

Mr. Speaker, that is a horrible reality. I have been to Colombia. I know that everyone in every part of the country is threatened by violence. The sources of violence include the paramilitary groups, the guerrilla forces and official armed forces. I know that stopping the violence will take a long time.

Congressman Mr. MILLER was not asking for anything so grand in his amendment.

We are only asking that the Colombian Government apprehend and try the parties responsible for the killings of trade union members. Not because they are more important than any other sector of Colombian society, but because such action will send a clear message that impunity is ended for those who target labor leaders for murder.

I want to promote and expand legal commerce and markets for Colombia.

All I ask for is that Colombia demonstrate the political will to demand justice for murdered labor leaders.

Mr. DIAZ-BALART. 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 SPEAKER pro tempore. The question is on the resolution.

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

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

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

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 225, nays 191, not voting 16, as follows:

[Roll No. 446]

YEAS—225

|             |               |               |
|-------------|---------------|---------------|
| Aderholt    | Crenshaw      | Greenwood     |
| Akin        | Crowley       | Grucci        |
| Armey       | Culberson     | Gutknecht     |
| Bachus      | Cunningham    | Hansen        |
| Baker       | Davis (FL)    | Hart          |
| Balenger    | Davis, Jo Ann | Hastings (WA) |
| Barr        | Davis, Tom    | Hayworth      |
| Bartlett    | Deal          | Hefley        |
| Barton      | DeLay         | Herger        |
| Bass        | Diaz-Balart   | Hill          |
| Bereuter    | Dooley        | Hilleary      |
| Berman      | Doolittle     | Hinojosa      |
| Biggert     | Dreier        | Hobson        |
| Bilirakis   | Duncan        | Hooley        |
| Blumenauer  | Dunn          | Horn          |
| Blunt       | Edwards       | Hostettler    |
| Boehler     | Ehlers        | Houghton      |
| Boehner     | Ehrlich       | Hoyer         |
| Bonilla     | Emerson       | Hulshof       |
| Boswell     | English       | Hunter        |
| Brady (TX)  | Eshoo         | Hyde          |
| Brown (SC)  | Ferguson      | Inslee        |
| Bryant      | Fletcher      | Isakson       |
| Burton      | Foley         | Issa          |
| Buyer       | Forbes        | Istook        |
| Callahan    | Fossella      | Jenkins       |
| Calvert     | Frelinghuysen | Johnson (CT)  |
| Camp        | Gallegly      | Johnson (IL)  |
| Cannon      | Ganske        | Johnson, Sam  |
| Cantor      | Gekas         | Keller        |
| Capito      | Gibbons       | Kelly         |
| Carson (OK) | Gilchrest     | Kennedy (MN)  |
| Chabot      | Gillmor       | Kennedy (RI)  |
| Chambliss   | Gilman        | Kerns         |
| Collins     | Goodlatte     | Kind (WI)     |
| Combest     | Goss          | King (NY)     |
| Cooksey     | Granger       | Kingston      |
| Cox         | Graves        | Kirk          |
| Crane       | Green (WI)    | Knollenberg   |

|              |               |
|--------------|---------------|
| Kolbe        | Pence         |
| LaHood       | Peterson (PA) |
| Larsen (WA)  | Petri         |
| Larson (CT)  | Pitts         |
| Latham       | Platts        |
| LaTourette   | Pombo         |
| Leach        | Portman       |
| Lewis (CA)   | Pryce (OH)    |
| Lewis (KY)   | Putnam        |
| Linder       | Quinn         |
| LoBiondo     | Radanovich    |
| Lofgren      | Ramstad       |
| Lucas (OK)   | Rangel        |
| Manzullo     | Regula        |
| Matheson     | Rehberg       |
| McCrery      | Reynolds      |
| McHugh       | Riley         |
| McInnis      | Rogers (MI)   |
| McKeon       | Rohrabacher   |
| Mica         | Roukema       |
| Miller, Dan  | Royce         |
| Miller, Gary | Ryan (WI)     |
| Miller, Jeff | Ryun (KS)     |
| Moran (KS)   | Sandlin       |
| Moran (VA)   | Saxton        |
| Morella      | Schaffer      |
| Neal         | Schrock       |
| Nethercutt   | Sensenbrenner |
| Ney          | Sessions      |
| Northup      | Shadegg       |
| Nussle       | Shaw          |
| Osborne      | Shays         |
| Ose          | Sherwood      |
| Otter        | Shimkus       |
| Oxley        | Shuster       |
| Paul         | Simmons       |

NAYS—191

|             |                |
|-------------|----------------|
| Abercrombie | Gephardt       |
| Ackerman    | Gonzalez       |
| Allen       | Goode          |
| Andrews     | Gordon         |
| Baca        | Graham         |
| Baird       | Green (TX)     |
| Baldacci    | Gutierrez      |
| Baldwin     | Hall (TX)      |
| Barcia      | Harman         |
| Barrett     | Hayes          |
| Becerra     | Hilliard       |
| Bentsen     | Hinchey        |
| Berkley     | Hoeffel        |
| Berry       | Hoekstra       |
| Bishop      | Holden         |
| Blagojevich | Holt           |
| Boniior     | Honda          |
| Borski      | Israel         |
| Boucher     | Jackson (IL)   |
| Boyd        | Jackson-Lee    |
| Brady (PA)  | (TX)           |
| Brown (FL)  | Jefferson      |
| Brown (OH)  | John           |
| Burr        | Jones (NC)     |
| Capps       | Jones (OH)     |
| Capuano     | Kanjorski      |
| Cardin      | Kaptur         |
| Carson (IN) | Kildee         |
| Castle      | Kilpatrick     |
| Clayton     | Kleczka        |
| Clement     | Kucinich       |
| Clyburn     | LaFalce        |
| Coble       | Lampson        |
| Condit      | Langevin       |
| Conyers     | Lee            |
| Costello    | Levin          |
| Coyne       | Lewis (GA)     |
| Cramer      | Lipinski       |
| Cummings    | Lowey          |
| Davis (CA)  | Lucas (KY)     |
| Davis (IL)  | Luther         |
| DeFazio     | Lynch          |
| DeGette     | Maloney (CT)   |
| Delahunt    | Maloney (NY)   |
| DeLauro     | Markey         |
| DeMint      | Mascara        |
| Deutsch     | Matsui         |
| Dicks       | McCarthy (MO)  |
| Dingell     | McCarthy (NY)  |
| Doggett     | McCollum       |
| Doyle       | McDermott      |
| Engel       | McGovern       |
| Etheridge   | McIntyre       |
| Evans       | McKinney       |
| Everett     | McNulty        |
| Farr        | Menendez       |
| Fattah      | Miller, George |
| Finer       | Mink           |
| Ford        | Mollohan       |
| Frank       | Moore          |
| Frost       | Murtha         |

|              |           |
|--------------|-----------|
| Simpson      | Watt (NC) |
| Skeen        | Weiner    |
| Smith (MI)   | Wexler    |
| Smith (NJ)   |           |
| Smith (TX)   |           |
| Smith (WA)   |           |
| Souder       |           |
| Stearns      |           |
| Stump        |           |
| Sununu       |           |
| Sweeney      |           |
| Tancredo     |           |
| Tauscher     |           |
| Tauzin       |           |
| Terry        |           |
| Thomas       |           |
| Thornberry   |           |
| Thune        |           |
| Tiahrt       |           |
| Tiberi       |           |
| Toomey       |           |
| Traficant    |           |
| Vitter       |           |
| Walden       |           |
| Walsh        |           |
| Wamp         |           |
| Watkins (OK) |           |
| Watts (OK)   |           |
| Weldon (FL)  |           |
| Weldon (PA)  |           |
| Weller       |           |
| Whitfield    |           |
| Wicker       |           |
| Wilson       |           |
| Wolf         |           |
| Young (FL)   |           |

|             |           |
|-------------|-----------|
| Visclosky   | Watt (NC) |
| Waters      | Weiner    |
| Watson (CA) | Wexler    |

NOT VOTING—16

|               |                |              |
|---------------|----------------|--------------|
| Bono          | Johnson, E. B. | Millender-   |
| Clay          | Lantos         | McDonald     |
| Cubin         | Largent        | Ros-Lehtinen |
| Flake         | Meehan         | Waxman       |
| Hall (OH)     | Meek (FL)      | Young (AK)   |
| Hastings (FL) | Meeks (NY)     |              |

□ 1045

Ms. MCCARTHY of Missouri, Mrs. MALONEY of New York and Messrs. FORD, SKELTON, SNYDER, McDERMOTT, TOWNS and PAYNE changed their vote from “yea” to “nay.”

Mr. ROHRABACHER and Mr. TANCREDO changed their vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. MILLENDER-McDONALD. Mr. Speaker, on rollcall No. 446, had I been here I would have voted “no” on this bill; however, I was detained by a conference meeting with the White House and was unable to vote at the appropriate time.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment bills and a joint resolution of the House of the following titles:

H.R. 1042. An act to prevent the elimination of certain reports.

H.R. 1552. An act to extend the moratorium enacted by the Internet Tax Freedom Act through November 1, 2003, and for other purposes.

H.R. 2924. An act to provide authority to the Federal Power Marketing Administrations to reduce vandalism and destruction of property, and for other purposes.

H.J. Res. 74. Joint resolution making further continuing appropriations for the fiscal year 2002, and for other purposes.

The message also announced that the Senate has passed with amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 717. An act to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Duchenne, Becker, limb girdle, congenital, facioscapulohumeral, myotonic, oculo-pharyngeal, distal, and Emery-Dreifuss muscular dystrophies.

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

S. 739. An act to amend title 38, United States Code, to improve programs for homeless veterans, and for other purposes.

S. 1196. An act to amend the Small Business Investment Act of 1958, and for other purposes.

S. 1202. An act to amend the Ethics in Government Act of 1978 (5 U.S.C. App.) to extend the authorization of appropriations for the Office of Government Ethics through fiscal year 2006.

S. 1270. An act to designate the United States courthouse to be constructed at 8th Avenue and Mill Street in Eugene, Oregon, as the "Wayne Lyman Morse United States Courthouse".

S. 1389. An act to provide for the conveyance of certain real property in South Dakota to the State of South Dakota with indemnification by the United States Government, and for other purposes.

S. 1459. An act to designate the Federal building and United States courthouse located at 550 West Fort Street in Boise, Idaho, as the James A. McClure Federal Building and United States Courthouse".

S. 1573. An act to authorize the provision of educational and health care assistance to the women and children of Afghanistan.

S. Con. Res. 44. Concurrent resolution expressing the sense of the Congress regarding National Pearl Harbor Remembrance Day.

The message also announced that there was a Senate amendment to the House amendment for:

S. 320. An act to make technical corrections in patent, copyright, and trademark laws.

## CONFERENCE REPORT ON S. 1447, AVIATION AND TRANSPORTATION SECURITY ACT

Mr. MICA submitted the following conference report and statement on the Senate bill (S. 1447) to improve aviation security, and for other purposes:

### CONFERENCE REPORT (H. REPT. 107-296)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1447), to improve aviation security, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Aviation and Transportation Security Act".

#### TITLE I—AVIATION SECURITY

#### SEC. 101. TRANSPORTATION SECURITY ADMINISTRATION.

(a) IN GENERAL.—Chapter 1 of title 49, United States Code, is amended by adding at the end the following:

#### "§ 114. Transportation Security Administration

"(a) IN GENERAL.—The Transportation Security Administration shall be an administration of the Department of Transportation.

"(b) UNDER SECRETARY.—

"(1) APPOINTMENT.—The head of the Administration shall be the Under Secretary of Transportation for Security. The Under Secretary shall be appointed by the President, by and with the advice and consent of the Senate.

"(2) QUALIFICATIONS.—The Under Secretary must—

"(A) be a citizen of the United States; and

"(B) have experience in a field directly related to transportation or security.

"(3) TERM.—The term of office of an individual appointed as the Under Secretary shall be 5 years.

"(c) LIMITATION ON OWNERSHIP OF STOCKS AND BONDS.—The Under Secretary may not own stock in or bonds of a transportation or security

enterprise or an enterprise that makes equipment that could be used for security purposes.

"(d) FUNCTIONS.—The Under Secretary shall be responsible for security in all modes of transportation, including—

"(1) carrying out chapter 449, relating to civil aviation security, and related research and development activities; and

"(2) security responsibilities over other modes of transportation that are exercised by the Department of Transportation.

"(e) SCREENING OPERATIONS.—The Under Secretary shall—

"(1) be responsible for day-to-day Federal security screening operations for passenger air transportation and intrastate air transportation under sections 44901 and 44935;

"(2) develop standards for the hiring and retention of security screening personnel;

"(3) train and test security screening personnel; and

"(4) be responsible for hiring and training personnel to provide security screening at all airports in the United States where screening is required under section 44901, in consultation with the Secretary of Transportation and the heads of other appropriate Federal agencies and departments.

"(f) ADDITIONAL DUTIES AND POWERS.—In addition to carrying out the functions specified in subsections (d) and (e), the Under Secretary shall—

"(1) receive, assess, and distribute intelligence information related to transportation security;

"(2) assess threats to transportation;

"(3) develop policies, strategies, and plans for dealing with threats to transportation security;

"(4) make other plans related to transportation security, including coordinating countermeasures with appropriate departments, agencies, and instrumentalities of the United States Government;

"(5) serve as the primary liaison for transportation security to the intelligence and law enforcement communities;

"(6) on a day-to-day basis, manage and provide operational guidance to the field security resources of the Administration, including Federal Security Managers as provided by section 44933;

"(7) enforce security-related regulations and requirements;

"(8) identify and undertake research and development activities necessary to enhance transportation security;

"(9) inspect, maintain, and test security facilities, equipment, and systems;

"(10) ensure the adequacy of security measures for the transportation of cargo;

"(11) oversee the implementation, and ensure the adequacy, of security measures at airports and other transportation facilities;

"(12) require background checks for airport security screening personnel, individuals with access to secure areas of airports, and other transportation security personnel;

"(13) work in conjunction with the Administrator of the Federal Aviation Administration with respect to any actions or activities that may affect aviation safety or air carrier operations;

"(14) work with the International Civil Aviation Organization and appropriate aeronautic authorities of foreign governments under section 44907 to address security concerns on passenger flights by foreign air carriers in foreign air transportation; and

"(15) carry out such other duties, and exercise such other powers, relating to transportation security as the Under Secretary considers appropriate, to the extent authorized by law.

"(g) NATIONAL EMERGENCY RESPONSIBILITIES.—

"(1) IN GENERAL.—Subject to the direction and control of the Secretary, the Under Secretary, during a national emergency, shall have the following responsibilities:

"(A) To coordinate domestic transportation, including aviation, rail, and other surface

transportation, and maritime transportation (including port security).

"(B) To coordinate and oversee the transportation-related responsibilities of other departments and agencies of the Federal Government other than the Department of Defense and the military departments.

"(C) To coordinate and provide notice to other departments and agencies of the Federal Government, and appropriate agencies of State and local governments, including departments and agencies for transportation, law enforcement, and border control, about threats to transportation.

"(D) To carry out such other duties, and exercise such other powers, relating to transportation during a national emergency as the Secretary shall prescribe.

"(2) AUTHORITY OF OTHER DEPARTMENTS AND AGENCIES.—The authority of the Under Secretary under this subsection shall not supersede the authority of any other department or agency of the Federal Government under law with respect to transportation or transportation-related matters, whether or not during a national emergency.

"(3) CIRCUMSTANCES.—The Secretary shall prescribe the circumstances constituting a national emergency for purposes of this subsection.

"(h) MANAGEMENT OF SECURITY INFORMATION.—In consultation with the Transportation Security Oversight Board, the Under Secretary shall—

"(1) enter into memoranda of understanding with Federal agencies or other entities to share or otherwise cross-check as necessary data on individuals identified on Federal agency databases who may pose a risk to transportation or national security;

"(2) establish procedures for notifying the Administrator of the Federal Aviation Administration, appropriate State and local law enforcement officials, and airport or airline security officers of the identity of individuals known to pose, or suspected of posing, a risk of air piracy or terrorism or a threat to airline or passenger safety;

"(3) in consultation with other appropriate Federal agencies and air carriers, establish policies and procedures requiring air carriers—

"(A) to use information from government agencies to identify individuals on passenger lists who may be a threat to civil aviation or national security; and

"(B) if such an individual is identified, notify appropriate law enforcement agencies, prevent the individual from boarding an aircraft, or take other appropriate action with respect to that individual; and

"(4) consider requiring passenger air carriers to share passenger lists with appropriate Federal agencies for the purpose of identifying individuals who may pose a threat to aviation safety or national security.

"(i) VIEW OF NTSB.—In taking any action under this section that could affect safety, the Under Secretary shall give great weight to the timely views of the National Transportation Safety Board.

"(j) ACQUISITIONS.—

"(1) IN GENERAL.—The Under Secretary is authorized—

"(A) to acquire (by purchase, lease, condemnation, or otherwise) such real property, or any interest therein, within and outside the continental United States, as the Under Secretary considers necessary;

"(B) to acquire (by purchase, lease, condemnation, or otherwise) and to construct, repair, operate, and maintain such personal property (including office space and patents), or any interest therein, within and outside the continental United States, as the Under Secretary considers necessary;

"(C) to lease to others such real and personal property and to provide by contract or otherwise for necessary facilities for the welfare of its employees and to acquire, maintain and operate equipment for these facilities;