrests of key Al-Qaeda commanders, and the capture of numerous Al-Qaeda members.

In June 2002, Saudi Arabia successfully negotiated with Iran for the extradition of 16 suspected Al-Qaeda members.

In June 2002, Saudi Arabia asked Interpol to arrest 750 people, many of whom are suspected of money laundering, drug trafficking, and terror-related activities. This figure includes 214 Saudis whose names appear in Interpol's database in addition to expatriates who fled Saudi Arabia.

In early 2002, Saudi intelligence and law enforcement agencies identified and arrested a cell composed of seven individuals linked to Al-Qaeda who were planning to carry out terrorist attacks against vital sites in the Kingdom. The cell leader was extradited from the Sudan. This cell was responsible for the attempt to shoot down American military planes at Prince Sultan Airbase using a shoulder-launched surface-to-air missile.

INTERNATIONAL COOPERATION

Multilateral cooperation is essential in order to successfully defeat terrorism. Saudi Arabia has supported many international and regional efforts in the fight against terrorism through multilateral and bilateral agreements. The Kingdom is committed to working closely with the European, Asian and U.S. governments, and with the United Nations, to ensure that information is shared as quickly and effectively as possible.

Specific actions

On July 22, 2004, the final report of the National Commission on Terrorist Attacks Upon the United States confirmed: that there is no evidence the government of Saudi Arabia funded Al-Qaeda; that the post 9–11 flights that repatriated Saudi citizens, including members of the bin Ladin family, were investigated by the FBI and ''no one with known links to terrorism departed on these flights''; and that the Saudi government had been pursuing Osama bin Laden prior to the attacks on the United States.

On July 2, 2004, the Financial Task Force (FATF) released its fifteenth annual report, which contains an evaluation of Saudi Arabia's laws, regulations and systems to combat money laundering and terrorist financing. According to this evaluation: ''Saudi authorities have focused heavily on systems and measures to counter terrorism and the financing of terrorism. Specifically, they have taken action to increase the requirements for financial institutions on customer due diligence, established systems for tracing and freezing terrorist assets, and tightened the regulation and transparency of charitable organizations.''

On April 29, 2004, the Office of the Coordinator for Counter-Terrorism of the U.S. Department of State released its 2003 'Patterns of Global Terrorism' report. The report praises the Kingdom of Saudi Arabia for its ''unprecedented'' efforts to fight terrorism both inside its borders and abroad. Ambassador J. Cofer Black, Coordinator for Counter-Terrorism, states in his introductory remarks: ''I would cite Saudi Arabia as an excellent example of a nation increasingly focusing its political will to fight terrorism. Saudi Arabia has launched an aggressive, comprehensive, and unprecedented campaign to hunt down terrorists, uncover their plots, and cut off their sources of funding.''

U.S. Secretary of the Treasury John W. Snow said on January 22, 2004: ''The United States, Saudi Arabia, and our other partners around the globe have spoken out loud and clear—terrorism has no place in a civilized world. We will continue to work with Saudi Arabia and all our allies in the war against terror to seek out those who bankroll terrorist organizations and shut them down.''

President George W. Bush said on November 22, 2003: ''Crown Prince Abdullah is an honest man . . . And he has told me that we are joined in fighting off the terrorist organizations which threatened the Kingdom and they threaten the United States, and he's delivering.''

SAMA has also created a committee to carry out self-assessment for compliance with the FATF recommendations and these self-assessment questionnaires have been submitted. The FATF conducted a mutual evaluation on September 21–25, 2003.

Attorney General John Ashcroft commended Saudi Arabia's efforts in the war on terrorism and stated, on August 29, 2003: ''I believe that progress is being made and I think not only that it (cooperation) is good but it continues to improve.''

Saudi Arabia and the United States established a second joint task force in August 2003, this one aimed at combating the financing of terror. The task force, which was initiated by Crown Prince Abdullah, is further indication of the Kingdom's commitment to the war on terrorism and its close cooperation with the United States in eradicating terrorists and their supporters.

In May 2003, a Saudi-U.S. task force was organized from across law enforcement and intelligence agencies to work side by side to share ''real time'' intelligence and conduct joint operations in the fight against terrorism. The U.S. Ambassador to Saudi Arabia, Robert Jordan, described the cooperation of Saudi investigators with the U.S. law enforcement representatives as ''superb''.

On April 30, 2003, Ambassador Cofer Black, Coordinator for Counterterrorism, released the Annual Patterns of Global Terrorism 2002 report and stated that ''The Saudi Government has made significant strides, certainly in the last year. They are a strong partner in the war on terrorism. In the past several months, we have made significant strides in our counterterrorism cooperation. The Saudi Government continues to work with us in identifying and working to counter al-Qaeda and other terrorist groups . . . In recent months, I've made two separate trips to Saudi Arabia to work with senior officials. This is, in part, what we believe to be a long-term pattern of close coordination on terrorism issues.''

Saudi Arabia redeployed Special Forces to enhance security and counter-terrorism efforts.

Saudi Arabia maintains close relationships with the intelligence and law enforcement agencies of many other nations intensifying counter-terrorism cooperation.

Saudi government departments and banks are required to participate in international seminars, conferences and symposia on combating terrorist financing activities. Saudi Arabia has also hosted many seminars, conferences and symposia on combating terrorism; and is a member of the Financial Action Task Force (FATF) established by the G–7 in 1988.

In 2002, Saudi Arabia completed and submitted two FATF self-assessment questionnaires: one regarding the 40 FATF recommendations on the prevention of money laundering and the other regarding its eight special recommendations on terrorist financing.

SAMA exchanges information on activities related to money laundering and terrorist financing with other banking supervisory authorities and with law enforcement agencies.

Saudi Arabia has appointed Price Waterhouse Coopers as advisors for the FATF Mutual Evaluation and the IMF-sponsored FSAP examination. In addition, the Kingdom has appointed an executive task force representing SAMA and other government agencies for a successful outcome of these evaluations.

ACTIONS TAKEN WITH REGARD TO CHARITABLE ORGANIZATIONS

Charitable giving is an important part of Islam and there are thousands of legitimate charities throughout the Middle East. Since September 11, Saudi Arabia has conducted a thorough review of its charitable organizations and has made a number of specific changes.

Specific actions

On June 2, 2004, a press conference was held at the Royal Embassy of Saudi Arabia in Washington, DC to announce that Saudi Arabia and the United States had jointly designated five branch offices of the Al-Haramain Islamic Foundation as financial supporters of terrorism. It was also announced that Saudi Arabia is folding Al-Haramain and other charities which used to operate abroad into the Saudi National Commission for Relief and Charity Work Abroad.

On February 27, 2004, the Custodian of the Two Holy Mosques King Fahd bin Abdulaziz issued a royal order approving the creation of the Saudi National Commission for Relief and Charity Work Abroad, which, in order to eliminate any misdeed that might undermine Saudi charitable operations, is charged exclusively with responsibility for all donations and contributions outside the Kingdom.

On January 29, 2004, one week after Saudi Arabia and the United States requested the designation of four branch offices of the Al-Haramain Islamic Foundation, the United Nations Security Council announced that Al-Haramain's offices in Indonesia, Pakistan, Kenya and Tanzania had been added to its consolidated list of terrorists tied to Al-Qaeda, Osama bin Laden and the Taliban. Now that these offices are under UN sanctions, member states are obligated to take legal action against them.

On January 22, 2004, Crown Prince Abdullah's Foreign Affairs Advisor Adel Al-Jubeir and Secretary of the Treasury John Snow held a joint press conference in Washington, DC to announce that Saudi Arabia and the United States had asked the UN Sanctions Committee to designate four branch offices of the Al-Haramain Foundation as financial supporters of terrorism. The branches are located in Kenya, Tanzania, Pakistan and Indonesia and subject to the laws and regulations of those countries.

On December 22, 2003, Saudi Arabia and the United States took steps to designate two organizations as financiers of terrorism under United Nations Security Council Resolution 1267 (1999). These organizations are the Bosnia-based Vazir and the Liechtenstein-based Hochburg AG. Mr. Safet Durguti, a representative of the Vazir organization, has also been designated under the relevant United Nations Security Council Resolutions as a terrorist financier. This was the third joint action taken against terrorist financing by the United States Treasury Department and the Kingdom of Saudi Arabia.

In May 2003, the Saudi Arabian Monetary Agency (SAMA) distributed an update entitled ''Rules Governing Anti-Money Laundering and Combating Terrorist Financing'' to all banks and financial institutions in Saudi Arabia requiring the full and immediate implementation of nine new policies and procedures. The new regulations include:

All bank accounts of charitable or welfare societies must be consolidated into a single account for each such society. SAMA may give permission for a subsidiary account if necessary, but such an account can only be used to receive, not to withdraw or transfer, funds.

Deposits in these accounts will be accepted only after the depositor provides the bank with identification and all other required information for verification.

No ATM cards or credit cards can be issued for these accounts. No cash withdrawals are permitted from the charitable institution's account, and all checks and drafts are to be in favor of legitimate beneficiaries and for deposits in a bank account only.

No charitable or welfare society can open or operate these bank accounts without first presenting a valid copy of the required license.

No overseas fund transfers are allowed from these bank accounts.

SAMA's approval is required to open a bank account.

Only two individuals duly authorized by the Board of a charitable institution shall be allowed to operate the main account.

In May 2003, Saudi Arabia asked the Al-Haramain Islamic Foundation and all Saudi charities to suspend activities outside Saudi Arabia until mechanisms are in place to adequately monitor and control funds so they cannot be misdirected for illegal purposes.

Also in May 2003, SAMA instructed all banks and financial institutions in the Kingdom to stop all financial transfers by Saudi charities to any accounts outside the Kingdom.

On April 30, 2003, Ambassador Cofer Black, Coordinator for Counterterrorism stated: ''We are pleased with the steps the Saudis are taking to ensure that all charitable donations by Saudis reach their intended good works and that no funds from Saudi Arabia are diverted by those who would use them for evil purposes.''

In December 2002, a special Financial Intelligence Unit was established to track charitable giving to ensure that no funds reach evildoers.

In the summer of 2002, in another successful joint anti-terrorism action, the Kingdom of Saudi Arabia and the United States took steps to freeze the assets of a close bin Laden aide, Wa'el Hamza Julaidan, who is believed to have funneled money to al-Qaeda. Julaidan served as the director of the Rabita Trust and other organizations.

In March 2002, the U.S. Treasury Department and Saudi Arabia blocked the accounts of the Somalia and Bosnia branches of the Saudi Arabia-based Al-Haramain Islamic Foundation. While the Saudi headquarters for this private charity is dedicated to helping those in need, the United States and Saudi Arabia determined that the Somalia and Bosnia branches supported terrorist activities and terrorist organizations such as al-Qaeda and AIAI (al-Itihaad al-Islamiya). In May 2003, Saudi Arabia asked the Al-Haramain Islamic Foundation and all Saudi charities to suspend activities outside Saudi Arabia until mechanisms are in place to adequately monitor and control funds so they cannot be misdirected for illegal purposes.

Saudi Arabia has established a High Commission for oversight of all charities, contributions and donations. In addition, it has established operational procedures to manage and audit contributions and donations to and from the charities, including their work abroad.

FREEZING SUSPECTED TERRORIST ASSETS, COMBATING MONEY LAUNDERING

In the wake of the events of September 11, the Kingdom of Saudi Arabia took prompt action on September 26, 2001 and required Saudi banks to identify and freeze all assets relating to terrorist suspects and entities per the list issued by the United States government on September 23, 2001. Saudi banks have complied with the freeze requirements and have initiated investigations of transactions that suspects linked to Al-Qaeda may have undertaken in the past.

Specific actions

In August 2003, the Council of Ministers approved new legislation that puts in place harsh penalties for the crime of money laundering and terror financing. This legislation stipulates jail sentences of up to 15 years and fines up to $1.8 million for offenders.

The new law: Bans financial transactions with unidentified parties; requires banks to maintain records of transactions for up to 10 years; establishes intelligence units to investigate suspicious transactions; and sets up international cooperation on money-laundering issues with countries with which formal agreements have been signed.

In February 2003, the Saudi Arabian Monetary Agency (SAMA) began to implement a major technical program to train judges and investigators on legal matters involving terrorism financing and money-laundering methods, international requirements for financial secrecy, and methods followed by criminals to exchange information.

Saudi Arabia was one of the first countries to take action against terrorist financing, freezing the assets of Osama bin Laden in 1994.

Saudi Arabia has investigated many bank accounts suspected of having links to terrorism and has frozen more than 40 accounts.

Saudi Arabia, as a member of the G–20, approved an aggressive plan of action directed at the rooting out and freezing of terrorist assets worldwide. Saudi Arabia is proud to have been a leader in the development of this plan and its implementation, and of key objectives for U.S. and international policies for dealing with terrorism now and in the future.

SAMA instructed Saudi banks to promptly establish a supervisory committee to closely monitor the threat posed by terrorism and to coordinate all efforts to freeze the assets of the identified individuals and entities. The committee is composed of senior bank officers who are in charge of risk control, auditing, money-laundering units, legal affairs, and operations. The committee meets regularly in the presence of SAMA officials.

Saudi banks have put in place, at the level of their Chief Executive Officers, as well as at the level of a supervisory committee, mechanisms to respond to all relevant inquiries, both domestic and international. To ensure proper coordination and effective response, all Saudi banks route their responses and relevant information via SAMA.

A Special Committee was established drawing from the Ministry of Interior, Ministry of Foreign Affairs, the Intelligence Agency and SAMA to handle requests from international bodies and countries with regard to combating terrorist financing.

Even before September 11, Saudi Arabia had taken steps to ensure that its financial system is not used for illegal activities. In 1988 the Kingdom signed and joined the United Nations Convention against Illicit Trafficking of Narcotics and Psychotropic Substances. In 1995, Saudi Arabia established units countering money laundering at the Ministry of Interior, in SAMA and in the commercial banks.

LEGAL AND REGULATORY ACTIONS TO COMBAT TERRORISM

The Kingdom has a strong legislative, regulatory and supervisory framework for banking and financial services. This infrastructure ensures that each bank or other financial service provider remains vigilant and also has strong internal controls, processes and procedures to not only know the identity of its customers but also have awareness of their activities and transactions. Money-laundering and other suspicious activities are targeted and all those found violating laws and regulations are subject to severe financial penalties and imprisonment. Money-laundering crimes are high-profile crimes and all cases are referred to a senior court.

Specific actions

SAMA and the Ministry of Commerce issued instructions and guidelines to the Kingdom's financial and commercial sectors for combating money-laundering activities. To further strengthen and implement the current regulations, the Ministry of Commerce issued Regulation # 1312 aimed at preventing and combating money laundering in the non-financial sector. These regulations are aimed at manufacturing and trading sectors and also cover professional services such as accounting, legal affairs, and consultancy.

The Saudi Government has taken concrete steps to create an institutional framework for combating money laundering. This includes the establishment of units to counter money laundering, with trained and dedicated specialist staff. These units work with SAMA and law enforcement agencies. The government has also encouraged banks to bring money-laundering-related experiences to the notice of various bank committees (such as Fraud Committees, and those of Chief Operations Officers and Managing Directors) for exchange of information and joint action.

Saudi banks and SAMA have implemented an online reporting system to identify trends in money-laundering activities to assist in policy-making and other initiatives.

In May 2003, SAMA issued instructions to all Saudi financial institutions to strictly implement 40 recommendations of the FATF regarding money laundering and the eight recommendations regarding terror financing. Furthermore, SAMA issued instructions to all Saudi financial institutions prohibiting the transfer of any funds by charitable organizations outside the Kingdom.

Another major institutional initiative is the creation of a specialized Financial Intelligence Unit (FIU) in the Security and Drug Control Department of the Ministry of Interior. This unit is specially tasked with handling money-laundering cases. A communication channel between the Ministry of Interior and SAMA on matters involving terrorist-financing activities has also been established.

In May 2002, SAMA issued rules ''Governing the Opening of Bank Accounts'' and ''General Operational Guidelines'' in order to protect banks against money-laundering activities. For instance, Saudi banks are not permitted to open bank accounts for non resident individuals without specific approval from SAMA. Banks are required to apply strict ''Know your Customer'' rules and any non-customer business has to be fully documented

Saudi Arabia carries out regular inspections of banks to ensure compliance with laws and regulations. Any violation or non-compliance is cause for serious action and is referred to a bank's senior management and the Board. Furthermore, the Government has created a permanent committee of banks' compliance officers to review regulations and guidelines and recommend improvements, and to ensure that all implementation issues are resolved.

Saudi authorities have made significant efforts to train staff in financial institutions and others involved in compliance and law as well as those in the Security and Investigation departments of the Ministry of Interior.

Special training programs have been developed for bankers, prosecutors, judges, customs officers and other officials from government departments and agencies. Furthermore, training programs are offered by the Nayef Arab University for Security Sciences (formerly the Nayef Arab Academy for Security Sciences), the King Fahd Security Faculty, Public Security Training City, and SAMA.

The Saudi government has established a permanent committee of representatives of seven ministries and government agencies to manage all legal and other issues related to money-laundering activities.

In 1995, SAMA issued ''Guidelines for Prevention and Control of Money-Laundering Activities'' to Saudi Banks to implement ''Know your Customer'' rules, maintain records of suspicious transactions, and report them to law enforcement officials and SAMA.

The first conference for FATF outside the G–7 countries was held in Riyadh at the SAMA Institute of Banking in 1994.

OTHER INITIATIVES RELATED TO FIGHTING TERRORISM

Saudi Arabia has publicly supported and extended cooperation to various international efforts to combat terrorism. These include:

In January 2004, while in Tunis for the 21st session of the Arab Interior Ministers' Council, Minister of Interior Prince Nayef bin Abdulaziz called for better coordination of counterterrorism efforts throughout the Arab world, declaring: ''It is painful to have some of our sons as tools of terrorism, but with the joint efforts by our scholars, intellectuals and mass media, we can confront this matter and purify our Islamic and Arab thought from all blemishes.''

Saudi Arabia has signed a multilateral agreement under the auspices of the Arab League to fight terrorism.

Saudi Arabia participates regularly and effectively in G–20 meetings and the Kingdom has signed various bilateral agreements with non-Arab countries.

Every 90 days, Saudi Arabia prepares and submits to the UN Security Council Committees upon their request, a report on the initiatives and actions taken by the Kingdom with respect to the fight against terrorism.

The Kingdom has supported the following requirements of various UN resolutions related to combating terrorism:

Freezing funds and other financial assets of the Taliban regime based on UN Security Council Resolution 1267.

Freezing funds of listed individuals based on UN Security Council Resolution 1333.

Signing the International Convention for Suppression and Financing of Terrorism based on UN Security Council Resolution 1373.

Reporting to the UN Security Council the implementation of Resolution 1390.

Saudi Arabia has given support to and implemented Resolution No. 1368 dated September 12, 2001 related to the financing of terrorist activities.

PUBLIC STATEMENTS BY SENIOR SAUDI OFFICIALS CONDEMNING EXTREMISM AND PROMOTING MODERATION

PUBLIC STATEMENTS PROMOTING MODERATION

The Qur'an, the Islamic religion and the Kingdom of Saudi Arabia reject and condemn all forms of religious extremism that lead to violence, terrorism and the taking of innocent lives. Islam teaches peace, understanding and tolerance, not violence or hatred. The Kingdom of Saudi Arabia is steadfast in believing that those resorting to violence and extremism are deviants and criminals who must face the full consequences of their actions. Following are some of the public statements made by leading officials and religious leaders in this regard.

''I believe that no society is immune from deviants and extremists. This situation exists in every country, in every society and in every faith. These individuals do not represent their societies. They do not represent the prevailing thinking of a society.''—Crown Prince Abdullah bin Abdulaziz, Deputy Prime Minister and Commander of the National Guard, January 12, 2003.

STATEMENTS MADE BY GOVERNMENT OFFICIALS AND RELIGIOUS LEADERS

Custodian of the Two Holy Mosques King Fahd bin Abdulaziz today received senior officials of the Ministry of Education and advised all those involved in education to adhere to the Islamic faith and help the new generation distance themselves from deviant groups and evildoers.—Saudi Press Agency, September 5, 2004.

In his Friday sermon at the Grand Mosque in Makkah, Imam Shaikh Saud Al-Sheraim stressed the need for Muslims to seek advice in searching for the truth, and to embrace cooperation and reconciliation. The killing and terrorizing of the innocent that is taking place in Muslim countries, he stated, is something evil and a sign of great danger, saying: ''Such acts must never be ignored or justified but confronted and stopped by all available means.''—Shaikh Saud Al-Sheraim, imam at the Grand Mosque in Makkah, July 9, 2004.

''We will not allow a wicked group driven by a deviant ideology to destabilize the Kingdom's security.''—Custodian of the Two Holy Mosques King Fahd bin Abdulaziz, June 20, 2004.

Deputy Prime Minister and Commander of the National Guard Crown Prince Abdullah bin Abdulaziz today received citizens expressing condemnation of terrorist acts. Crown Prince Abdullah, thanking them for their stance, urged all citizens to report abnormal behavior to the security authorities. He confirmed that leaders of the deviant group had been killed, and called on others involved to turn themselves in before they are annihilated, declaring that they are followers of Satan and enemies of religion and their country.—Saudi Press Agency, June 19, 2004.

''It is with great sadness and pain that we announce the death of Paul Marshall Johnson, Jr. . . . Today, we are faced with the tragedy of his gruesome death at the hands of barbarians who have rejected the teachings of their faith and the principles of humanity. His brutal murder illustrates the cruelty and inhumanity of the enemy we all are fighting.''—Foreign Affairs Advisor to

the Crown Prince, Adel Al-Jubeir, June 18, 2004.

Shaikh Dr. Salih bin Abdullah bin Humaid, imam at the Grand Mosque in Makkah, spoke out against terrorism at Friday prayer today, reiterating that any terrorist act is criminal and contrary to religion. The recent criminal acts in the Kingdom, he said, have targeted Muslims who thought themselves safe as well as non-Muslims who are under protection through agreements with Muslims. The perpetrators of these acts, members of a deviant group, have killed and intimidated people, destroyed property, and wreaked havoc on earth; and therefore they will surely be punished in hell in the hereafter.—Saudi Press Agency, June 18, 2004.

''Saudi Arabia does not condone extremism and does not take part in it. It is true that we support people who seem to us to be good Muslims. But they are not extremists . . . Young Saudis who commit these crimes are influenced by bad ideas. Intellectuals must explain to them what is true and what is false.''—Minister of the Interior, Prince Nayef bin Abdulaziz Al-Saud, June 17, 2004.

The Council of Call and Guidance, in its meeting yesterday, condemned the explosion [at the General Department of Traffic in Riyadh on April 21, 2004], and urged confrontation of the deviant ideas that lead to such criminal acts. The Council, which comprises representatives from various areas of jurisprudence including the Islamic Affairs Ministry, the Presidency of the Two Holy Mosques, and the Islamic universities, called for fortifying young people against destructive ideas that run counter to the teachings of Islam.—Saudi Press Agency, April 26, 2004.

''We strongly warn you against heeding misleading edicts that promote extremism . . . Nobody will approve such a horrendous crime. It is a prohibited, nefarious, terrorist act . . . See how much damage these deviants have done to the image of Islam, the religion of peace.''—Shaikh Abdul Rahman Al-Sadais, imam at the Grand Mosque in Makkah, April 23, 2004.

''These people want to disrupt security, horrify people who consider themselves safe, and kill Muslims. It is forbidden to cover up for such sinful people and whoever does so, will be their partner in the crime . . . It is also forbidden to justify the acts of these criminals . . . You have to be vigilant and have strong will in defending the religion and the Muslim country against these people.''—Shaikh Abdulaziz Al-Ashaikh, Grand Mufti, Chairman of the Council of Senior Religious Scholars, April 22, 2004.

Interior Minister Prince Nayef bin Abdulaziz today reiterated that such acts of terrorism do not have anything to do with Islam, and appealed to those who are contemplating them to come to their senses and surrender, because they will be caught, and the resolve of the security forces has only deepened.—Saudi Press Agency, April 21, 2004.

''It is not lawful to protect these deviants and all of us should denounce them.''—Shaikh Saleh bin Humaid, imam at the Grand Mosque in Makkah, April 17, 2004.

''Terrorism is a strange phenomenon in a country like the Kingdom of Saudi Arabia, which has been unwaveringly implementing the Islamic Shariah . . . The Ulema (Muslim scholars) do oppose terrorism, and believe in the importance of obedience of rulers . . . The terror acts which earlier took place in Makkah, Madinah, and Riyadh run counter to the teachings of Islam.''—Shaikh Abdulaziz Al-Ashaikh, Grand Mufti, Chairman of the Council of Senior Religious Scholars, January 27, 2004.

Shaikh Abdul Rahman Al-Sudais, imam at the Grand Mosque in Makkah, today denounced plans by militants to destabilize the Kingdom and undermine its security. ''They have violated the sanctity of time and place and committed terrorism, violence, bombings, crime and corruption. '' Shaikh Al-Sudais also advised the faithful to make use of Ramadan to win God's forgiveness and mercy. He stressed the need to teach moderation to the youth. ''This is the joint duty of mosque, family, school, university and the media,'' he explained.—Arab News, November 8, 2003.

''Our youth must be inoculated against alien ideas. Families, schools and mosques as well as the country's ulema and intellectuals and the media and every sincere person must contribute to this effort in order to expose alien thoughts and show the truth.''—Crown Prince Abdullah, June 30, 2003.

''These misguided groups, whose members' minds have been possessed by the devil, will be punished and defeated, God willing, along with those who support them.''—Crown Prince Abdullah, June 22, 2003.

''Terrorism has nothing to do with Islam . . . Islam should not be blamed for acts of other people. People should be held responsible individually for their own acts.''—Shaikh Abdulaziz Al-Ashaikh, Grand Mufti, Chairman of the Council of Senior Religious Scholars, May 24, 2003.

''We have entrusted a committee of experienced and knowledgeable people to propagate the moderate views of Islam.''—Crown Prince Abdullah, May 21, 2003.

''We will not remain idle and watch certain religious figures who instigate violence by issuing edicts branding certain people as 'infidels'.''—Minister of the Interior, Prince Nayef bin Abdulaziz Al-Saud, May 15, 2003.

''Whoever did this will regret it because they have galvanized this country's determination to extract this cancer (terrorism) and ensure that it doesn't return . . . they have turned this country into one fist aimed at putting an end to this heinous wound in the body of this nation so that it won't return.''—Minister of Foreign Affairs, Prince Saud Al-Faisal, May 14, 2003.

''Our schools and our faith teach peace and tolerance . . . There is no room in our schools for hatred, for intolerance or for anti-western thinking. We are working very hard to build a world-class educational system which will help our children be prepared to make substantial contributions to the global society.''—Minister of Foreign Affairs, Prince Saud Al-Faisal, December 9, 2002.

''Islam is a religion of compassion, forgiveness and goodness . . .''—Shaikh Saleh Al-Luheidan, Chairman of the Supreme Judicial Council, November 6, 2002.

''Islam, as you know, does not advocate terrorism; and the hurting or killing of human beings is not acceptable by anyone whether he is a Muslim or not.''—Crown Prince Abdullah, March 23, 2002.

''Any attack on innocent people is unlawful and contrary to Shariah.''—Shaikh Muhammad bin Abdullah Al-Subail, imam at the Grand Mosque of Makkah, December 4, 2001.

''The recent developments in the United States constitute a form of injustice that is not tolerated by Islam, which views them as gross crimes and sinful acts.''—Shaikh Abdulaziz Al-Ashaikh, Grand Mufti, Chairman of the Council of Senior Religious Scholars, September 15, 2001.

''As a human community we must be vigilant and careful to oppose these pernicious and shameless evils, which are not justified by any sane logic, nor by the religion of Islam.''—Shaikh Saleh Al-Luheidan, Chairman of the Supreme Judicial Council, September 14, 2001.

[Press Release, June 15, 2004]

SAUDI RELIGIOUS SCHOLARS PROMOTE INTER-FAITH PEACE AND CONDEMN TERRORIST ACTS

Both abroad and at home, Saudi religious scholars are condemning acts of terrorism and promoting the Islamic principles of peace and tolerance.

At an Embassy press conference in London, U.K., Minister of Islamic Affairs Shaikh Salih bin Abdulaziz Al-As-Shaikh stated that Saudi Arabia has achieved a great deal of success in combating terrorism, with many perpetrators killed or arrested. The Kingdom, he said, enjoys political, economic and social stability in spite of the terrorist incidents that have recently occurred. Islam, he reiterated, is a religion of love and tolerance that calls for dialogue with others.

Shaikh Abdulrahman Al-Sudais, one of the imams at the Grand Mosque in Makkah, led Friday prayers on June 11 with over 55,000 worshippers gathered in and around the East London Mosque. Calling for interfaith peace and harmony, he urged Muslims to be united in setting an example of ''the true image of Islam'' in their interactions with other communities. ''The history of Islam,'' he declared, ''is the best testament to how different communities can live together in peace and harmony.''

In Saudi Arabia, a number of well-known Muslim scholars issued a statement on June 13 strongly condemning the recent incidents that led to the killing of people and the damaging of property as outrageous crimes forbidden by the Islamic religion.

According to Ambassador to the United States Prince Bandar bin Sultan: ''Senior religious scholars in Saudi Arabia have continually and unequivocally condemned terrorism. In our war against terrorism, these condemnations are a powerful weapon.''

[Press Release, Apr. 28, 2004]

SAUDI FOREIGN MINISTER ON ROLE OF RELIGIOUS ESTABLISHMENT IN WAR AGAINST AL-QAEDA

At the Council on Foreign Relations (CFR) in New York yesterday, Saudi Arabia's Minister of Foreign Affairs Prince Saud Al-Faisal explained that, contrary to accusations by the Kingdom's critics, the religious establishment is a critical asset in the nation's war against Al-Qaeda. During the CFR conference entitled 'The United States and Saudi Arabia: A Relationship Threatened By Misconceptions', Prince Saud stated: ''It is the religious establishment in Saudi Arabia that in fact is proving to be the body most qualified to de-legitimatize Al-Qaeda's claims, the very religious community that is being attacked and discredited.''

According to Prince Saud Al-Faisal: ''The insular extremism of Saudi Arabia's arch-conservatives is being used as evidence for not only the sympathy, but also the collaboration of Saudi Arabia and its society with Al-Qaeda's aims and objectives. Nothing is further from the truth, as evidenced by the war being waged relentlessly against Al-Qaeda in Saudi Arabia, and the support that the society is giving the government's efforts to rid the country of these evildoers.''

Prince Saud Al-Faisal also explained that attacks on Saudi Arabia and its religious establishment ''will undermine the country that is waging total war against them [Al-Qaeda], and that is probably the country most capable of preventing them from spreading their cultist ideology in the Islamic world.''

On April 22, the day after the recent bombing in Riyadh, Shaikh Abdulaziz Al-Ashaikh, the Grand Mufti of Saudi Arabia and Chairman of the Council of Senior Religious Scholars, issued a statement calling the incident a ''forbidden and sinful act''. The statement continued: ''It is also forbidden to justify the acts of these criminals.'' Shaikh

Abdulaziz Al-Ashaikh also stated: ''You have to be vigilant and have strong will in defending the religion and the Muslim country against these people.''

[Press Release, Feb. 2, 2004]

KING AND CROWN PRINCE ADDRESS PILGRIMS—STATEMENT CONDEMNS TERRORISM AND PROMOTES TOLERANCE

The Custodian of the Two Holy Mosques King Fahd bin Abdulaziz and Crown Prince Abdullah bin Abdulaziz, Deputy Prime Minister and Commander of the National Guard, issued a joint statement from Mina on the occasion of Eid Al-Adha, addressing Muslims everywhere as well as the two million pilgrims gathered for Hajj. The statement, read on their behalf on Saudi television, unequivocally denounced terrorism and called for global cooperation in the war against it. The following are highlights from the statement:

''The entire world, including the Kingdom of Saudi Arabia, has been harmed by many acts of terror intended to undermine stability, and spread fear and evil. Some of these events have been perpetrated by individuals unfortunately claiming to be Muslims. It is necessary to clarify the position of Islam concerning these events and their perpetrators. These acts, and those who carry them out, are deviant. It is important to oppose them. These acts are a function of false ideas, contrived by individuals who have strayed from the truth, and contradict the teachings of religion.''

''The Kingdom opposes all forms of terrorism, and is fighting it locally and condemning it internationally, and is working to uproot it and expose its negative impact on society.''

''The Kingdom urges the international community to vigorously confront the menace of terrorism, and supports all peace-loving countries in fighting and uprooting it. A comprehensive plan for combating terrorism by all countries must be implemented so that terrorists will not be allowed to conduct their subversive activities from any territory.''

''Islam is a noble faith. It does not tolerate hatred and malice.''

[Press Release, Feb. 2, 2004]

SAUDI ARABIA'S TOP CLERIC URGES MUSLIMS TO REJECT TERRORISM

Shaikh Abdulaziz Al-Ashaikh, the Grand Mufti of Saudi Arabia and Chairman of the Council of Senior Religious Scholars, delivered a sermon to almost two million pilgrims at the peak of the Hajj. As Saudi Arabia's highest religious authority, he used this important occasion to denounce terrorism and those who perpetrate it in the name of religion.

During his sermon he highlighted the importance of educating others about Islam, so that terrorists will not be able to claim that their reprehensible actions have anything to do with the true faith: ''You must know Islam's firm position against all these terrible crimes. The world must know that Islam is a religion of peace and mercy and goodness; it is a religion of justice and guidance . . . Islam has forbidden violence in all its forms. It forbids the hijacking airplanes, ships and other means of transport, and it forbids all acts that undermine the security of the innocent.''

[Press Release, Jan. 28, 2004]

SAUDI ARABIA'S LEADING RELIGIOUS AUTHORITY CONDEMNS TERRORISM

Shaikh Abdulaziz Al-Ashaikh, Saudi Arabia's Grand Mufti and Chairman of the Council of Senior Religious Scholars, reaffirmed that Islam does not tolerate bloodshed and absolutely prohibits acts of terrorism against Muslims and non-Muslims.

During a lecture in Makkah, Shaikh Al-Ashaikh warned his listeners of the destabilizing effect that terrorism can have on society. Acknowledging that terrorism results from deviant ideas, Shaikh Al-Ashaikh emphasized the importance of educating and protecting the younger generation from such misguided thoughts. He remarked that terrorism is an aberration in a country like the Kingdom of Saudi Arabia, because the country lives under Islamic law which forbids violence and terrorism. Shaikh Al-Ashaikh added: ''The terror acts which earlier took place in Makkah, Madinah and Riyadh run counter to the teachings of Islam.''

Shaikh Al-Ashaikh has always taken a strong stand against extremism, warning Muslims that extremism and fanaticism lead only to violence and the death of innocent people. ''Islam is not a religion of violence. It is a religion of mercy for everyone,'' stated Shaikh Al-Ashaikh.

[Press Release, Jan. 8, 2004]

CROWN PRINCE PROMOTES NATIONAL DIALOGUE TO COUNTER EXTREMISM

The King Abdulaziz Center for National Dialogue recently concluded its Second National Forum for Intellectual Dialogue. The forum was entitled 'Extremism and Moderation: A Comprehensive Approach'. Some 60 participants, both men and women, discussed fifteen academic papers prepared by researchers on topics such as ''Characteristics of the Extremist Personality'' and ''The Relationship Between Ruler and Ruled, Rights and Duties of Citizens and Their Relationship with Extremism.''

Deputy Prime Minister and Commander of the National Guard Crown Prince Abdullah emphasized the importance of dialogue when he stated: ''I have no doubt that the establishment of the Center and the continuation of dialogue within its boundaries will become a historic achievement that contributes to the creation of a channel for objective expression that would have an effective impact in combating extremism and fostering a pure atmosphere that could give birth to wise positions and illuminating ideas that reject terrorism and terrorist thought.''

Following the event, Crown Prince Abdullah hosted a reception on January 3 in honor of the participants, where he stressed the importance of tolerance and moderation in both public and private lives, stating: ''Islam advocates moderation.'' Crown Prince Abdullah has repeatedly emphasized the need to address the underlying causes of terrorism. He has stated: ''The bullets that kill women and children, terrorize those secure in their safety, and destroy innocent communities, come not only from rifles, but from deviant thoughts and misguided interpretations of our great religion and its noble message.'' One of the goals of the Kingdom's initiative to promote open dialogue and national debate is the ultimate rejection of extremist ideology.

[Press Release, Nov. 25, 2003]

KING FAHD, CROWN PRINCE ABDULLAH CALL ON MUSLIMS TO UNITE AGAINST TERROR, COMBAT ROOTS OF EXTREMISM

The Custodian of the Two Holy Mosques King Fahd bin Abdulaziz and Crown Prince Abdullah bin Abdulaziz, Deputy Prime Minister and Commander of the National Guard, in a joint statement issued today, congratulated Muslims on the occasion of the blessed Eid Al-Fitr, and called upon them to ''work for the stability and security of Islamic countries and the whole world and overcome the obstacles to world peace.''

King Fahd and Crown Prince Abdullah said that the recent bombings in Riyadh had nothing to do with Islam and that Muslims should ''work together to combat the roots of extremism.'' In their message, they stated: ''We must intensify our efforts and stand united to rectify defects and distortions, correct erroneous understanding and lead delinquents to the right path.''

King Fahd and Crown Prince Abdullah also said that ''a true Muslim does not spread corruption nor does he seek destruction,'' and urged Muslims to follow the Prophet Muhammad (peace be upon him) who was an example of tolerance and mercy.

[Press Release, Sept. 4, 2003]

KING FAHD ADDRESSES ROLE OF MOSQUE IN ISLAM AND CONDEMNS EXTREMISM

The Custodian of the Two Holy Mosques King Fahd bin Abdulaziz, in a message to the nineteenth session of the World Supreme Council for Mosques August 30, emphasized the important mission of the mosque in Islam, which is to promote peace, tolerance, moderation and wisdom. King Fahd added that fulfillment of this mission will help show the youth the correct path of Islam, distancing them from grievance, aggression and evil.

King Fahd condemned all forms of terrorism and warned that terror networks were using misguided Muslim youths to further their cause. King Fahd added: ''By playing into the hands of terror networks, these youths have tarnished the image of Islam and Muslims.''

[Press Release, Aug. 21, 2003]

SAUDI ARABIA'S HIGHEST RELIGIOUS AUTHORITY WARNS AGAINST THE DANGERS OF EXTREMISM

Shaikh Abdulaziz Al-Ashaikh, the Grand Mufti of Saudi Arabia and Chairman of the Council of Senior Ulema [religious scholars], issued a statement today warning Muslims that extremism and fanaticism lead only to violence and the death of innocent people. Shaikh Al-Ashaikh emphasized that ''Muslims must understand that the path of reform never comes through violence. Islam is not a religion of violence. It is a religion of mercy for everyone.''

Shaikh Al-Ashaikh stated: ''One of the fall-outs from extremism in understanding Islam is that some people call for jihad for the sake of God without justification These people, who call for jihad, want to raise the banner of jihad to draw the youth into their ranks, and not to fight for the Almighty God.''

Saudi Arabia s religious leaders have repeatedly and unequivocally condemned terrorism in all its forms. Following the Riyadh bombings on May 12, Shaikh Al-Ashaikh stated: ''Terrorism has nothing to do with Islam . . . Islam should not be blamed for the acts of other people. People should be held responsible individually for their own acts.''

[Press Release (Excerpts), May 20, 2003]

KING FAHD VOWS TO EXPAND REFORMS

No tolerance for terrorism

In an address to the Consultative Council, King Fahd bin Abdulaziz pledged to expand the breadth and pace of reform in the country and affirmed the government s resolve to crack down on terrorism.

''The people of Saudi Arabia oppose all forms of terrorism, and will never allow any faction of deviant terrorists to harm the country and undermine the safety of its citizens and residents. We will not allow any deviant ideology that encourages and feeds terrorism'', said King Fahd. ''This nation is determined to eradicate all forms of terrorism.''

The King also emphasized that public education is critical to religious moderation, tolerance and the peaceful teaching of Islam. The King called upon religious leaders to promote social harmony and unity.

In King Fahd's words: ''It is the responsibility of our religious leaders to save our youth from the evil of destructive thoughts that propagate extremism and hatred and only result in devastation and ruin.

No one can ignore the seriousness of our move toward reform. And I say to every citizen that each one of us has a role and a responsibility in this endeavor. I say to each government official that public service is an honor, which has obligations to the public good, but does not convey any special privileges. I say to every businessman that our economy is not just a source of capital and profit, but it is an investment in national security and safety. I say to every woman that this nation is for all and you will be a partner in making its future. And I say to officials in education that they are shapers of future generations. Good education promotes character and instills values in the young for the benefit of this nation.

''And I say to every citizen that one of the most important obligations is to confront narrow mindedness, regionalism and social division. Confronting these ills is a requirement of our faith and contributes to national unity.

The world we live in is at a crossroads. We are part of this world and cannot be disconnected from it. We cannot be mere spectators while the rest of the world is progressing towards a new global system. This country is the heart of the Muslim World, and the cradle of Arab identity. Therefore, we should rise to the challenges and support each other in carrying out responsibilities and duties.''

[Press Release, May 13, 2003]

ADDRESS TO THE NATION—CROWN PRINCE ABDULLAH BIN ABDULAZIZ

In the name of God, most compassionate, most merciful

My fellow citizens:

May God's peace and blessing be upon you.

The tragic, bloody and painful events that took place in the heart of our dear capital, Riyadh, last night, in which innocent citizens and residents were killed or injured, prove once again that terrorists are criminals and murderers with total disregard for any Islamic and human values or decency. They are no different from vicious animals whose only concern is to shed blood and bring terror to those innocents under God's protection.

These tragic events should serve as a warning to the unwary, and should restore sanity to the deluded. The perpetrators are but a small group of deviants whose objective is to do harm to our society by doing damage to its security.

On the other hand, the whole Saudi nation, old and young, men and women, stand shoulder-to shoulder in condemning this heinous act and expressing their rejection of those who perpetrated it. We will be steadfast in defending our homeland, the cradle of Islam, and the heart of the Arab world.

If these murderers believe that their criminal and bloody act will shake our nation or its unity, they are mistaken. And if they believe they can disrupt the security and tranquility of our nation, they are dreaming. This is because the Saudi people, who have embraced the Holy Book as their guide and the Shari'a as their way of life, and who have rallied behind their leaders, who in turn embraced them, will not permit a deviant few to shed the blood of the innocent which God Almighty, in His infinite wisdom and justice, has sanctified. The entire Saudi nation, and not just its valiant security forces, will not hesitate to confront the murderous criminals.

There can be no acceptance or justification for terrorism. Nor is there a place for any ideology which promotes it, or beliefs which condone it. We specifically warn anyone who tries to justify these crimes in the name of religion. And we say that anyone who tries to do so will be considered a full partner to the terrorists and will share their fate. As revealed in the Holy Qur'an: ''If a man kills a believer intentionally, his recompense is Hell, to abide therein (forever): and the wrath and the curse of God are upon him, and a dreadful penalty is prepared for him.''

Further, as revealed in the Holy Qur'an, the taking of an innocent life is a crime against all of humanity. In the words of the Prophet (God's peace and mercy be upon him): ''He who kills a resident living in peace among you, will never breathe the air of heaven.''

These messages, which do not require any interpretation, provide clear evidence that the fate of those murderers is damnation on earth and the fury of Hell in the thereafter.

I vow to my fellow citizens and to the friends who reside among us, that the State will be vigilant about their security and well-being. Our nation is capable, by the Grace of God Almighty and the unity of its citizens, to confront and destroy the threat posed by a deviant few and those who endorse or support them. With the help of God Almighty, we shall prevail.

[Press Release, May 13, 2003]

PRINCE BANDAR'S STATEMENT ON THE TERRORIST ATTACKS IN RIYADH

His Royal Highness Prince Bandar bin Sultan, Saudi Ambassador to the United States, issued the following statement on the terrorist attacks in Riyadh:

The terrorist attacks on Saudi Arabia May 12 are evil and unforgivable crimes. I send my deepest condolences on behalf of the people of Saudi Arabia to all of the American victims and their families and to the Saudi, European, Arab and Asian families. My government promises that we will not rest until, together, we hunt down these criminals and bring them to justice. And when we do, their punishment will be swift and severe.

No words can express our feelings for the loss of the innocent people who were murdered and injured. Those victims were Arabs, Americans, Europeans, and Asians. They were Muslims as well as Christians. The attack was an attack on humanity. We reject the terrorists who express their hatred for our people and our friends through such cowardly actions. These terrorists have turned their backs on our people and they have perverted our faith; they do not in any way represent Islam. They only represent hatred towards all of humanity. As a nation of peace, the Kingdom of Saudi Arabia will work to protect our citizens and our friends who live and work in our country, American, Arab, European, African or Asian, Muslim or non-Muslim; and we are determined to eradicate the terrorists who bring violence and hatred to the whole world, as Crown Prince Abdullah declared today.

The target of the Al-Qaeda terrorists is Saudi Arabia and the United States and the 70-year relationship that has benefited both our peoples; and at a time when we are working together to bring peace and stability to the people of the Middle East, their aim is to destroy our alliance through violence. But they will not succeed. We say to the people of the United States, as your friend and ally, you can rely on us to do our part as we have done in critical times in the past. We will continue to hunt down the criminals, we will continue to cut off their finances and we will bring them to justice.

On this day, grief and pain weigh on our hearts. I pray that God Almighty continues to give us the wisdom and courage that will lead our nations and the world into a new era of peace and prosperity for all mankind, of all faiths.

[Press Release, Feb. 13, 2003]

SAUDI KING AND CROWN PRINCE ADDRESS MUSLIMS

Statement contains messages of peace, and stance on Iraq

The Custodian of the Two Holy Mosques, King Fahd bin Abdulaziz, and Crown Prince Abdullah bin Abdulaziz, Deputy Prime Minister and Commander of the National Guard, issued a statement Monday from the Holy Site of Mina on the occasion of Eid Al-Adha 2003, addressing the 2 million pilgrims gathered for Hajj and all Muslims everywhere.

The following are excerpts from the statement.

''. . . Islam is a religion of peace and tolerance, ease in the implementation of religious teachings, duties and rites; and tolerance in day-to-day dealings with people . . .''

''. . . The government of Saudi Arabia has condemned terror in all its forms. It took a leading role in urging the international community to challenge this sinister world phenomenon . . .''

''. . . In this world, the Muslim has a constructive role to play, and he should strive to prove that he is equal to the task. He should endeavor to promote the welfare of mankind and preserve the five necessities as is required by religion, namely: religion, mind, honor, self and property . . .''

''. . . The [Kingdom] set into motion the call to Islamic solidarity to bring Muslims together, overcome dissensions and eliminate their causes, promote all that may lead to harmony and eliminate all that may lead to misunderstanding . . .''

''. . . Towards this end the Kingdom of Saudi Arabia submitted a peace initiative to the 14th Arab Summit held in Beirut [in March 2002]. The Saudi initiative was adopted by the Summit and became an Arab peace plan with international support.''

''Our attitude towards the Iraq situation and towards complete disarmament in the area of weapons of mass destruction is within the aforementioned principles. In fact it is an endeavor to put these principles into practice. We are doing all we can to spare Iraq and its people as well the entire region, the dangers and woes of war and its ramifications. We hope that the efforts being made to solve the crisis by peaceful means will be successful. Likewise we hope that reason will prevail and that constructive dialogue be given a chance to find a peaceful resolution.''

''With regard to weapons of mass destruction, whether in this region or in any other part of the world, the Kingdom lends its full support to international efforts to eliminate such weapons irrespective of whether they are nuclear, chemical, or biological. The Kingdom calls on the international community to do all that is necessary to support all efforts required to eliminate weapons of mass destruction . . .''

[Press Release, Feb. 11, 2003]

SAUDI RELIGIOUS LEADERS FORBID ATTACKS ON NON-MUSLIMS

Saudi Arabia's Council of Senior Ulema (Religious Scholars) has issued an edict condemning attacks and other violence against innocents. The edict also conveys that it is a crime to randomly judge people as ''infidels'' and target them for violence.

The Grand Mufti of Saudi Arabia and Chairman of the Council of Senior Ulema Shaikh Abdulaziz Al-Ashaikh said that this is a very serious matter as it relates to the shedding of innocent blood, the bombing of buildings, and the destruction of public and private installations. The edict issued by the Council on this matter is as follows:

''The acts of shedding the blood of innocent people, the bombing of buildings and ships, and the destruction of public and private installations are criminal acts and

against Islam. Those who carry out such acts have deviant beliefs and misguided ideologies and are to be held responsible for their crimes. Islam and Muslims should not be accountable for the actions of such people. Islamic Law clearly prohibits leveling such charges against non-Muslims, warns against following those who carry such deviant beliefs, and stresses that it is the duty of all Muslims all over the world to consult truthfully, share advice, and cooperate in piety and righteousness.''

Violence against Westerners has not been an issue or problem in Saudi Arabia. However, the religious authorities took this step to reinforce the prohibition in Islam against all forms of violence.

[Press Release, Feb. 4, 2003]

STATEMENT REGARDING SAUDI EDUCATION SYSTEM

In 70 years, Saudi Arabia has formed a nationwide educational system that provides free education from preschool through university to all citizens. Today, there are eight universities, over 100 colleges and more than 26,000 schools. Some 5 million students are enrolled in the educational system, which boasts a student to teacher ratio of 12.5 to 1.0—one of the lowest in the world.

The Saudi government recently conducted an audit, which determined that about five percent of school textbooks and curriculum guides contained possibly offensive language. A program is now in place to eliminate such material from schools. Saudi Arabia's Crown Prince Abdullah recently urged a gathering in Riyadh of young people from around the world to shun extremism, saying: ''Ours is a tolerant and temperate faith and we must conduct ourselves accordingly. There is no room for extremism or compulsion in Islam. In fact, it violates the tenets of our faith and the traditions of our Prophet.''

The Crown Prince also told the gathering: ''Wisdom and reason must guide your statements and actions; you must not let emotions sway you. It is your responsibility, when you return to your nations, to counsel people to employ wisdom, patience and reason in dealing with issues.''

Foreign Minister Prince Saud Al-Faisal recently stated: ''We are working very hard to build a world-class educational system which will help our children be prepared to make substantial contributions to the global society. Our schools and our faith teach peace and tolerance.''

The Saudi commitment to its education system also includes approved budgets for the construction of 780 new schools as well as improvements to another 380 schools. Part of this funding will improve and equip a number of educational facilities, such as supplying schools with computers and laboratory equipment. The funding will also provide maintenance to existing schools.

[Press Release, Jan. 13, 2003]

SAUDI CROWN PRINCE CALLS FOR MODERATION AND TOLERANCE

At a gathering hosted at his home in Riyadh for distinguished visitors to the Al-Jenadriyah Festival, Crown Prince Abdullah called upon regional leaders to promote moderation and tolerance. He said that this was a time for deep thought and reflection, for tolerance and moderation, for honesty and sincerity. He urged scholars and intellectuals to exert their efforts toward bringing people together not dividing them.

''The scholar, the author, the thinker, the philosopher and the poet all must strive to bring humanity together'', stated the Crown Prince. ''I have faith in your ability to contribute to the greater good.''

The Crown Prince also commented: ''Reason, patience, moderation and kind words help bring people together.''

He urged those assembled to reject extremism and intolerance.

[Press Release, Dec. 7, 2002]

MOSQUES NOT TO BE USED AS POLITICAL PLATFORMS

Official order sent to Imams and Khuttab

In an official letter to Saudi religious leaders, Shaikh Saleh Al-Ashaikh, Minister of Islamic Affairs, said restrictions have been put in place to prohibit unauthorized persons from making speeches at mosques. The order, distributed as part of a new program for the care of mosques and their workers, warned speakers at mosques against making provocative speeches and inciting people.

The letter said that mosques are meant only for prayer, guidance and other pious activities and should not be used as political platforms.

Al-Ashaikh warned speakers against misusing mosques to make provocative speeches or incite people or exploit mosques by reciting poems in praise of some misguided people. Violators of the order can be subject to severe punishment, including removal from office.

Al-Ashaikh also commended the efforts of the imams and khuttab in fulfilling their religious duties by leading people in prayers and providing advice and guidance. He also called upon the imams and khuttab to serve as models for others by spreading love and brotherhood.

EXCERPTS FROM A LETTER SENT BY CROWN PRINCE ABDULLAH TO PRESIDENT GEORGE W. BUSH ON SEPTEMBER 10, 2002

''. . . terrorism has no religion or nationality it is pure evil, condemned and abhorred by all religions and cultures.

''We in Saudi Arabia felt an especially great pain at the realization that a number of young Saudi citizens had been enticed and deluded and their reasoning subverted to the degree of denying the tolerance that their religion embraced, and turning their backs on their homeland, which has always stood for understanding and moderation. They allowed themselves to be used as a tool to do great damage to Islam, a religion they espoused, and to all Muslims. They also aimed at causing considerable harm to the historic and strong relationship between the American people and the people of Saudi Arabia. I would like to make it clear that true Muslims all over the world will never allow a minority of deviant extremists to speak in the name of Islam and distort its spirit of tolerance. Your friends in the Kingdom of Saudi Arabia denounced and condemned the September 11 attacks as strongly as did the American people.

''. . . nothing can ever justify the shedding of innocent blood or the taking of lives and the terrorizing of people, regardless of whatever cause or motive. Therefore, we do not simply reiterate sincere and true condolences to the relatives of the victims, but assure all of our continued will and determination to do our utmost to combat this malignant evil and uproot it from our world.''

One of the things I hear within my own press here in the United States, why are not more of the Muslim Nations speaking out against terrorism. Well, Mr. Speaker, here is a book full of it. Who are these people? The king and crown prince address the Nation; Saudi Arabia's top clerics urge Muslims to reject terrorism; Saudi Arabia's leading religious authorities condemn terrorism in public statements; King Fahd, Crown Prince Abdallah call on Muslims to unite against terror, combat roots of extremism; Crown Prince Abdallah Aziz statements against terrorism; and the entire Cabinet and Shura Council statements on combating terrorism and rejecting it. The key I think in here is the top leading Muslim leaders within their religious contract purport and talk about the negligence of terrorism itself.

Mr. Speaker, the dialogue is so key and the things that we do. I have an article here. I want to talk about peace in the Middle East and a little bit of how I see that we are going to purport, though this is a one man's opinion and I wish it had been my vision, but greater men with greater visions purported this. It has already passed by the United Nations. It was accepted by the United States. It was supported by the Arab League, and it was supported by Crown Prince Abdallah Aziz.

This article recently in, I believe it is the New York Times, talks about a Sharon's plan to reunite the Gaza and the West Bank, primarily the Gaza in this article.

[From the New York Times, Sept. 13, 2004]

ISRAELIS PROTEST SHARON'S PLAN TO OUST JEWS FROM GAZA

(By Greg Myre)

JERUSALEM, Sept. 12.—Tens of thousands of right-wing Israelis packed the streets of central Jerusalem on Sunday night in the latest mass protest against Prime Minister Ariel Sharon's plan to withdraw Jewish settlers from the Gaza Strip.

The rally occurred just hours after Mr. Sharon said at a cabinet meeting that growing incitement by right-wing activists could lead to violence, or even civil war in Israel.

''We have witnessed in the past few days a very grave campaign of incitement, I would say, with calls that in essence are aimed at inciting a civil war,'' Mr. Sharon told his ministers in the first few minutes of the meeting, which was filmed by television crews. ''I see this as very grave.''

The demonstrators, meanwhile, filled Zion Square in a rally organized by settlers and their backers as part of their efforts to derail the plan to pull out of Gaza, tentatively set for next year.

''Sharon, what happened to you?'' read one banner, referring to his decades of strong support for settlements. ''The government of Sharon is a government of destruction,'' said another held by the protesters, many of them young settlers.

The prime minister has said he sees no future for Israelis in Gaza, and is willing to leave the territory while trying to strengthen Israel's hold on the much larger West Bank settlements.

Both developments reflect the mounting tension in Israel as Mr. Sharon prepares to proceed with the withdrawal plan, which has the backing of most Israelis, polls show. But the Gaza pullout faces strong opposition from the well-organized settlers, in addition to segments of Mr. Sharon's own Likud Party and some other traditional supporters.

In recent days, some right-wing settler activists have warned that government efforts to remove the 8,000 settlers from Gaza, which is home to 1.3 million Palestinians, could lead to open conflict among Israelis. Mr. Sharon urged his cabinet ministers to speak out against such threats, though a number of ministers are opposed to the withdrawal.

Zevulon Orlev, the social welfare minister and a critic of the Gaza pullout, said it was wrong of Mr. Sharon to blame the settlers for the tense political atmosphere.

''How did we get to a process of decision making that some say is tainted with illegitimacy?'' Mr. Orlev told Israel radio. ''The prime minister and the cabinet must do some soul searching.''

Despite several opinion surveys showing solid public backing for a Gaza withdrawal, Likud Party members rejected the plan in May. But the ballot was nonbinding, and Mr. Sharon later secured a slim majority in his cabinet for the pullout. In recent weeks, Israeli authorities have said repeatedly that they fear an extremist could attack a political leader or a security official.

In 1995, Prime Minister Yitzhak Rabin was shot by a Jewish extremist opposed to his interim peace agreements with the Palestinians, which included handing over some land that Israel captured in 1967.

The Yesha Council, the main group representing settlers in the West Bank and Gaza, said it would use only lawful means to oppose the withdrawal. The group has organized several large protests in recent months, including the one on Sunday.

''We believe the disengagement plan is harmful to Israel, but we only support peaceful protests,'' said Josh Hasten, a council spokesman. ''We are saddened by the prime minister's comments, which seem to depict an entire group in an unfavorable light.''

The Palestinian leadership supports an Israeli withdrawal from Gaza but wants the pullout to be coordinated with the Palestinians, a demand Mr. Sharon has refused.

The Palestinians, who are seeking a state based on the lines that existed before the 1967 Arab-Israeli war, are also demanding a withdrawal of all West Bank settlers. The settler population has been growing at a rate of around 10,000 annually in recent years.

In another development on Sunday, a lawyer representing Israel told the High Court of Justice in Jerusalem that the state would re-examine parts of a West Bank separation barrier that has been constructed near Qalqilya, a Palestinian town, those present said.

The Association for Civil Rights in Israel filed the petition on behalf of Palestinian villagers who have been cut off from farmland and face other difficulties, said Yoav Loeff, a spokesman for the group. The judge gave the state 60 days to respond, Mr. Loeff said.

It will be the first time the state will reexamine a significant section of the barrier that has already been built, he said.

Also on Sunday, Israel charged six Egyptian students with plotting to kidnap and kill Israeli soldiers in an effort to support the Palestinians. The six, who were charged in Beersheba in southern Israel, had been arrested two weeks ago near the desert border, armed with knives, Reuters reported.

□ 2320

Mr. Speaker, I ask you, can we, as a world, as the United States, watch Israel and Palestine destroy each other increasingly day by day, more and more; as we watch Arafat and his direction of terrorism, and as we look at Israel on both sides, Israel and the Palestinians' loss of life, which affects us in the United States, and it affects the Arab nations, and it affects the world.

I believe the key to peace is one initiative that was supported by the Crown Prince before the Arab League. It basically reports resolutions 194, 242 and 338, which say, basically, that Israel should turn back the occupied lands prior to 1967.

Now, this is coming from a strong supporter of Israel. I flew in Israel in the 1970s. I flew Mirage there. I have many Israeli friends and I have many Persian and Arab friends. But I believe that a strong, free Israel, an Israel that is not attacked daily, an Israel that does not have to kill its own neighbors to support itself is a much better world. If we implement those resolutions supported by the United Nations, supported by the Arab League, supported by the United States, supported by NATO, which never made it into power, it never made it into law, then we would have a much better Israel and a safer world.

Now, if Israel gave back the occupied territories, they would be attacked. But in this resolution the Arab League says any act or group or nation that attacks Israel, the Arab League will act to defend Israel itself. Would they be attacked? Absolutely. If you are a terrorist and there is peace, you are out of a job. You lose all the power that you have, the money, the support, and the ego. And just like in my home country of Ireland, you would have terrorists at will.

But just imagine, Mr. Speaker, if that happened and you had other nations, four dimension, that would come to the aid of Israel and make it stronger; and have within the borders itself and just outside the borders, the Arab nations, supporting Israel. Can you imagine a vision of world peace in the near future? I do not think we can the way it is going, Mr. Speaker.

Eight thousand settlers, of course, within Gaza oppose this. The majority, the majority of Israelis support this because they are tired of their families being murdered. Palestinians are tired of their families being killed and slaughtered on a daily basis. Most of the majority of Palestinians and Israelis, I believe, want peace.

At one time, Mr. Speaker, I would have told you that Arafat has to go, just like in former Yugoslavia Izetbegovic with the Muslims, Tudjman with the Croatians, and Milosevic with the Serbs. They were too long in the tooth. They had too much bloody history behind them. I do not think there was ever any way for Yugoslavia to get itself out of the pit it was in, and I do not believe with Arafat there is a way to get out of that pit. At one time I thought Sharon had to go as well.

But as I spoke to the leadership in Saudi Arabia, they said, Duke, maybe the Prime Minister is the only person that can make this happen. Maybe he is the only person in Israel that can pull the Likud group together, along with the settlers, and turn back the occupied lands. I guess we will have to see, Mr. Speaker.

I want to talk now about the education system that has been changed in Saudi Arabia, to the benefit of the United States and to the citizens of Saudi Arabia itself, with the banks they have gone through. I also want to talk about the oil system. All the way back to the 1940s, for 60 years, Saudi Arabia has supported the United States. Even in the 1970s, with the Arab oil embargo, Saudi shipped the United States oil during the Vietnam conflict to make sure our soldiers were safe. When we went in to Desert Storm, Saudi Arabia allowed us to operate out of their bases. During the current Afghan raids, Saudi Arabia allowed us to use their bases. And against Iraq, the same.

Put yourself in the position of Saudi Arabia, though, and you have a neighbor that is a wolf. If the United States fails in going into Iraq, or we pull out now, early, and all of those terrorists and extremists that want Iraq and Afghanistan and every state in the Middle East to espouse the Muslim extremist doctrine, it also puts the Saudis at risk as well.

So they do go slow sometimes; but I have to say that, with what they have done in support of the United States in their education system, in their banks, in information, and against terrorism, Mr. Speaker, we have an ally there. And the system that we need to take a look at right away, and which Colin Powell is working on, is the visa system itself.

Let me read just a few of these initiatives and actions taken by Saudi Arabia to combat terrorism.

They have arrested more than 600 individuals in these past few weeks. They have dismantled a number of al Qaeda cells. They have seized large quantities of arms caches and explosives. They have extradited suspects from other countries to be tried. They have established a joint task force with the United States in which our own Permanent Select Committee on Intelligence speaks with on a daily basis. There is international coordination between MI–5, Interpol, the United States and other nations. They have looked at the charitable organizations, and they have one now that goes through a filtering system that is audited by the U.S., by Australia, the British, and the Canadians. The legal and regulatory actions to combat terrorism have stepped up 100-fold, according to Colin Powell.

Mr. Speaker, I would like to submit for the RECORD these three books that go on to talk about some of the things that Saudi Arabia has done.

Mr. Speaker, I have seen on this House floor resolutions. And, frankly, quite often we here in this body think a simple nonbinding resolution does not get beyond the walls, or maybe just into a couple of households. But we had a resolution on this House floor, Mr. Speaker, that most of us voted for but had no idea the impact it would have. To Saudi Arabia and to the Saudi citizens it was a slap in the face.

□ 2330

Sometimes we learn slowly or are actually part of the problem, Mr. Speaker but we cannot continue to do that. If I was Osama bin Laden and I wanted to separate an ally from the United States, I would have done exactly the

same thing that he did. Because he is not just after the United States; he is after the Saudi Government itself. After all, they were the ones that kicked him out. Crown Prince Abdullah's peace plan, which many Israelis found hopeful. Why? Because it was introduced in a time of immense ill will between Arabs and Israelis, because Saudi Arabia was viewed as the least likely to ever agree to diplomatic relations with Israel. But instead we have a Crown Prince that is a visionary. He, in my opinion, is like President Sadat was to Egypt. The Crown Prince should be praised and applauded, not castigated for his efforts, which is consistent with the U.S. position and with United Nations resolutions, in particular resolution 194, 242 and 338.

TO CAST ASIDE A FRIEND

I had dinner with a Saudi businessman this summer and one of the first things he said to me was how very sorry the world and particularly Saudi Arabia were about the murderous events of September 11th. I can tell you that our grief was his grief. If possible, he felt as deeply about this crime and tragedy as we do. And he was extremely worried about derailment of the partnership and alliance that Saudi Arabia and the United States have enjoyed for the past 60 years, for the betterment of the free world.

There has been a firestorm of criticism against Saudi Arabia in the months since 9/11 and the relationship between the United States and the Saudis has been condemned and vilified. I told him that I believe Saudi Arabia remains a valuable ally. We have our differences, but any alliance will have its ups and downs over six decades.

What are the issues raised by the critics?

First, the detractors say that Saudi Arabia is an incubator of terrorism, simply because 15 of the 19 hijackers on 9/11 were Saudi citizens.

You may have a gang of tens, hundreds or even thousands of men in any single country, but that gang does not necessarily represent the mainstream.

Moreover, Osama bin Laden was targeting Saudi Arabia not just the United States, and more specifically, he was targeting the relationship between the two countries by using Saudi Arabians as hijackers on 9/11. After all, we know he could have used a dozen different nationalities. Bin Laden wants to bring down the Saudi regime, which condemned and expelled him years ago. He hates the Saudi government and classifies Saudi Arabia as non-Islamic, and he is particularly keen on exterminating the religious authorities inside the Kingdom. This is a similar goal as Saudi Arabia's American critics, who in fact are doing Bin Laden's work for him in a more efficient manner.

Second, the disparagers say that Saudi Arabia is an incubator of terrorism because its school system systematically teaches their kids to hate America and Western values. I am not an expert on the Saudi educational system, but I can tell you that this allegation is nonsense. For years, English language has been taught and Western gadgets used in schools starting at age 12 and soon the study of english will start at age 9 . . . Kingdom-wide. This would be a very very strange way to promote the so-called anti-Westernism. So would the fact that the government sends thousands of students to study in the U.S. and Europe on full scholarships. In 2001 there were more than 5,000 in the U.S. alone and even more sent privately. This shows how ridiculous it is to allege that the Saudi government is determined to teach their kids to hate America.

Furthermore, the Saudi educational system has to be taken within the context of deeply rooted cultural and religious values cherished by around 1.4 billion Muslims around the world. But those values should be construed as being anti-Western or anti-American. Nor should we for a moment consider that every human being living on this globe should follow our way of life. Being the home of the holiest shrines of Islam, Saudi Arabia has a responsibility that deserves a better understanding. Aside from that, the Saudi educational system, just as elsewhere in the world, is subject to revisions on an on-going basis and has recently witnessed some changes as declared by Prince Saud Al-Faisal, the Foreign Minister.

Third, those criticizing the Kingdom say that it is an exporter of terrorism through its support of religious schools and mosques abroad. How hypocritical. It is very convenient for them to forget that the U.S. government eagerly encouraged the Saudis to donate schools and mosques in Pakistan to provide infrastructure for the fight against the Soviet Union in Afghanistan; and that the U.S. government was enthusiastic about the Saudi funded schools throughout the Muslim world in order to stem the tide of Ayatollah Khomeini's export of radicalism. As for controls over these contributions, it is obvious that mistakes were made. But there is plenty of blame for both parties, and the Secretary of the Treasury O'Neil has applauded the Saudi efforts to establish effective control.

There are a lot of American critics who seem to think that they can run Saudi society better than the Saudis. Let me say that if the concern is the anti-Israeli sentiment in the media or if the desire is more Saudi involvement in an action against Iraq, you will be sorely disappointed if either the press or the political process is thrown open. The Royal Family has balanced openness; progress and modernization on one hand with a deeply conservative, tribal and religious population on the other. Pressure from Washington will work against the progressive elements. They need to proceed at a sustainable pace . . . with our good-will and encouragement but not with our arrogant, condescending dictates. Much needs to be done and the leading Saudi reformers are the ones to do it.

On the other hand, if there is really a feeling amongst us that anger against us, rather than hate—to be precise, is sweeping the region, including Saudi Arabia where it is possibly the least pronounced, is it not worth our while to find out why? Many voices in the region at the official and public levels cite biased and heavy-handed American foreign policy, which is no secret. Let us address the situation, I emphasize, on the basis of an objective examination of our long-term and strategic interests.

Extremism is by and large a cause/effect phenomenon and the cause could be anywhere from religious, political, economic, societal factors and grievances to a combination of one or more of these elements. It cannot be attributed solely to an educational system. Why don't we try to scratch deeper than the surface. I think we do have the magnanimity to conduct a soul-searching exercise to determine how and where our policies might have gone awry; this could be a highly beneficial exercise.

Let me say that the Royal Family has worked very very hard to modernize their country and to do so in a way that accommodates the United States. Radical Islam is a product of the rejection of modernization and this is why Osama bin Laden and his cohorts want to destroy the Royal Family. I do not think we should be in the business of promoting Bin Laden's agenda for any reason, much less to the direct and immediate detriment of ourselves and our friends. In fact, because Saudi Arabia is at the center of Islam and Arab World, never in our history have we been in greater need for their alliance.

Since we have touched upon the subject of modernization, let's ask the question: has the Saudi government used its oil wealthy wisely towards that end?

The government has proven time and time again to be an effective instrument of progress in such a conservative society. In fact, one could make a strong case that the most effective method of modernization in such a strongly tribal, nomadic and deeply conservative culture was the one that evolved in Saudi Arabia.

Let me not leave you with the impression that I believe the Saudi government and Royal family are perfect—no government system is for that matter. As far as we are concerned the Saudi regime has a long way to develop. but Americans being a true ally of Saudi Arabia for decades can and should help them to evolve.

Over the past 30 years alone, the Saudi government has invested $1.2 trillion and transformed a desert into a modern, viable nation. Before the discovery of oil in 1932, Saudi Arabia's meager income came from the annual pilgrimage. Now its GDP ranks 30th out of 186 nations. The Saudis also understand the necessity for a diverse economy. They have built two large industrial cities, numerous industrial parks, loaned about $10 billion for new businesses and have more than 2,500 new factories, giving preference always to U.S. companies.

Simultaneously, they have invested in their people by building thousands of schools, 8 universities, over 300 hospitals and 100,000 miles of paved roads.

They have not squandered their opportunities, but this is not to say that they do not have problems. In 60 years they have transformed themselves from a nomadic society to one which is 85 percent urban. Unemployment among the young emerged because of a mismatch between skills and jobs. The government understands the problem and is expanding technical and vocational training on one hand and replacing foreign workers with Saudis on the other. They are very conscious of the problem and, as allies, we should urge the Administration to help them through its various organs.

And they have not neglected their self-defense. Hand-in-glove with the U.S. military and defense contractors, Saudi Arabia has build its military forces. Yet there are those that devalue our partnership by stating that Saudi Arabia does not cooperate with the United States militarily.

Ridiculous.

In the 1980s, Saudi Arabia's donations to the Afghan Mujahideen were matched dollar for dollar by the U.S. government in our joint drive against communism.

In the 1980s, Washington and Riyadh cooperated very closely to stop military aggression by Iran.

Even at oil embargo times Saudi Arabia fuel supplies to the U.S. armed forces never stopped.

In 1990, the U.S. government received complete Saudi cooperation in the war against Iraq.

After Desert Storm and up until today, there has been crucial Saudi support in maintaining the southern "no-fly" zone in Iraq.

During our most recent campaign in Afghanistan, the Saudis provided access to the command and control facility at the Prince Sultan Air Base. This is an excellent record of alliance.

When the nay-sayers criticize Saudi Arabia for not supporting a war against Iraq because the Kingdom wants to use the U.N. sanctions and diplomatic solutions to bring Saddam to heel and because it has not been shown any link between Saddam and 9/11, how is this different from the position of Brent Scowcroft and Dick Armey or Germany and an array of others, inside and outside the U.S.A.? Believe me, no one in the Saudi government will shed a tear at Saddam's demise, but Iraq is their neighbour and the Saudis are justifiably cautious when asked to commit to such schemes which will devastate an innocent Iraqi populace.

Not only in Saudi Arabia but in the whole world, sentiments run high against U.S. military action against Iraq; people are wary that it will wreak havoc and destruction on an already beleaguered people. On the other hand, if possession of weapons of mass destruction is the motive for such a war you cannot detract people in that part of the world from also pointing fingers elsewhere. And we have to recognize that.

Furthermore, it is asserted that we cannot trust Saudi Arabia to be a supplier of our energy needs. This is absolutely absurd. Saudi Arabia's policy for the past 25 years has been not to use oil as a political weapon. Saudi policy makers maintain stable prices and stable supplies of oil throughout the world. They have often sold their oil at a $4 discount below world market price to ensure affordable oil is available to the free world. Most oil exporters produce as much as they can. However, for many years Saudi Arabia has played the role of swing producer, increasing or decreasing production in order to avoid spikes in the pricing. Most notably Saudi Arabia continued this policy even though it could use the extra income due to the expense of the Gulf War in 1990–1991 which cost them over $60 billion. I am not saying the Saudis are angels sacrificing their interests for the sake of consumer countries, but I am saying that their energy interests match ours and have done so for 60 years. To throw the overboard for some pie-in-the-sky Russian supply scheme is lunacy.

Moreover, there are those who claim that Saudi Arabia is a stumbling block to peace between Israel and Palestine. They assert that Saudi Arabia fuels terrorist organizations in the Occupied Territories. As to the last assertion, the Saudis adamantly deny this. They say that their government's aid to Palestinians is humanitarian . . . clothes, food, medicine and shelter . . . and assertions to the contrary have never been proven. In fact, I believe that their attitude toward peace is demonstrated by Crown Prince Abdullah's Peace Plan, which many Israelis found very hopeful. Why? Because it was introduced in a time of immense ill-will between Arabs and Israel; because Saudi Arabia was always viewed as the least likely to ever agree to diplomatic relations with Israel; and because the whole Arab World has agreed to the plan. The Crown Prince should be praised and applauded, not castigated, for his effort which is consistent with the U.S. position and U.N. resolutions, particularly Resolution No. 194, 242 and 338.

Let us swap positions with the Saudis and explore how they, both at the official and populace level, see us. And for that purpose, let us take the Palestine question—the most inflammatory in the region—as a yardstick to gauge how our positions diverge or converge. The Saudis cannot ignore that we side with Israel across the board, providing it with political and military cover to the detriment of the Palestinians. Is it not true that we vetoed over 70 U.S. resolutions favouring Palestinians, thereby insulating Israel from international consensus and even censure?

On the ground, and as a daily routine, Israeli tanks roll into Palestinian territories. There, the Arabs see the Israeli army, strongest in the region, devastatingly using a U.S. supplied sophisticated arsenal against Palestinians, sparing no houses, farmland or civilian lives; lives of civilians who are only seeking their right to self-determination in line with the will of the international community.

How can the Arab on the street reconcile himself with this? Even the closest of our friends are dismayed and embarrassed at our deteriorating credibility. Under such pressure, the most moderate regime will only have to identify with its people's sentiments and legitimate concerns; hence the disappointment with U.S. policies.

Historically speaking, we must not forget that Saudi Arabia has all along been accused by Arab radicals as being the most moderate Arab country and the staunchest friend of the West. In so far as the Arab-Israeli relationship is concerned, what Saudi Arabia is obviously after is a lasting and just peace, not a lopsided or one-sided one, based on U.N. resolutions. This has been unequivocally highlighted in the plan I've just referred to and has been a standing policy line for Saudi Arabia.

Despite all pressures, Saudis say, they went out of their way to maintain their moderate posture. But, have they been immune from Israeli provocations? Unfortunately not. Among other things, Israel has been making provocative air sorties over the Saudi air bases and I personally know how humiliating this must be.

Having said that, do we, as lawmakers, accept to fall for the paradox of calling Saudi Arabia a "stumbling block" to peace?

For the sake of our ally and friend Israel and our unwavering commitment to its security and longevity, I urge our Administration together with the U.N. and our allies in Europe to work diligently to impose peace in line with U.N. resolutions—this will inevitably make the world a safer place for us, for our Israeli friends and for the rest of humanity.

Finally, let us look at this purely from a selfish perspective. The Saudis have more crude oil than anyone else; 25 percent of the world oil reserve, a commodity by all accounts that is going to be the main source of energy for the next two decades at least. They have a proven track record of handling this resource wisely. Crude oil is strategic. Let's cooperate with them.

From a security and policy view point the question that occurs to me here is how many friends do we have in the region with a historically rooted and abiding relationship as is the case with Saudi Arabia?

Let me conclude by saying that Saudi Arabia is not the enemy. In the recent words of our President, "Saudi Arabia is our eternal friend". But if we continue to assail, insult and threaten them, we will jeopardize the relationship.

And make no mistake, those that denounce the partnership know very well that their denunciations can be self-fulfilling. What folly . . . . to cast aside a proven friend for someone else's purposes.

IRAQ WATCH

The SPEAKER pro tempore (Mr. GARRETT of New Jersey). Under the Speaker's announced policy of January 7, 2003, the gentleman from Washington (Mr. INSLEE) is recognized until midnight.

Mr. INSLEE. Mr. Speaker, I yield to the gentleman from Massachusetts.

Mr. DELAHUNT. I thank my friend for yielding. Here we are once more this evening for the next half hour to talk about the situation in the Middle East. It seems that we have been doing this now for, I think, 15 or 16 months. We describe it as the Iraq Watch. I understand, also, that tomorrow night we will be back here shortly before the conclusion of the legislative business for the day prior to the Vice Presidential debate which is scheduled for tomorrow night between Vice President CHENEY and Senator EDWARDS.

Speaking of the Vice President, I remember being somewhat taken aback by the continued allegation by the Vice President relative to the relationship between al Qaeda and Saddam Hussein. Of course, just recently I read again where the Vice President makes allusions to some sort of link between al Qaeda and Saddam Hussein.

Mr. CUNNINGHAM. Will my friend yield for just 10 seconds on that issue and then I will leave you alone?

Mr. DELAHUNT. Yes, I will. Of course.

Mr. CUNNINGHAM. I will be happy to provide the 9/11 report. The committee graphically details from 1990 to 2000, to when Saddam Hussein was captured, his linkage with al Qaeda and it is in the 9/11 report.

Mr. DELAHUNT. With all due respect to my good friend from California, I have read the report. I have read it in considerable detail. I agree with the chairman of the 9/11 Commission after my review of that report that was done by an independent commission comprised of five Republicans and five Democrats. In fact, this past June the chairman of the commission, a former Governor of New Jersey, Tom Kean, had this to say in an interview that

was broadcast over one of the networks. The report concluded that there was no operational link between al Qaeda and Saddam Hussein, that it was absolutely not borne out by any of the evidence that was available to them. In fact, the former Governor, and let me underscore the fact that he is a highly respected member of the Republican Party, had this to say. These are his words, not my words:

''We believe that there were a lot more active contacts frankly with Iran and Pakistan than there were with Iraq. Al Qaeda did not like to get involved with states unless they were living there. They got involved with Sudan. They got involved where they lived. But otherwise, no,'' he said on ABC's ''This Week.'' I think it is rather clear from the 9/11 report that there were no links between Saddam and Osama bin Laden. But again that does not seem to deter the Vice President from continuing that fiction. But again that does not appear to be unusual for the Vice President, because it is clear that the Vice President was one of the more significant influences in the determination to seek the military intervention with Iraq.

In a review of the book by Bob Woodward that was posted, by the way, on the Bush-Cheney campaign Web site, there was a particular excerpt that I thought was very informative about the role of the Vice President in the effort to convince the American people about the need to go to war in Iraq. Again, I am reading from an excerpt from that book by Bob Woodward. It describes the differences between the Secretary of State, Colin Powell, and his observations and that of the Vice President. I am now reading:

''Powell thought that Cheney had the fever. The Vice President and Wolfowitz kept looking for the connection between Hussein and September 11. It was a separate little government that was out there, Wolfowitz, Libby, Under Secretary of Defense Douglas Feith and Feith's 'gestapo office,' as Secretary Powell privately referred to it. Cheney now had an unhealthy fixation. Nearly every conversation or reference came back to al Qaeda and trying to nail the connection with Iraq. He would often have an obscure piece of intelligence. Secretary Powell thought that Cheney,'' he is referring to the Vice President obviously, ''took intelligence and converted uncertainty and ambiguity into fact. Cheney would take an intercept and say it showed something was happening. 'No, no, no,' Powell or another would say. 'It shows that somebody talked to somebody else who said something might be happening.' A conversation would suggest something might be happening and the Vice President would convert that into a 'we know.' Secretary Powell concluded we didn't know and no one knew.''

I think it is unfortunate that, to use the words of Secretary Powell, that the Vice President had the fever, had a fixation about Iraq and some sort of operational link with al Qaeda when none existed.

□ 2340

And unfortunately, it has been repeated over and over and over again so that many Americans accept it, despite the conclusion reached by the 9/11 Commission. It simply did not exist.

My friend from California talks about 1990 and Iraq, and I would remind my friend from California that, back in 1990, the President's father, George Herbert Walker Bush, made every effort to forestall sanctions that were passed by this House prior to the Gulf War that would have been imposed on Iraq and the Saddam Hussein regime. Not only is there inconsistency here, but please do not talk about 1990 and prior to the Gulf War when this government, the United States Government, under the President's father, George Herbert Walker Bush, had what only can be described as a special relationship with Saddam Hussein. Saddam Hussein was taken off the terrorist list in 1984. It was that administration that installed an embassy in Baghdad in 1986. It was that administration that provided, if you will, the dual-use technologies that could be utilized in the development of a nuclear weapons program to be shipped to Iraq. I mean inconsistency is not a strong enough word. But maybe this is what prompted RICHARD CHENEY, the Vice President, to be so obsessed and fixated with Iraq.

The last time we were here, we discussed the need to be forthright and to acknowledge mistakes and not paint a picture that is simply not matched by the reality on the ground in Iraq. It is important to heed the advice of a former member of the administration, David Kay, who was responsible for finding weapons of mass destruction in Iraq, who was appointed by the Bush-Cheney administration to do so, and came back and testified before the Senate Foreign Relations Committee that we were all wrong. Well, we were wrong about the weapons of mass destruction. We were wrong about links between Saddam Hussein and al Qaeda. And it is dangerous, let me suggest, to continue to attempt, for whatever purpose, and I am not impugning the motives or suggesting that there is a political reason that the Vice President continues to try to maintain that link because far be it from me to question his motives, but, again, to quote David Kay, former member of that administration, when told that the Vice President continued to suggest that weapons of mass destruction might still be found in Iraq, said the following, ''what worries me about Cheney's statements is, I think people who hold out for a hail Mary pass delay the inevitable looking back at what went wrong.'' I believe we have enough evidence now to say that the intelligence process and the policy process that used that information did not work.

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

Mr. DELAHUNT. I yield to the gentleman from the State of Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, I think it is abundantly clear that the Vice President has some explaining to do to the American people about what happened and what his participation was in starting a war based on false information. And there are two people I have met in the last 24 hours who I think are deserving of an explanation. One was a mother whose son-in-law fortunately just got back from serving proudly in the Army in Iraq, and she told me she is just incredibly happy that her son-in-law came back healthy to the arms of his family and his wife, but she is not happy that others have not and that the Federal Government has not been candid about what happened in Iraq that got us into this war with such devastating consequences. That mother-in-law is entitled to an explanation from the Vice President of the United States about why he made repeated statements that are inaccurate that started a war that has cost over 1,000 American lives.

Today, on the plane flying out here from Seattle, which I go home every weekend to Seattle, this morning sitting next to me was a major heading for Iraq to do an inspection tour. And I just tell my colleague that I feel so strongly that he and all of the 100,000-plus troops in Iraq deserve an explanation from their Federal Government of what happened here, and there are three questions I would like the Vice President to answer.

Question number one, why on September 14, 2003, did the Vice President say this: ''If we're successful in Iraq, then we will have struck a major blow right at the heart of the base, if you will, the geographic base of the terrorists who had us under assault for many years but most especially on 9/11''? Vice President CHENEY went to the American people and told them that Iraq was responsible for the attack on 9/11, and he wanted the Americans to believe that. And there was no evidence to that then, as we have seen the intelligence. There was no evidence at the time we took the vote, and there is no evidence today that that statement was true. And a war was started based on a statement that this Vice President made to Americans. They deserve an explanation why this Vice President sold a bill of goods to the American people, specifically saying that the folks had us under assault but most especially 9/11?

And we know exactly what he was trying to do, which was create an impression that we were going to attack the people who attacked us, which we did in Afghanistan, and that is why we supported it with a huge consensus in this body. The people who attacked us were based in Afghanistan. But why did this Vice President then gild the lilly and stretch the evidence and try to create this misimpression? We deserve an answer to that question in this debate tomorrow night.

Second question for the Vice President: Why on August 26, 2002, did the Vice President say, ''simply stated, there is no doubt that Saddam Hussein now has weapons of mass destruction''? We know now, and many of us knew then from reading the intelligence, that there was massive doubt about this issue, that the Vice President again gilded the lilly, tried to say there was no doubt about this issue, and that simply was not an accurate statement, and a war occurred as a result. And the people serving then and our sons and daughters who might have to serve, goodness knows how many years if this administration continues in authority in Iraq, they deserve an answer why the Vice President said that when it was false.

Mr. DELAHUNT. Mr. Speaker, reclaiming my time, I just think there is a certain level of embarrassment because the Vice President has been proven conclusively to be wrong, not simply out of an investigation conducted by media, by outside parties, but by an independent commission established as a result of action in this body here and in the body across the hall that, if the gentleman remembers, the administration resisted.

□ 2350

But to continue to try to justify the rationale for the war, he simply refuses to acknowledge the reality. If only, if only he and others in the administration would accept the admonition of David Kay, who was appointed by the President and the Vice President to search for weapons of mass destruction, if he would just simply concur with David Kay's statement that we were all wrong, we could then hopefully make some progress. But we are not going to get that, and we know that.

Mr. INSLEE. Mr. Speaker, if the gentleman will yield further, let me suggest why that is important. It is not a matter of culpability. That is not the issue. But the fact of the matter is if we are going to have a success, we have to have people in the administration, when you have a failed policy, who are willing to evaluate it and change and decide they had said some things that were not true and admit it and change.

But this administration refuses to accept failure. We continue to have simply more of the same, and they want to say, well, we are at least certain, we are at least sure, we are at least resolute.

The best description I had of that is resolution is a good thing, certainty is a good thing, but it is not a good thing to have a firm grip on the wheel if the car is heading over the cliff, and this administration refuses repeatedly to recognize their errors so they can change their policy.

I have a third question the Vice President owes Americans an answer to. Why did the Vice President on March 16, 2003, say, and this is a long quote, but I will get to the summation, ''And we believe he has in fact reconstituted nuclear weapons.''

Why did this Vice President want to create this massive cloud of fear in America about reconstituted nuclear weapons, when even the intelligence reports at that time, and they are now in the public domain, did not support that conclusion? I hate to think it was just to sort of support their predetermined effort to start a war, but it is very difficult to reach a different conclusion, when no one else was saying that except the Vice President. And why, if we now find that is inaccurate, why does the Vice President not just come clean and be candid with the American people, so that we can show some willingness to start a new policy in Iraq?

But they keep clinging to these falsehoods, clinging to these misimpressions, clinging to this false information that they have spewed out across America. And they have been successful in fooling some Americans about the connection of Saddam with al Qaeda. Something like 40 percent of Americans believe that, because they want to believe their Vice President.

We all want to believe our Vice President, but the fact of the matter is, as long as they cling to this, it will make it more difficult to be a successful policy in Iraq.

Mr. DELAHUNT. Again, it is either a deception to mislead or it could be incompetence. But I do not believe it to be incompetence, because no one has ever accused the Vice President of being an individual who does not thoughtfully analyze information. But, again, as Secretary of State Powell concluded, if you have the fever, and he thought that the Vice President had the fever, then you are detached from reality.

For the Secretary of State to use the term ''gestapo office'' as an appropriate description of the separate little government that was established in the office of Undersecretary of Defense Douglas Feith, I think says something about the inability of some people to see the world as it really is, as opposed to what you have decided it to be.

We hear so much about these rosy scenarios that the President and other members of the administration paint regarding Iraq and what is transpiring there, and yet when we hear the truth as it is reported by individuals who do not have a particular ax to grind, such as a reporter from the Wall Street Journal.

The gentleman from Washington (Mr. INSLEE) is, I am sure, an avid reader of the Wall Street Journal. That is a publication that clearly is pro-administration, is very conservative.

But here is what a reporter by the name of Farnaz Fassihi says in e-mails as recently as the 29th of September. ''Being a foreign correspondent in Baghdad these days is like being under virtual house arrest. I leave when I have very good reason to and a scheduled interview. I avoid going to people's homes, and never walk in the streets. I can't go grocery shopping anymore. I can't eat in restaurants, can't strike a conversation with strangers, can't look for stories, can't drive in anything but a full armored car, can't go to scenes of breaking news stories, can't be stuck in traffic, can't speak English outside, can't take a road trip, can't say I'm an American, can't linger at checkpoints. There have been one too many close calls, including a car bomb so near my house that it blew out all the windows. I am now a security personnel first, a reporter second.

''It is hard to pinpoint when the turning point actually began. Was it April when Fallujah fell out of the grasp of the Americans? Was it when Muqtada al-Sadr declared war on the U.S. military? Was it when Sadr City, home to 10 percent of Iraqi's population, became a nightly battlefield for the Americans? Or was it when the insurgency began spreading from isolated pockets in the Sunni Triangle to include most of Iraq? Despite President Bush's rosy assessment, Iraq remains a disaster. If under Saddam it was a potential threat, under the Americans it has been transformed to an imminent and active threat.''

Mr. INSLEE. Mr. Speaker, if the gentleman will yield further , I just wanted to make one point in response to the statement of our friend the gentleman from California (Mr. CUNNINGHAM).

One of the most telling things in the debate of the two presidential candidates last night was where the President said that we had to attack Iraq because the enemy attacked us, and his opponent challenged that and said, ''Well, no, Osama bin Laden attacked us, not Iraq.'' The President said, ''Of course, I know Osama bin Laden attacked us.''

But the problem is this administration and the Vice President has been trying to create a misimpression from day one to tie Saddam Hussein to the attacks of 9/11. I want to respond to the assertion of the gentleman from California (Mr. CUNNINGHAM) to the contrary, to read from the Commission report that says, and the language they used was as categoric as you can get, there is ''no credible evidence,'' no credible evidence, ''of a link between Iraq and the al Qaeda attacks against the United States.''

They did not say that the evidence was suspect, they did not say the evidence is de minimis, they did not say the evidence is debatable. They said there is no, zero, zilch, nada, credible evidence of a connection that this Vice President for the last 2 years has been telling about, trying to create the impression that exists.

He needs to get up in that debate tomorrow, and the first thing he needs to say is, ''You know what? We were wrong. Saddam Hussein for all his faults and his terrible heinous, terrible things he did to Iraqis, Iraq did not attack us on 9/11.'' He owes that statement to Americans. I will be surprised

if we hear it, but I think it would be healthy if we did.

Mr. DELAHUNT. Mr. Speaker, reclaiming my time, I can assure the gentleman we will not hear it. Right now it is all about trying to paint a rosy scenario that is absolutely without any foundation, when the reality is it is a disaster.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. FROST (at the request of Ms. PELOSI) for today on account of personal reasons.

Ms. JACKSON-LEE of Texas (at the request of Ms. PELOSI) for today on account of official business in the district.

Ms. KILPATRICK (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. NADLER (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. ORTIZ (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. REYES (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. TAUZIN (at the request of Mr. DELAY) for today and October 5 and 6 on account of medical reasons.

Mr. BOEHLERT (at the request of Mr. DELAY) for today and the balance of the week on account of medical reasons.

Mr. GERLACH (at the request of Mr. DELAY) for today on account of family commitments.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. STRICKLAND, for 5 minutes, today.

Mr. RYAN of Ohio, for 5 minutes, today.

(The following Members (at the request of Mr. NORWOOD) to revise and extend their remarks and include extraneous material:)

Mr. COLE, for 5 minutes, today.

Mr. SOUDER, for 5 minutes, today.

Mr. OSBORNE, for 5 minutes, October 5.

Mr. BURTON of Indiana, for 5 minutes, October 5, 6, 7, 8, 9.

Mr. WELDON of Florida, for 5 minutes, today.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2273. An act to provide increased rail transportation security; to the Committee on Transportation and Infrastructure.

S. 2435. An act to permit Inspectors General to authorize staff to provide assistance to the National Center for Missing and Exploited Children, and for other purposes; to the Committee on Government Reform.

S. 2495. An act to strike limitations on funding and extend the period of authorization for certain coastal wetland conservation projects; to the Committee on Resources.

S. 2882. An act to make the program for national criminal history background checks for volunteer groups permanent; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 982. An act to clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa.

H.R. 2408. An act to amend the Fish and Wildlife Act of 1956 to reauthorize volunteer programs and community partnerships for national wildlife refuges, and for other purposes.

H.R. 2771. An act to amend the Safe Drinking Water Act to reauthorize the New York City Watershed Protection Program.

H.R. 4115. An act to amend the Act of November 2, 1966 (80 Stat. 1112), to allow binding arbitration clauses to be included in all contracts affecting the land within the Salt River Pima-Maricopa Indian Reservation.

H.R. 4259. An act to amend title 31, United States Code, to improve the financial accountability requirements applicable to the Department of Homeland Security, to establish requirements for the Future Years Homeland Security Program of the Department, and for other purposes.

H.R. 5105. An act to authorize the Board of Regents of the Smithsonian Institution to carry out construction and related activities in support of the collaborative Very Energetic Radiation Imaging Telescope Array System (VERITAS) project on Kitt Peak near Tucson, Arizona.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1537—An act to direct the Secretary of Agriculture to convey to the New Hope Cemetery Association certain land in the State of Arkansas for use as a cemetery.

S. 1663—An act to replace certain Coastal Barrier Resources System maps.

S. 1687—An act to direct the Secretary of the Interior to conduct a study on the preservation and interpretation of the historic sites of the Manhattan Project for potential inclusion in the National Park System.

S. 1778—An act to authorize a land conveyance between the United States and the City of Craig, Alaska, and for other purposes.

S. 2052—An act to amend the National Trails System Act to designate El Camino Real de los Tejas as a National Historic Trail.

S. 2180—An act to direct the Secretary of Agriculture to exchange certain lands in the Arapaho and Roosevelt National Forests in the State of Colorado.

S. 2363—An act to revise and extend the Boys and Girls Clubs of America.

S. 2508—An act to redesignate the Ridges Basin Reservoir, Colorado, as Lake Nighthorse.

BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House, reports that on September 29, 2004 he presented to the President of the United States, for his approval, the following bills.

H.R. 1308. An act to amend the Internal Revenue Code of 1986 to provide tax relief for working families, and for other purposes.

H.R. 3389. To amend the Stevenson-Wydler Technology Innovation Act of 1980 to permit Malcolm Baldrige National Quality Awards to be made to nonprofit organizations.

Jeff Trandahl, Clerk of the House, reports that on September 30, 2004 he presented to the President of the United States, for his approval, the following bills.

H.R. 5149. To reauthorize the Temporary Assistance for Needy Families block grant program through March 31, 2005, and for other purposes.

H.R. 5183. To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

H.J. Res 107. Making continuing appropriations for the fiscal year 2005, and for other purposes.

H.R. 4654. To reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2007, and for other purposes.

ADJOURNMENT

Mr. DELAHUNT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), under its previous order, the House adjourned until tomorrow, Tuesday, October 5, 2004, at 9 a.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

9928. A letter from the Under Secretary for Food, Nutrition, and Consumer Services, Department of Agriculture, transmitting the Department's ''Major'' final rule — Food Stamp Program: Vehicle and Maximum Excess Shelter Expense Deduction Provisions of Pub. L. 106–387 [Amendment No. 396] (RIN: 0584–AD13) received August 6, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9929. A letter from the Deputy Associate Administrator, Environmental Protection

Agency, transmitting the Agency's final rule — Bacillus thuringiensis var. aizawai strain PS811 (Cry1F insecticidal protein); Exemption from the Requirement of a Tolerance [OPP–2004–0249; FRL–7372–6] received September 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9930. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Cyazofamid; Pesticide Tolerance [OPP–2004–0211; FRL–7367–4] received September 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9931. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Dichlormid; Time-Limited Pesticide Tolerances [OPP–2004–0318; FRL–7680–8] received September 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9932. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Forchlorfenuron; Pesticide Tolerance [OPP–2004–0272; FRL–7681–5] received September 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9933. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Mesotrione; Pesticide Tolerances for Emergency Exemptions [OPP–2004–0313; FRL–7678–8] received September 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9934. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Octanal; Exemption from the Requirement of a Tolerance [OPP–2004–0298; FRL–7678–7] received September 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9935. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Sodium Thiosulfate; Exemption from the Requirement of a Tolerance [OPP–2004–0289; FRL–7677–1] received September 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9936. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Dinotefuran; Pesticide Tolerance [OPP–2004–0155; FRL–7368–1] received September 14, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9937. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Thiamethoxam; Pesticide Tolerances for Emergency Exemptions [OPP–2004–0254; FRL–7675–6] received September 14, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9938. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Thifensulfuron Methyl; Pesticide Tolerance [OPP–2004–0277; FRL–7679–4] received September 14, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9939. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Tribenuron Methyl; Pesticide Tolerance [OPP–2004–0278; FRL–7679–5] received September 14, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9940. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Allethrin, Bendiocarb, Burkholderia cepacia, Fenridazon potassium, and Molinate; Tolerance Actions [OPP–2004–0260; FRL–7679–7] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9941. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Fenamidone; Pesticide Tolerance [OPP–2004–0255; FRL–7681–3] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9942. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Fludioxonil; Pesticide Tolerances [OPP–2004–0321; FRL–7682–3] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9943. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Methoxyfenozide; Pesticide Tolerances [OPP–2004–0312; FRL–7681–6] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9944. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Forchlorfenuron; N-(2-Chloro-4-pyridin 1)-N'-phenylurea; Time-Limited Pesticide Tolerance [OPP–2004–0145; FRL–7362–1] received August 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9945. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Isodecyl Alcohol Ethoxylated (2–8 moles) Polymer with Chloromethyl Oxirane; Tolerance Exemption [OPP–2004–0204; FRL–7368–3] received August 16, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9946. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General James B. Peake, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

9947. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Admiral Gregory G. Johnson, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

9948. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Robert R. Dierker, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

9949. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting Authorization of Captain Adam M. Robinson, Jr., United States Navy, to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

9950. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting Authorization of Rear Admiral John M. Mateczun and Rear Admiral Michael C. Tracy to wear the insignia of the grade of rear admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

9951. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting Authorization of Lieutenant General Bantz J. Craddock, United States Army, to wear the insignia of the grade of general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

9952. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting Authorization of Vice Admiral Timothy J. Keating, United States Navy, to wear the insignia of the grade of admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

9953. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting Authorization of Major General John M. Brown III, United States Army, to wear the insignia of the grade of lieutenant general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

9954. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting Authorization of Major General James F. Amos, United States Marine Corps, to wear the insignia of the grade of lieutenant general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

9955. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the grade of admiral and vice admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

9956. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the grade of vice admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

9957. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to the United Arab Emirates pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

9958. A letter from the Secretary, Department of Energy, transmitting Certification that the groundbreaking for the Depleted Uranium Hexafluoride Conversion facilities at the Paducah Gaseous Diffusion Plant in Kentucky and at the Portsmouth Gaseous Diffusion Plant in Ohio occurred on July 27 and 28, 2004, respectively, pursuant to Public Law 107–206 section 502(3) (116 Stat. 852); to the Committee on Energy and Commerce.

9959. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Interim Final Determination to Stay and/or Defer Sanctions, Maricopa County Environmental Services Department [AZ 134–082; FRL–7818–1] received September 24, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9960. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Classifications for the 8-Hour Ozone National Ambient Air Quality Standards [OAR–2003–0083; FRL–7816–2] received September 17, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9961. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule

— Approval and Promulgation of Implementation Plans Kentucky and Indiana: Approval of Revisions to 1-Hour Ozone Maintenance Plan for Louisville Area [KY–146, 148–200419; IN 12–1–4; FRL–7812–4] received September 17, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9962. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans North Carolina: Raleigh/Durham Area and Greensboro/Winston-Salem/High Point Area Maintenance Plan Updates [R04–OAR–2004–NC–0002–200417(a); FRL–7815–9] received September 17, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9963. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Nevada; Las Vegas Valley Carbon Monoxide Nonattainment Area [NV–043–080; FRL–7801–8] received September 17, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9964. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion [SW–FRL–7816–9] received September 17, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9965. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Missouri: Final Approval of Missouri Underground Starage Tank Program [FRL–7816–1] received September 17, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9966. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District [CA 307–0466a; FRL–7812–2] received September 17, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9967. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Update to Materials Incorporated by Refernce [DC101–2029; FRL–7791–9] received August 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9968. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans Georgia: Approval of Revisions to the State Implementation Plan; Correction [R04–OAR–2004–GA–0001–200420C; FRL–7798–7] received August 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9969. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans South Carolina; Source Testing [R04–OAR–2003–SC–200416(a); FRL–7799–5] received August 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9970. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Revised Major Stationary Source Applicability for Reasonably Available Control Technology in the Northern Virginia Ozone Nonattainment Area [VA146–5080a; FRL–7798–6] received August 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9971. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Finding of Failure to Attain and Reclassification to Serious Nonattinament; Imperial Valley Planning Area; California; Particulate Matter of 10 Microns or Less [CA 109–RECLAS; FRL–7800–5] received August 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9972. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Longmont Revised Carbon Monoxide Maintenance Plan [RME Docket Number R08–OAR–2004–CO–0003; FRL–7822–3] received September 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9973. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; Northern Engraving Environmental Cooperative Agreement [WI117–01–7347a; FRL–7637–2] received September 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9974. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production [FRL–7812–8] received September 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9975. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Nebraska; Final Autorization of State Hazardous Waste Management Program Revision [FRL–7823–8] received September 29, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9976. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Designations and Classificationd for the 8-Hour Ozone National Ambient Air Quality Standards; Las Vegas, Nevada Nonattainment Area [OAR–2003–0083; FRL–7815–3] received September 14, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9977. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Revised Major Stationary Source Applicability for Reasonably Available Control Technology and Permitting and Revised Offset Ratios for the Washington Area [MD153–3111; FRL–7813–1] received September 14, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9978. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Denver Revised Carbon Monoxide Maintenance Plan [RME Docket Number R08–OAR–2004–CO–0001; FRL–7813–3] received September 14, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9979. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans Kentucky: 1-Hour Ozone Maintenance Plan Update for Lexington Area [R04–OAR–2004–KY–0001 200423; FRL–7813–9] received September 14, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9980. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Section 112(l) Authority for Hazardous Air Pollutants; Maryland Equivalency by Permit Provisions; NESHAP for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills [MD001–1001a; FRL–7813–6] received September 14, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9981. A letter from the Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Afghanistan for construction services (Transmittal No. 04–18), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

9982. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to the Netherlands for defense articles and services (Transmittal No. 04–38), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

9983. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting notification concerning the Department of the Army's Proposed Letter(s) of Offer and Acceptance (LOA) to Canada for defense articles and services (Transmittal No. 04–27), pursuant to 22 U.S.C. 2776(b); to the Committee on International Relations.

9984. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting reports in accordance with Section 36(a) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(a); to the Committee on International Relations.

9985. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles that are firearms controlled under category I of the United States Munitions List sold commercially under a contract with Italy (Transmittal No. DDTC 075–04), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

9986. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles that are firearms controlled under category I of the United States Munitions List sold commercially under a contract with Canada (Transmittal No. DDTC 050–04), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

9987. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad with Spain (Transmittal No. DDTC 074–04), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

9988. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad with Egypt (Transmittal No.

DDTC 070–04), pursuant to 22 U.S.C. 2776(d); to the Committee on International Relations.

9989. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Israel (Transmittal No. DDTC 077–04), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

9990. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Germany (Transmittal No. DDTC 055–04), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

9991. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed license for the export of defense articles or defense services sold commercially under a contract to Canada (Transmittal No. DDTC 058–04), pursuant to 22 U.S.C. 2776(c); to the Committee on International Relations.

9992. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles or defense services to Japan (Transmittal No. DDTC 076–04), pursuant to 22 U.S.C. 2776(c–d); to the Committee on International Relations.

9993. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles or defense services to the United Kingdom and Italy (Transmittal No. DDTC 047–04), pursuant to 22 U.S.C. 2776(c–d); to the Committee on International Relations.

9994. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

9995. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

9996. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

9997. A letter from the Acting Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 62(a) of the Arms Export Control Act (AECA), Transmittal No. 05–04, concnering the Office of the Assistant Secretary of Defense's proposed lease of defense articles to the Government of Bahrain; to the Committee on International Relations.

9998. A letter from the Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(5)(A) of the Arms Export Control Act (AECA) as amended, Transmittal No. 0A–04, relating to enchancements or upgrades for Egypt of AIM-9M missiles from the level of sensitivity of technology or capability described in Section 36(b)(1) AECA, as amended certification 03–15 on 17 July 2003; to the Committee on International Relations.

9999. A letter from the Deputy Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001; to the Committee on International Relations.

10000. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, certification regarding the proposed transfer of major defense equipment among the Governments of Belgium, Denmark, the Netherlands, and Norway (Transmittal No. RSAT–2–04); to the Committee on International Relations.

10001. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, certification regarding the proposed transfer of major defense equipment from the Government of Germany to the Government of Spain; to the Committee on International Relations.

10002. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, certification regarding the proposed transfer of major defense equipment from the Government of the Netherlands to the Government of Germany (Transmittal No. RSAT–05–04); to the Committee on International Relations.

10003. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2004–42, Continuation of U.S. Drug Interdiction Assistance to the Government of Colombia, pursuant to the authority in Section 1012 of the National Defense Authorization Act for FY 1995, as amended, pursuant to 22 U.S.C. 2291–4; to the Committee on International Relations.

10004. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2004–41, Waiving Prohibition on United States Military Assistance with Respect to the Republic of the Congo, consistent with Section 2007(a) of the American Servicemembers' Protection Act of 2002, Title II, of Pub. L. 107–276; to the Committee on International Relations.

10005. A letter from the Chairman and General Counsel, National Labor Relations Board, transmitting the Board's Inherently Governmental and Commercial Activities Inventory for FY 2004, as required by the Federal Activities Inventory Reform Act of 1998 (the FAIR ACT); to the Committee on Government Reform.

10006. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, ''Sufficiency Review of the Water and Sewer Authority's Fiscal Year 2004 Revenue Estimate in Support of the Issuance of $280 Million in Revenue Bonds''; to the Committee on Government Reform.

10007. A letter from the Director, Office of Personnel Management, transmitting the semiannual report on the activities of the Inspector General and the Management Response for the period of October 1, 2003 to March 31, 2004, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

10008. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the designation as ''foreign terrorist organization '' pursuant to Section 219 of the Immigration and Nationality Act, pursuant to 8 U.S.C. 1189; to the Committee on the Judiciary.

10009. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Oil Pollution Prevention and Response; Non-Transportation-Related Onshore and Offshore Facilities [OPA–2004–0003; FRL–7800–2] (RIN: 2050–AC62) received August 9, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

10010. A letter from the Director, Office of National Drug Control Policy, transmitting the ''Plan Colombia/Andean Ridge Counterdrug Initiative Semi-Annual Obligation Report, 1st and 2nd Quarters Fiscal Year 2004,'' pursuant to the President's delegation by Executive Order 13313, pursuant to Public Law 106–246, section 3204(e); jointly to the Committees on International Relations and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BARTON: Committee on Energy and Commerce. S. 551. An act to provide for the implementation of air quality programs developed in accordance with an Intergovernmental Agreement between the Southern Ute Indian Tribe and the State of Colorado concerning Air Quality Control on the Southern Ute Indian Reservation, and for other purposes (Rept. 108–712, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. S. 1814. An act to transfer federal lands between the Secretary of Agriculture and the Secretary of the Interior (Rept. 108–716, Pt. 1). Ordered to be printed.

Mr. POMBO: Committee on Resources. H.R. 3176. A bill to designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, and for other purposes; with an amendment (Rept. 108–717). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 4389. A bill to authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, California, and for other purposes (Rept. 108–718, Pt. 1). Ordered to be printed.

Mr. POMBO: Committee on Resources. H.R. 3391. A bill to authorize the Secretary of the Interior to convey certain lands and facilities of the Provo River Project; with an amendment (Rept. 108–719). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 4593. A bill to establish wilderness areas, promote conservation, improve public land, and provide for the high quality development in Lincoln County, Nevada, and for other purposes; with an amendment (Rept. 108–720). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARTON: Committee on Energy and Commerce. H.R. 4667. A bill to authorize and facilitate hydroelectric power licensing of the Tapoco Project, and for other purposes (Rept. 108–721, Pt. 1). Ordered to be printed.

Mr. HEFLEY: Committee on Standards of Official Conduct. Investigation of Certain Allegations Related to Voting on the Medicare

Prescription Drug, Improvement, and Modernization Act of 2003 (Rept. 108–722). Referred to the House Calendar.

Mr. SESSIONS: Committee on Rules. House Resolution 814. Resolution providing for consideration of the bill (S. 878) to authorize an additional permanent judgeship in the district of Idaho, and for other purposes (Rept. 108–723). Referred to the House Calendar.

Mr. HOEKSTRA: Permanent Select Committee on Intelligence. H.R. 10. A bill to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination, and for other purposes; with an amendment (Rept. 108–724, Pt. 1). Ordered to be printed.

Mr. HUNTER: Committee on Armed Services. H.R. 10. A bill to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination, and for other purposes; with amendments (Rept. 108–724, Pt. 2). Ordered to be printed.

Mr. OXLEY: Committee on Financial Services. H.R. 10. A bill to provide for reform of the intelligence community, terrorism prevention and prosecution, border security, and international cooperation and coordination, and for other purposes; with an amendment (Rept. 108–724, Pt. 3). Ordered to be printed.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Armed Services discharged from further consideration. H.R. 4389 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Pursuant to clause 2 of rule XII the Committee on Agriculture and Education and the Workforce discharged from further consideration. S. 1814 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[The following actions occurred on October 1, 2004]

H.R. 180. Referral to the Committee on Rules extended for a period ending not later than November 19, 2004.

H.R. 2971. Referral to the Committees on Financial Services, Energy and Commerce, and the Judiciary extended for a period ending not later than November 19, 2004.

H.R. 3143. Referral to the Committees on Financial Services, International Relations, and the Judiciary extended for a period ending not later than November 19, 2004.

H.R. 3358. Referral to the Committee on the Budget extended for a period ending not later than November 19, 2004.

H.R. 3551. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than November 19, 2004.

H.R. 3800. Referral to the Committee on the Budget extended for a period ending not later than November 19, 2004.

H.R. 3925. Referral to the Committee on the Budget extended for a period ending not later than November 19, 2004.

H.R. 4794. Referral to the Committee on International Relations extended for a period ending not later than November 19, 2004.

[The following actions occurred on October 4, 2004]

H.R. 10. Referral to the Committees on Education and the Workforce, Energy and Commerce, Government Reform, International Relations, the Judiciary, Rules, Science, Transportation and Infrastructure, Ways and Means, and the Select Committee on Homeland Security extended for a period ending not later than October 5, 2004.

H.R. 4389. Referral to the Committee on Armed Services extended for a period ending not later than October 4, 2004.

H.R. 1814. Referral to the Committees on Agriculture and Education and the Workforce extended for a period ending not later than October 4, 2004.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ENGLISH (for himself, Mr. MURPHY, and Ms. HART):

H.R. 5201. A bill to suspend temporarily the duty on electron guns for cathode ray tubes (CRT's) with a high definition television screen aspect ratio of 16:9, and for other purposes; to the Committee on Ways and Means.

By Mr. YOUNG of Florida:

H.R. 5202. A bill to clarify the treatment of supplemental appropriations in calculating the rate for operations applicable for continuing appropriations for fiscal year 2005; to the Committee on Appropriations. considered and passed.

By Mr. STENHOLM (for himself, Mr. REHBERG, Mr. ETHERIDGE, Mr. EVERETT, Mr. BERRY, Mr. BOSWELL, Mr. EDWARDS, Mr. OSBORNE, Mr. POMEROY, Mr. DAVIS of Tennessee, Mr. PETERSON of Minnesota, and Mr. NEUGEBAUER):

H.R. 5203. A bill to provide emergency agricultural disaster assistance; to the Committee on Agriculture.

By Ms. ESHOO:

H.R. 5204. A bill to amend section 340E of the Public Health Service Act (relating to children's hospitals) to modify provisions regarding the determination of the amount of payments for indirect expenses associated with operating approved graduate medical residency training programs; to the Committee on Energy and Commerce.

By Mr. CASE:

H.R. 5205. A bill to extend the boundary of the Hawai'i Volcanoes National Park in the State of Hawaii; to the Committee on Resources.

By Mr. FOLEY:

H.R. 5206. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain hazard mitigation assistance; to the Committee on Ways and Means.

By Mr. FOSSELLA (for himself and Mr. COX):

H.R. 5207. A bill to amend title 10, United States Code, to increase the amount of the military death gratuity from $12,000 to $75,000; to the Committee on Armed Services.

By Mr. MEEHAN:

H.R. 5208. A bill to prohibit the possession of a firearm in a hospital zone; to the Committee on the Judiciary.

By Mr. MEEHAN:

H.R. 5209. A bill to adjust the boundary of Lowell National Historical Park, and for other purposes; to the Committee on Resources.

By Ms. BALDWIN:

H. Con. Res. 508. Concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued by the United States Postal Service honoring Robert ''Fighting Bob'' La Follette, Sr., and that the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued; to the Committee on Government Reform.

By Mr. NETHERCUTT (for himself, Ms. DUNN, and Mr. BLUNT):

H. Con. Res. 509. Concurrent resolution urging the President to withdraw the United States from the 1992 Agreement on Government Support for Civil Aircraft with the European Union and immediately file a consultation request, under the Understanding on Rules and Procedures Governing the Settlement of Disputes of the World Trade Organization, on the matter of injury to, and adverse effects on, the commercial aviation industry of the United States; to the Committee on Ways and Means.

By Mr. MOORE (for himself, Mr. RYUN of Kansas, Mr. MORAN of Kansas, Mr. OWENS, Mr. BLUMENAUER, and Mr. BURNS):

H. Res. 815. A resolution congratulating Andrew Wojtanik for winning the 16th Annual National Geographic Bee, conducted by the National Geographic Society; to the Committee on Government Reform.

By Mr. CROWLEY:

H. Res. 816. A resolution recognizing the holiday of Diwali; to the Committee on Government Reform.

By Mr. MCDERMOTT (for himself, Mr. INSLEE, Mr. BAIRD, Mr. LARSEN of Washington, Mr. NETHERCUTT, Mr. DICKS, Mr. HASTINGS of Washington, Ms. DUNN, and Mr. SMITH of Washington):

H. Res. 817. A resolution congratulating Ichiro Suzuki for breaking the Major League Baseball record for hits in a single season; to the Committee on Government Reform.

By Mr. RODRIGUEZ:

H. Res. 818. A resolution celebrating the 50th anniversary of the opening of the Falcon International Dam, recognizing the dam's importance as a source of water and power and as a symbol of friendship and cooperation between the United States and the United Mexican States, and urging Mexico to honor all of its obligations under the 1944 Treaty Relating to the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 10: Mr. BURR, Mr. GREEN of Wisconsin, Mr. MCINNIS, Mr. GOODLATTE, Mr. ISSA, Mr. PICKERING, and Mr. SESSIONS.

H.R. 104: Mr. NADLER and Mr. GRIJALVA.

H.R. 677: Ms. HERSETH.

H.R. 728: Mr. PICKERING.

H.R. 734: Ms. MCCOLLUM.

H.R. 792: Ms. HERSETH.

H.R. 832: Mr. UDALL of Colorado.

H.R. 918: Mr. MCNULTY.

H.R. 972: Mr. MEEHAN.

H.R. 1268: Mr. GRIJALVA.

H.R. 1294: Mrs. MALONEY.

H.R. 1508: Mr. BUTTERFIELD, Mr. MARKEY, and Mr. EMANUEL.

H.R. 1677: Mr. EVANS.

H.R. 1734: Mr. PETERSON of Minnesota and Mr. MOORE.

H.R. 2107: Mr. MARKEY, Mr. RODRIGUEZ, and Mr. WYNN.

H.R. 2135: Mr. FOSSELLA.

H.R. 2173: Mr. BOSWELL.

H.R. 2295: Ms. HERSETH.

H.R. 2680: Mr. HILL, Mr. PETERSON of Minnesota, Mr. MATHESON, Ms. PRYCE of Ohio,

Mr. BURGESS, Mr. NORWOOD, Mrs. BIGGERT, Mr. LATHAM, Mr. CASTLE, and Mr. GREENWOOD.

H.R. 2724: Mr. OWENS.

H.R. 2967: Mr. FOSSELLA.

H.R. 3352: Ms. HARMAN.

H.R. 3459: Ms. SLAUGHTER and Mrs. LOWEY.

H.R. 3558: Mr. ANDREWS, Mr. MURTHA, and Mr. VAN HOLLEN.

H.R. 3803: Mr. CUMMINGS.

H.R. 3859: Mr. COOPER and Mr. LEWIS of Georgia.

H.R. 4067: Ms. MILLENDER-MCDONALD and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 4188: Mr. STARK.

H.R. 4233: Ms. CARSON of Indiana.

H.R. 4257: Mr. WALDEN of Oregon.

H.R. 4264: Mr. SHERMAN and Mr. SIMMONS.

H.R. 4292: Mr. WAXMAN.

H.R. 4591: Mr. FRANK of Massachusetts, Mr. UDALL of Colorado, Mr. EMANUEL, Ms. WOOLSEY, Mr. RAHALL, Mr. GUTIERREZ, Mr. ACEVEDO-VILA, Mrs. JONES of Ohio, Ms. SCHAKOWSKY, Mr. OWENS, Mr. NADLER, Mr. RUSH, Mr. HONDA, Mr. WEXLER, Mr. MCDERMOTT, Ms. JACKSON-LEE of Texas, Mr. CONYERS, and Mr. WEINER.

H.R. 4595: Mr. WEXLER.

H.R. 4610: Mr. DAVIS of Alabama.

H.R. 4616: Ms. LINDA T. SÁNCHEZ of California.

H.R. 4626: Mr. SOUDER and Ms. WOOLSEY.

H.R. 4634: Mr. PORTER.

H.R. 4674: Mr. LANTOS.

H.R. 4682: Mr. CROWLEY, Ms. PELOSI, Mr. SCOTT of Virginia, Mr. BRADY of Pennsylvania, and Ms. WATSON.

H.R. 4689: Mr. NADLER.

H.R. 4706: Mr. LIPINSKI, Ms. MILLENDER-MCDONALD, and Mr. CARDIN.

H.R. 4711: Mr. GUTIERREZ.

H.R. 4793: Mr. CUMMINGS and Ms. WOOLSEY.

H.R. 4802: Mr. RODRIGUEZ and Mr. VAN HOLLEN.

H.R. 4830: Mr. OWENS, Mr. MORAN of Virginia, and Mr. SANDLIN.

H.R. 4835: Mr. PASTOR.

H.R. 4839: Mr. GORDON.

H.R. 4860: Mr. SHERMAN.

H.R. 4895: Mr. MILLER of Florida and Mr. BISHOP of Utah.

H.R. 4896: Mrs. MALONEY, Ms. MCCOLLUM, Mr. RYAN of Ohio, and Mr. RAHALL.

H.R. 4906: Mr. PICKERING.

H.R. 4910: Mr. RAHALL, Mr. EMANUEL, Mr. SCHIFF, Mrs. NAPOLITANO, and Mr. TURNER of Texas.

H.R. 4924: Mr. STEARNS, Mr. BILIRAKIS, Ms. HARRIS, Mr. LINCOLN DIAZ-BALART of Florida, and Mr. FEENEY.

H.R. 4948: Mr. REYES.

H.R. 5028: Mr. RYAN of Ohio, Mr. BROWN of Ohio, Mr. BOEHNER, and Mr. GRAVES.

H.R. 5061: Mr. MCCOTTER, Mr. FOLEY, Mr. SHERMAN, and Mr. FILNER.

H.R. 5079: Mr. PICKERING.

H.R. 5080: Mr. PICKERING.

H.R. 5110: Ms. LEE and Mr. MCGOVERN.

H.R. 5132: Mr. ACEVEDO-VILÁ.

H.R. 5135: Mr. FALEOMAVAEGA and Mr. RADANOVICH.

H.R. 5144: Mr. BURR, Mr. LANTOS, Ms. SCHAKOWSKY, and Mr. TIBERI.

H.R. 5150: Mr. OLVER, Mr. TOWNS, Mr. LANGEVIN, Mr. DAVIS of Florida, Mr. MEEKS of New York, Mrs. DAVIS of California, Mr. KENNEDY of Rhode Island, Mr. RAHALL, and Mr. BERRY.

H.R. 5195: Mr. HOLDEN, Mr. OTTER, Mr. SIMPSON, Mr. KINGSTON, Mr. NETHERCUTT, Mr. LAHOOD, and Mr. LATOURETTE.

H.R. 5199: Mr. STENHOLM, Mr. KENNEDY of Rhode Island, Mr. COOPER, and Mrs. MALONEY.

H. Con. Res. 304: Mr. MILNER and Mr. FEENEY.

H. Con. Res. 306: Mr. UDALL of New Mexico.

H. Con. Res. 496: Ms. JACKSON-LEE of Texas, Mr. MCDERMOTT, Mr. SCOTT of Georgia, Ms. SCHAKOWSKY, Mr. THOMPSON of Mississippi, Ms. WATSON, Mr. WAXMAN, Mr. WEINER, Mr. DEUTSCH, Mr. HASTINGS of Florida, Mr. MENENDEZ, and Mr. CAPUANO.

H. Res. 341: Ms. ROS-LEHTINEN and Mr. WEXLER.

H. Res. 746: Ms. WOOLSEY and Mr. RODRIGUEZ.

H. Res. 774: Ms. LINDA T. SÁNCHEZ of California, and Mr. FOLEY.

H. Res. 782: Mrs. DAVIS of California, Mr. MCGOVERN, Mr. WEXLER, Ms. MCCOLLUM, and Mr. DEUTSCH.

H. Res. 797: Mr. FATTAH, Mr. MEEKS of New York, and Mrs. MALONEY.

H. Res. 809: Ms. ROS-LEHTINEN.

H. Res. 810: Ms. CORRINE BROWN of Florida, Ms. JACKSON-LEE of Texas, Ms. LEE, Ms. SCHAKOWSKY, Mr. TOWNS, Ms. WATERS, Ms. WATSON, and Mr. WEXLER.

H. Res. 813: Mr. WEXLER, Mr. FATTAH, Ms. WATSON, Ms. SCHAKOWSKY, and Mr. OWENS.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 10

OFFERED BY: MR. PLATTS

AMENDMENT NO. 1: At the end of subtitle A of title I (page 60, after line 9), add the following new section:

SEC. 1018. DEPUTY NATIONAL INTELLIGENCE DIRECTOR FOR FINANCE.

(a) DEPUTY NATIONAL INTELLIGENCE DIRECTOR FOR FINANCE.—There is a Deputy National Intelligence Director for Finance who shall be appointed by the National Intelligence Director.

(b) SUPERVISION.—The Deputy National Intelligence Director for Finance shall report directly to the National Intelligence Director.

(c) DUTIES.—The Deputy National Intelligence Director for Finance shall—

(1) assist the National Intelligence Director in the preparation and execution of the budget of the elements of the intelligence community within the National Intelligence Program;

(2) provide unfettered access to the Director to financial information under the National Intelligence Program; and

(3) perform such other duties as may be prescribed by the Director or specified by law.