

DEMOCRACY BUILDING

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

Mr. SNYDER. Mr. Speaker, Stephen Kinzer, in his book, "All the Shah's Men," describes the events of the overthrow of the Iranian Government in 1953 in a coup staged by the United States and the British. President Truman did not support overthrowing the government of Prime Minister Mossadeq. In this picture taken in 1951 here in Washington, D.C., you can see his relationship with Mossadeq, who he respected as a nationalist. However, the Eisenhower government came in, President Eisenhower supported the coup, and the government was overthrown in 1953.

I thought of these events on hearing the President's speech yesterday calling for the spread of democracy in the Middle East. Stephen Kinzer in his interviews with Iranians asked them in the past what they had thought of American overtures talking about democracy in Iran, and their response was we had a democracy, but you Americans overthrew it.

We all support democracy and democratic ideals, but when it comes to remaking societies, Mr. Speaker, we should approach this with humility, realism, and a sense of history.

LT. COLONEL WEST SHOULD BE GIVEN MEDAL, NOT COURT MARTIALED

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

Mr. DUNCAN. Mr. Speaker, this coming Monday, Lt. Colonel Allan West is scheduled to face an article 32 hearing to see if he should be court martialed.

Colonel West is accused of threatening an Iraqi prisoner. According to news reports, Colonel West shot his handgun into a firing barrel and also fired it near this prisoner. He did not harm the prisoner in any way, but he apparently scared him into giving information that foiled an attack on American soldiers.

If these news reports are accurate, Colonel West saved many American lives. This is a man who has served honorably for almost 20 years in the United States Army. He should not be court martialed. He should be given a medal for saving American lives.

ECONOMIC GROWTH

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

Mrs. MILLER of Michigan. Mr. Speaker, if we needed any more proof of an improving economy following last week's outstanding economic growth figures, we just got it. The

manufacturing sector of our economy, which is important to so many States, including my home State of Michigan, appears to be turning around with a vengeance.

October's indices showed manufacturing expanding more rapidly than at any time since January of 2000. The report also showed new orders for manufactured goods, the key to future growth, are at their highest levels since 1999. Overall construction spending has reached its highest level ever. Existing home sales are at record highs. And, of course, this morning we got the greatest news of all: unemployment fell in October and the economy created 126,000 new jobs.

Every American should be happy. The Bush tax cuts are working; the economy is on the rise. But what is the response to all this good news from my friends on the other side of the aisle? More pessimism. More gloom and doom. Mr. Speaker, I am beginning to wonder if they view good economic news as good news at all.

DISABLED VETERANS TAX

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

Mr. DEFAZIO. Mr. Speaker, the disabled veterans tax: more than one-half million disabled veterans, career military, have their disability benefits off-set dollar for dollar against their retirement. What does that mean? It means a retired master sergeant, 100 percent disabled, is taxed at a rate of 50 percent.

Now, the President rushed through relief for millionaires who had to pay a tax of 35 percent on the dividends they clipped off their stocks, and this House accommodated that, but he says there is no money to help out those disabled veterans. We cannot afford, the President says, to offset or reduce that tax or eliminate that unfair tax on our disabled veterans.

Well, that is pretty strange when we can do that for millionaires and billionaires; but somehow, as Veterans' Day comes upon us, we can only give a tiny bit of relief phased in over 10 years to some of these veterans who are subjected to this outrageous tax, despite the fact that almost every Member of the House is a sponsor of a bill to totally repeal it. But they are afraid to put their names from the Republican side on a petition to force that bill to the floor of the House.

Sign the petition. Have the guts to deliver for your veterans.

REPUBLICAN TAX RELIEF SPURS JOB CREATION

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

Mr. WILSON of South Carolina. Mr. Speaker, yesterday we learned that

jobless claims dropped to a 2½-year low, further signifying the success of the Republican tax relief championed by President George W. Bush. This follows last week's historic news that the economy is growing at the highest rate in nearly 20 years, as the GDP grew by 7.2 percent in the last quarter.

Last week was the fourth straight week in which jobless claims were below 400,000, as claims dropped to 348,000. In headlines across America today, Federal Reserve Chairman Alan Greenspan said of the decrease in jobless claims, that "the odds increasingly favor a revival in job creation." As Democrats continue to try to talk down the economy, the news of the recovery is just too clear to ignore: 126,000 new jobs in October were announced this morning.

Republican policies of tax relief, fiscal discipline, corporate accountability, and national defense to protect American families from terrorists have restored our Nation's confidence and promoted a healthy business environment.

In conclusion, God bless our troops.

THE ECONOMY

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

Mr. KINGSTON. Mr. Speaker, the economy is turning around: a 7.2 percent growth last quarter in the gross domestic product, the largest since Ronald Reagan cut taxes in 1984. The jobless claims have fallen. More people are working than ever before. Productivity has increased. Tax cuts work.

Why do they work? Because the more money a worker has in his pocket, the more money he is going to spend. When he goes out and buys more clothes, tires, or hamburgers, small businesses react by expanding their inventory. When they do that, they also hire more employees. When more people have jobs, more people are working, more people pay taxes, and less people are dependent on government welfare checks.

Tax cuts work. The best solutions are always seen in the private sector and not in government. I hope the next time when we have an opportunity to make these tax cuts permanent that we can get the Democrats, particularly those in the other body, to join us in making these tax cuts a permanent part of our Tax Code.

CONFERENCE REPORT ON H.R. 1588, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 437 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 437

Resolved, That upon adoption of this resolution it shall be in order to consider the

conference report to accompany the bill (H.R. 1588) to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for the purposes of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

This morning, the Committee on Rules met and granted a normal conference report rule for H.R. 1588, the Defense Authorization Act for Fiscal Year 2004. The rule waives all points of order against the conference report and against its consideration.

In addition, the rule provides for 1 hour of debate equally divided and controlled between the chairman and ranking minority member of the House Committee on Armed Services.

Mr. Speaker, this should not be a controversial rule. It is the type of rule we grant for every conference report we consider in the House. And I want to especially give my thanks to the chairman and ranking member of this committee, because they have done a phenomenal job with this bill. It is a bill that sets an example for the rest of the committees in the House as far as working together and doing what is right for the country and what is right for our servicemen.

This legislation firmly shows our commitment to restoring the strength of our Nation's military. The conferees authorize \$400.5 billion in budget authority for the Department of Defense and the national security programs of the Department of Energy, which matches the President's request.

The legislation authorizes the funding necessary to defend the Nation and our interests around the globe. It contains important provisions, such as concurrent receipt pay for the Nation's veterans, commonsense environmental reforms allowing our troops to properly train, and important new benefits for military personnel and their families.

The Iraqi conflict and our continuing war on terrorism have brought a renewed and proper focus on national defense. We owe much to our men and women in uniform; and their success in Iraq and Afghanistan is a testament to their bravery, training and equipment, and their commitment to defend our freedoms. It is the means by which we meet our commitment to provide them a decent quality of life with an across-the-board 4.15 percent increase for military personnel, so as to sustain the commitment and professionalism of

America's all-volunteer armed services and the families that support them.

The pay raise will cut the pay gap between military and civilian jobs from 6.4 to 5.5 percent. This will be the fifth consecutive year that pay raises have exceeded that of the private sector.

For our active soldiers, the conferees increased the rates of special pay for those subject to hostile fire and imminent danger worldwide from \$150 a month to \$225 per month for the period beginning October 1 of 2003, through December 31 of 2004.

We also want to acknowledge where these active soldiers get the source of their strength. It is from their families here at home. And we are increasing the family separation allowance for servicemembers with dependents from \$100 a month to \$250 a month for the period October 1 this year through December 31 of 2004.

I also want to take a moment to personally thank the gentleman from California (Mr. HUNTER) for tirelessly fighting for the solid "Buy American Provisions" that are included in this conference report. That is extremely important to my State of North Carolina.

The ongoing war on terrorism dictates the need to have reliable domestic sources of weapons and equipment. Unfortunately, fewer American companies are designing and manufacturing the components and materials used in our military systems, as the U.S. industrial base is becoming more dependent on foreign sources. And this is a disturbing factor to me, as I know it is to the gentleman from California (Chairman HUNTER). We have got to be able to produce these equipment needs here in the United States so we are not at the mercy of some other country if they decide for some reason to cut us off.

However, I am very disappointed, and I know the chairman is too, that the conference report did not include a key provision that was passed by the House that would ensure that all the components of the Department of Defense uniforms come from American companies. The language specifically worked to more adequately cover domestic textiles and leather industries.

I would also like to congratulate my good friend and colleague on the Committee on Rules, the gentleman from Washington (Mr. HASTINGS), for authoring the 1-year citizenship provision for our valiant servicemen and women. It reduces the length of service requirement for naturalization to 1 year. And I would also like to note that the ranking member on the Committee on Rules, the gentleman from Texas (Mr. FROST), worked hard on this issue as well.

On a positive note, I am extremely pleased and proud that H.R. 1588 establishes a payment program to simultaneously compensate disabled military retirees who were injured in combat for their full retirement pay from DOD and disability compensation from the Vet-

erans Administration beginning January 1, 2004. Over the next 10 years, this bill will provide concurrent receipt to more veterans than have ever been covered by current law. Our veterans have given deeply and heroically, and it is only fair we recognize their service.

So let us pass this rule and pass the underlying defense authorization conference report. At the end of the day, we will be making our homeland safer, and we will be supporting our sons and daughters serving in our military. We are also preparing for war, thereby ensuring victory. At this crucial time in our history, this bill is most important.

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

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

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

Mr. FROST. Mr. Speaker, for all of my 25 years in this Congress, I have worked to strengthen America's military and to increase our national security. Like other defense proponents on both sides of the aisle, I have bent over backwards to put politics aside and work together to support America's men and women in uniform.

For instance, nearly 18 months ago, I introduced the Citizenship for America's Troops Act, a bill to help U.S. troops who are legal immigrants by easing the costly and burdensome obstacles that they face in the current citizenship process. Working with Democrats and Republicans in the House and the Senate, a good compromise was finally reached, one that is in this defense authorization conference report. It is not perfect, but it does provide much-needed relief to the more than 37,000 patriotic legal immigrants on active duty in the U.S. military, brave men and women who have been fighting and dying for a country in which they could not even vote.

This kind of cooperation and bipartisanship approach, Mr. Speaker, is fundamental to our efforts to keep America's military strong, especially at a time when so many Americans are losing faith in President Bush's ability to win the peace in Iraq.

While this conference report offers much to be proud of, Mr. Speaker, like the military pay raise and health care benefits for the National Guard and Reserves that Democrats have fought for, it also demonstrates how bipartisanship is becoming increasingly rare under this all-Republican government.

During the conference committee negotiations on this bill, Republican leaders shut out Democrats, including the distinguished ranking member of the Committee on Armed Services, the gentleman from Missouri (Mr. SKELTON), on some key areas of the conference. And the gentleman from Missouri will speak about those in more length. This is part of a clear and dangerous pattern by Republican leaders. We have seen it on the energy bill, the

Medicare bill, and the FAA bill; but it is extraordinarily disappointing to see America's national defense policy treated in such a partisan manner.

Moreover, the conference report itself contains several provisions where Republican ideology clearly trumped solid national defense policy. In the interest of time, I am going to just mention three examples.

First, why will President Bush and the Republicans not listen to the veterans and Democrats who are fighting to repeal the disabled veterans tax? Right now it penalizes nearly 560,000 disabled veterans, denying them \$3 billion in military retirement benefits each year. As the American Legion has said, Mr. Speaker, the right thing to do is repeal the tax for all service-disabled military retirees. Democrats have proposed a plan to do that; but Republicans, led by President Bush, continue to block it. In fact, in this bill, Republicans refuse to help almost 70 percent of those disabled veterans, Mr. Speaker.

So when Republican Members are at home for Veterans' Day celebrations next week, I hope they will be honest with the people about the provisions in this bill which provide only partial relief to only a fraction of America's disabled veterans. I hope they will explain that they did not think they could afford to restore military retirement benefits to 390,000 disabled veterans because they spent so much of the U.S. Treasury on tax breaks for the wealthiest few.

Second, does anyone really believe that national security requires that we gut landmark environmental protections? Of course not. But rolling back America's environmental protections is a Republican priority. So Republicans stuck into this bill provisions that attack the Endangered Species Act and the Marine Mammal Protection Act.

And, third, is it really necessary to weaken the workplace protections of 746,000 patriotic Americans employed at the Pentagon, the same people who responded so courageously to the September 11 attack on that building? And is it really necessary to eliminate the rules prohibiting patronage at the Pentagon? Of course not. But gutting important worker rights is another key Republican priority, and they are shamefully using this national defense bill to do it.

Fortunately, Mr. Speaker, there are some areas of this conference report where bipartisanship and sound defense policy have prevailed. These include the substantial quality-of-life improvements that Democrats have fought for. Those include a 4.1 percent increase in basic pay for all members of the Armed Forces, plus targeted increases for mid-grade and senior noncommissioned officers and select warrant officers to enhance retention. And they also include an increase in imminent-danger pay and the family separation allowance for U.S. troops serving in harm's way.

The conference report also builds on our efforts to support the National Guard and Reserves, who bear more and more of the burden of defending America at home and abroad. For instance, it ensures that when the Ready Reserves serve in areas where those on active duty get hazardous duty pay, they will too. And if members of the Ready Reserve cannot get health insurance through their employer, it gives them access to the same TRICARE system that serves the military.

Additionally, Mr. Speaker, I am pleased that the conference report includes my own legislation to make life easier for the Guard and Reserves, both active duty and retirees, and their families, by allowing them unlimited access to commissaries. They and their families are making great sacrifices for this Nation and they deserve our support.

Finally, the bill continues to make important investments in the wide range of weapons that ensure America's military superiority throughout the world. It includes full funding of \$4.4 billion for the F-35 Joint Strike Fighter, the next generation multirole fighter of the future for the Air Force and the Navy and the Marines. It fully funds the F/A-22 Raptor aircraft, the high-technology air dominance fighter for the Air Force, by providing \$3.5 billion for 22 planes, and it includes the full \$1.2 billion needed for the V-22 Osprey aircraft.

Mr. Speaker, all these important prodefense provisions have strong bipartisan support. They reflect the long-standing commitment of Democrats and Republicans to work together to ensure the U.S. military has the resources it needs. That is the type of bipartisanship and cooperation that our national security policy requires. It builds strong public support for a U.S. foreign policy here at home and ensures our troops have the resources they need to do the dangerous job we ask of them.

Unfortunately, Mr. Speaker, Republican leaders seem to have forgotten these lessons. And the President too often ignored them in the run-up to the war in Iraq, which is a big reason it will be so hard to restore President Bush's credibility and the public's confidence in his ability to win the peace in Iraq. The American people deserve better than that, and so do our troops in the field. I urge my Republican friends to remember that, especially as U.S. troops and U.S. taxpayers continue to shoulder almost the entire burden for rebuilding Iraq.

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

Mrs. MYRICK. Mr. Speaker, I am very pleased to yield such time as he may consume to the gentleman from California (Mr. DREIER), our distinguished chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule and the underlying conference report which we are going to consider this morning.

I want to begin by thanking my friend, the former mayor of Charlotte, the gentlewoman from North Carolina (Mrs. MYRICK), for the fine work she has done not only in managing this rule but her important support of provisions in this measure dealing with concurrent receipt, making sure that those veterans who have been wounded and suffered will also receive their retirement pay. This I know was a very high priority for her. She also was very involved, Mr. Speaker, in addressing the Buy American Provision, which my very dear friend and classmate, the gentleman from California (Mr. HUNTER), the chairman of the committee, has pursued. And I believe that we have come to a reasonable compromise on it.

I am not in total agreement with the gentleman on this provision, at least the way he had originally had it, because I believe we need to focus on ensuring we get the best quality product at the lowest possible price for our taxpayers. But at the same time, obviously, we do want, as a first choice, to focus on, in the area of machine tools and other areas, American workers and American job opportunities here.

I want to say that there is another provision that my friend, the gentleman from Washington State (Mr. HASTINGS), worked on, and I know the gentleman from Texas (Mr. FROST) worked on as well, which is very important, and that is to ensure that we provide citizenship to those who have risked their lives and fought on behalf of the interests of the United States of America. I am pleased that the conference has in fact chosen to follow the direction of this House in ensuring that we have brought about the Hastings language on this. We know that President Bush strongly supports this as well, and I would like to congratulate him on this.

□ 0930

Mr. Speaker, this legislation is very important. As we opened the Committee on Rules meeting at 7 o'clock this morning, I said that if you look at most of the things that we do here in Washington, D.C., most all of them can be handled by State and local governments. We are obviously involved in health care and education and a wide range of areas, but clearly those are things that can be handled at the local level. There is really one preeminent issue that cannot be handled by a city, a county or a State government, and that happens to be the overall security of the United States of America and our interests overseas. And that is why I feel as a Member of this body very fortunate to have both the gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON) working hard to ensure that we have the very, very best defense for our Nation.

Now, I want to say that as I listened to my friend from Dallas go through his prepared statement on this he did end by talking about the fact that Democrats and Republicans alike stand together in support of a strong defense, but I have to disabuse my colleagues of the notion that was made that somehow Republicans are interested in gutting worker rights, murdering our environment. Nothing could be further from the truth, Mr. Speaker.

I will state that when it has come to the environmental issues, and I know the gentleman from California (Mr. HUNTER) will get into this as he has in our meeting upstairs this morning and he has repeatedly here in the well, he has talked about the responsibility to ensure that our men and women in uniform are not playing second fiddle to some obscure environmental priorities that one has. This measure, in fact, pursues a very balanced approach to environmental issues.

Similarly, this notion that we somehow want to plunder workers rights, that we want to gut the rights of workers, again, nothing could be further from the truth. This measure pursues a very balanced approach which focuses on worker rights. And so I want to say that I believe this measure is going to pass with strong bipartisan support.

As the gentlewoman from North Carolina (Mrs. MYRICK) pointed out, the issue of concurrent receipts is important for us to address, especially as Members prepare to go back to their States and districts and talk about the important sacrifice that has been made and, of course, as we think today, and the gentleman from Missouri (Mr. SKELTON) was the first one to report this to us in the Committee on Rules this morning, we heard the tragic news overnight of a Black Hawk helicopter that was downed and the loss of six lives.

We continue to live in a very dangerous world. And the chairman of the Permanent Select Committee on Intelligence, the gentleman from Florida (Mr. GOSS), I think made a point very clearly in our hearing this morning and that is that we need to take action now. We want to make sure that the conflict exists there and not here, and that is why this legislation is so important, so that we can in fact deal with those who want to do us in.

The training that continues to take place in the madrasas, which is virulently opposed to the United States and our Western values, the other kind of terrorist activity that we are seeing, we have to be prepared to deal with that.

Lives are being lost on a regular basis because of this battle against international terrorism, but with passage of this legislation we will be able to diminish the threat of loss of life and ensure that our men and women in uniform are equipped and compensated to deal with this very, very serious issue.

Mr. Speaker, I urge strong support of this rule and the conference report.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Missouri (Mr. SKELTON), the ranking member on the Committee on Armed Services.

Mr. SKELTON. Mr. Speaker, I rise in support of the rule and thank the gentlewoman from North Carolina (Mrs. MYRICK) and the gentleman from Texas (Mr. FROST) for presenting it this morning.

This was a difficult bill, and shortly we will talk about some bumps along the way. But, Mr. Speaker, we are at war. We must do our very best, and I think we have done a good job as it relates to the troops of the United States of America. They are superb. They are doing a good job. We must pay respect to them legislatively as well as to their families legislatively, and I think we have done that by the various items. The family separation allowance, the combat pay, the pay raise and all of these personnel items that we touched upon is our way of saying thanks for a good job well done.

So I support this rule. In the process I want to express my deep appreciation to everyone in uniform and to those families who support those in uniform. And, sadly, we have lost some and I hope that this is some consolation that we continue to support the American men and women who are wearing the uniform of the United States of America.

Mrs. MYRICK. Mr. Speaker, I yield 6 minutes to the gentleman from California (Mr. HUNTER), the distinguished chairman of the Committee on Armed Services.

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

Let me congratulate my colleague, the gentleman from Missouri (Mr. SKELTON), my good partner on the Committee on Armed Services, and all the Members, Republican and Democrat, who helped to put this bill together. I want to thank the gentlewoman from North Carolina (Mrs. MYRICK), the chairman on the committee, the gentleman from California (Mr. DREIER), who gave us a lot of time and attention, and all the members of the Committee on Rules.

Let me just say a word or two about what this bill does because this bill makes what I consider to be some sweeping reforms and it is a great bill. It covers a number of major areas, and along with what I call the "people issues"; that is, the pay raise that has been mentioned, the additional monies for housing that brings down the amount that a service member has to pay out of their pocket, all of the things that go to quality of life for personnel. It also covers some major areas that have needed reform.

One aspect of that is what I call freedom to train, and today if you go to a place like Camp Pendleton, I have used that as an example, it has some 17 miles of shoreline. Only a very small area can actually be utilized for Marines who basically practice Iwo Jima. They practice assaulting a defended

beach area. They can only do that practice in a very, very limited area of about one kilometer because of environmental considerations. And if you go to bases around the country, rifle ranges, air space for our Air Force and our other services to undertake integrated training with multiple aircraft, all of that is being hindered and obstructed because of a collision with our environmental laws.

Now, we have an answer to that, and the answer is a management plan called an inramp, and that is where the military gets together with State Fish and Wildlife and Federal Fish and Wildlife and they make an agreement. They make an agreement and they say, okay, the habitat for the gnatcatcher will be over here, we will set aside this 400 acres, and the Marines will have this area for rifle training or the Army will have this area for tank training or the Air Force will have this area for aircraft training.

Once you make that agreement and you put it in place, it is not open for groups to come in and sue under the Endangered Species Act to close down that rifle range, to close down that tank range, to close down that air space that is so vital so that our people can survive in theaters like Iraq and Afghanistan.

So this is offered under the proposition that the real endangered species here is a 19-year-old Marine rifleman who needs the very best training that he can get here at home before he projects American power overseas, and in this bill we put together this balance between conservation and military requirements.

Also, with respect to allowing our submariners to utilize the best of their sonar devices that will keep them alive when they are in the littorals, in shallow water areas around the world, where they will be faced with very quiet diesel submarines which are now being proliferated in certain adversaries' navies. We say that, whereas before the standard was that if a mammal, maybe a sea lion, was potentially disturbed that military training could not take place in his neighborhood. Now we say he has to actually be significantly disturbed. He has to actually be disturbed or that disturbance has to be significant enough to alter the way he migrates or feeds or the way he goes about his daily life.

So we are trying to give as much value to the sailors' survival as we have given to the sea lions' survival. I think that is a good balance. In this case we put the sailor ahead of the sea lion. I think the American people want that.

With respect to personnel, right now we are facing a war that is a new war. It is a war in which we see terrorists with high technology. We have to be flexible. We have to move quickly, and that involves people who not just wear the uniform of the United States, it also involves people who wear the civil service uniform.

So we are empowering Mr. Rumsfeld with the ability to reshape his civil service so that instead of taking 4 or 5 or 6 months to go through the bureaucracy to qualify a civil servant to work at a job so you get to the point where you just direct a sergeant to go do it and he salutes and goes and does it, we will now be able to quickly move civil servants into that job. We will be able to hire them quickly, and when people show an extraordinary ability to work and an enthusiasm and dedication that rises above the community, that they will be rewarded for that. And we have tested these ideas in pilot projects around the country, and the members who have participated in the pilot projects have voted that they like it.

So we are undertaking important reforms in this bill. We are giving the military the tools they need to fight this new type of war. I would urge everyone to support the rule and support the bill.

Mr. FROST. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. HARMAN).

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

Mr. Speaker, as the ranking member of the House Permanent Select Committee on Intelligence, I am a conferee on the Defense Authorization Act. Virtually all of the funding for intelligence is contained in this bill.

This bill is far from perfect. Like a number of conferees, I am enormously concerned about developing bunker buster nuclear weapons, weakening nonproliferation programs, and an assault on collective bargaining, all of which is unfortunately part of this legislation.

Nonetheless, I signed the conference report and I intend to vote for final passage. The lives of American soldiers, sailors, airmen and women, Marines and civilians are on the line in Iraq and in the global war on terrorism. Accurate and actionable intelligence is vital if we are to prevail, and I intend to do everything I can to provide our forces with the best intelligence possible.

The funds in this bill meet important intelligence needs vital to our Nation's security and, in contrast to the recent \$87 billion supplemental, these funds come through the regular budget process.

Still, the following needs to be said: The Permanent Select Committee on Intelligence on a bipartisan basis has identified serious shortcomings in the prewar intelligence on Iraq's weapons of mass destruction and ties to terrorism. Sketchy and often circumstantial evidence produced estimates that likely were substantially wrong. At a minimum, I believe the Intelligence Community overstated the strength of the underlying data supporting the conclusions.

The Intelligence Community has yet to acknowledge any flaws in prewar intelligence. With American lives on the line now, the shortcomings in prewar

intelligence must be addressed now. A "lessons learned" study cannot await the conclusion of David Kay's ongoing WMD search. Regardless of what he finds, there were problems with collection, analysis and the way policy makers used the information.

I strongly support this bill's requirement of an Iraq "lessons learned" report by the Department of Defense due March 31 of next year. As a conferee on the intelligence authorization bill, I plan to push for an interim "lessons learned" report from the Intelligence Community on the same date as the military's report is due, and I hope that the gentleman from Florida (Chairman GOSS) will join me in this request.

Mrs. MYRICK. Mr. Speaker, I yield 4 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, I thank the gentlewoman from North Carolina (Mrs. MYRICK) for yielding me time.

Mr. Speaker, I also want to thank the chairman of the Committee on Armed Services, the gentleman from California (Mr. HUNTER), who has just gone through very difficult negotiations at a very difficult time. Some Members may not know that he lost his home to the California wildfires that swept through southern California. So I thank the gentleman from California (Mr. HUNTER).

This is good news. This defense conference report is good news for our young men and women who serve in the Armed Services and are required to carry out the will of this Nation overseas. We want to give them the tools necessary so they can do their job and come home safely to their families, and this bill provides many of the tools necessary for that to happen. It is also good news for our veterans in addressing the issue of concurrent receipts.

It is also very good news for the KC-767 program. This is a critical part of our defense program and it completes the circuit for the start of a new program in fulfilling a great need by replacing our KC-135's, the tanker fleet that we currently have.

□ 0945

For those who are not familiar with the KC-135, this is basically a gas station in the sky. It refuels other aircraft, and it is a very necessary link in projecting power for this country. Afghanistan and Iraq once again confirmed the necessity that in today's war on terrorism, we must have tankers to fulfill the role of carrying out and projecting power. The problem has been that they are an aging fleet. The average age of the KC-135s is 43 years. Can the Members imagine, Mr. Speaker, coming back and forth to work in a 1960 automobile? This is basically what we have asked our young men and women to do. The average age of 43 years is the equivalent of driving a 1960 Dodge Dart. And just like an older automobile would suffer from rust and need repair, these aircraft are suffering

from corrosion and have high maintenance costs. So the KC-135 must be replaced, and this is good news because this defense authorization conference report does that.

But, Mr. Speaker, I would like to place the House on notice that we will have to correct some of the problems that have been created by this agreement in the current legislation. The conference report changes the original plan for the KC-767. It changes the delivery rate and purchasing method that was supposed to save approximately \$4 billion, an estimated \$4 billion, but the short-term plan was shortsighted. It does create a long-term problem. I will submit for the RECORD the letter from Deputy Secretary of Defense Paul Wolfowitz outlining the plan to change the delivery schedule for the first 100 aircraft. It essentially changes it from a 20-per-year delivery rate to a 12-per-year delivery rate.

When we assume the total program of 400 aircraft, instead of ending this program in fiscal year 2025, it will now end in fiscal year 2039. That moves the midpoint of this entire program 7 years to the right. If we assume an average cost of \$150 million per aircraft and a 5 percent inflation rate, that is for increased labor cost, increased material cost, increased cost of money, it raises the cost of the entire program by 40.7 percent. So instead of 60 billion over 21 years for the KC-767 program, the Federal Government will have to spend approximately \$84.4 billion over 35 years.

What needs to be done? We are going to address the delivery schedule. It must be accelerated so that we can reach an optimum production rate and a lower cost per aircraft. We also need to provide adequate budget authority to serve the taxpayers with significant reduction in the cost of this program by accelerating the production rate. But over all, Mr. Speaker, this is a very good conference report, and it is going to be something that is going to help our young men and women as well as veterans. I support the rule, and I support the defense conference report.

DEPUTY SECRETARY OF DEFENSE,

Washington, DC, November 5, 2003.

Hon. JOHN WARNER,
Chairman, Committee on Armed Services,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Thank you again for your consideration of the Department of Defense's proposal to lease 100 KC-767A aircraft. As you know, there has been a vigorous debate on the best way to get this program started. Your most recent amendment would allow the Air Force to lease no more than 20 of the 100 tankers. The Air Force has developed a proposal to implement that arrangement, and I hope that you will find it acceptable.

Our proposal strikes a necessary balance between the critical need for new air-refueling tankers and the constraints on our budget. As reflected in the enclosed chart, we intend to lease the initial 20 aircraft and then buy aircraft at a steady rate of 11 to 13 aircraft per year until delivery of the 100th. We commit to add \$2.4B, in Fiscal Years (FYs) 2008 through 2010, to the funding profile for the original proposal to lease 100 aircraft. We also will add \$1.4B in FY 2012 to 2013. The

combination of these added funds achieves an immediate start to the program and allows us to purchase the last 80 aircraft at time of delivery.

I appreciate the support that you have provided in the past and look forward to working with you in the future. If you require further information, please do not hesitate to contact me. A similar letter has been sent to the chairmen and ranking minority members of each of the defense committees.

Sincerely,

PAUL WOLFOWITZ.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Speaker, I support this bill, and I am glad to see us put some quality-of-life provisions in it; and I commend the chairman, whom I have worked with for 20-odd years, for once again bringing a bill to closure.

I do have to call attention to the fact that this rule waives all points of order, which is typical; but in this case, as ranking member of the Budget Committee, I feel obliged to make my colleagues aware what it is we are waiving because it is not a good way to do business; it is not a good way to keep a budget.

This conference report contains two provisions that entail significant spending over and above the amounts allowed in the budget resolution. One allows concurrent receipt of military retirement benefits for retirees who also get VA disability benefits. The other commits the government to lease and purchase up to 20 or maybe even 100 new tanker aircraft.

No funds were added to this conference report to pay for either of these programs, and that is my problem. Between the two of them, they will entail new unfunded future commitments of approximately \$40 billion, \$22 billion for concurrent receipt, \$18 billion for 100 new tanker aircraft.

As a member of the Committee on Armed Services, I support the compromise on concurrent receipt, and I understand the need for new tankers; but I am concerned, and have to be, about the way we are doing this. The rule before us would waive the point of order that would otherwise lie against the conference report for some clear and substantial departures from the budget resolution that is supposed to be prevailing in this House.

We just finished the fiscal year 2003, Mr. Speaker, with the largest deficit in our peacetime history, \$374 billion. The deficit for next year, fiscal year 2004, is likely to break that by \$100 billion, even without the additional cost of these programs which are not included in any of CBO's or OMB's projections.

All I am saying is if concurrent receipt is a worthy benefit, and I think it is, then let us pay for it or at least let us recognize fully in the budget the cost of it. If we need these tankers, and I accept the arguments that we do, then let us pay for them. Let us make the argument and pay for them and set the priority in the budget. This bill does not do that, and this rule would

allow Congress to flout the budget resolution without facing up to these costs. If Congress feels that it is necessary to abandon the budget resolution that supposedly prevails in the House and further increases the deficit, then we ought to be accountable for that decision. But this rule would make sure that no Member of this body will have the opportunity to demand such accountability.

Let me tell the Members specifically the two problems in the conference report with respect to these items that give me trouble. The conference report phases in a compromised version of concurrent receipt. In 2004 this would increase direct spending by \$800 million. By 2013 this would increase annual cost to as much as \$3.5 billion. This provision would cost an estimated \$22 billion in additional direct spending over the next 10 years, none of which is provided for in the mandatory spending provisions of the budget resolution. That is why I call it a substantial departure.

There is another anomaly in the way concurrent receipt is treated. Since the mid-1980s, we have recognized military retirement costs through an accrual system that sets aside funds to cover the cost of retirement benefits we owe in the future for today's military service. The concurrent receipt provisions in this bill eliminate a reduction or offset in military retirement and thus increase military retirement benefits. Under current procedures, we should increase our accrual payments to account for the fact that we have just increased future spending on retirement benefits. This bill does not do that. It departs from a convention we adopted 20 years ago for reporting military retirement programs.

The conference agreement also includes language that was not in either bill to lease 20 tankers and then buy 80 more. In effect, what it allows is incremental funding, something we have not done for big procurement programs for a long, long time. It entails at least a liability of \$4 billion, maybe as much as \$18 billion, and yet none of this money is in the Air Force budget. None of this authority has been recognized. What we have here is an effort to obscure the fact that we are increasing the defense budget but not adding BA commensurate to the amount of the increase.

There are committees right now and next week railing against corporate misaccounting in this country and should be. But we should keep our own books in proper order in order to make such criticisms. This is not a way to budget. I support the bill and hope it does not constitute a precedent for the future.

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. PENCE).

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

I rise in strong support of the rule and of the conference report with a

deep sense of gratitude to the gentleman from California (Chairman HUNTER), as well as the gentleman from Missouri (Mr. SKELTON), ranking member, for their extraordinary and bipartisan leadership on behalf of that fundamental function of our Nation and this Congress to provide for the common defense and in meeting the urgent needs of soldiers in the field of today, our intelligence community, but also meeting the needs of those who have served in uniform. I believe this conference report goes a long way toward discharging that duty.

Mr. Speaker, in the survival of freedom we literally as American citizens owe our veterans everything. But in a world of limited resources, we can only in this Congress do the right thing. I rise specifically today on virtually the eve of Veterans' Day to point out how this Congress, thanks to the bipartisan leadership of the defense authorizing committee, is doing the right thing by veterans in the area of concurrent receipts.

Since arriving in Congress, I have heard from one veteran after another, men and women who had worn the uniform of the United States of America, about the injustice of losing disability benefits for which they were eligible as veterans at the time they reached the age of retirement. Thanks to this legislation, in most cases disability benefits incurred in uniform or earned in uniform will not be forfeited simply because a veteran reaches the age of retirement. The Good Book tells us if we owe debts, pay debts; if honor, then honor; if respect, then respect. By meeting the urgent needs of the defense of the Nation today, we pay a debt to those who risk and expend their lives in the advancement of our freedom. But by addressing the injustice of current veterans benefits, Congress today goes a long way toward paying the debt we owe to those we can never repay.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. EVANS).

Mr. EVANS. Mr. Speaker, I thank the gentleman for yielding me this time and for his leadership.

I rise to point out that this conference report does not adequately address the needs of our disabled military retirees. Later today we will be considering a motion to recommit. And I strongly urge Members to support that motion and urge that we fix a tremendous injustice in this conference report.

The conference report provides no relief whatsoever to two-thirds of disabled veterans who are now paying the Disabled Veterans Tax. Further, it provides only limited relief from the unfair tax burden to those it does cover. Under this report, veterans with disabilities rated at 50 percent or more would have to wait 10 years before receiving their full military retirement pay. The vast majority of eligible veterans are left out. In fact, 400,000 veterans with disabilities rated under 50

percent would not receive any relief at all. In other words, some veterans who lost their limbs while serving their country are not considered worthy of relief after they get back to the States.

This is not "full concurrent receipt" as has been claimed. This is clearly not a victory for veterans. It is an attempt to divide and conquer veterans so as to deprive most retirees of their earned retirement benefits. A vote for the motion to recommit is a vote for full concurrent receipt and an end to the tax on our disabled veterans.

I urge all Members to vote for this motion and support what 374 Members have already said by cosponsoring legislation for full, not partial, concurrent receipt.

Mr. Speaker, I believe the veterans of our country are wise enough to make judgments about where they want to go, and I salute them for raising the issues that we have been dealing with the last few years.

Mrs. MYRICK. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. GILCHREST).

Mr. GILCHREST. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I want to say right up front that I will vote for this defense authorization. The gentleman from California (Mr. HUNTER), the gentleman from Missouri (Mr. SKELTON), and a whole range of people have done an outstanding job to ensure the safety not only of the United States and our security but of those young men and women who are out there basically buttressing the pillars of civilization.

The gentleman from California (Mr. HUNTER) mentioned a little while ago that a 19-year-old rifleman ought to get the best training in the world. I agree with him 100 percent. I was a 19-year-old Marine Corps rifleman who worked with the Navy over a period of years, went into assaulted-fortified positions from Navy ships. So I personally recognize the absolute need, the uncompromising need, to ensure the best available training, the best equipment, the best of support that this country can offer to U.S. soldiers, sailors, Marine Corps, and airmen.

I would like to work with the Committee on Armed Services and the chairman and the ranking member. Over the next several months, the Committee on Resources will be reauthorizing the Marine Mammal Protection Act. The language in the defense authorization bill dealing with the marine mammals was something that we worked out. The language that is in the defense bill now, I think, goes beyond what is necessary. There are some issues dealing with small numbers versus negligible numbers. There are some issues dealing with confined geographic areas. There are issues dealing with permits. There are issues with civilian scientific research.

I think the model we can use for the marine mammals and the Marine training is laid out before us in this thing called INRMPs, Integrated Na-

tional Resources Management Plans, that there is consultation, there is collaboration with the Committee on Resources and the other agencies throughout the Federal Government. That model that deals with INRMPs, that assures those guys on the ground, that young 19-year-old rifleman, is going to get the best training, no compromise on that. And I would like to work with the Committee on Armed Services to deal with those issues over the next several months.

□ 1000

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. WAXMAN).

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

I rise to express my opposition to the conference report on the Department of Defense authorization bill. I want to pick up with where the last speaker finished. He said he thought in this bill they went a little further than was necessary in the area of the Endangered Species Act and Marine Mammal Protection Act. I want to say what I believe to be the case, that the problem with this bill is that it has been hijacked by the Republican leadership and the White House, who insisted on provisions that weakened environmental laws relating to the Endangered Species Act and the Marine Mammal Protection Act.

I am also the ranking member of the Committee on Government Reform, and I want to address the civil service provisions in this bill. I am not opposed to reasonable reform that makes the Federal Government function more efficiently and still protects the basic rights of Federal employees, but this bill is not reasonable.

Senator COLLINS developed a bipartisan compromise that safeguarded the collective bargaining rights of 700,000 DOD employees, yet gave DOD much of the flexibility it requested, but this bill abandons that compromise. This bill makes a mockery of labor relations at the Defense Department. At the same time that the bill claims to protect collective bargaining, it allows DOD to waive these requirements for the next 6 years. During these 6 years, the Department can run rough-shod over the unions. The Department can decide what issues will be bargained, how labor and management impasses will be resolved and whether it will discriminate against union members.

This bill also makes it harder for DOD employees to gain redress for unfair treatment. Currently employees have the ability to file appeals with the independent Merit Systems Protection Board, but under this bill employees first would have to go through an internal DOD appeals process. An administration that says it is against bureaucracy and red tape wants to create so much bureaucracy for employee appeals that employees will simply give up trying to protect their rights.

The bill removes requirements for DOD employees to receive overtime

pay or pay for working on holidays or weekends. This is ironic, since both the House and the Senate recently voted to protect overtime pay for private sector employees.

As the war efforts in Iraq have demonstrated, DOD employees do not work only Monday through Friday, 9 to 5. Frankly, it is shameful that Congress is going to give those employees who safeguard our national security less overtime protection than it gives private employees.

Finally, I have concerns about some of the provisions dealing with government-wide procurement policy. In particular, the bill extends to all civilian agencies something known as "other transaction authority" for research and development projects related to defense against terrorism. This would essentially waive all Federal procurement laws for these contracts. The bill also includes excessive waivers of procurement rules for contracts related to other anti-terrorism products and services.

It is wrong to take important must-pass legislation like the DOD authorization and load it up with right-wing policies that damage the environment and strip employees of basic rights, but that is what this bill is doing, and I am going to urge my colleagues to oppose it.

Mrs. MYRICK. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I thank the gentlewoman from North Carolina for her leadership and appreciate her yielding me time.

Let me say that the gentleman from Florida (Mr. BILIRAKIS) for 18 years in this Congress supported legislation that would give concurrent receipt to our veterans; 18 years. People in this Chamber need to know that, because there are people here who have been present during that time, and during that time the people who are now saying that Republicans will not support our veterans need to remind themselves that not a one of them joined sponsorship for his bill while that was there.

Since I came to Congress, Mr. Speaker, I have been working to strengthen the Berry Amendment to help ensure that the Department of Defense use American manufacturers and products in its procurement programs. This past spring, and this good rule supports these efforts, I became very concerned when there was a blanket waiver issued for commercial aircraft.

Among other products, this largely jeopardizes our domestic titanium industry. The number of companies that currently comprise this industrial base has shrunk to three domestic producers of titanium. Maintaining this base is not only vital for our economy, but also our national security. We simply cannot be relying on the Russians and the Chinese, who are developing their own economies, to supply significant amounts of titanium for our Nation's defense.

The gentleman from California (Chairman HUNTER) has been tenacious in working to make sure that our industrial defense base is strengthened, not protected, strengthened, so that our national security is foremost.

I would like to yield to the gentleman from California (Chairman HUNTER) for his comments on this issue.

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

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

Mr. HUNTER. Mr. Speaker, I thank my colleague, and we are going to describe during the general debate the great industrial base provisions, like the machine tool provision that we came out of this conference with, some excellent stuff.

But with respect to titanium, we know that we have three major makers of titanium left in this country. Otherwise, you have to rely on foreign sources. I want to thank the gentleman from North Carolina (Mr. HAYES) personally for putting together the working group between industry and the Air Force and Members who are interested, and putting together what we call the basket approach to titanium.

The basket approach says basically this: If you are going to take a domestic system, like the planes that are candidates for this tanker operation, and you convert them into a military system, right now the Berry Amendment says you have to use American-made titanium on American military systems.

We have agreed that since some of these civilian aircraft will have some foreign-made titanium, we got with the industry leaders and they agreed that they would take and require the same amount of American titanium, with in fact a 10 percent increase, and spread that across the rest of their lines to make up for the foreign titanium that was in those civilian aircraft. I have talked with industry leaders. They feel a strong commitment to that policy.

I want to thank the gentleman for putting that in place. I think it is going to accrue to the benefit of not only our tanker program, but also the health of the titanium industry.

Mr. HAYES. Mr. Speaker, reclaiming my time, I thank the chairman very much, and thanks again to the gentleman from North Carolina (Mrs. MYRICK). This is a great rule. It is for our troops, it is for our Nation, The spirit and intent of what we discussed is there.

Vote for this rule.

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

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

Mr. DICKS. Mr. Speaker, I want to thank the gentleman from Texas for yielding me this time.

Mr. Speaker, I rise in support of the conference report and this rule. I have

concerns about this bill, too. I represent the Puget Sound Naval Shipyard in Bremerton, Keyport, Bangor. Many of these work rules are very much deplored by the workers there, and I regret that they have been attached to this legislation, but we will continue to work to try and deal with them as we proceed in this session of Congress.

I want to rise in very strong support of the provision my friend the gentleman from Kansas (Mr. TIAHRT) talked about earlier, the question of tankers. I became interested in this issue several years ago with a visit to Tinker Air Force Base where we saw the condition of our KC-135-ES. I believe that this is a crucial national priority, to get a new tanker replacement program started.

The Air Force has chosen the 767. We have had a lot of controversy about whether we should buy or lease. We have come up with a combination here. The Secretary of Defense's office, led by Mr. Wolfowitz, sent a letter on Thursday, which has brought us together. I want to commend the Speaker, the gentleman from Illinois (Mr. HASTERT), for his dedicated leadership on this issue. Without his tremendous effort and tenacity, we would not have gotten this far.

I intend to have a colloquy later with the chairman of the committee when we get to the authorization bill on this matter, but I just want to say that I want to compliment everyone who has worked on this. For 2 years, we had to get an effort under way to get this replacement effort going.

Not to understate it, every single plane that flew into Afghanistan and into Iraq had to be refueled multiple times. Our whole effort to improve our bomber capability with the B-2 and smart weapons and all of the aircraft coming off of our carriers, Navy and Marine Corps aircraft, all of them had to be refueled multiple times. So you do not get anything done without tankers.

We have planes now, 544 of them, that were built between 1957 and 1963. These are very old aircraft. We have serious corrosion problems, and I am glad that this conference committee was able to come together and put together a package and that the administration has said they will make it work.

I believe this is one of the most important things we can do. If you think about it, tankers and the EA-6-Bs, which are also old and in terrible condition, are two weapons systems that have become absolutely fundamental to our U.S. ability to project power around the world. I am glad we can get this tanker thing moving forward and that it is in this bill.

I appreciate the gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON) for their leadership on this issue.

Mrs. MYRICK. Mr. Speaker, I reserve my time.

Mr. FROST. Mr. Speaker, I yield 1 minute to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, I would like to express my deep disappointment at the failure to deal with challenges for one-half of our patriotic team in the war against terrorism. We have done some good things in here for our folks in the Armed Services, but for our civilian employees, who are a crucial part of our defense team, we are removing protections for overtime pay and other matters, and that is just abominable.

When I went out to greet with the gentleman from Washington (Mr. DICKS) the Carl Vinson when she came back from the Afghanistan war, I talked to the folks about their incredibly successful safety record of thousands of sorties without a loss, and they told me it is in large part because of the incredibly adept maintenance done on that ship by our civilian employees. This bill is a jab and a mark of disrespect for those civilian employees, who are every bit as patriotic as our folks in the Armed Services today, and there is no reason for this to have happened.

Now, this is just the first step in this effort. We are going to continue to work on this, that this effort of flexibility does not mean disrespect for our civilian employees. We are going to stay on it like a dog with a bone.

Mrs. MYRICK. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I rise in very strong support of this rule and the underlying bill which will follow immediately thereafter.

I want to just point out to my colleagues that the concurrent receipt victory that is in this bill is significant, it is profound, it is historic, and will make a major difference in the lives of our men and women who have served ably and honorably in our military, have served for 20 years or more, and also have been disabled. It will provide that anyone who is service-connected disabled 50 percent or more or combat-related of any rating will get the full concurrent receipt after a phase-in of 10 years.

Let me point out to my colleagues that this adds about \$22 billion in benefits over 10 years to veterans compensation. This is not an insignificant amount of money.

After the phase-in period, let me remind my colleagues as well that this bill adds about a \$3.5 billion every year to service connected disabled vets. So the next 10 years we are talking about another \$35 billion more that will go to our disabled veterans. That is in excess of \$57 billion to our disabled veterans as a result of this legislation.

I want to thank the gentleman from California (Mr. HUNTER), the chairman of the committee, for his work, the gentleman from Florida (Mr. BILL-RAKIS), the gentleman from Missouri

(Mr. BLUNT), and so many others who worked on this to make sure that we get concurrent receipt resolved.

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

I would only point out to the previous speaker and to speakers on the other side that if the Republicans in the House were willing to forego a little bit of the tax cuts for the wealthy, we could fully fund concurrent receipts, rather than just partially funding concurrent receipts.

Mr. Speaker, I urge adoption of this rule and adoption of this conference report.

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

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

I want to again thank the chairman and ranking member of this committee for the good work they have done in bringing this bill forward. It is a good bill at the right time in history to help our men and women and to be sure that we are doing all we can in this war on terrorism.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. HUNTER. Mr. Speaker, pursuant to House Resolution 437, I call up the conference report on the bill (H.R. 1588), to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

The Clerk read the title of the bill.

(For conference report and statement, see proceedings of the House of November 6, 2003, Book II.)

The SPEAKER pro tempore. Pursuant to House Resolution 437, the conference report is considered as having been read.

The gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON) each will control 30 minutes.

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

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

Mr. Speaker, first, I want to thank all of my colleagues who participated in putting this bill together from the earliest hearing that we had early in the year on the threat that America faces, on the status of our Armed Forces, and on what we need to do to give the President and our troops the tools to get the job done. My partner, the gentleman from Missouri (Mr. SKELTON), is every bit a 50-50 partner in this operation, Mr. Speaker. When we really get down to what it takes to protect our freedom, there are no Re-

publicans or Democrats, and we have a very bipartisan committee, and I am proud of that. I want to thank the gentleman from Missouri (Mr. SKELTON) as not just a friend, but a real full partner in helping to shape America's defenses, along with all of the members on the Democrat side on the Committee on Armed Services and, of course, our great, great folks on the Republican side, along with the subcommittee chairmen and ranking members who have done such a great job.

Now, Mr. Speaker, we face a new era. This is an era of what I would call terrorists with high technology; and probably Jim Woolsey said it best when he said we have killed the big dragon, that is, we have disassembled the Soviet Union, but there are lots of poisonous snakes out there, and we are seeing those poisonous snakes and the effect of their bites every day around the world, not just in the theatres in Afghanistan and Iraq, but elsewhere. And I think probably the American people since 9-11 still have an acute understanding of the venom and the poison that is manifest in that capability of our adversaries in this new era of terrorists with high technology.

Our job is to meet that threat, and our job is further, in meeting that threat, to shape the U.S. military and our defense apparatus to meet the threat, to defeat it, and to equip it; to give it the tools that it needs to do its job most effectively, and this bill does that, Mr. Speaker.

I wanted to talk about a number of issues with respect to this bill. This is a sweeping bill; and it does a number of reforms, a number of changes, a number of things that I think are important to change our military as we move into this new era.

Let me talk about, first just talk about the last subject that came up during the rule, and that is the tankers. Because, yes, the tanker agreement is in this bill. Let me tell my colleagues a little bit about that.

First, anyone who does a security analysis or a briefing on potential threats around this world and present threats understands that tankers are extremely important. I just might add that I undertook a series of classified and unclassified briefings, as have most members of the Committee on Armed Services over the last many years, and paramount to our ability to project power is American air power.

Whether we are talking about B-2 bombers that can fly literally from Whiteman Air Base to strike a target in Kosovo with precision munitions, or talking about tactical aircraft flying off a carrier and hitting targets in Afghanistan or Iraq, we need tankers. Tankers, that big gas station in the sky that the gentleman from Kansas (Mr. TIAHRT) talked about, are necessary to project American air power. If we have American air power and, specifically, if we have stealth, and we couple that stealth with precision munitions, that is, instead of carpet-

bombing a bridge, we send in that one precision munition, it hits one strut on that bridge and brings the whole bridge down, if we have that combination and we have the legs to get it there over the target in whatever remote part of the world we are operating in, we can project American power, we can protect our military forces, and we can drive them in a blitzkrieg attack against the enemy target, whether it is enemy forces surrounding Baghdad or some other area of the world; and Americans now understand that.

So we have to have tankers. If we do scenarios around the world, every single scenario requires lots of American tankers and, I might say, Mr. Speaker, more than we have now, newer than we have now, more capable than we have now. That is the reason we are putting the tanker deal together, and that is the reason that this is being carried in this bill.

Now, let me tell my colleagues, with respect to personnel, we have had some arm wrestling over this. But I think that the guy with whom we are trusting millions of young American lives, the Secretary of Defense, can be trusted with reshaping our personnel system in civil service in the Department of Defense to be more effective, and I think be more rewarding for those workers. I think they like the idea that we are going to be able to hire people right out of that job fair instead of telling them, in 3 months, maybe the Federal Government can hire you, while IBM and the private concerns are picking them up immediately. I like the idea that they are going to be able to be qualified for a job within a few days instead of after 3 or 4 months of bureaucracy, and that will allow them to take jobs that military people are doing now. When we have tested these things in places like China Lake, a majority of the workers, the workers have voted that they like this new system, this new flexible personnel system. This is an important new part of shaping the military.

So I think that is good.

Freedom to train, Mr. Speaker, we have talked about that. We have to give our young people the freedom to train, and once we make that agreement that the bird hatchery is going to be over here and the rifle range is going to be over here, we cannot let groups then go sue to close down the rifle range on the basis that they want to get that one too. We have to allow a balance to be maintained. One Marine said it best. He said to our members of the Committee on Armed Services, he said, for years we have done work-arounds. He said, we cannot work around it anymore, there is no land left to work around. So we need to have this. This is very, very important legislation, freedom-to-train legislation, Mr. Speaker.

Let me talk about the industrial base. We have got in this bill a great foundation for bringing back and maintaining the industrial base of this

country, and the centerpiece of this is what I think is the centerpiece of American production, the machine tool industry of this country, which used to be second to none. We have a provision in this bill, it is not a mandatory provision, so it is not going to make anybody have to go in and take out billions of dollars of machine tools, but it says that if you are an American contractor bidding on a DOD job, if you use an American machine tool instead of a foreign machine tool, you are going to get points in the competition. And I think that is going to incentivize some of our companies, big and small, to say instead of looking at another foreign-made machine tool, let us call up that American company and see what they have. Maybe we can use that machine tool. And that is going to, I believe, Mr. Speaker, start to bring back this base of machine tools upon which a lot of our defense manufacturing capability was founded. We do a lot of other great things in our industrial-based provisions, Mr. Speaker; but that is the centerpiece, and I think it is a very important foundation.

Now, we also reauthorize for 10 years the maritime security program. This is a program that brings in the strong right arm of America's maritime unions and makes sure that they are the ones that are moving men and materiel across the ocean into theaters of action instead of having to rely on rental operations where we are taking unions and working people from other countries and having to rely on foreign personnel to move the wherewithal for military victories around the world. That is what is going to bring our maritime unions, our ship-builders, and our maritime operators back into preeminence; and we have worked hard on that, Mr. Speaker, and that is a great aspect of this bill.

Concurrent receipt is very important, Mr. Speaker. We started out last year by saying people who are actually hit in combat, people who have won the Purple Heart, are going to get now two checks. They get the full check for everything that they have been disabled, for all of their disability, and they get the full check for their retirement for everything that they have done to serve the U.S. military. We now also say, and incidentally, I see the gentleman from New York (Mr. MCHUGH) here, our chairman of the Subcommittee on Total Force, who very much has been a leader in putting this thing together. We also now are going to give full concurrent receipt, that is that full disability check, to all of those people who are wounded in the combat area or who are disabled or hurt in the combat area, who are hurt or disabled while training for combat. Maybe that guy who is jumping out at the 82nd Airborne, with the 82nd Airborne at Fort Bragg hurt his back, he is going to get it; and also people who are hit by instrumentalities of combat, like people who are hit by agent orange, Mr. Speaker. Then we go to the

entire population of veterans who were not hurt in combat, were not hit by enemy bullets, were not hurt while training for combat but, nonetheless, have disabilities. And all of those people who are over 50 percent, Mr. Speaker, are going to receive both checks.

Now, that is going to bring in about 250,000 people, new people into the system. It is a big, big victory for veterans. It is a wonderful thing.

Mr. Speaker, let me just say, too, along with the gentleman from New York (Mr. MCHUGH), the gentleman from Florida (Mr. BILIRAKIS), obviously, the guy that I call the father of concurrent receipt, it has been a big part of his career. And the gentleman from New Jersey (Mr. SMITH), the gentleman from Missouri (Mr. BLUNT), lots of great people; I might say that Senator WARNER also, working on Purple Heart Plus last year, had a good hand in starting to put this thing together, lots and lots of people. Lots of our veterans and veteran supporters in this House have been involved in putting this program together. This is a great program.

Mr. Speaker, this is a great bill. It is a far-reaching bill. It gives the President and the troops the tools to get the job done. Let us pass this bill.

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

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

Mr. Speaker, I rise in support of this bill, the National Defense Authorization Act. I will explain the reasons why, but I first want to compliment my friend, the gentleman from California (Mr. HUNTER). This was the gentleman's inaugural voyage as chairman of the Committee on Armed Services and the seas were far from smooth. Many of the issues we faced were particularly difficult. I applaud the gentleman's leadership in recognizing that the totality of the bill is more important, especially when our country is at war in Iraq.

I do want to raise several issues of caution about process, however. First, the conference process has not been totally inclusive. Many issues, three in particular, civil service reform, concurrent receipt, and Air Force tanker leasing have been decided without substantive Democratic consultation. Second, there were few conference meetings that involved all the conferees or even all the House conferees. Finally, it is highly undesirable to consider a conference report on a large and highly complex defense bill in just a few hours after the conference report has been filed. It is not possible for Members to make best judgments about voting on this bill when there has not been adequate time after it has been filed.

The fact that we are considering this bill today, however, reflects the commitment of the Committee on Armed Services members that we must provide for the men and women of our military when they are sacrificing in so many ways to defend our country

and our issues. They are depending on us. We will not let them down. And we are at war.

I want to highlight just a few issues that cause me to support this bill. The bill includes a 4.1 percent pay raise for the troops. The bill provides an increase in imminent-danger pay. It provides for family separation allowance, which will directly benefit our servicemen and -women who are serving in Iraq and Afghanistan and other dangerous spots away from their homes. The conference report further authorizes TRICARE coverage in the military health care system for our National Guardsmen and for our Reservists who played such a vital role against terrorism.

□ 1030

Finally, very, very important, this bill includes increasing the Army's size 2,400 additional soldiers. That is so terribly important because the troops are so strained at this time, and the gentleman from New York (Mr. MCHUGH) knows that so well as chairman of the subcommittee.

We need the pay raise. We need the special pay to compensate and help retain those who have those special skills. Our bases need the military construction and family housing authorizations. We need to authorize the money for military operations, for flying hours and steaming days and tank miles, to allow our troops to be the best trained and prepared in the world.

I want to mention concurrent receipt. Overwhelming majorities of both Houses clearly support providing this benefit to all disabled retirees. Nevertheless, the conference agreement, which would provide this benefit to those at least 50 percent disabled, is a significant step in the right direction. There will, however, be a motion to recommit regarding this issue, and I hope people will support it.

I am pleased, Mr. Speaker, that we were able to reach agreements on many difficult issues, but I know many of my colleagues will not be happy with some of the substantive outcomes. The conference agreements concerning low yield nuclear weapons, civil service reform, and changing environmental laws are particularly problematic, and I point those out.

Now, perhaps more than any time in the last decade, however, Mr. Speaker, it is essential that the House take action to provide for our men and women in uniform. This vote will not only be seen in Kabul or Baghdad but also Diego Garcia, Fort Irwin, Norfolk, Fort Leonard Wood, Whiteman Air Force Base. We need to send a message to the American public, and to our adversaries and allies, that we as a Congress are prepared to give our men and women in uniform the support, the strong support and protection that they deserve.

So I urge my colleagues to vote for this conference report.

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

Mr. HUNTER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. SAXTON), who is chairman of the Subcommittee on Unconventional Warfare, Terrorism and Capabilities and oversees these very important special operations forces who are doing such a great job for our country.

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

Mr. SAXTON. Mr. Speaker, let me begin by thanking and commending the chairman of the committee, the gentleman from California (Mr. HUNTER), and the ranking member, the gentleman from Missouri (Mr. SKELTON), for the great bipartisan job that has occurred in bringing this bill to the floor.

Mr. Speaker, I rise in strong support of H.R. 1588 and do so with a great deal of pride after a lengthy but productive conference. The conferees have hammered out an excellent bill that will go a long way in enhancing our national security and providing our troops and their families with the assets they need.

I have the honor of chairing, as the chairman said, the new Subcommittee on Terrorism, Unconventional Threats and Capabilities on the Committee on Armed Services. As many in this body know, I have worked for many years to stand up such a subcommittee, and with good reason, for there is much that is left to be done.

The subcommittee's ranking Democrat, the gentleman from Massachusetts (Mr. MEEHAN), and I have worked hard together to explore a multitude of ways to provide the Department of Defense with the capabilities to defeat and defend against terrorists at home as well as abroad, and many of these ideas are contained in the conference report before you.

For example, the conference report includes many provisions that will prepare our Armed Forces and, in particular, the Special Operations Command, to combat terrorism worldwide as well as several items that will enhance homeland defense. In addition, the conference report establishes several programs addressing issues that arose in the recent war with Iraq and items that will speed the transformation of the military services.

It is critically important that all Members vote for this measure. There is much to applaud in many areas. I am proud to be a conferee and proud of the work that the chairman, and my good friend, the gentleman from California (Mr. HUNTER), as I said before, and the gentleman from Missouri (Mr. SKELTON) did in this regard. They have set a standard for us, and this is a bill which must be passed, hopefully with a very good vote.

Mr. TAYLOR of Mississippi. Mr. Speaker, I yield 3 minutes to myself.

Mr. Speaker, last night, yesterday in Iraq 7 brave young Americans died. This is the committee that makes the decisions to arm those people, to pay

those people, take care of their families, and to take care of their injuries when they get home. And, so, as earlier this year I voted to send those young people to Iraq, I share in the responsibility and for those things that go wrong I share in the blame.

Having said that, although I have grave reservations about parts of this bill, I will be supporting it because they deserve to be paid, they deserve a pay increase, they deserve the better weapons, the better ships that are in this bill. But there are a couple of things that trouble me greatly.

Number one is the Bush administration's insistence on another round of base closures. Anyone in this body knows, who has taken the time to look at it, knows the United States Army is too small, that the entire United States Army is spoken for. If they are not deployed, they are getting ready to be deployed. So how on earth can we close one base out of four as the Bush administration wants to do?

The fleet is too small, 295 ships. Again, how can we close one Navy port out of four if the fleet is too small?

If the Bush administration truly thinks the base closures is a good idea, then they ought to have the courage to announce which bases they want to close prior to the Presidential election and not after in 2005. I think it just stands to reason. You do not hear Congressmen saying let us close bases. I cannot find one Service Secretary who is saying let us close bases. I cannot find one Admiral or General who will name one base that should be closed.

So if the Bush administration wants to close bases, let them do it prior to the Presidential election.

Second thing is, Mr. President, for the sake of those people fighting, let us pay for this war. This supplemental, and I am going to vote for it, is going to spend \$400 billion for our Nation's defense.

A couple weeks ago we had a supplemental for \$87 billion, earlier in the year another supplemental for \$79 billion. That adds up to about \$565 billion. Every penny of that is borrowed. It is borrowed from the Social Security Trust Fund. It is borrowed from the Medicare Trust Fund. It is borrowed from the military retirees trust fund. It is borrowed from the civil servicemen's retirement trust fund. It is borrowed from the communist Chinese, and it is borrowed from average Americans.

See, those of us who were lucky enough not to have to fight this war ought to at least be willing to pay for it and not stick the brave young men and women who will be coming home from this deployment with the bill. Every other generation of Americans tried to pay their own bills during wartime. This generation of Americans passes the buck to somebody else, and it is wrong.

So for the sake of the great young men and women who are serving our country in the Army and the Navy, the

Air Force, Marines, those great Guardsmen and Reservists who are being pulled away from their families to serve as we speak, and a young person from Mississippi who was a Guardsman died just yesterday, I am going to vote for this bill. But I would ask my colleagues to let us do this in the future in a more sensible way.

Mr. HUNTER. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. MCHUGH), who has a high responsibility of overseeing the total force of the military, our Reserves, our Active, our Guard, with respect to all the personnel issues, pay, personnel issues, family benefits, the chairman of the Subcommittee on Total Force.

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

Mr. MCHUGH. Mr. Speaker, I thank the chairman, the gentleman from California (Mr. HUNTER), for his gracious comments and for his courageous leadership, certainly on this bill, but also day in and day out.

I think it is obvious there are a couple lessons we can learn from this bill. One is an old lesson, and that is happily this is one of, if not the most, bipartisan committees to operate in Congress, and that is so critical in times such as these. We have heard the gracious comments and enlightened comments of the ranking member, the gentleman from Missouri (Mr. SKELTON), someone who I respect so much. I want to thank my ranking member, the gentleman from Arkansas (Mr. SNYDER), for his partnership in our portion on this mark, and all of the members of the committee on both sides of the aisle. But I give a special tip of the hat to our chairman who, in a very difficult time was experiencing personal loss, the loss of his private home during the California fires, still kept a focus on this vital piece of legislation.

The second lesson is that important as all the military is, the troops are key. And you have heard my colleagues comment about the positive things in this bill, active industry, the increases for the Army in difficult times, similar end strength increases for the Guard and Reserve, for those good citizen soldiers the military pay raise average 4.1 percent, the imminent danger and family separation allowances at these difficult times. But I want to focus on concurrent receipt.

The third lesson of this bill is we always want to do better, but I would note to my colleagues who have concerns that this is a program that has been in place since the Civil War era. And until all of this work together over the last several years, there had never been a change in it.

With this bill today we will have started at 35,000 troops, veterans who are receiving full concurrent receipt, and we will have expanded that to over a quarter of a million. And that is progress, \$22 billion. So we will continue to fight to do better, but this is amazing progress for more than 160

years when nothing had been done, and I urge all my colleagues to support this bill.

Mr. Speaker, I rise in strong support of the conference report on H.R. 1588, a wartime bill that directly addresses committee concerns about the inadequacy of military manpower and the damaging effects of excessive operations and personnel tempos.

H.R. 1588 also reflects the House Armed Services Committee's belief in the need to be proactive in military personnel policy and pay matters so as to sustain the commitment and professionalism of the men and women of America's magnificent all-voluntary armed services, and the families that support them.

Finally, H.R. 1588 contains legislative and funding initiatives to enhance the ability of the active, National Guard and reserves to operate as an integrated total force.

Among the more important provisions of H.R. 1588 are:

- Active end strength increases of 2,400 for the Army, with an additional \$68 million to support the increases;

- Growth in selected reserve and fulltime National Guard and reserve strengths;

- Military pay raises that average 4.1 percent;
- Continuation of increases in imminent danger pay and family separation allowances.

A significant expansion of concurrent receipt that will when implemented wean that benefit more than 250,000 military retirees.

Commissaries and exchange provisions to better define and protect those important benefits.

DOD health care improvements, to include expanded health care coverage of the National Guard and reserves, and

Expanded and expedited naturalization procedures for active and reserve component personnel.

None of these great outcomes is achieved in a vacuum. The conference report before you is a bi-partisan measure, reflecting the active input and involvement of committee members, as well as the leadership and judgment of Chairman DUNCAN HUNTER and Representative IKE SKELTON, the committee's ranking Democrat.

H.R. 1588 is a very good bill that addresses a range of needs of our wartime military. I urge my colleagues to support it.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. SNYDER.)

Mr. SNYDER. Mr. Speaker, as the ranking member of the Subcommittee on Total Force I rise in support of this conference report. I would like to take this opportunity to thank the chairman of the Subcommittee on Total Force, the gentleman from New York (Mr. MCHUGH), for his leadership and also to thank the committee chairman, the gentleman from California (Mr. HUNTER), and the ranking member, the gentleman from Missouri (Mr. Skelton), for their many years and efforts that has resulted once again in a conference agreement coming to the floor.

This bill continues several years of improvements to quality of life programs for our military personnel, retirees, and their families. We provided a targeted pay raise of up to 3.7 percent and additional targeted pay increases for mid-career and senior enlisted personnel.

We fixed a problem for our reservists who were called up after September 11 and were forced to pay their lodging expenses when they went home on leave. We extended the increase in imminent danger pay to \$225 and family separation allowance to \$250 until the end of next year. Our service members are still in conflict in Iraq and Afghanistan and face months of separation from their loved ones. These increases are necessary and deserved.

We increased access to TRICARE benefits for reservists and their families. We expanded commissary access to selected reservists and Reserve retirees under 60.

We allow individuals who volunteer to defend our Nation but are not U.S. citizens to become naturalized after 1 year of service. We also allow their families to become naturalized if a service member is killed in action.

I am disappointed that the committee was not able to include full concurrent receipt. Approximately 60 percent of Arkansas disabled veterans who are currently penalized by current law will not be helped by this compromise. We should do better.

While I am supporting of this bill, the process that brought us here is not good. The bipartisanship for which our committee has been known is slowly vanishing. The responsibility to provide for our Nation's defense and security is an area in which partisanship should be minimized, particularly at a time of war.

Sadly, it is becoming clear that this partisanship is becoming the norm in the way we conduct business. Both Democrats and Republicans have a duty and obligation to protect our citizens and the freedom Americans enjoy.

We need to work together in a bipartisan fashion to ensure that our rights and freedoms are preserved for future generations.

Mr. HUNTER. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. DICKS.)

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

Mr. DICKS. Mr. Speaker, I would like to enter into a colloquy with the gentleman from California (Mr. HUNTER), the chairman of the Committee on Armed Services.

Mr. Chairman, the conference report on H.R. 1588, the Fiscal Year 2004 Defense Authorization Act, contains a provision, section 135, which authorizes the Air Force to enter into a contract for 100 tanker aircraft under the terms and conditions of section 8159 of the Fiscal Year 2002 Defense Appropriations Act.

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

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

Mr. HUNTER. Mr. Speaker, the gentleman is correct. Section 135 of the conference report does authorize a tanker acquisition program as did the Fiscal Year 2002 Defense Appropriations Act.

Mr. DICKS. Mr. Speaker, it is my further understanding that section 135 was written after extensive negotiation with the Department of Defense and the administration and that that section represents a common understanding between the conferees and the administration on the terms under which this tanker program will be executed.

□ 1045

Mr. HUNTER. The gentleman is again correct. Section 131 codifies an agreement reached with the administration. The conferees relied upon a letter sent on November 5, 2003, to the chairman and ranking member of the Committee on Armed Services in the other body by the Deputy Secretary of Defense, Mr. Wolfowitz, in coming to agreement on the tanker acquisition program authorized by section 135.

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

Mr. DICKS. I yield to the gentleman from Kansas.

Mr. TIAHRT. Mr. Speaker, it is further my understanding that section 135 of the conference report will authorize the Air Force to enter into a single contract to acquire 100 767 tanker aircraft through a combination of lease and purchase.

Mr. HUNTER. The gentleman is correct. Section 135 authorizes the Air Force to enter into one contract for 100 aircraft, 20 by lease and 80 by purchase, or more than one contract for the same combination of aircraft.

Mr. TIAHRT. Finally, it is my understanding that section 135 of the conference report authorizes the Air Force to enter into a multi-year contract for the purchase of 767 tanker aircraft, and that payment under this contract may be made at the time of aircraft delivery, a process sometimes referred to as incremental funding.

Mr. HUNTER. The gentleman from Kansas (Mr. TIAHRT) is correct. The conferees in their joint report language agree that this section would "authorize the Secretary to enter into a multi-year procurement program, using incremental funding." This language indicates that the multi-year procurement program authorized by section 135 would allow the Air Force to make payments as agreed to in the contract and that the Air Force would not be required to have the full budget authority required to purchase an aircraft in order to place an order for that aircraft under the contract.

Mr. DICKS. We thank the chairman for his hard work on this issue.

Mr. Speaker, the letter sent to the Committee on Armed Services by Deputy Secretary of Defense Wolfowitz is as follows:

DEPUTY SECRETARY OF DEFENSE,
Washington, DC, Nov. 5, 2003.

The Hon. JOHN WARNER,
Chairman, Committee on Armed Services, U.S.
Senate, Washington, DC.

DEAR MR. CHAIRMAN: Thank you again for your consideration of the Department of Defense's proposal to lease 100 KC-767A aircraft. As you know, there has been a vigorous debate on the best way to get this program started. Your most recent amendment would allow the Air Force to lease no more than 20 of the 100 tankers. The Air Force has developed a proposal to implement that arrangement, and I hope that you will find it acceptable.

Our proposal strikes a necessary balance between the critical need for new air-refueling tankers and the constraints on our budget. As reflected in the enclosed chart, we intend to lease the initial 20 aircraft and then buy aircraft at a steady rate of 11 to 13 aircraft per year until delivery of the 100th. We commit to add \$2.4B, in Fiscal Years (FYs) 2008 through 2010, to the funding profile for the original proposal to lease 100 aircraft. We also will add \$1.4B in FY 2012 to 2013. The combination of these added funds achieves an immediate start to the program and allows us to purchase the last 80 aircraft at time of delivery.

I appreciate the support that you have provided in the past and look forward to working with you in the future. If you require further information, please do not hesitate to contact me. A similar letter has been sent to the chairmen and ranking minority members of each of the defense committees.

Sincerely,

PAUL WOLFOWITZ.

Mr. SKELTON. Mr. Speaker, I yield 2½ minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, one of the most time-honored traditions of America's servicemen and women is to keep their promise to leave no troops behind on the battlefield. This revered tradition is based on the principle that it would be wrong to leave those behind who have served in sacrifice for their country. Our Nation should honor this tradition, this principle of respect when it comes to the treatment of veterans. No veterans should be left behind when it comes to providing them the benefits they have earned.

Unfortunately, the Republican compromise on the disabled veterans tax known as concurrent receipt leaves over 397,000 veterans behind, 397,000 veterans, most of whom have served our Nation in uniform 20 to 30 years. They would not benefit whatsoever from this so-called compromise that represents a lot of broken promises and a lot of patriotic veterans left behind.

Many of the military retirees who might be benefitted from this compromise will never see its benefits because it is phased in over 10 years. How many World War II veterans will even be alive 10 years from now?

When Republicans passed a \$230,000 tax break just earlier this year for wealthy Americans making over \$1 million a year in dividend income, those massive tax benefits were made effective this year. Why then are veterans forced to wait 10 years to see a limited reduction in the disabled veterans tax? Where is the fairness in that?

One hundred sixty Republicans in this House have co-sponsored the Bilirakis bill to fully repeal the disabled veterans tax. Unfortunately, only two of those 160 Republicans have signed the discharge petition to require a vote on that bill.

Well, today there is a second chance to do what is right for veterans. By voting yes on the motion to recommit we can repeal the disabled veterans tax. If just a few of the 160 will join with Democrats, we can repeal the disabled veterans tax and we can do it fully and we can do it today. We can keep the promise we made to veterans when we co-sponsored the Bilirakis bill.

Keeping promises and leaving no troops behind, those are quintessential American values. On the eve of Veterans Day, let us apply those American values to the treatment of our veterans. Our promise to veterans should be more important than Republican Party loyalty. Vote yes on the motion to recommit. Vote yes to keep our promises to America's veterans.

Mr. HEFLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. BARTLETT), the chairman of the Subcommittee on Projection Forces.

Mr. BARTLETT of Maryland. Mr. Speaker, as chairman of the Subcommittee on Projection Forces, I am pleased to highlight the issues within the jurisdiction of our subcommittee.

This conference report increases the requested authorization for programs within the jurisdiction of the Subcommittee on Projection Forces by \$1.3 billion to \$30 billion dollars. Authorization is included for the administration's request of one Virginia class submarine, 3 DDG-51 destroyers, one LPD-17 amphibious assault ship, and two cargo and ammunition ships.

Additional authorizations of \$75 million for advance procurement of LPD-17 and \$248 million for SSN refueling overhaul are also included. Our conference report addresses 100 aircraft KC-767 Air Force proposed lease program by restricting the lease portion of the program to 20 aircraft, requiring the Air Force budget to procure the remaining 80 aircraft. This approach will save the taxpayer at least \$2 billion over the originally-proposed program.

We have also taken several initiatives to begin to address shortfalls in important requirements of the Department of Defense. An additional \$20 million to sustain a force structure of 83 B-1's, 23 aircraft above the level planned; and an additional \$208 million for Tomahawk missiles, an additional \$40 million for the Affordable Weapon, an additional \$100 million bomber R&D initiative for the next generation, follow-on stealth, deep strike bomber.

In addition, the recommended mark includes several important legislative proposals. First, a multi-year procurement authorization for several programs. Second, a limitation on C-5A aircraft requirement. Third, an electro-

magnetic gun initiative. Fourth, a requirement that the Secretary of Defense complete two independent studies on potential future fleet architectures for the Navy.

In conclusion, I urge my colleagues to support the conference report. I would like to thank the gentleman from Mississippi (Mr. TAYLOR) for all his support in completing in conference report. I would also like to thank our chairman, the gentleman from California (Mr. HUNTER), and our ranking member, the gentleman from Missouri (Mr. SKELTON), for their leadership, commitment and steadfastness in completing this process.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the minority leader.

Ms. PELOSI. Mr. Speaker, I thank the distinguished member of the Committee on Armed Services for yielding me time and for his great services to our country throughout his whole life which continues here in Congress. As a veteran himself, his service on the Committee on Armed Services is very informed and we thank him and recognize his leadership.

Mr. Speaker, I rise today to honor the commitment of our Nation's veterans. We will have a motion to recommit, as has been indicated, and it is to support our veterans.

No group of Americans has stood stronger and braver for our Nation than our troops and our veterans. From the bitter cold winter at Valley Forge to the boiling hot Iraqi terrain, our soldiers have courageously answered when called, gone where ordered, and defended our Nation with honor.

As a Nation we have a sacred pact with those who have served us in uniform. They have taken care of us and, in turn, we will always take care of them. That is our solemn pledge.

Today, just before Veterans Day, we stand on the floor of the House of Representatives prepared to vote on the Department of Defense authorization conference report. And on this day we have young men and women, the sons and daughters of America on the ground, engaged in war in Iraq. We salute them for their courage, their patriotism and the sacrifice they are willing to make for our country. But this bill in many respects does not honor their service.

Democrats are fighting to live up to our promise to our veterans by ending the unfair practice of the disabled veterans tax. The gentleman from Georgia (Mr. MARSHALL) will be offering the motion to recommit to this effect. He is leading our fight for a complete and total repeal of the disabled veterans tax for all of our veterans. We have made this long-standing issue too hot to handle for the Republicans and they have offered a proposal in today's conference report in response. Their proposal is a step, but it is not nearly good enough.

The Republicans have put forth a proposal that leaves far too many veterans behind. Under their Republican proposal, two-thirds of our veterans, two-third of our veterans still will not receive one penny of compensation for their disabilities.

The Republican deal will address the tax for some veterans but not for others. For the select few it does address, the tax may not fully end for them for 10 years. Many of these are veterans of World War II. Ten years is a long time to wait in any event, but especially if you are a World War II vet. That is not good enough.

America's veterans deserve better. On the battlefield of war our soldiers pledge to leave no one behind. As a Nation, it must be our pledge that after our soldiers come home we will leave no veteran behind. Our veterans served for all of us. We must be there for all of them.

In June, Democrats launched a discharge petition to give Members a chance to vote to end completely the disabled veterans tax for all military retirees. Two hundred and three Members, 201 Democrats, only 2 Republicans, signed the discharge petition, despite the fact that 160 Republicans have co-sponsored the legislation. So we know that our Republican colleagues believe that this is the right course of action. Democrats are giving you a way to honor our own commitment. The right thing to do was obvious then when this discharge petition was signed to completely end the disabled veterans tax.

The right thing to do today, just before Veterans Day, is also obvious. Vote to recommit this bill with instructions to strip out the failed Republican language on disabled veterans tax and add the Democratic language to completely and totally end the disabled veterans tax. Indeed, this language is the language of the gentleman from Florida (Mr. BILIRAKIS), a distinguished member of the Republican Caucus.

The current language again leaves two-thirds of our vets behind. The Democratic motion to recommit leaves no veteran behind. We have a moral obligation to those who have paid the high price for our freedom, those who have worn our Nation's uniform. Our words must be as bold as their deeds, and we must honor what they have done for our country.

So let us give a great gift to our veterans on this Veterans Day. I urge my colleagues to honor our veterans service and vote yes when the opportunity comes for the motion to recommit.

Mr. HEFLEY. Mr. Speaker, I yield myself 3½ minutes.

Let me just respond just a second to the gentlewoman who just spoke.

The Democrats controlled this House for 40 years, and I went to Sonny Montgomery, who was chairman of the Committee on Veterans Affairs, and I asked him years ago, why do we not do something about this concurrent receipt

thing? And he said, we are not doing anything about that concurrent receipt and we are never doing anything about that concurrent receipt.

They had a Democrat President. They had a Democrat Senate. They had a Democrat House. They could have done something about it, but they did not, and now we get this phony posturing after a deal has been worked out to really try to deal with the problem. I think that is a cheap shot, Mr. Chairman. But that is not why I rise today.

I rise to support H.R. 1588, the National Defense Authorization Act for Fiscal Year 2004. We are a Nation engaged in an ongoing global war on terrorism. American soldiers, sailors, airmen and Marines are deployed all over the world in support of Operation Enduring Freedom and Operation Iraqi Freedom. The bill supports all of our service members who are fighting terrorism and defending our homeland.

H.R. 1588 strikes a careful balance between ensuring that our military is able to train in a realistic manner while remaining good stewards of the environment. The bill amends the Marine Mammal Protection Act so that it can be read and implemented in a common sense fashion. The Navy, for example, will now be able use new sonar technology vital to the protection of U.S. ships, submarines and global interests, without harming marine mammals.

The bill also changes the Endangered Species Act to ensure that military training lands are used for their primary purpose, to train America's troops in realistic environments. These changes will protect the environment and also enhance the readiness of our military personnel.

H.R. 1588 also recognizes that the military services will face significant challenges as personnel and equipment return home from war. The level of effort necessary to resurge this equipment at our maintenance depots will be extraordinary. This conference report recognizes these consequences and includes additional funding for key readiness accounts.

The bill includes \$9.7 billion for military construction and family housing projects around the world. This is an increase in the President's budget of more than \$420 million, with additional funds targeted at projects to improve the facilities in which America's service members live, work, train and operate. Such projects are extraordinarily important to the quality of life for our military personnel and their families, as well as U.S. military readiness.

The National Security Personnel System established in this bill will provide the Secretary of Defense flexibility to hire, fire and promote a more agile workforce; the authority to tie pay to performance; increased ability to classify positions and to administer pay and allowances; and a better basis on which to establish a labor relations system.

□ 1100

The new personnel system will also ensure that employee representatives are included in the planning, development, and implementing of new human resources management systems. There also will be a separate process to ensure that employee representatives participate in the development and implementation of a new management relations system.

There are some things that did not get in this that we were beat back on in the Senate. I think the BRAC provisions were one that I wish were changed. I think the firefighting provisions were very important to be changed; but, in balance, H.R. 1588 will make real improvements in U.S. military readiness and ensure the continued strength of U.S. Armed Forces for years to come, and I urge my colleagues to support this bill.

Mr. SKELTON. Mr. Speaker, I yield 3½ minutes to the gentleman from South Carolina (Mr. SPRATT).

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

Mr. SPRATT. Mr. Speaker, with a defense budget of \$400 billion and an enormous range of issues, it is not easy to bring a conference to closure, and I commend the gentleman from California (Mr. HUNTER), as well as the gentleman from Missouri (Mr. SKELTON), for what they have achieved.

I rise in support of H.R. 1588, the conference report thereon, but I have some real concerns. First of all, I have already spoken to the failure of the underlying bill to accrue properly the budget authority that will be necessary to implement the compromise on concurrent receipt or the provisions for lease purchase of 100 tankers. I am concerned about the radical reform of civil service laws in the Department of Defense and the dispensation this bill gives to the Department of Defense from environmental laws that apply to everybody else. Also, I am concerned about the new and cumbersome strictures on cooperative threat reduction.

I am particularly disappointed in the provisions of this report that deal with low-level nuclear weapons. I believe the conferees should have stuck with the bipartisan compromise reached by the Committee on Armed Services and set forth in the defense bill that we passed last May. That compromise was sound enough that in July of this year when I offered a motion to instruct, those provisions were accepted and upheld by the House without dissent.

The administration began this year by stepping up its push for repeal on a ban of low-level nuclear weapons research and development, a ban which has been in the law for 10 years. There was little opposition here to broadening research into low-yield nuclear weapons, but there was bipartisan concern about going so far as engineering development. And so both the House and Senate authorization bills proposed changes to allow research into

low-yield nuclear weapons, but restricted any move into engineering development.

The Senate, on the other hand, repealed the so-called Spratt-Furse amendment entirely, but then backfilled the cavity with caveats barring testing or deployment of low-yield nuclear weapons. They also added language requiring specific congressional authorization to move into development of any advanced nuclear concept project. These are the provisions included in the conference report.

By contrast, the House version amended existing law rather than repealing it. We explicitly authorized research, but we maintained a bar on development beyond detailed feasibility studies, the so-called 6.2a level of research and development.

Our compromise may have similar in consequences to the Senate approach, but I think it was superior in form because it makes clear that it is the policy of the United States not to develop low-yield tactical nuclear weapons. The House compromise, thus, gives stronger assurance that Congress will be an equal partner if that policy is reversed, if that decision is taken, and if there is a move to go beyond research.

When we adopted the Spratt-Furse amendment in the early 1990s, it came in the wake of an issue taken by the first President Bush whereby we withdrew a number of tactical nuclear weapons from Europe and the Soviets responded in kind. This was a step back and a step forward for nuclear security throughout the world. This initiative helped us later on to persuade Ukraine, Kazakhstan, and Belarus to forswear nuclear weapons.

If today the United States should move toward renewed development of nuclear weapons, especially weapons designed to be more usable due to their low-yield warheads, it sends the wrong signal.

Mr. Speaker, I support the conference report because it does many things I support, particularly for the quality of life for our troops, and also because I trust that the effect of the language in the report will be enough to forestall development of mini-nukes. I recommend support for the bill.

Mr. HEFLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. TOM DAVIS), who is chairman of the Committee on Government Reform.

(Mr. TOM DAVIS of Virginia asked and was given permission to revise and extend his remarks.)

Mr. TOM DAVIS of Virginia. Mr. Speaker, this legislation has a number of component parts, concurrent receipt. It has a \$500 million human capital performance fund that will reward civil servants for outstanding performance, something we have never had before. It has a services acquisition reform act element that will reform the way we buy and purchase services which can save literally billions of dollars for America's taxpayers, and it has

a national security personnel system that we have created that will allow the Department of Defense to shed the shackles of its 50-year-old civil service structure, because when it comes to our civil service, the tradition of preserving traditions has become a tradition. It is time for that to change.

Some of my colleagues on the other side of the aisle have come up with some statements on this that I think are off the mark. They have noted that this bill makes a mockery of labor-management relations. This conference report includes chapter 71, the labor-management relations in the list of nonwaivable chapters in title V of the U.S. Code. The agreement sets up an extensive collaborative process that requires the Department to work side by side with the unions and employee groups in setting up the human resources management system for the Department of Defense. The agreement sets up an extensive collaborative process that requires the Department to work side by side with the unions in setting up the process in which management and labor work together in the future.

The second and third requirements are new to Federal law. No other agencies are required to coordinate with their employees, a good precedent.

Another gentleman said that the bill eliminates overtime pay for civilian employees. That is absolutely false. Overtime pay is not eliminated. The agreement, in addition to having \$500 million in a human capital performance fund for civil servants who perform in an outstanding fashion, the agreement provides the Department the authority to improve the current provisions in law relating to overtime pay for some of the Department's most valuable employees. It asks for this language not to scrap overtime pay; instead, they are asking for authority not to be bound by the voluminous restrictions and requirements in title V that dictate how, when, and where DOD is authorized to administer overtime pay. This will allow the Department of Defense to move into the modern age.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Speaker, I rise today in support of H.R. 1588, the National Defense Authorization Act of 2004. I want to thank the gentleman from California (Chairman HUNTER) and the gentleman from Missouri (Mr. SKELTON), the ranking member, for their hard work on this bill. I must, however, express my deep reservations with regards to what I see as the inadequacy of the concurrent receipt provision. This Congress is expanding concurrent receipt to only 30 percent of disabled retirees. Where is our commitment to all of our veterans? Congress must not forget those veteran retirees who will still be denied their hard-earned retirement pay. All veteran retirees give at least 20 years of service to this country. They have

stood ready to serve in times of war and times of peace. This country owes them more than a tax on the disability compensation.

I fear the partial phase-in of concurrent receipt will create two classes of veterans: those who will continue to suffer under the disabled veterans tax and those who will be deemed disabled enough to receive their compensation. Their sacrifice and service was equal. Congress should treat them with the same equity with which they served. Whether being drafted into service or volunteering, every disabled veteran was prepared to give their last full measure. Each was prepared to demonstrate the ultimate commitment; yet Congress cannot even muster for them half a loaf.

Mr. Speaker, as we head home to observe Veterans' Day, this is no way to honor our veterans. To divide veterans into the haves and have-nots is not befitting the sacrifices they made. They gave our country 100 percent, whether in times of war or peace; and they deserve 100 percent of what they earned.

In closing, I will be supporting H.R. 1588, but also will be supporting the Marshall motion to recommit to expand concurrent receipt to all of our disabled veterans.

Mr. HEFLEY. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from Alabama (Mr. EVERETT).

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

Mr. EVERETT. Mr. Speaker, I rise in support of this bill. It is very important that for the first time in well over 40 years we do something about concurrent receipt.

Mr. Speaker, I rise in strong support of the conference agreement on the National Defense Authorization Act for fiscal year 2004.

This is a solid bill that broadly serves our national security interests and addresses the needs of our armed forces as we continue the fight against terrorism. I will get to some of its strengths in a minute. But first I want to thank you Chairman HUNTER and Ranking Member SKELTON for the leadership you have provided in putting this bill together. And I particularly want to recognize the ranking member of the Strategic Forces subcommittee, Mr. REYES, for his efforts on this bill. Together we have tackled some very tough issues.

The first long range missiles and nuclear weapons were developed almost 60 years ago. Yet today, we have no means to defend the territory of the United States against even a single long range missile, and have only recently begun to deploy defenses against theater range missile threats. In December of last year, the President announced his intention to enhance the capabilities of our Pacific missile defense test bed to field a modest, initial defensive operational capability to defend the territory of the United States by the end of fiscal year 2004. The President requested \$9.1 billion to support that—and other—missile defense efforts.

I am pleased to report that this bill fully funds the request, providing the resources required to meet this great and historic challenge. The conferees have also agreed to shift

funds from longer term, less mature efforts in order to accelerate nearer term fielding of systems like Patriot that are designed to protect our troops deployed worldwide who face increasing threats from theater range ballistic missile threat.

Some of the most difficult issues we addressed in this bill involve nuclear weapons. Since the end of the cold war, we no longer face a monolithic threat. The new national security environment in which we find ourselves requires that we adopt a more flexible and adaptive approach to planning for our strategic deterrent. It further requires that we examine the weapons in our aging stockpile to determine if they continue to meet the Nation's needs for a credible and robust deterrent. Provisions of this bill would allow our scientists and engineers the freedom to explore the full range of options for defeating existing and emerging threats. At the same time, the bill includes "checks" that reserve for Congress the authority to approve the development of certain classes of new nuclear weapons.

The bill would also authorize the budget request of \$6.4 billion for the weapons activities of the National Nuclear Security Administration. The United States has observed a moratorium on nuclear testing for over a decade, and NNSA programs continue to maintain the safety, reliability and performance of the nuclear stockpile in the absence of testing.

However, recognizing that circumstances may require a return to testing at some point in the future, and that the current test readiness posture of almost 3 years does not provide a real option for any President, the conferees have included a provision that would require the Secretary of Energy to achieve and maintain a readiness posture of not more than 18 months.

The conference agreement provides strong support for the military space and intelligence activities that have proven so effective in Afghanistan, and more recently Iraq. Notably, the bill would promote development of the U.S. commercial space-based imagery industrial base, enhance space-based communications to support the warfighter, and robustly fund development of unmanned aerial vehicles for intelligence, surveillance and reconnaissance.

Mr. Speaker, the men and women of our armed forces are doing their part everyday in places far from home. Let us do our part, and pass this bill.

Mr. HEFLEY. Mr. Speaker, I yield 2½ minutes to the gentleman from Georgia (Mr. GINGREY), a member of the Committee on Armed Services.

Mr. GINGREY. Mr. Speaker, I rise today in strong support of the conference report on H.R. 1588, the National Defense Authorization Act for Fiscal Year 2004. This critically important legislation provides our brave men and women in uniform the tools they need to accomplish their missions, but it also contains many provisions to improve their quality of life.

This bill increases the combat capabilities of our Armed Forces with appropriate levels of spending for readiness, procurement, research and development. It funds programs such as the M1 Abrams tank and Bradley fighting vehicles that are used in current conflicts, and transforms our military to

meet the threats of tomorrow with futuristic systems like the Air Force's F/A-22 Raptor. The bill provides funding to make our homeland safe by combating terrorism at home and abroad and continuing to develop a ballistic missile defense system.

Most important in this legislation, however, are the provisions aimed to benefit our current and past servicemembers. H.R. 1588 provides a 4.1 percent pay raise, and it increases imminent-danger pay. It also funds important military family housing, education and military facilities. H.R. 1588 directs improvements to the TRICARE system and survivor benefit, and it contains many other provisions for members of the National Guard and the Reserves.

I thank the chairman of the Subcommittee on Total Force, the gentleman from New York (Mr. MCHUGH), for his tremendous dedication to these quality-of-life issues.

This bill also recognizes the inherent unfairness that disabled military retirees have their retirement benefits offset by the amount of their disability benefits by providing concurrent receipt for more veterans than have ever been covered before.

Finally, I thank the gentleman from California (Chairman HUNTER) and the ranking member, the gentleman from Missouri (Mr. SKELTON), for not only their leadership of our committee but also for their work in shepherding this bill through the legislative process. They recognize that we owe all of our freedom and safety to our brave men and women in uniform and that Congress can help them in a major way with the passage of this bill. They also know how important this bill is to my district and Fort Benning in Columbus, Georgia, the home of the infantry where 37,000 active duty troops go to work every day.

In conclusion, I urge my colleagues to vote in favor of H.R. 1588.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Speaker, I rise in support of this conference report, and I thank the gentleman from Missouri (Mr. SKELTON) for yielding me this time.

I am happy to see we are finally making some progress on eliminating the unfair disabled veterans tax, but it is not enough. We must keep working to ensure that no disabled veteran has to give up their hardearned military retirement pay just because they earn disability compensation.

Under the Republican plan, veterans who are more than 50 percent disabled will begin to receive a benefit that will be phased in over the next 10 years; but this still leaves two-thirds of disabled veterans behind. In Oregon, 5,500 disabled veterans are currently penalized by this sick tax. Under this compromise, 2,000 veterans will receive some sort of relief at some point over the next 10 years, but the remaining

3,500 retired disabled veterans in Oregon who are currently penalized by this sick tax will receive no benefit under this Republican compromise.

While I am pleased we were able to take this first step, we cannot stop until all of our Nation's military retirees who are disabled as a result of service to this country are able to receive the compensation they have earned and deserve. This is a promise we must keep.

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

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, the conference report before us is one I will support. It will provide adequate pay, housing and training for the men and women serving our country on active duty and in the Guard and Reserves. It funds important modernization priorities that will ensure that the weapons systems with which we equip our troops are the most advanced and capable in the world for years to come.

□ 1115

However, the report is not perfect. I am disappointed by the way in which the conference report treats civilian employees of the Department of Defense. Simply stated, the report will strip more than a third of our Federal civilian employees, over 700,000 hard-working men and women, of their most basic worker protections and rights.

I am sorry the gentleman from Virginia (Mr. TOM DAVIS) left the floor. He indicates 71 and some of the other articles that protect Federal employees will not be waived. That is technically true, but the bill allows them to be suspended for the next 10 years. So although they technically cannot be waived, they will not be in effect at the decision of the Secretary.

Let me be clear. I am not opposed to thoughtful reform of our civil service system. However, the report goes too far. It will undo decades of some of the most important worker protections enacted by Congress and supported for decades by Republican and Democratic Presidents alike.

Notwithstanding these concerns, Mr. Speaker, I will support this important agreement. I expect it to pass by a wide margin with broad support from both House Democrats and Republicans who stand squarely behind our troops and in favor of protecting our national security.

Mr. HEFLEY. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. SMITH), chairman of the Committee on Veterans' Affairs.

Mr. SMITH of New Jersey. Mr. Speaker, the Democratic motion to recommit is among the most cynical and political motions I have seen in my 23 years in Congress. And I believe, Mr. Speaker, it is a cheap shot, cynically designed and crafted to politicize disabled veterans and to mock the historic benefits increase contained in

this bill, \$22 billion in the first 10 years and at least \$57 billion over the next 20 years for disabled veterans. For example, a 100 percent service-connected disabled veterans over the next 10 years may see an increase of approximately \$167,000. That is brand new money. They do not have it now. Under this bill these deserving men and women will get it. The same goes for those whose wounds are combat related or rated 50% or above by the VA.

For the last 100 years, as we know, the unfairness of concurrent receipt has been with us. For most of those years, the Democrats had a hammer lock on the House and Senate and did nothing. In the early 90's the Democrats had it all. Bill Clinton was in the White House for 8 long years. Yet nothing was done on the Bilirakis bill. Nothing was done to reform concurrent receipt. Even this year, it wasn't in the Democratic budget. We tried to make this a bipartisan effort—today's motion is pure politics.

I am sickened by this kind of posturing. I know the game you are playing. This is all about the next election. Our bill is a victory for veterans. This will make a significant addition to the benefits received by our disabled veterans. I hope Members will vote for it.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Maine (Mr. MICHAUD).

Mr. MICHAUD. I thank the distinguished gentleman for yielding me this time.

Mr. Speaker, I cannot speak for former Members of Congress because I am a freshman this year, but had I been a Member of Congress in the past, I definitely would be fighting strongly for the repeal of concurrent receipt.

Mr. Speaker, I rise in strong support of the motion to recommit to provide full concurrent receipt for disabled military veterans. For years, the lack of concurrent receipt, or as some have called it the disabled veterans tax, has taken benefits from the pockets of deserving military retirees. It is an embarrassment that Congress has gone this long without taking care of that disabled veterans tax. I am glad that some veterans will get relief under this bill. But all veterans deserve relief. This is a matter of keeping sacred promises.

The so-called compromise today is leaving a lot of veterans behind, including 2,038 veterans in Maine who would get benefits if we enacted full concurrent receipt for all.

I urge my colleagues to vote for the motion to recommit to provide a full benefit to all veterans. If that fails, I definitely will support the final bill to give relief to at least some of our deserving veterans, including 1,219 in Maine who will now get concurrent receipt under this bill. That is a good step forward.

But I will not give up and I will keep working until all veterans get full concurrent receipt and we eliminate the unfair disabled veterans tax on these veterans.

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

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in full support on the eve of Veterans' Day of a full compensation and total concurrent receipts for all of our veterans. I want the unwarranted tax against veterans to be eliminated. I do not like the fact that 390,000 of our veterans will be left behind in this bill and will be supporting the motion to recommit but will add my support to this legislation because I hope that we can take a baby step in order to make a giant step toward providing for all our veterans.

I would ask my colleagues to go back to the drawing boards on helping our civil service employees at DOD, because overtime is a precious commodity for those trying to provide for their families. Then I think it is appropriate that we hear from Secretary Rumsfeld and Paul Wolfowitz on an exit strategy that will help our young soldiers on the front lines in Iraq because we do believe they are fighting for our freedom but it is crucial that we understand the loss of life has exceeded all speculation. And then, of course, I do appreciate the compromise that has allowed us to buy more equipment for the Air Force and the Boeing compromise of lease and option to purchase. This approach will be an effective way to balance need and costs.

And then on the eve of this very fine Veterans Day, let me pay tribute to all of our veterans, our combat wounded, and particularly those young men and women on the front lines in Iraq, those families who have lost their loved ones in Iraq and, yes, those who languish in our hospitals who are wounded. It is time now that we stand for them and provide the full support that they need. Let us leave no veteran or soldier behind.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 1588 the National Defense Authorization Act for 2004. I am supporting this legislation because our fighting men and women deserve to be properly funded. However, I have grave concerns in regards to how this legislation has been handled by the majority party in the House Armed Services Committee. I stand with Ranking Member IKE SKELTON in expressing my dismay that Democratic members were not consulted on very important provisions of this significant legislation. This Authorization bill while momentous cannot truly be considered the work of this entire body if it was not inclusive of Democratic members. Even so, I add my appreciation to Chairman DUNCAN and Ranking Member SKELTON for their sincere commitment to our Armed Forces.

CIVIL SERVICE REFORM

My concern is most evident in the lack of power civil service reform addressed in this bill. The bill claims to protect collective bargaining rights but removes all of the protec-

tions provided under the current law. Chapter 71 of Title 5 of the U.S. Code sets forth requirements for federal agencies to engage in good faith bargaining with unions and protects against discrimination based on union membership. This bill claims to make Chapter 71 nonwaivable but essentially allows the Department of Defense to waive Chapter 71 requirements for the 6-year period following enactment. During these 6 years, the Department of Defense can unilaterally establish a new labor relations system after only minimal consultation with unions and minimal notification to Congress. This new system will supersede all existing agreements negotiated between the Department of Defense and its unions.

During the 6-year period, the Secretary of Defense will have the authority to decide what issues will be bargained, whether labor-management impasses will be resolved by an outside third party, and what protections union members will have against discrimination. This authority will allow the Department of Defense to run roughshod over its unions for the 6 years, making a mockery out of the collective bargaining process. Mr. Speaker the lack of proper protection for our hard working civil service employees is unacceptable. My concern for civil service reform in this bill does not end with collective bargaining rights. In addition, this Authorization removes many vital due process and appeal rights for Department of Defense employees. Perhaps most striking is the fact that this bill removes the requirement that Department of Defense employees must receive additional pay for working overtime, working on holidays or weekends, or working in jobs involving unusual physical hardship or hazard. Both the House and Senate voted recently to protect overtime pay for private sector employees. Mr. Speaker it is disheartening that we are removing many basic rights from our civil service employees that we would normally guarantee for most Americans.

CONCURRENT RECEIPTS

Mr. Speaker I rise in full support with my Democratic colleagues in asking for the immediate elimination of the disabled veterans tax. I will support the motion to recommit. This Authorization bill leaves two-thirds of our military retirees to continue having their compensation compromised by this tax. Disabled military retirees should not be prohibited from receiving the full amount of their retirement pay while still receiving the full amount of their full disability compensation—these benefits are their entitlement; after all, we are forever indebted to them for their service. Our disabled veterans should be amongst our most cherished and recognized individuals in society, they deserve better than to be penalized for their sacrifice in battle. This body must move as a whole to adopt the proposal on concurrent receipts and eliminate this tax that is an undue burden on our disabled veterans who have already sacrificed enough for their nation.

EXIT STRATEGY FOR IRAQ

Mr. Speaker while this Authorization bill provides necessary funding for our brave fighting men and women this body must insist on receiving a report on the exit strategy from Iraq. It is pertinent that this Congress be informed how long our soldiers will have to face mortal danger. How can we reasonably assume the cost of funding our Armed Services when we have little information as to when our current conflict will end? Secretary Rumsfeld has an obligation to this body and indeed to our brave

troops to report on the administration's exit strategy from Iraq.

CHINOOK HELICOPTER

Mr. Speaker, I feel that this Authorization bill while supporting the needs of our Armed Forces may not address the need for greater protection for the Chinook helicopter that is widely used by our Armed Forces. The tragic loss of life that occurred by the downing of Chinook helicopters in Iraq illustrates the need for the implementation of defense technology to provide greater protection for the Chinook helicopters. Indeed, the Chinook is a vital instrument used by our Armed Forces to transport troops and supplies to our fighting forces on the ground. However, it is also one of our most vulnerable pieces of our military arsenal. The infrared technology aboard the Chinook makes it more susceptible to ground-to-air missile attack. I am disappointed that this Authorization bill may not address the need for modifications to the Chinook helicopter that can counteract its vulnerability. We must not allow our Armed Forces to lose more brave men and women because we did not address this glaring need, let's move to insure the safety of all fighting equipment.

While I have grave concerns about this momentous legislation I am voting in support of this Authorization. I do so because we must support our Armed Forces, as well it is long overdue that our civil service and defense employees receive pay increases.

I am also heartened by the purchase compromise reached with Boeing in this legislation. Boeing and their supporting suppliers who are based in Texas are innovative, when called upon, they are capable of responding to national security and civil market needs. It is also important in the future that contracts with the Department of Defense rely on both the lease and purchase of this vital equipment.

Mr. Speaker I hope in the future that such significant legislation as this will involve the debate and full consideration of this entire body.

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

Mr. SKELTON. Mr. Speaker, I yield 30 seconds to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. Mr. Speaker, I thank the gentleman for yielding me this time. I profoundly appreciate the hard work that has gone into this legislation but, my friends, we know that it is 1,200 pages long, it spends \$400 billion of the taxpayers' money and no one in this body save the conference members have had more than 3 hours to read this.

It is a fine thing to stand up and say we support our troops, and we all do. But the fact is we should not be voting on this today because we have not read it. We should vote next week on this, after we have had time to think about this seriously. If we truly care about our veterans, let us care enough to read the legislation, and if we truly care about our troops, let us care enough to read this legislation.

I will vote "present" because I do not have enough information to vote yea or nay, and I regret that profoundly.

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

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Washington (Mr. DICKS).

Mr. DICKS. Mr. Speaker, I want to thank the distinguished gentleman from Missouri, who is a classmate, for yielding me this time. I want to compliment him and Chairman HUNTER on this bill. We have worked for 2 years on the tanker provisions in this legislation. I am convinced that modernizing our tankers is absolutely crucial to national security. The gentleman from Missouri and I have worked for many years to implement and upgrade the B-2 bombers which fly out of Whiteman, Missouri. We have found that in all of these deployments that tankers are absolutely crucial.

I must tell the House that the condition of our tankers today is not good. The KC-135-Es have significant corrosion. They were all built between 1957 and 1963 in the Eisenhower and Kennedy administrations. I have been on them. I have talked to the pilots who fly them. I have talked to General Handy, General Jumper and they are convinced that replacing these tankers is one of the most important things we can do to preserve our military capability. When you think about it, every time we deploy, we have to have tankers. We have to have EA-6-Bs, those jammers. Both of them are very, very old and both of them need to be replaced and we need get on with it.

One of the things that I am concerned about that we still have not addressed since the Bush administration took office is the fact that we are short in procurement still 30 to \$40 billion. The big argument in the tanker issue is lease versus buy. The only reason we had to do a lease is the Air Force did not have the money to buy these airplanes. That is why we have got to get the procurement account up, General Myers says somewhere between 100 and \$110 billion. We are at \$72 billion. We have got work yet to be done here.

I am also very concerned about the provisions in this bill that deal with worker rights. We are going to continue to work on that. I hope that down the road we can exempt shipyards from those new restrictions.

PARLIAMENTARY INQUIRY

Mr. SKELTON. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman will state it.

Mr. SKELTON. Who has the right to close?

The SPEAKER pro tempore. The gentleman from Colorado has the right to close.

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

Let me take a moment, Mr. Speaker. This is deadly serious business that we are about. We are providing for the troops, those who wear the uniform of the United States of America as provided by the Constitution of the United States. This is of the highest calling of our Congress. No, all the provisions in this bill do not meet with my approval

wholeheartedly or with others'. But on the other hand there is so much in this bill that takes care of the troops, their families, their needs, their capability of waging war, and we are at war, Mr. Speaker.

With that in mind, I hope that every person in this Chamber, despite the misgivings of some provisions, will support this bill with the understanding that in so doing, a vote for this bill is a vote of confidence and appreciation for those who are wearing the uniform and those families at home in whose prayers those young soldiers, sailors, airmen and Marines are.

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

Mr. HEFLEY. Mr. Speaker, I yield 30 seconds to the gentleman from Florida (Mr. YOUNG), chairman of the Committee on Appropriations.

Mr. YOUNG of Florida. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise, number one, to congratulate the Committee on Armed Services, led by Chairman HUNTER, Chairman HEFLEY and Ranking Member SKELTON. It is a good bill. I rise in support of the bill and against the motion to recommit.

Primarily, though, I want to compliment my friend and colleague from Florida (Mr. BILIRAKIS) for the work that he has done over the years on the issue of concurrent receipt. Veterans all over America will appreciate the determination and the tenacity that he has brought to this issue of concurrent receipt. Today is a recognition of total dedication and hard work and not willing to give up, while it has been very frustrating on occasion. The gentleman from Florida has done an outstanding job. I just want to rise today to say that. It is a heartfelt thanks to the gentleman from Florida and on behalf of all the veterans all over our great country for him having been able to make this happen today.

Mr. SKELTON. Mr. Speaker, I yield the balance of my time to the gentleman from Georgia (Mr. MARSHALL).

Mr. MARSHALL. Mr. Speaker, I thank the gentleman from Missouri (Mr. SKELTON) and the gentleman from California (Mr. HUNTER) for their leadership in pulling together a good bill. Not all of the provisions of this bill are satisfactory to everyone in this Chamber and ultimately I think this bill will pass, but I want to give us an opportunity to improve the bill by increasing the tax cut that this bill contemplates for disabled American veterans.

I have heard a reference to this being cynical. I have heard a reference to the history of the House in which there were other opportunities to end the disabled veterans tax, but I am a new guy here and I think today we have an opportunity to do what is right. If it was right 20 years ago or 50 years ago or 10 years ago, it is right now.

I am going to offer a motion to recommit. I want everybody to understand what that motion to recommit does.

□ 1130

It leaves the entire bill intact. It changes nothing in the bill with the exception of one thing: it instructs that the House conferees go as far as they can toward the Senate position with regard to the disabled veterans tax, also known as concurrent receipt. If we do that, we effectively eliminate the disabled veterans tax. We are not doing that in this bill.

We do give a tax cut to disabled veterans in this bill. It is the compromise, frankly, that has been forced as a result of all of the attention brought to this issue during this session by many veterans groups, by many on the Democratic side, by the discharge petition that I filed earlier, and because so many people have supported the Bilirakis bill in the past. Right now we have got about 370 cosponsors of the Bilirakis bill. House Resolution 303 is designed to end the disabled veterans tax. There are many on the other side of the aisle who have signed on as cosponsors of H. Res. 303 to end the disabled veterans tax. We have got an opportunity to do that right now with this motion to recommit. It is a rifle shot. It does only one thing, and that is to do right by our veterans.

Some have said that we cannot afford more than this. I like tax cuts. While I was the mayor of Macon, I led the fight to lower our property taxes for the first time in 20 years. I think I am one of the few Democrats, fewer than 10, I suspect, that voted for the compromise administration tax cut that we passed earlier this year. I will vote for other tax cuts as well.

We have got to prioritize our tax cuts. We will have an opportunity right now to give tax cuts to disabled veterans that they well deserve and that we can afford if we are willing to put that tax cut toward the top of the priority list. Others here have voted for tax cuts beside this one. Now is an opportunity to vote for this. That is why I am doing this motion to recommit.

Mr. HEFLEY. Mr. Speaker, I yield the balance of my time to the gentleman from Florida (Mr. BILIRAKIS), who is not a Johnny-come-lately on concurrent receipt. He has led this fight longer than I have been a Member of the United States Congress.

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

Mr. BILIRAKIS. Mr. Speaker, as to the issue of concurrent receipt, which the other side keeps referring to as a tax on disabled veterans, as the Members know, and I appreciate all the kind remarks that I have received from both sides of the aisle, but I have worked on this for 18 years, and during the first half of those 18 years, the other party was in charge, and we have to ask ourselves what was done during all that period of time. I say to the Members nothing, nothing. I am searching my mind to try to find out how many hearings we were able to have on this issue during that period of

time. We may have had one. I am not even sure we had even that. Never in any of their budgets had they even put a single penny into their budgets for full concurrent receipt, even the most recent ones. The discharge petition would bring H.R. 303 on the floor. There is going to be a motion to recommit, which basically says we have got to have the entire amount.

Why did you all not crank those dollars into your budget? You have not chosen to do so.

The gentleman has talked about his discharge petition. My discharge petition back in the early 1990s, 1993 I believe it was, failed. Where were all the signers from that side of the aisle back in 1993, or whatever that year was, when we had that discharge petition? Politics, I might say, politics, politics.

Starting January 1 of next year, the proposal will phase in full concurrent receipt for all retirees who have disability ratings 50 percent or more. It expands the combat-related special compensation program to cover all 100 percent combat-related disability categories, as opposed to those that are 60 percent now. It also extends these benefits to the Reserve and National Guard, who have not been getting it up to now.

Despite this breakthrough, Mr. Speaker, full concurrent receipt remains a priority goal for all of us. Only let us show it. Rather than just discharge petitions, let us put the dollars into the budget, if we will, on both sides of the aisle if we are really serious.

I ask everybody to vote for this bill and to oppose the motion to recommit, Mr. Speaker, for the reasons stated.

Mr. MEEHAN. Mr. Speaker, I rise today in support of the Department of Defense authorization conference report. But before I address the issues raised by this bill, I want to thank the staff for their hard work on this bill. I especially appreciate the efforts of Bill Natter of the Committee staff and Bill McCann from my personal staff. I also want to extend a special thank you to Faye Virostek, who has worked in my office as a Brookings Fellows for almost a year. Faye is tremendously talented and dedicated. She has contributed greatly to my work on the Armed Services Committee and to my office, and I wish her the best as she prepares to return to her permanent executive branch job.

I did not sign the conference report because I object to the exclusion of the minority members of the Conference Committee from deliberations over several important issues. In some cases, we were able to work constructively to reach reasonable compromise, but in others the majority was unwilling to work with us in an attempt to produce a consensus position. I do not believe that our Nation's interests or this institution are well-served by this process.

For example, the conference report mirrors the House report language to rewrite the Endangered Species Act and Marine Mammal Protection Act, two critical environmental laws.

In addition, the resolution on concurrent receipt of disability and retirement benefits fails to resolve the unfairness and hardship faced

by many veterans. I believe the debate needs to be continued on this very important issue, and I was disappointed that the majority chose to adopt a half-measure rather than solving the problem in its entirety.

I also am dismayed that efforts to clarify the Berry amendment failed. This is not a failure of the conference process, but it is a serious blow to the textile industry in Massachusetts and across the country.

Having said that, I believe the conference report is on the whole a solid proposal. At a time when members of our Nation's military are being asked to make tremendous personal sacrifices, this bill represents a step in the right direction.

I recognize the importance of providing a truly bipartisan authorization package in order to maintain the world's most capable military. To this end, the Subcommittee on Terrorism, Unconventional Threats and Capabilities, where I serve as ranking member, authorized increased spending on DARPA, chemical and biological defense, and special operations. I applaud Subcommittee Chairman SAXTON for his leadership and work on these issues, and I also want to thank Ranking Member SKELTON for all of his efforts.

While this bill generally represents a sound approach to most of the issues before the Committee, I am disappointed that its flaws were not corrected. In the coming months, I hope that we will be able to move forward and address the shortcomings in this conference report.

Mr. DINGELL. Mr. Speaker, I would have liked to offer my support to this conference report. The conference report includes a much needed pay raise and much needed support for our military families. In typical fashion, however, my Republican colleagues have taken a good bill and bogged it down with extraneous and extreme measures. The conference report does not include the stronger House language on Buy America and allows research on low-yield nuclear weapons—a practice prohibited by Republicans and Democrats over the last 20 years because it violates the non-proliferation treaty and makes it easier for questionable regimes to obtain nuclear weapons. The conference report also exempts the military from complying with two of our most important environmental laws, the Endangered Species Act and the Marine Mammal Protection Act.

When this authorization process began, Secretary Rumsfeld came to Congress and told us that in order to maintain readiness, they needed exemptions from the Clean Air Act, the Resources Conservation Recovery Act, Superfund, the Endangered Species Act, and the Marine Mammal Protection Act. Fortunately, the Congress saw fit to exclude most of what the DOD asked for with regard to environmental exemptions.

The conference report directs the Secretary of Interior to substitute the Department of Defense's land management plan, known as an Integrated Natural Resources Management Plan, for critical habitat designation under the Endangered Species Act, if the plan provides a "benefit" for threatened species. Further, the conference report does not require that the Integrated Natural Resources Management Plan benefit the species.

This is a much lower standard than the current law, not to mention the DOD has enough trouble coming up with a management plan for

things it is supposed to know about, let alone fish and wildlife. If the military is able to escape the critical habitat designation, private property owners will have to bear the burden of providing for the recovery of threatened and endangered species. This is simply not right.

Just this week, the Committee on Resources passed a bipartisan reauthorization of the Marine Mammal Protection Act. That legislation was the culmination of over 4 years worth of hearings and the testimony of dozens of witnesses. Contrary to what happened in the committee of jurisdiction, where they were able to successfully compromise to address the definition of harassment, the language in the conference report would overturn a recent court decision and construct a wall against any further litigation against the Navy.

Over the last 5 years our troops have toppled a dictator in Iraq, stopped a genocide in Kosovo, and defeated the Taliban in Afghanistan. Our troops prepared for those missions without exemptions from our cornerstone environmental laws—laws that administration officials and the General Accounting Office do not believe are hampering our military readiness.

Indeed, former NATO Supreme Allied Commander, General Wesley Clark recently stated, "Additional exemptions aren't needed. I spent a lot of time in the Army and, in all my years of service, complying with the environmental laws never compromised the military readiness of troops under my command." Mr. Speaker, we need to ask ourselves why we are passing language that neither the Resources Committee nor a four-star general deem necessary.

In short, Mr. Speaker, I regret that I cannot support this conference report. I must draw a line in the sand. My Republican colleagues have got to stop looking for ways to put bad and extraneous language in good bills in an attempt to force the hands of those who disagree with them.

Mr. LANGEVIN. Mr. Speaker, as a member of the House Armed Services Committee, I am pleased to speak in support of the bill before us. I wish to thank Chairman HUNTER and Ranking Member SKELTON for their leadership in completing action on this legislation, which provides our military—and the men and women who serve in it—the resources they need to keep America strong in the 21st century. The military pay increase and the enhanced benefits for active and reserve personnel recognize the valiant efforts of the men and women who have ably served our Nation, and the development and procurement of state-of-the-art weapons systems will provide them with the tools they need to continue their mission of excellence.

I am particularly pleased with provisions in the legislation that demonstrate Congress's commitment to the role of submarines as an essential part of a strong naval fleet. Passage of the conference report today will represent the final step in a historic agreement to permit multi-year procurement for the Virginia-class submarine. This agreement will encourage more rapid and cost-effective production of this important system—saving the U.S. taxpayer an estimated \$115 million per submarine—while giving the United States Navy new capabilities to respond to future threats. Multi-year procurement will also provide greater stability in southeastern New England's defense industry, and I know that the people of Rhode Island are proud to have a role in this

important aspect of military transformation. I wish to convey my deepest gratitude to Chairman HUNTER and Ranking Member SKELTON of the Armed Services Committee, as well as Chairman JERRY LEWIS and Ranking Member JACK MURTHA of the Defense Appropriations Subcommittee, for their work to help this effort reach fruition.

This legislation takes another step toward providing concurrent receipt to our Nation's disabled military retirees, though the language falls short of our obligations. As a cosponsor of H.R. 303, I believe we must fulfill our promises to our Nation's veterans by allowing them total access to both their retirement pay and disability benefits. Next Tuesday, our Nation honors those Americans that have protected our Nation, and we must honor their service by providing them with the benefits they have earned.

Unfortunately, today's agreement contains language that may undermine important civil service safeguards for civilians within the Department of Defense, as well as existing environmental protections. I urge Chairman HUNTER and Ranking Member SKELTON to schedule hearings on these topics in the coming months so that our committee may exercise appropriate oversight authority and ensure that the implementation of these new policies does not undermine decades of efforts by Congress to protect our environment and federal workforce.

Overall, this legislation represents an important investment in the defense of our Nation, and I urge my colleagues to support its passage.

Mr. ACEVEDO-VILÁ. Mr. Speaker, the Defense Authorization Conferees should be commended for rejecting efforts to undermine the agreement signed by President Bush that provides important protections for how Naval Station Roosevelt Roads is to be closed. It was particularly critical because this is a very sad week in Puerto Rico, as Puerto Rico has lost three of our young men and one woman who were serving on active duty in Iraq. It would have been a cruel irony for the Defense authorizers to remove fundamental BRAC protections for Puerto Rico at the same time Puerto Ricans were paying the ultimate sacrifice by serving our country.

Last spring the U.S. Navy announced downsizing plans for Roosevelt Roads. The Navy followed its announcement with the planned departure from the Vieques training range—a result that was the fruit of innumerable debate and struggle. In subsequent testimony to Congress, the Navy professed high operational costs and personnel requirements stemming from the continued operation of Roosevelt Roads and implied the base should close.

Of course, downsizing and the implications of closure have taken their toll and it has been a sordid year for Roosevelt Roads, those who work or worked there and Ceiba, Puerto Rico—the community the base has called home for the past 60 years. The Navy's own pronouncements estimated the base brought \$300 million annually to the local economy. The region around base, with 14 percent unemployment, can ill afford a drawn out redevelopment process.

During negotiations with defense appropriators and the U.S. Navy, we reached a compromise that was enacted under which Roosevelt Roads would close in a 6-month time-

frame in accordance with the BRAC (base realignment and closure) process. This compromise would afford the Navy a quick departure and cost savings, while keeping with the important protections and procedures required by BRAC. It would also provide Puerto Rico with the much-needed economic development opportunities provided through redeveloping the base. This proposal was agreed to and signed into law on September 30.

In the midst of the defense authorization conference, out of scope proposals surfaced to thwart such progress. The proposals ranged from requiring a report to Congress and subsequent 360-day waiting period for any and all Roosevelt Roads property disposals to mothballing, or leaving the base on inactive status, allowing the land to waste away without a clear plan for redevelopment and creating additional uncertainty among the community. While I appreciate that all out of scope items in conference have been dropped, I fear that punitive efforts may surface yet again as base closure and redevelopment continues.

The recent proposals are stalling tactics void of merit and driven by angry politics stemming from deep resentment held by those who strongly opposed closing the Vieques training range. Let the past become the past. Let's move forward with the best interest of the U.S. military and the American citizens in Puerto Rico in mind.

If enacted such tactics would have continued to cost the Navy money and drain personnel resources, while hindering meaningful economic opportunity for Puerto Rico. Under such a scenario, American citizens in Puerto Rico would remain without jobs while base redevelopment plans sat in limbo.

Puerto Ricans care deeply about their common citizenship and continue to serve valiantly in our military. What should soldiers think of such punitive, political squabbling about a base closure at home, while they fight overseas? As it was President Bush who authorized the Navy's departure from Vieques, he too has stated on many occasions that we all should avoid politicizing military affairs when our troops are abroad.

I have included for the RECORD a letter co-signed by fellow Members of the Congressional Hispanic Caucus. Such support is much appreciated. Further, I want to thank Ranking Member IKE SKELTON and his Senate counterpart CARL LEVIN for their strong commitment and leadership on this issue.

I find it troubling that the bipartisan deal that took place on Defense Appropriations might someday be undermined by such resentful politics, especially given the difficult challenges we now face, and the sacrifices we ask of our troops. I will continue to fight against these punitive efforts while at the same time I will pursue dialogue with those colleagues who may still consider punishing action against my constituents.

It certainly would be in the best interest of the Navy, the people of the local community, and the future of Roosevelt Roads to set these new proposals aside, and continue working to redevelop the base and rejuvenate the local economy. We Members of Congress have more pressing matters to consume our time.

Ms. DEGETTE. Mr. Speaker, given our current military situation in Iraq and Afghanistan, I believe it is incumbent upon us to send an unequivocal message of support for our troops

who are currently in the field. It is equally important that we provide veterans—those who have made sacrifices in order to protect the safety of our country, the benefits they have rightfully earned.

Not since the Korean War have we as a country relied on the members of our reserve forces and National Guard as we do now. We are depending on them to preserve the peace in Iraq and protect our safety at home. We have uprooted them from their families, taken them away from their jobs and put them in the line of fire. Yet, it is not uncommon that after serving in Iraq and Afghanistan, members of the Reserve forces return home without the basic benefits they so rightfully deserve. While this legislation is far from perfect, it takes an important step by ensuring that activated members of the Reserve forces and National Guard and their families receive health benefits.

Importantly, this legislation extends the increase in “combat pay” and a Family Separation Allowance for all of our troops who are currently serving in the military. Given the sacrifice that our troops make in the name of protecting our country, it is only right to guarantee that they and their families have adequate financial resources in their time of need.

Additionally, this legislation addresses the unfair Disabled Veterans Tax. It allows certain disabled military retirees to receive both their retirement and disability benefits. However, it only allows concurrent receipt of these benefits for one-third of the approximately 700,000 disabled veterans. I believe this is sorely inadequate and is the reason why I voted to recommit this bill so conferees could have the chance to repeal the entire Disabled Veterans Tax and let all disabled veterans rightfully receive both their military benefits as well as their retirement benefits.

While I do not believe this bill is perfect and I am particularly concerned with certain provisions regarding civil service reform and the environment, I do believe that given our current military obligations, it is essential that we support our troops. By extending benefits for our troops and veterans, we are guaranteeing that those who have dedicated their lives to serving our country are not left behind during this critical time.

Mr. FARR. Mr. Speaker, I rise today in opposition to the Conference Report of H.R. 1588, the Defense Authorization Act. This bill contains anti-environmental provisions that roll back fundamental protections of the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA).

H.R. 1588 exempts the military from protecting endangered species. Provisions in this Conference Report compromise the survival of some 300 threatened and endangered species living on military lands by prohibiting the designation of critical habitat as mandated under the ESA. Instead, military lands will be managed under Integrated Natural Resources Management Plans, prepared by the Secretary of Defense. Currently, such plans have no definitions, no standards, and no limits.

Such sweeping changes in the management of species living on military lands are completely unnecessary. Sea otters and toads do not and will not prevent our military from being the best trained and prepared in the world. But if for some reason the toads rise up, the military already has, but never has used, a national security exemption as part of ESA. The

military has shown so little previous concern with this issue that it was only in March of this year that the Department of Defense began developing guidance on how to assess and process exemptions requests inappropriate situations.

Marine mammal protection is under its greatest fire today. Although unnecessary from the start, a full exemption from the MMPA was granted for military readiness activities in the version of this bill that passed the House on May 22, 2003. The Senate version of the bill contained no MMPA exemption for any reason. How then did it come to pass that the Conference Report we debate today broadens the exemption to include scientific research activities by the Federal Government? The Conference Report, agreed to by Republican conferees behind closed doors, opens gaping loopholes in the management of marine mammals and creates unequal standards for ocean users. This is both unfair to the marine mammals struggling to survive and to the shipping, fishing, and tourism industries, which will now be held to different standards under MMPA than scientific researchers and the Navy.

The “encroachment” of civilian communities on military managed lands is a serious problem as the separation between where people live and where the military trains decreases. As such, there has never been a more necessary time for the military to look out for the public’s best interest. The public wants and needs a healthy and well-managed environment and for the military to be held to complying with our nation’s fundamental environmental protection laws. The military should be listening to its neighbors and respecting their requests, and Congress should have listened to its constituents and prevented the weakening of the ESA and MMPA.

Mr. CARDIN. Mr. Speaker, I rise in support of H.R. 1588, to authorize military spending for fiscal year 2004. This bill authorizes the funding necessary to defend our country and promote our interests throughout the world. The bill makes significant enhancements to our combat capabilities, continues our efforts to transform the military to meet the terrorist threats of the 21st century, and provides a number of new benefits to American soldiers throughout the world.

Congress has a responsibility to work with the President to protect the national security of our nation. When our soldiers are sent in to war, it is the Congress’s responsibility to make sure that all resources necessary are provided to carry out their missions.

I stand behind our brave men and women who have performed admirably in Iraq and Afghanistan. They have made tremendous sacrifices on behalf of their country and have served longer deployments than expected. Much of the funds in this bill will go directly to support our troops in Iraq and Afghanistan.

Under this bill our men and women in uniform will receive a 4.15 percent average increase in base pay. At the same time the bill reduces the average amount of housing expenses paid by service members from the current 7.5 percent to 3.5 percent, and eliminates out-of-pocket expenses completely by fiscal year 2005. The bill also extends special pay and bonuses for active duty personnel through the end of 2004. Family separation allowance for service members with dependents is increased, from \$100 to \$259 per month. The special pay rate for those subject to hostile fire

and imminent danger is increased from \$150 to \$225 per month. The legislation also extends TRICARE health coverage to National Guard members and reservists and their families if such servicemembers have been called to active duty. The bill also authorizes nearly \$10 billion for military construction, family housing, medical facilities, and child development centers.

This legislation also continues the transformation of our military to meet new challenges of the global war on terror. The bill funds research and procurement of countermeasures to protect troops and the homeland from chemical, biological, and nuclear attack. It increases weapons and equipment procurement for Special Operations Forces. It funds programs to dismantle, secure, and eliminate weapons of mass destruction and facilities in Russia and the former Soviet republics.

There are several significant shortcomings in this legislation, however, that I would like to discuss.

This conference report contains an inadequate proposal to address the Disabled Veterans Tax imposed on our military retirees. Under current law, military retirees are taxed one dollar of their retirement pay for every dollar they receive in veterans disability compensation. Denying service-disabled men and women the benefits they have earned breaks our promise to those who placed their lives on the line for America’s freedom. Any veteran with a service-connected disability, regardless of the length of his or her military service, can retire from a federal civilian job and receive both retired pay and disability compensation without penalty.

America’s troops are united as they serve in Iraq and Afghanistan and here at home. Our veterans were united as they fought for our country. They remain united today in their love for our nation. But the Disabled Veterans Tax compromise before the House today seeks to divide them. It leaves behind more than 390,000 disabled military retirees—more than two-thirds of those who would receive full compensation under HR 303. Those retirees with a Purple Heart or combat-related disability would be eligible this January. Others who have 50 percent or greater disability would have to wait for ten years to receive their full benefits. Those with less than 50% disability still will not receive one penny of compensation for their disabilities.

Because this compromise is phased in over a ten-year period, many of our older veterans, particularly those from World War II and the Korean War, may not live long enough to receive the full benefits to which they are entitled. In my district in Maryland, there are 1,519 veterans who are now subject to the Disabled Veterans Tax. This bill leaves 1,000 of them behind.

More than 85 percent of the members of this House have cosponsored HR 303, yet the compromise before us falls far short. Many of my colleagues also signed the discharge petition that would compel the House to consider this bill. For these reasons, I urged my colleagues to support the motion to recommit. It would have stripped from the bill the inadequate compromise language that only helps two-thirds of America’s veterans, and replace it with full, immediate concurrent receipt. Our disabled military retirees deserve no less.

I am also disappointed that conferees chose to include in this bill a far-reaching plan to re-vamp the DOD civilian employee system.

Under this agreement, more than 700,000 civilian workers in the Defense Department will lose fundamental protections that have been in place since President Kennedy's administration. These protections were put in place to safeguard against the patronage, political favoritism, and nepotism that were rampant before the advent of the civil service system.

These DoD employees will lose many of their current due process rights. The conference report retains the right of employees to appeal to the Merit Systems Protection Board but only as an appellate body. As a result, DoD civilian employees would have far fewer rights to appeal personnel actions than other civilian employees have. They would lose guarantees on overtime pay, hazard pay, weekend pay, and holiday pay. Finally this provision empowers Secretary Rumsfeld and all future Secretaries of Defense to create an entirely new personnel system for DOD civilians. I am also very concerned that enactment of these provisions will set a dangerous precedent that will lead to erosion of protections in other federal department and agencies. In these times of uncertainty and turmoil, we are asking more of our civil servants than ever before in our history. To remove these important safeguards now is the wrong thing to do.

In sum, Mr. Speaker, I am disappointed that we have failed to provide the full concurrent receipt to our veterans that they deserve, and that we have eroded some of the civil service protections for Defense Department employees. However, I will support this legislation because it provides additional resources for our troops in Iraq, Afghanistan, and throughout the world as they prosecute the global war on terrorism. Our military must be given every available tool for its arsenal as it combats emerging threats to our soldiers and our homeland.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in support of H.R. 1588, the FY 2004 Department of Defense Authorization bill.

However, I believe that this bill is far from perfect. It does not fully support veterans' disability issues, collective bargaining for civilian personnel, and protection for the environment. It is unfortunate that these issues suffered due to the political process. I did support the motion to recommit in hopes that these critical issues could be further discussed, but that motion failed.

If we were not in a time of war I would not support this bill. Yet, our brave men and women deserve all the protections and assistance we can provide, and I will do all I can to support them.

While I am voting against the report, I do support the outcome of the Conference Committee regarding overseas voting provisions for the military. I am pleased that language referring to ballots submitted by members of the military stationed overseas was not included in the report. The issue of ensuring the integrity of overseas military members' ballots has been addressed in the Help America Vote Act (HAVA), and I believe we must await the full implementation of HAVA before considering any changes. Therefore, I did not believe that some of the suggested changes were necessary.

Ms. WATERS. Mr. Speaker, I rise to express my disappointment in this conference report. I regret that I must oppose it.

I support our troops and our veterans, and applaud the conference report's improvement in pay for our troops, but there are far too

many things wrong with this bill. For example, under H.R. 1588, environmental standards are weakened and worker rights are severely limited. Yet again, the Republicans have placed a higher priority on partisanship and special interests than doing what is right for our country and our service men and women.

But, of all the many problems with this conference report, the most disappointing is the section on concurrent receipt that fails to end this horrendous policy for many of our disabled veterans. For months, the Republicans have refused even to allow a vote on H.R. 303 which would end the disabled veterans tax for all of our veterans. But now in a half-hearted attempt to appear responsive to the overwhelming demands of Democrats and veterans groups to repeal this tax, the Republicans have thrown our veterans a bone—a partial repeal of the concurrent receipt policy.

It is estimated that, under the Republican plan, two-thirds of disabled veterans will not receive one penny of compensation for their disabilities. This is unacceptable. Our veterans deserve all of the benefits that they have earned. Our veterans have sacrificed in order to ensure our freedom and safety. Congress must now do its part. Congress can and must completely end the disabled veterans tax—immediately.

Mr. ORTIZ. Mr. Speaker, I thank Chairman DUNCAN HUNTER and Ranking Democrat IKE SKELTON for their leadership on this important bill.

Our young men and women in uniform are performing magnificently right now in Iraq in a difficult and developing mission. They are also performing magnificently in Afghanistan, and elsewhere around the world where the global war on terror takes us. It falls to the Congress to make sure our troops have what they need to prosecute this war on all fronts. Certainly all of Congress agrees that our soldiers in the field deserve to get all they need, no matter what.

The central feature of today's bill is a huge step forward on the issue of concurrent receipt. Finally, we are acknowledging the inherent unfairness of having long-time service members chose between retiree pay and disability. We didn't get nearly what we wanted, nor what these military retirees deserve . . . but we made significant progress on advancing the cause of expanding the phase-in of concurrent receipt.

This bill provides much needed support for our military including: a pay raise of 4.15 percent for uniformed services, further reducing out-of-pocket expenses for servicemembers, increasing allowances for family separation and danger pay, and modestly increasing the force structure of the Army and active Reserves and National Guard.

DOD did not get all the power it wanted when it comes to contracting out civilian jobs, but I am very uncertain about what lies ahead for civilian workers. We made some progress in the negotiations, but the strong language in the House bill put quite a pall over the future of a viable civilian service. We have a very tough road ahead. And, I maintain the Secretary is just wrong on this one—a strong civilian workforce performs the core functions of the military better, and cheaper, in-house.

Today's package, and our passage of it speaks, we hope, to the needs of our military and offers them the concrete understanding that this Congress considers our military men and women our ultimate responsibility.

As we move forward, I will be working to do more to ensure our military retirees eventually get a full concurrent receipt.

I will keep a very close eye on the plans and activities of the Department of Defense as they proceed with their plans for civil service workers. I want to ensure that our civil service workers remain the viable, strong workforce our national security demands.

Mr. RUPPERSBERGER. Mr. Speaker, I rise in support of H.R. 1588 the Defense Authorization Conference Report. While this conference report has some deficiencies it also has a number of positive points that I support.

Initially when this Defense Authorization was drafted compromises were reached that would allow the DoD to have flexibility and at the same time providing labor protections. Unfortunately, the conference report language has been redrafted and allows DoD to wipe away these protections. It is unfortunate that civilian defense employees are not receiving the same protections. I would hope that we can work to ensure workers rights at the Pentagon. These men and women serve our country and are also fighting to protect our freedoms.

While this conference report has begun to address the issue of concurrent receipts for veterans it does not fully solve the problem. We need to make sure all veterans receive this benefit. It takes a step in the right direction, but it does not fully solve the problem.

This conference report also calls on the Secretary of Defense to submit to the House Intelligence Committee a report on the preparation for and conduct of our military operations under Operation Iraqi Freedom.

I am thankful that the F-22A Raptor received additional funding. The Raptor is the new front line jet fighter for our Air Force. This aircraft will give us complete air superiority. I am proud to say that we build this radar system in my district.

The Authorization also contains additional funding for the Shadow 200 Unmanned Aerial Vehicle. This vehicle which is again built in my district played a vital role in Iraq in providing our troops with an aerial view of the battlefield to give our troops a tactical advantage. Because of the success of this vehicle the National Guard is now interested in the unit and has requested funding for it.

I am happy to say an amendment I inserted into the Defense Authorization has been accepted and will be a part of this authorization. My Amendment calls for employee surveys of leadership and management performance. This survey will help to promote efficiency and allow for the recognition of achievement and increase best practices in an agency. It is important that we allow employees to take ownership of where they work and to make them part of the team.

Again, I rise in support of this conference report.

Mr. ABERCROMBIE. Mr. Speaker, I rise in support of the conference report for the Fiscal Year 2004 National Defense Authorization Act.

I would first like to recognize our Committee leadership, Chairman HUNTER and Ranking Member SKELTON, for the bill they have crafted to address the immediate needs of our Armed Forces. Our Committee has a long tradition of working across party lines to ensure the readiness and well-being of our Armed Forces, and I am pleased to have participated in yet another cooperative effort with my

Armed Services colleagues. Unfortunately, this bipartisan spirit did not extend to the more controversial aspects of the Defense Authorization Act, especially the reworking of the civil service system and yet another compromise on the Disabled Veterans Tax. On the balance, however, this bill establishes good policy for our troops when they need it the most.

H.R. 1588 offers the pay and benefit measures that our Armed Forces deserve. We put together another healthy across-the-board pay raise—4.15 percent—as well as targeted raises of up to 6.25 percent for mid-grade and senior noncommissioned officers and select warrant officers. We have also extended special pay provisions for the men and women deployed around the world. Hostile fire and imminent danger pay will be raised from \$150 per month to \$225 per month through December 1, 2004, while family separation allowance (FSAA) will increase from \$100 to \$250 per month.

In an effort to address the issue of military readiness, H.R. 1588 also includes TRICARE health benefits for deploying Reservists. We have been undermining our own system by relying on Reservists to be ready to go when called but failing to provide them the required medical coverage to ensure deployment-level readiness. Through this new authorization, the Department of Defense can provide immediate medical and dental screening and care for selected Reservists who are assigned to a unit alerted or notified of mobilization. Non-mobilized Reservists currently without health insurance will also be able to enroll in TRICARE on a cost-share basis. With the burden on our Reserves at an all-time high, providing basic coverage is the least we can do for those called to serve.

One of the worst aspects of this legislation is the wholesale dismantling of our Department of Defense civilian workforce. Under the conference report before us, some 700,000 federal employees will be stripped of their rights and protections in the current civil service system and placed at the mercy of political appointees in DoD. The Defense Authorization Act, as written, provides no guidelines for a new civilian personnel system; rather, it gives almost unchecked power to Secretary Rumsfeld to create a system of his own design. We have heard testimony about pay for performance and pay banding, but none of this is codified in the legislation. It opens the door to political patronage and cronyism—the very abuses which the civil service system was enacted to prevent in the first place. Our committee held exactly one hearing on the civil service portions of this bill, and that hearing was held only after Committee Democrats raised an outcry. The hearing was hastily organized with one day's notice and hardly allowed for the in-depth examination due such a sweeping proposal. Let me be clear—this process has been a farce and nothing less than a slap in the face to our DoD civilian workforce. We praise these men and women in one breath, and in the next, dismiss them as expendable. In passing this provision, Congress will abdicate its constitutional responsibility and cede our authority in this matter to the Executive Branch. I am deeply disappointed that the Administration felt it necessary to interfere in this conference and prevent us from adopting the much more moderate and sensible legislation crafted in the Senate under the leadership of Senator COLLINS.

Likewise, I am dissatisfied with the partial rollback of the Disabled Veterans Tax. For years I have cosponsored and supported legislative efforts to allow disabled veterans to receive their full retirement annuity in conjunction with VA disability pay, and year after year, we are only able to come up with half-hearted measures. The so-called solution before us will take ten years to rectify the unfair penalty. Our veterans cannot wait until 2014 to finally see the compensation they rightfully earned, in numerous cases many years ago. It is shameful that our Republican colleagues are unwilling to budget the funding for those who have already made so many sacrifices in behalf of our Nation but yet are all too willing to send more young men and women down the same path in harm's way. I truly hope that we can reexamine this phased-in approach next year and accommodate all disabled veterans equally and immediately.

As the Ranking Democrat on the Subcommittee on Tactical Air and Land Forces, I am happy to report that we have done well by the major Army and Air Force acquisition programs under our jurisdiction. The bill carefully balances current hardware needs with development and procurement of future systems. Modernization of our Bradley Fighting Vehicles and Abrams tanks will ensure the capability of our heavy armor divisions and our industrial base. I am particularly pleased that we have funded the Stryker Medium Armored Vehicles at the Administration's request for both procurement and research and development. Stryker represents the bridge between current Army legacy systems and the networked Future Combat System; through Stryker, our soldiers will hone the skills necessary for the transformation to the fast and lethal warfare of the 21st century.

I would like to thank the Committee staff for their tireless work over the past several months in putting together the best bill possible. I would especially like to thank the Tactical Air and Land Forces Subcommittee professional staff, J.J. Gertler, Bill Natter, and Doug Roach, for their dedication, professionalism, and invaluable expertise throughout the year's work.

We have a bill that we can largely be proud of. Again, I urge my colleagues to support this measure.

Mr. BACA. Mr. Speaker, I rise in support of the motion to recommit the Defense Reauthorization Conference Report. We must say no to the veteran disability tax and support concurrent receipt.

As a veteran, and as a Member of Congress, it is my duty to fight for the veterans who fought for our freedom. We must make sure that our veterans receive the benefits and healthcare that they have more than earned.

To take money away from our veterans while giving tax cuts to the wealthy is disgraceful.

I don't understand how House Republicans can vote to cut \$14 billion from veterans' benefits, and then send 130,000 troops to Iraq.

While America's wealthiest receive huge tax cuts our soldiers die overseas. And for those that do come home, they want to cut their benefits. Our soldiers deserve better.

Right now, 520,000 veterans' benefits claims are still pending in the VA. Some of these claims involve soldiers that served as long ago as the Korean War.

I have even introduced a bill to try to solve this problem, H.R. 1264 that will help reduce

this backlog of claims. This is the type of help our veterans need.

It is shameful that our disabled veterans cannot receive disability pay without receiving a cut in their pension. Veterans should not be forced to give up one dollar of their pension for every dollar that they receive in disability pay. A veteran must not be punished for being disabled.

I cosponsored H.R. 303, the concurrent receipt bill. And I signed the petition that would have brought this bill to the House floor despite Republican opposition.

Our veterans are simply waiting for what they are owed—their disability pay and their full pensions.

Our veterans are dying at a rate of 1,000 a day. The Republican plan will not aid the veterans that need help now.

Under the Republican plan only one-third of the disabled veterans will get the help that they need. This is unacceptable and our veterans deserve better.

Our veterans need our help. Let's not keep them waiting any longer.

I urge my colleagues to support concurrent receipt and send this report back to conference.

Mr. BLUMENAUER. Mr. Speaker, I spoke against this bill when it was on the House Floor and, unbelievably, it's gotten worse in Conference. I am frustrated that on the week before Veterans Day, the conference report keeps moving further away from what the military, veterans, and Americans need. The most fundamental function of our national government is the defense of our nation. Today, this function is more important, and we are spending more on national defense than ever before. The conference report that we are debating this morning carries a \$401.3 billion price tag, which means that the United States will be spending over a billion dollars a day, and more on our military than do the next 25 nations combined. This bill certainly spends enough to do the job, however it is full of provisions that not only waste tax dollars, but even threaten Americans' health and safety.

I am pleased that the Defense Authorization bill starts to reduce the tax on disabled Veterans, which is long overdue. However, I am disappointed that the bill would only partially end the tax—leaving out two-thirds of military retirees affected by the tax and forcing those covered to wait 10 years for full benefits.

I am also extremely disappointed that the conferees chose to eliminate the 1993 ban on low-yield nuclear weapons. The House bill allowed research but maintained the ban on development activities that could lead to the production of a destabilizing and unnecessary new low-yield nuclear weapon. However, conferees accepted the Senate language that also allowed research but eliminated the ban. Fortunately, Congressional approval is required before these dangerous weapons can be produced, and I hope that this never occurs. Producing a new generation of low-yield nuclear weapons increases the likelihood they will be used in conflict, breaking a taboo that has been in place since World War II. Developing new types of nuclear weapons sends the wrong message to other nations. America must lead by example if the threat of nuclear weapons is going to be eliminated.

This bill is missed opportunity to focus on real priorities. The anti-environmental provisions in this bill are especially frustrating. Instead of addressing real threats to readiness,

the administration and the Republicans in Congress are taking on an easier target, dolphins. Using defense as cover, they are proposing changes to environmental laws that have nothing to do with defense readiness.

As the largest owner of infrastructure in the world and also the biggest polluter, the Department of Defense should be setting the best example, not getting permission from Congress to cut corners on the protection of the environment and the health of our communities.

The Conference Report includes modified House language that would prohibit designation of critical habitat under the Endangered Species Act if the Secretary of the Interior determines that the Integrated Natural Resources Management Plan prepared by the Secretary of Defense will provide "a benefit" for endangered and threatened species on military lands. However, there is no definition of "benefit."

We have seen that critical habitat designation is not the problem on military lands. This conference report misses the real threat to military readiness: encroachment of development around bases. This is the same sprawl and unplanned growth that threatens our farms and forestlands, pollutes our air and water, and congests our roadways, and this is the real threat to our ability to train and maintain the world's mightiest fighting force.

Across the country, from Ft. Stewart, Georgia, to Camp Pendleton, California, development is threatening the armed forces' ability to fly planes, maneuver and conduct other readiness activities. This has led the State of California to pass their Senate bill 1468 which recognizes the long-term operations of military installations must involve a partnership between the State, local agencies and the Federal Government. It provides the military, environmental organizations and local planning agencies the tools to work together to fight common enemies of military readiness like suburban sprawl. But this proposal is completely absent from the legislation coming before us.

The Conference Report also retains controversial House language that would reduce protections for marine mammals. New language, added in conference, would also apply the weakened standards to any research activities by the Federal Government (or contractors), creating a double standard as current law would continue to apply to citizens and the private sector.

In addition, key conservation terms of the Marine Mammal Protection Act are altered in order to overturn a recent Federal court of appeals decision regarding the impacts of Navy sonar technology. The bill allows the Department to exempt itself from what's left of the Marine Mammal Protection Act for anything necessary for national defense. It excludes any meaningful involvement of the wildlife agencies, the States, Congress and the public in review of these exemptions. This contradicts language passed unanimously this week by the Resources Committee—the House committee with exclusive jurisdiction over the MMPA—which does not contain any special standards or exemptions for DOD. This has raised the ire of both Democratic and Republican Resources Committee Members participating in the Conference.

Not only are these provisions harmful, they are also unnecessary. Under current law the Department can already waive environmental

laws when it's necessary for national security. There has never been a case where a waiver has not been granted for military necessity.

The defense authorization bill is also wrong on a very fundamental level. It is missing an opportunity to use the Department of Defense to set the highest standards. Given adequate resources and the right orders, our Department of Defense can achieve any mission. We are missing that opportunity. As the wealthiest and most powerful country in the world, we ought to be able to figure out how to better address this problem without compromising the environmental survival of what we are fighting to protect.

It is arrogant and hypocritical to let the Federal Government off the hook for environmental regulations. We will impose them on small business or local governments but not on us ourselves.

I oppose this conference report because we are spending too much on the wrong things and not enough on strategies that will make our Department of Defense more sustainable over time. The spending is too heavy on weapons research and too light on relieving the stress on our fighting forces. We can and must do a better job shaping our Nation's defense policy.

Mr. SMITH of Texas. Mr. Speaker, I support H.R. 1588, the Department of Defense Authorization bill, which includes concurrent receipt for disabled military retirees and veterans. Currently, disabled retiree and veterans' benefits are offset by the amount of disability pay that they are eligible to receive. The legislation corrects that unfairness.

Members of Congress representing hundreds of thousands of retirees and veterans came together to achieve a significant, victory for disabled retirees and veterans. We fully support our soldiers—past and present.

The bill is fair, responsible, and appropriately recognizes the service of our nation's disabled retirees and veterans. It establishes a concurrent receipt for more disabled military retirees and veterans than ever before, and provides them with the retirement income they have earned and deserve.

Under current law, a disabled military retiree or veteran could be entitled to \$1,000 a month in military retirement and \$300 a month in disability. But the amount of the disability payment is subtracted from the retirement pay, leaving the soldier with a check for \$700 in retirement and \$300 in VA disability. A retiree or veteran is no better off if they suffered a disability than if they didn't. The legislation eliminates this inequity.

Active duty combat retirees and veterans who are 60 percent disabled and above now have full concurrent receipt. The key part of the agreement expands full concurrent receipt to all combat retirees and veterans with a Veterans Administration disability between 10 percent and 100 percent.

The agreement not only provides a full concurrent receipt benefit for active duty retirees and veterans, but also for reservists and national guardsmen who currently do not qualify for concurrent receipt under either Purple Heart or combat-related disability pay. The reservists and national guardsmen will receive full concurrent receipt if their disability is between 10 percent and 100 percent.

The legislation establishes benefits for those remaining retirees and veterans at 50 percent disability and above. They presently do not re-

ceive any benefits. That means every disabled military retiree and veteran with a disability greater than 50 percent will be entitled to concurrent receipt.

It also creates a 13-member bi-partisan commission appointed by Congressional leaders and the White House. Under the commission, for the first time since 1946, there will be a top-to-bottom review of the disability system. The commission's goal is to review the disability system to ensure that the appropriate benefits are provided to our retirees and veterans.

From World War II to Vietnam, from the Persian Gulf War to the War on Terror, we provided our active military with the tools they need to do their jobs, and our retirees and veterans with the proper benefits for their years of service. The concurrent receipt agreement follows that tradition and honors those who have served our country.

Mr. MATHESON. Mr. Speaker, I have always been a strong supporter of the military and I'm well aware of the unconventional war we face against terrorists. However, I continue to oppose the nuclear weapons related provisions in this year's defense authorization bill.

No one is arguing about the need to find new technologies with which our nation can combat deeply buried targets, particularly those held by terrorists. At issue is whether Congress needs to resort to repealing the Spratt-Furse prohibition on nuclear weapons development and encouraging the production of new weapons.

There is a disconnect in the federal government between weapons development and the realistic application of nuclear weapons. Advocates of new nuclear weapons see them as just another tool in the War on Terror, without realizing nuclear weapons work best as a deterrent, not as first-use weapons.

Supporters of the Robust Nuclear Earth Penetrator and new nuclear weapons, argue that the current authorization language is strictly limited to weapons research and development in Department of Energy labs. This claim ignores the obvious end result of weapons development—weapons design does not occur in a vacuum. In order for our soldiers to use nuclear weapons in combat, these weapons must first be physically tested, most likely at the Nevada Test Site. The federal government's poor record on weapons testing and containment of fallout is lengthy and disappointing, at best.

Like many Utahns, I come from a family of downwinders. My father, as well as other loved ones, developed terminal cancer after he was exposed to radiation from Cold War nuclear weapons tests conducted by the federal government. I do not believe that we should even consider a resumption of nuclear weapons testing when rational alternatives have not been fully explored.

I have already seen too many Americans succumb to then-unforeseen consequences of weapons testing. Advances in containment technology are certainly possible, however, the current circumstances do not lend themselves to a resumption of nuclear weapons testing and I will do everything in my power to avoid that end result.

Mr. FILNER. Mr. Speaker and colleagues, I rise today in opposition to the very limited provision to address the unfair disabled veterans tax in the Defense Authorization Act.

Currently, veterans who retire with 20 years of honorable service and who also have a

service-connected disability are not permitted to collect both military retired pay and VA disability compensation. In essence, they are paying for their own retirement. We must stop penalizing our disabled veterans in this cold and unfeeling manner.

Our nation's veterans and many, many Members of this House have been fighting for so long for the elimination of this tax for all retirees. We are now so close to victory. We cannot settle for the partial concurrent receipt measure that is included in this bill.

This proposal is simply unacceptable. It gives less than half a loaf and spreads it over ten years. It is naive at best and callous at worst.

The proposal leaves approximately 400,000 military retirees without relief. In my state of California, fully 38,000 are left out of this Republican proposal.

Many of the deserving veterans will die before the ten years are up and before they receive their full concurrent receipt.

This bill will set up yet another complicated administrative system for our veterans to wade through.

And worst of all, this bill as presented today unfairly pits veterans against other veterans.

We must restore earned and deserved benefits to all eligible military retirees. If this Defense Authorization Conference Report continues to leave out two-third of deserving veterans, I cannot vote for its passage.

Mr. CASTLE. Mr. Speaker, I rise in support of the Conference Report on the National Defense Authorization Act. It was a pleasure to serve as an outside conferee to H.R. 1588 for education provisions that will benefit our nation's military, schools and students across the world.

In addition to Impact Aid, H.R. 1588 provides additional assistance to local educational agencies (LEAs) that benefit dependents of members of the Armed Services and Department of Defense civilian employees. \$30 million is authorized to be used as general revenue by LEAs that are impacted by the presence of military installations.

Every Member recognizes the importance of funding for special education. H.R. 1588 recognizes that the Department of Defense also has a role in helping school districts provide these necessary services. The conference report makes available \$5 million from the Department of Defense's budget to help school districts provide special education services to children with severe disabilities who have a parent who is on active duty in the uniformed services or who is a foreign military officer.

Now more than ever our military families rely on Department of Defense schools overseas. H.R. 1588 expands the eligibility for space-available, tuition-free attendance at Department of Defense Dependents Schools (DODDS) overseas to the dependents of mobilized reservists who are called to active duty and whose overseas tour is voluntarily or involuntarily extended beyond one year. Current admissions policy permits the dependents of reservists called to active duty from an overseas location to enroll in DODDS on a space-available, tuition-free basis, but denies such admission to reservists mobilized from the continental United States. As the number of reservists deployed overseas continues to increase, it is imperative that we recognize the needs of these men and women as well as the educational needs of their children.

Finally, today's Conference Report recognizes the future needs of our military. H.R. 1588 enables the Secretary of Defense to develop a more comprehensive and attractive array of educational programs in science, mathematics and engineering. Educational programs in technical fields will help to train the next generation of scientists, engineers, and technical entrepreneurs, all of whom may contribute to the future technological superiority of our military forces.

Congress and the American people support our brave military for their commitment and their sacrifice. The recent war in Iraq shows the importance of preparation and equipment for our military as they work to defend freedom and liberty across the globe. In addition to these vital education provisions, the Conference Report to be passed today will provide the necessary resources and training for our troops at home and abroad.

Mr. MCGOVERN. Mr. Speaker, I rise in reluctant opposition to this Conference Report.

While I have continuing problems with the process of how this bill was negotiated, excluding the participation of most Democratic-appointed conferees, and how no time has been allowed for Members of this body to review the final version of the bill on which we are voting this morning, it is not for reasons of process that I oppose this bill.

I oppose this bill because it does not do right by our disabled veterans; it does not do right by the hard-working, faithful, and patriotic civilian workforce of the U.S. Department of Defense; and it does not do right by our commitment—including the declarations of our current president—to halt the global proliferation of nuclear weapons.

However, first I would like to summarize several of the items in this bill that I strongly support and for which I have fought for many years.

I support the extension of TRICARE for non-deployed National Guard and Reservists and their families. Under current law and Pentagon policy, reservists become eligible for TRICARE, the Defense Department's health care system, once they are on active duty. This conference report will ensure that TRICARE is provided to those Guard and Reservists who lack coverage or who are not eligible for coverage offered by an employer. Guard and Reservists will be required to pay 28 percent of TRICARE premium and can stay in the program for one month before and six months after mobilization. This program is authorized for one year, until September 30, 2004, but I will continue to fight to ensure these changes become permanent.

I also support the provision in this conference report to allow lawful permanent resident military members to achieve naturalized citizenship after serving honorably for one year in the regular components of the military and our Ready Reserves. It also allows non-citizen spouses, unmarried children, and parents of citizens and non-citizens serving in the U.S. military who are killed as a result of such service, to file or preserve their application for lawful permanent residence. This provision does not provide any benefits if family members are out of status or are illegal aliens.

I support the increases in Imminent Danger Pay and Family Separation Allowance. The higher rates authorized in this bill will be \$225 per month for hazardous duty pay and \$250 for family separation allowance. These higher

rates will be provided to all eligible military members, not just those serving in Iraq and Afghanistan.

I strongly support the 4.1 percent pay increase for military personnel and the targeted increases for mid-grade and senior non-commissioned officers and mid-grade officers.

I also strongly support the increased authorizations for the equipment, supplies, logistical support so badly needed by our deployed military personnel and those in training, as well as the increases in research, development, testing and evaluation of new equipment and materials that will be required for an effective and modern fighting force. Our uniformed men and women deserve the very best equipment to carry out their duties and missions, and I believe this bill helps provide them with these materials.

Unfortunately, I cannot support a bill that will still leave two out of every three disabled veterans subject to the so-called Disabled Veterans Tax. This conference report includes a plan to provide concurrent receipt of military retirement and Veterans Affairs (VA) disability benefits to military retirees with disability ratings of 50 percent or high that would be phased in over the next ten years. According to a report released by Veterans Affairs Committee Ranking Member Lane Evans, a veteran himself of the Vietnam War, the plan authorized in this bill will help only 160,000 of the approximately 560,000 disabled military retirees that are subject to the tax. To be eligible for relief, retirees must have 20 years of service and disability ratings of 50 percent or above. As is already provided for in current law, veterans who meet the criteria for a combat-related disability, popularly known as "Purple Hearts Plus," will receive full disability and retirement benefits, if they have twenty years or more of service.

I believe that the Conference Report should have included the provisions of H.R. 303, the Retired Pay Restoration Act of 2003, which I and the Democrats in the U.S. House of Representatives attempted to bring to the House floor for action earlier this year. It would cover all of our disabled veterans, not just one out of three. Three days from now we will remember our veterans and celebrate Veterans Day. I cannot do this in good conscience if I support legislation in which two-thirds of retired veterans who have service-related disabilities will be left behind and will be required to continue to pay tax on their disability.

Mr. Speaker, I cannot support this conference report that scraps existing civil service laws and protections for the more than 746,000 civilian employees whose daily work and sacrifices ensures the effective running of the U.S. Department of Defense. This Conference Report removes all collective bargaining protections contained in current law; it removes all basic due process protections for employees; it strips Defense Department employees of basic appeal rights; and it removes the requirement that Defense Department employees receive additional pay for working overtime, working on holidays or weekends, or working in jobs involving unusual physical hardship or hazards. Mr. Speaker, this is simply wrong.

Finally, Mr. Speaker, I oppose the Conference Report on H.R. 1588 because it lifts the ban on research and development of a new generation of so-called low-yield nuclear weapons that was first enacted in 1989 during

the Administration of President George H.W. Bush. This new program will allow the United States to pursue a new generation of nuclear weapons of a type most likely to be used in battle, which I fear may lead to a new nuclear arms race on a global scale.

I also have other grave concerns regarding this bill, such as the weakening of the Endangered Species Act and the Marine Mammal Protection Act, which I do not have time to go into this morning.

I regret that I must vote in opposition to this very important bill, but I simply cannot short-change our disabled veterans, the Defense Department workers, and the very security of our nation and the world from nuclear attack.

Mr. BEREUTER. Mr. Speaker, this Member rises in strong support for the conference report on H.R. 1588, the National Defense Authorization Act for Fiscal Year 2004. This Member would like to offer particular thanks to the Chairman of the House Armed Services Committee, the distinguished gentleman from California (Mr. HUNTER), and the Ranking Minority Member on the Committee, the distinguished gentleman from Missouri (Mr. SKELTON) for their work on this important bill. Furthermore, this Member would like to thank the Chairman of the Armed Services Subcommittee on Military Readiness, the distinguished gentleman from Colorado (Mr. HEFLEY), and the Ranking Member of the Armed Services Subcommittee on Military Readiness, the distinguished gentleman from Texas (Mr. ORTIZ), for their critical work on authorizing \$3 million for the frontage levee segment protecting the Nebraska National Guard Camp at Ashland, Nebraska. Indeed, this Member is very appreciative for the inclusion of this provision in the conference report.

Mr. Speaker, the Nebraska National Guard Camp Frontage Levee Segment is a central element of the Clear Creek portion of the Western Sarpy Levee project. Completion of the Guard camp segment must coincide with the other elements of the Western Sarpy project to assure coordinate progress on completing this governmentally complicated flood protection project. Indeed, without building this section of the levee along the Platte River simultaneously with the construction of the entire levee system it will not work; there would be a gap in the levee that would only accentuate the flooding risks and flood volume that would affect the Nebraska National Guard Camp unless this project moves forward with the rest of the levee construction project.

Previously, the Clear Creek Project was authorized at \$15.6 million in the Water Resources Development Act of 2000 (WRDA 2000) to provide protection to the City of Lincoln's water supply, I-80, and U.S. 6, BNSF RR (Amtrak Line), telecommunication lines and other public facilities. In the FY2003 omnibus appropriations bill, Congress included \$500,000 for construction start-up costs.

The Nebraska National Guard Camp at Ashland, Nebraska, provides training for Nebraska and other states' Army guard units to maintain mission readiness. The Ashland Guard Camp levee is an essential element of the Clear Creek structure on the western side of the Platte River since it also is that part of Clear Creek nearest to the Lincoln wellfield. Planning and design funds for the Guard's segment have been previously provided by the Congress to the Department of Defense through the Military Construction appropria-

tions bill. Planning has resulted in development of a more cost-effective frontage levee to replace a previous ring-levee approach.

In closing, Mr. Speaker, this Member again expresses his appreciation and urges his colleagues to vote in support of the conference report for H.R. 1588.

The SPEAKER pro tempore (Mr. SIMPSON). All time for debate has expired.

Without objection, the previous question is ordered on the conference report.

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR. MARSHALL

Mr. MARSHALL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. MARSHALL. Mr. Speaker, because the conference report does far too little to end the disabled veterans tax, I oppose the conference report in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. MARSHALL moves to recommit the conference report on the bill H.R. 1588 to the committee of conference with instructions to the managers on the part of the House to include, in any further conference substitute recommended by the committee of conference, provisions that, within the scope of conference, maximize the number of persons who will be eligible for full concurrent receipt of military retired pay and veterans disability compensation.

The SPEAKER pro tempore. The motion is not debatable.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and 9 of rule XX, this 15-minute vote on the motion to recommit to conference will be followed by 5-minute votes on the adoption of the conference report; the motion to instruct on H.R. 6 offered by the gentleman from California (Mr. FILNER); and the motion to instruct on H.R. 1 offered by the gentleman from California (Mr. CARDOZA).

The vote was taken by electronic device, and there were—yeas 188, nays 217, not voting 30, as follows:

[Roll No. 616]

YEAS—188

Abercrombie	Becerra	Boucher
Alexander	Bell	Boyd
Allen	Berkley	Brady (PA)
Andrews	Berry	Brown, Corrine
Baca	Bishop (GA)	Capps
Baird	Bishop (NY)	Capuano
Baldwin	Blumenauer	Cardin
Ballance	Boswell	Cardoza

Carson (IN)	Jefferson	Pelosi
Carson (OK)	John	Peterson (MN)
Case	Johnson, E. B.	Pomeroy
Clay	Jones (NC)	Price (NC)
Clyburn	Kanjorski	Rahall
Conyers	Kaptur	Rodriguez
Cooper	Kennedy (RI)	Ross
Costello	Kildee	Rothman
Cramer	Kind	Roybal-Allard
Crowley	Lampson	Ruppersberger
Cummings	Langevin	Rush
Davis (CA)	Lantos	Ryan (OH)
Davis (FL)	Larsen (WA)	Sanchez, Linda
Davis (IL)	Larson (CT)	T.
Davis (TN)	Lee	Sanchez, Loretta
DeFazio	Levin	Sanders
DeGette	Lewis (GA)	Sandlin
Delahunt	Lofgren	Schakowsky
DeLauro	Lowey	Schiff
Deutsch	Lucas (KY)	Scott (GA)
Dicks	Lynch	Scott (VA)
Dingell	Maloney	Serrano
Doggett	Markey	Sherman
Dooley (CA)	Marshall	Skelton
Doyle	Matheson	Slaughter
Edwards	Matsui	Smith (WA)
Emanuel	McCarthy (MO)	Snyder
Engel	McCarthy (NY)	Solis
Eshoo	McCollum	Spratt
Etheridge	McDermott	Stark
Evans	McGovern	Stenholm
Farr	McIntyre	Strickland
Filner	McNulty	Stupak
Ford	Meek (FL)	Tancredo
Frank (MA)	Meeks (NY)	Tanner
Frost	Menendez	Tauscher
Gonzalez	Michaud	Taylor (MS)
Gordon	Millender-	Thompson (CA)
Green (TX)	McDonald	Thompson (MS)
Grijalva	Miller (NC)	Tierney
Gutierrez	Miller, George	Turner (TX)
Hall	Mollohan	Udall (CO)
Harman	Moore	Udall (NM)
Hill	Moran (VA)	Van Hollen
Hinojosa	Murtha	Velazquez
Hoeffel	Nadler	Visclosky
Holden	Neal (MA)	Waters
Holt	Nethercutt	Watson
Honda	Oberstar	Watt
Hooley (OR)	Obey	Waxman
Hoyer	Olver	Weiner
Inslee	Owens	Wexler
Israel	Pallone	Whitfield
Jackson (IL)	Pascrell	Woolsey
Jackson-Lee	Pastor	Wynn
(TX)	Payne	

NAYS—217

Aderholt	Crane	Greenwood
Akin	Crenshaw	Harris
Bachus	Cubin	Hart
Baker	Culberson	Hastert
Ballenger	Cunningham	Hastings (WA)
Barrett (SC)	Davis, Jo Ann	Hayes
Bartlett (MD)	Davis, Tom	Hayworth
Barton (TX)	Deal (GA)	Hefley
Bass	DeLay	Hensarling
Beauprez	DeMint	Herger
Bereuter	Diaz-Balart, L.	Hobson
Biggart	Diaz-Balart, M.	Hoekstra
Bilirakis	Doolittle	Hostettler
Bishop (UT)	Dreier	Houghton
Blackburn	Duncan	Hulshof
Blunt	Dunn	Hunter
Boehlert	Ehlers	Hyde
Boehner	Emerson	Isakson
Bonilla	English	Issa
Bonner	Everett	Istook
Bono	Feeney	Janklow
Boozman	Ferguson	Jenkins
Bradley (NH)	Flake	Johnson (IL)
Brady (TX)	Foley	Johnson, Sam
Brown (SC)	Forbes	Keller
Brown-Waite,	Fossella	Kelly
Ginny	Franks (AZ)	Kennedy (MN)
Burgess	Frelinghuysen	King (IA)
Burns	Galleghy	King (NY)
Calvert	Garrett (NJ)	Kingston
Camp	Gerlach	Kirk
Cannon	Gibbons	Kleczka
Cantor	Gilchrest	Kline
Capito	Gillmor	Knollenberg
Carter	Gingrey	Kolbe
Castle	Goode	LaHood
Chabot	Goodlatte	Latham
Choccola	Goss	LaTourette
Coble	Granger	Leach
Cole	Graves	Lewis (CA)
Collins	Green (WI)	Lewis (KY)

Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts

NOT VOTING—30

Ackerman
Berman
Brown (OH)
Burr
Burton (IN)
Buyer
Cox
Davis (AL)
Fattah
Fletcher

Gephardt
Gutknecht
Hastings (FL)
Hinchey
Johnson (CT)
Jones (OH)
Kilpatrick
Kucinich
Lipinski
Majette

Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Soudier
Stearns
Sullivan
Sweeney
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons

McInnis
Meehan
Napolitano
Ortiz
Paul
Quinn
Rangel
Reyes
Townes
Wu

Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Burgess
Burns
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Clyburn
Coble
Cole
Collins
Cooper
Costello
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Engel
English
Etheridge
Evans
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Ford
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrist
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall
Harman

Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lowe
Lucas (KY)
Lucas (OK)
Maloney
Manzullo
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McHugh
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Mica

Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson-Lee
(TX)
Janklow
Jefferson
Jenkins
John
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
LaHood
Lampson
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Lantos
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McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McHugh
McIntyre
McKeon
McNulty
Meek (FL)
Meeks (NY)
Menendez
Mica

Myrick
Nadler
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sanchez, Linda
T.
Sanchez, Loretta
Sandlin
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancred
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)

Murphy
Murtha
Musgrave
Myrick
Nadler
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sanchez, Linda
T.
Sanchez, Loretta
Sandlin
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stearns
Stenholm
Strickland
Stupak
Sullivan
Sweeney
Tancred
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)

Baldwin
Blumenauer
Capuano
Carson (IN)
Clay
Conyers
Dingell
Eshoo
Farr
Filner
Frank (MA)
Grijalva
Holt
Honda

Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Udall (CO)

Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Watt
Weiner
Weldon (FL)

NAYS—40

Jackson (IL)
Lee
Lewis (GA)
Lofgren
Lynch
Markey
McDermott
McGovern
Miller, George
Oberstar
Obey
Olver
Owens
Payne

ANSWERED "PRESENT"—2

Baird
Becerra

NOT VOTING—31

Ackerman
Berman
Brown (OH)
Burr
Burton (IN)
Buyer
Cox
Davis (AL)
Emerson
Fattah
Fletcher

Gephardt
Gutknecht
Hastings (FL)
Hinchey
Johnson (CT)
Jones (OH)
Kilpatrick
Kucinich
Lipinski
Majette
McInnis

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1204

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 6, ENERGY POLICY ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question on the motion to instruct conferees on H.R. 6.

The Clerk will designate the motion. The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct conferees offered by the gentleman from California (Mr. FILNER) 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 188, nays 210, not voting 36, as follows:

[Roll No. 618]

YEAS—188

Abercrombie
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baker
Ballance
Ballenger
Barrett (SC)

Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bell
Bereuter
Berkley
Berry
Biggart
Bilirakis
Bishop (GA)
Bishop (NY)

Bishop (UT)
Blackburn
Blunt
Boehler
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd

Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutierrez
Hall
Harman

Michaud
Millender-
McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)

Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Berkley
Berry
Bishop (GA)

Bishop (NY)
Blumenauer
Boehler
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown, Corrine
Capps
Capuano

Cardin
Cardoza
Carson (IN)
Case
Castle
Clay
Clyburn
Conyers
Cooper
Costello
Crowley