

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

Mr. BARTLETT of Maryland led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

H.R. 421. An act to reauthorize the United States Institute for Environmental Conflict Resolution, and for other purposes.

H.R. 1367. An act to authorize the Secretary of Agriculture to conduct a loan repayment program regarding the provision of veterinary services in shortage situations, and for other purposes.

H.R. 1683. An act to increase, effective as of December 1, 2003, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes.

H.R. 1821. An act to award a congressional gold medal to Dr. Dorothy Height in recognition of her many contributions to the Nation.

H.R. 3349. An act to authorize salary adjustments for Justices and judges of the United States for fiscal year 2004.

H. Con. Res. 69. Concurrent resolution expressing the sense of Congress that Althea Gibson should be recognized for her ground breaking achievements in athletics and her commitment to ending racial discrimination and prejudice within the world of sports.

H. Con. Res. 71. Concurrent resolution recognizing the importance of Ralph Bunche as one of the great leaders of the United States, the first African-American Nobel Peace Prize winner, an accomplished scholar, a distinguished diplomat, and a tireless campaigner of civil rights for people throughout the world.

H. Con. Res. 106. Concurrent resolution recognizing and honoring America's Jewish community on the occasion of its 350th anniversary, supporting the designation of an "American Jewish History Month", and for other purposes.

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

H.R. 100. An act to restate, clarify, and revise the Soldiers' and Sailors' Civil Relief Act of 1940.

H.R. 622. An act to provide for the exchange of certain lands in the Coconino and Tonto National Forests in Arizona, and for other purposes.

H.R. 1006. An act to amend the Lacey Act Amendments of 1981 to further the conservation of certain wildlife species.

H.R. 1012. An act to establish the Carter G. Woodson Home National Historic Site in the District of Columbia, and for other purposes.

H. Con. Res. 339. Concurrent resolution providing for the sine die adjournment of the first session of the One Hundred Eighth Congress.

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

S. 33. An act to authorize the Secretary of Agriculture to sell or exchange all or part of certain administrative sites and other land in the Ozark-St. Francis and Ouachita National Forests and to use funds derived from the sale or exchange to acquire, construct, or improve administrative sites.

S. 391. An act to enhance ecosystem protection and the range of outdoor opportunities protected by statute in the Skykomish River valley of the State of Washington by designating certain lower-elevation Federal lands as wilderness, and for other purposes.

S. 425. An act to revise the boundary of the Wind Cave National Park in the State of South Dakota.

S. 434. An act to authorize the Secretary of Agriculture to sell or exchange all or part of certain parcels of National Forest System land in the State of Idaho and use the proceeds derived from the sale or exchange for National Forest System purposes.

S. 435. An act to provide for the conveyance by the Secretary of Agriculture of the Sandpoint Federal Building and adjacent land in Sandpoint, Idaho, and for other purposes.

S. 452. An act to require that the Secretary of the Interior conduct a study to identify sites and resources, to recommend alternatives for commemorating and interpreting the Cold War, and for other purposes.

S. 551. An act to provide for the implementation of air quality programs developed in accordance with an Intergovernmental Agreement between the Southern Ute Indian Tribe and the State of Colorado concerning Air Quality Control on the Southern Ute Indian Reservation, and for other purposes.

S. 610. An act to amend the provision of title 5, United States Code, to provide for workforce flexibilities and certain personnel provisions relating to the National Aeronautics and Space Administration, and for other purposes.

S. 714. An act to provide for the conveyance of a small parcel of Bureau of Land Management land in Douglas County, Oregon, to the county to improve management of and recreational access to the Oregon Dunes National Recreation Area, and for other purposes.

S. 811. An act to support certain housing proposals in the fiscal year 2003 budget for the Federal Government, including the downpayment assistance initiative under the HOME Investment Partnership Act, and for other purposes.

S. 1003. An act to clarify the intent of Congress with respect to the continued use of established commercial outfitter hunting camps on the Salmon River.

S. 1279. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to carry out a program for the protection of the health and safety of residents, workers, volunteers, and others in a disaster area.

S. 1499. An act to adjust the boundaries of Green Mountain National Forest.

S. 1522. An act to provide new human capital flexibilities with respect to the GAO, and for other purposes.

S. 1531. An act to require the Secretary of the Treasury to mint coins in commemoration of Chief Justice John Marshall.

S. 1537. An act to direct the Secretary of Agriculture to convey to the New Hope Cemetery Association certain land in the State of Arkansas for use as a cemetery.

S. 1567. An act to amend title 31, United States Code, to improve the financial accountability requirements applicable to the Department of Homeland Security, and for other purposes.

S. 1929. An act to amend the Employee Retirement Income Security Act of 1974 and the Public Health Service Act to extend the mental health benefits parity provisions for an additional year.

S. 1947. An act to prohibit the offer of credit by a financial institution to a financial institution examiner, and for other purposes.

S. Con. Res. 77. Concurrent resolution expressing the sense of Congress supporting vigorous enforcement of the Federal obscenity laws.

S. Con. Res. 82. Concurrent resolution recognizing the importance of Ralph Bunche as one of the great leaders of the United States, the first African-American Nobel Peace Prize winner, an accomplished scholar, a distinguished diplomat, and a tireless campaigner of civil rights for people throughout the world.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1) "An Act to amend title XVIII of the Social Security Act to provide for a voluntary program for prescription drug coverage under the Medicare Program, to modernize the Medicare Program, to amend the Internal Revenue Code of 1986 to allow a deduction to individuals for amounts contributed to health savings security accounts and health savings accounts, to provide for the disposition of unused health benefits in cafeteria plans and flexible spending arrangements, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2622) "An Act to amend the Fair Credit Reporting Act, to prevent identity theft, improve resolution of consumer disputes, improve the accuracy of consumer records, make improvements in the use of, and consumer access to, credit information, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House of Representatives to the bill (S. 1768) "An Act to extend the national flood insurance program."

The message also announced that pursuant to Public Law 94-201, as amended by Public Law 105-275, the Chair, on behalf of the President pro tempore, appoints Dr. Daniel Botkin, of California, as a member of the Board of Trustees of the American Folklife Center of the Library of Congress, vice Susan Barksdale Howorth, of Mississippi.

APPOINTMENT OF HONORABLE
ROSCOE G. BARTLETT OF MARY-
LAND TO ACT AS SPEAKER PRO
TEMPORE TO SIGN ENROLLED
BILLS AND JOINT RESOLUTIONS
ON TODAY

The SPEAKER pro tempore laid be-
fore the House the following Commu-
nication from the Speaker:

WASHINGTON, DC,
November 25, 2003.

I hereby appoint the Honorable ROSCOE G.
BARTLETT to act as Speaker pro tempore to
sign enrolled bills and joint resolutions on
this day.

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

The SPEAKER pro tempore. Without
objection, the appointment is ap-
proved.

There was no objection.

APPOINTMENT OF HONORABLE
TOM DAVIS OF VIRGINIA OR
HONORABLE MAC THORNBERRY
TO ACT AS SPEAKER PRO TEM-
PORE TO SIGN ENROLLED BILLS
AND JOINT RESOLUTIONS UNTIL
THE DAY THE HOUSE CONVENES
FOR THE SECOND SESSION OF
THE 108TH CONGRESS

The Speaker pro tempore laid before
the House the following communica-
tion from the Speaker:

WASHINGTON, DC,
November 25, 2003.

I hereby appoint the Honorable TOM DAVIS
or, if not available to perform this duty, the
Honorable MAC THORNBERRY to act as Speak-
er pro tempore to sign enrolled bills and
joint resolutions until the day the House
convenes for the second session of the 108th
Congress.

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

The SPEAKER pro tempore. Without
objection, the appointment is ap-
proved.

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant
to clause 12(a) of rule I, the Chair
declares the House in recess subject to
the call of the Chair.

Accordingly (at 12 o'clock and 6 min-
utes p.m.), the House stood in recess
subject to the call of the Chair.

□ 1315

AFTER RECESS

The recess having expired, the House
was called to order by the Speaker pro
tempore (Mr. BARTLETT of Maryland)
at 1 o'clock and 15 minutes p.m.

CONFERENCE REPORT ON H.R. 2673,
CONSOLIDATED APPROPRIA-
TIONS ACT, 2004

Mr. YOUNG of Florida submitted the
following conference report and state-
ment on the bill (H.R. 2673) making ap-
propriations for Agriculture, Rural De-

velopment, Food and Drug Administra-
tion, and Related Agencies for the fis-
cal year ending September 30, 2004, and
for other purposes:

[The conference report will be avail-
able in Book II of the CONGRESSIONAL
RECORD.]

COMMENTS REGARDING
CONFERENCE REPORT ON H.R. 2673

(Mr. OBEY asked and was given per-
mission to speak out of order for 7 min-
utes.)

Mr. OBEY. Mr. Speaker, I wanted to
take this time to comment on the leg-
islation just filed. The legislation just
filed would complete the work of the
Committee on Appropriations and the
Congress on a number of appropriation
bills which were not able to get
through the system one by one, as is
the usual process. But in the process of
putting together this omnibus appro-
priation bill, the House has, I think,
reached a new low in terms of its will-
ingness to reflect the will of the mem-
bership.

We elect in this country 535 people to
come to this Congress, 435 of them in
this institution; and the idea is that
those Members are supposed to vote on
various issues, and after those Mem-
bers have voted, then a conference
committee between the Senate and the
House is supposed to iron out whatever
differences remain between the House
and the Senate in the consideration of
that legislation.

That is really not what happened on
this legislation this year. Time and
time again, the conferees simply dis-
regarded the will of Members of both
Houses, went into a back room, and de-
cided on their own, without consulting
anybody but themselves and the White
House, that they were going to cut the
cards a different way and deal a new
hand to everyone.

So we find, for instance, that in the
legislation just filed, even though both
Houses of Congress in public, on-the-
record votes made the decision to try
to scale back the expansion of the abil-
ity of large businesses in the commu-
nications industry to own television
stations, despite the fact that both
branches of the Congress voted to put a
35 percent cap on the percentage of
American homes that should be reach-
able by any one corporate entity in the
television business, despite that fact,
the conferees produced legislation just
filed at this moment which changes
that cap and raises it to 39 percent. No
votes taken in either House to do that,
just an arbitrary judgment because the
White House said, "If you do not do it
our way, we are going to hold our
breath and turn blue."

So the conferees caved and went
against the position of both Houses. I
think that is a national scandal. This
is a backroom deal to strengthen the
hands of the national media giants
against local control of television. It
allows ABC and NBC to acquire addi-
tional stations up to the new 39 percent

limit, and it takes Fox and CBS off the
hook so that they do not have to divest
as they would have had to if the will of
the House and the Senate had pre-
vailed.

I am also concerned about what has
happened here with the across-the-
board cut that is being provided in this
legislation because, as I understand the
impact of that cut, that is going to
mean a reduction of \$178 million in cru-
cial veterans medical care; and it is
going to, as I understand it, severely
hamper the VA in its ability to reduce
the backlog in handling cases brought
to them by veterans. It now takes
about 157 days to process a veteran's
claim; and this across-the-board cut in
the operations of the VA will, I am
afraid, result in seeing those delays ex-
panded rather than contracted.

I also want to take just a moment to
point out that this institution has en-
gaged in a very questionable practice
with respect to congressional ear-
marks. In the past, there is no question
that Congress had provided significant
numbers of earmarks. But in the past 4
or 5 years, in my view, that has gotten
incredibly out of control. There is
nothing wrong with Congress deciding
to take a reasonable number of
projects through earmarks in order to
give this institution an opportunity to
define what activities it considers to be
very important; but when the practice
explodes to such a degree that virtu-
ally every university hires a lobbyist
to try to obtain funds through the po-
litical process rather than the process
of peer review, then the Congress aban-
dons all pretext of taxpayers' moneys
being used in rational fashion.

The other problem, Mr. Speaker, is
that when earmarks change in char-
acter from being a convenience to
Members to a weapon in the hands of
the majority party to punish Members
of the minority party who oppose those
appropriation bills, then we have, I
think, fundamentally corrupted the ap-
propriations process of the House, and
I think it becomes a source of shame
for the House in many ways. We have
had a huge explosion in the amount of
Member-directed earmarks over the
past 4 or 5 years; and I would say that
when that is accompanied by the idea
that Members will be punished if they
vote on the basis of substance, then I
think this Congress ceases to be a body
which can earn the respect of the
American people. It seems to me that if
we are going to allow earmarks to be
used as a partisan threat, then what we
will do is eliminate the ability of the
appropriations process to be considered
on the merits, and the only thing Mem-
bers will be focused on will be their
local pork projects rather than the
broader welfare of the country; and I
think that will demean the process of
the Congress and demean the American
people in the process.

RECESS

The SPEAKER pro tempore (Mr.
BARTLETT of Maryland). Pursuant to