

Boo and his track coach, Phil LaFountaine, had bigger dreams. Three months after being fitted with a prosthetic leg, with family, friends and teammates looking on, Boo Barton defied all the odds by running the 100-meter race at the Groesbeck Goat relays. His time: 14.06. Some may say that was not the winning time that day, but I and everyone in the stands know better.

Mr. Speaker, Boo Barton is an inspiring example to all of us. He shows us with the power of positive thinking and persistence through adversity, you can still dream bold dreams in America.

#### INTRODUCTION OF THE FULLY FUND THE NO CHILD LEFT BEHIND ACT

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

Mr. ETHERIDGE. Mr. Speaker, yesterday afternoon the President held a Rose Garden ceremony to celebrate the No Child Left Behind Act. I voted for that legislation and I wish I could have joined in the celebration, but unfortunately because the administration refuses to fund the new law, I spent my afternoon answering questions from unhappy local leaders in my district who wanted to know where the money is going to come from to pay for the President's education reforms. Despite yesterday's White House photo op, the fact remains that the administration is cutting \$20 billion from No Child Left Behind. Local leaders know that they will get stuck with the bill for these educational cuts.

Make no mistake, the Bush educational cuts will result in worse schools, cuts in local services like law enforcement and fire and rescue or higher property taxes, or all of the above. There has got to be a better way.

Last week I introduced H.R. 2366, the Fully Fund the No Child Left Behind Act. My bill simply requires the Federal Government to fund No Child Left Behind. Mr. Speaker, it is only fair. I urge my colleagues to join us in this legislation.

#### MEDICARE

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

Mrs. CAPITO. Mr. Speaker, finally a strengthened Medicare system that includes prescription drug coverage seems to be the number one priority for both houses of Congress. The time is right to make progress. We have a tremendous opportunity to reform Medicare and help our seniors. The budget of \$400 billion over the next 10 years is enough to strengthen and improve Medicare, so we do have the resources to make reform work.

Our Nation has made a binding commitment to bring affordable health

care to our seniors. We must honor that commitment by making sure Medicare stays current with the needs of today's seniors. When Medicare was launched 38 years ago, medicine focused on surgery and hospital stays. Today doctors routinely treat patients with prescription drugs, preventive care and groundbreaking medical devices. Our goal is to give seniors the best, most innovative care. This will require a strong, up-to-date Medicare system that relies on innovation and quality delivery, not bureaucratic rules and regulations. We can reach that goal now.

#### VETERANS FACE INCREASED COSTS FOR HEALTH CARE

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

Mr. STRICKLAND. Mr. Speaker, I rise today to point out the shabby treatment that this House and the administration is directing toward our Nation's veterans and our Nation's children. Just yesterday it was confirmed in the Committee on Veterans' Affairs that the administration continues to push for a \$250 annual enrollment fee for many of our veterans just to be able to participate in the VA health care system. They want to increase the cost of a prescription drug from \$7 to \$15 a prescription. They want to increase the cost of a clinic visit from \$15 to \$20. At a time when our young men and women are fighting for this country in Iraq, this President and this Congress want to impose additional financial hardships on the backs of our veterans. It does not make sense. It is time for the people of this country to become aware of what is happening. This administration is treating our veterans in a shabby manner and it ought to stop.

#### EXPANDING THE CHILD TAX CREDIT

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

Mr. PALLONE. Mr. Speaker, for the last few days the Democrats have been demanding that the Republicans bring up the child tax credit and extend it for lower-income working families. The Senate passed this bill. It is time for the House to bring it up. What do we hear today? What have the House Republicans done? Basically what they have done is to take this very small amount of money, \$3.5 billion that will pay for these 12 million kids to get their child tax credit, and they have now expanded it, they are not paying for it and they are trying to cover and pay \$82 billion for an expanded tax break for wealthier individuals.

Why is it that we cannot just take up the Senate-passed bill, give these 12 million kids and their parents a tax

break that they deserve, and instead we are holding this bill hostage so that we can have more tax breaks for wealthier people and deal with other tax issues that are not germane to these 12 million kids? I resent the fact that the House Republicans are now holding this bill hostage, holding these working families hostage to try to expand tax cuts for other people and wealthier individuals.

#### EXPANDING THE CHILD TAX CREDIT

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, can I read the roll: Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, D.C., Texas, Florida, Georgia. And it goes on and on; 19 million children left out in the cold.

Mr. Speaker, why can we not be a cooperative and collaborative Congress that works on behalf of the American people? Why is it that the President has made a statement this morning or yesterday saying support the Senate bill? What kind of leadership says that the President's representative who has asked this Congress to collaborate to provide a tax credit refund for working families, Ari Fleischer, someone says, "He does not have a vote"?

Mr. Speaker, the American people have a vote. I frankly do not hear those making \$150,000 clamoring for this tax credit refund for children but I do hear the working families who make \$26,000, who get up early in the morning, who pay payroll taxes, property taxes, and sales taxes saying, give us a simple break. Allow the Senate bill to go forward, allow the President to sign it. Let us work on behalf of the American people and not special interests.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later today.

#### COMMERCIAL SPECTRUM ENHANCEMENT ACT

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1320) to amend the National Telecommunications and Information Administration Organization Act to facilitate the reallocation of spectrum from governmental to commercial users, as amended.

The Clerk read as follows:

H.R. 1320

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

# SECTION 1. SHORT TITLE.

This Act may be cited as the "Commercial Spectrum Enhancement Act".

## SEC. 2. RELOCATION OF ELIGIBLE FEDERAL ENTITIES FOR THE REALLOCATION OF SPECTRUM FOR COMMERCIAL PURPOSES.

Section 113(g) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(g)) is amended by striking paragraphs (1) through (3) and inserting the following:—

"(1) **ELIGIBLE FEDERAL ENTITIES.**—Any Federal entity that operates a Federal Government station assigned to a band of frequencies specified in paragraph (2) and that incurs relocation costs because of the reallocation of frequencies from Federal use to non-Federal use shall receive payment for such costs from the Spectrum Relocation Fund, in accordance with section 118 of this Act. For purposes of this paragraph, Federal power agencies exempted under subsection (c)(4) that choose to relocate from the frequencies identified for reallocation pursuant to subsection (a), are eligible to receive payment under this paragraph.

"(2) **ELIGIBLE FREQUENCIES.**—The bands of eligible frequencies for purposes of this section are as follows:

"(A) the 216–220 megahertz band, the 1432–1435 megahertz band, the 1710–1755 megahertz band, and the 2385–2390 megahertz band of frequencies; and

"(B) any other band of frequencies reallocated from Federal use to non-Federal use after January 1, 2003, that is assigned by competitive bidding pursuant to section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)), except for bands of frequencies previously identified by the National Telecommunications and Information Administration in the Spectrum Reallocation Final Report, NTIA Special Publication 95–32 (1995).

"(3) **DEFINITION OF RELOCATION COSTS.**—For purposes of this subsection, the term 'relocation costs' means the costs incurred by a Federal entity to achieve comparable capability of systems, regardless of whether that capability is achieved by relocating to a new frequency assignment or by utilizing an alternative technology. Such costs include—

"(A) the costs of any modification or replacement of equipment, software, facilities, operating manuals, training costs, or regulations that are attributable to relocation;

"(B) the costs of all engineering, equipment, software, site acquisition and construction costs, as well as any legitimate and prudent transaction expense, including outside consultants, and reasonable additional costs incurred by the Federal entity that are attributable to relocation, including increased recurring costs associated with the replacement facilities;

"(C) the costs of engineering studies, economic analyses, or other expenses reasonably incurred in calculating the estimated relocation costs that are provided to the Commission pursuant to paragraph (4) of this subsection;

"(D) the one-time costs of any modification of equipment reasonably necessary to accommodate commercial use of such frequencies prior to the termination of the Federal entity's primary allocation or protected status, when the eligible frequencies as defined in paragraph (2) of this subsection are made available for private sector uses by competitive bidding and a Federal entity retains primary allocation or protected status in those frequencies for a period of time after the completion of the competitive bidding process; and

"(E) the costs associated with the accelerated replacement of systems and equipment if such acceleration is necessary to ensure the timely re-

location of systems to a new frequency assignment.

"(4) **NOTICE TO COMMISSION OF ESTIMATED RELOCATION COSTS.**—

"(A) The Commission shall notify the NTIA at least 18 months prior to the commencement of any auction of eligible frequencies defined in paragraph (2). At least 6 months prior to the commencement of any such auction, the NTIA, on behalf of the Federal entities and after review by the Office of Management and Budget, shall notify the Commission of estimated relocation costs and timelines for such relocation.

"(B) Upon timely request of a Federal entity, the NTIA shall provide such entity with information regarding an alternative frequency assignment or assignments to which their radiocommunications operations could be relocated for purposes of calculating the estimated relocation costs and timelines to be submitted to the Commission pursuant to subparagraph (A).

"(C) To the extent practicable and consistent with national security considerations, the NTIA shall provide the information required by subparagraphs (A) and (B) by the geographic location of the Federal entities' facilities or systems and the frequency bands used by such facilities or systems.

"(5) **NOTICE TO CONGRESSIONAL COMMITTEES AND GAO.**—The NTIA shall, at the time of providing an initial estimate of relocation costs to the Commission under paragraph (4)(A), submit to the Committees on Appropriations and Energy and Commerce of the House of Representatives, the Committees on Appropriations and Commerce, Science, and Transportation of the Senate, and the Comptroller General a copy of such estimate and the timelines for relocation.

"(6) **IMPLEMENTATION OF PROCEDURES.**—The NTIA shall take such actions as necessary to ensure the timely relocation of Federal entities' spectrum-related operations from frequencies defined in paragraph (2) to frequencies or facilities of comparable capability. Upon a finding by the NTIA that a Federal entity has achieved comparable capability of systems by relocating to a new frequency assignment or by utilizing an alternative technology, the NTIA shall terminate the entity's authorization and notify the Commission that the entity's relocation has been completed. The NTIA shall also terminate such entity's authorization if the NTIA determines that the entity has unreasonably failed to comply with the timeline for relocation submitted by the Director of the Office of Management and Budget under section 118(d)(2)(B)."

## SEC. 3. MINIMUM AUCTION RECEIPTS AND DISPOSITION OF PROCEEDS.

(a) **AUCTION DESIGN.**—Section 309(j)(3) of the Communications Act of 1934 (47 U.S.C. 309(j)(3)) is amended—

(1) by striking "and" at the end of subparagraph (D);

(2) by striking the period at the end of subparagraph (E) and inserting "; and"; and

(3) by adding at the end the following new subparagraph:

"(F) for any auction of eligible frequencies described in section 113(g)(2) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(g)(2)), the recovery of 110 percent of estimated relocation costs as provided to the Commission pursuant to section 113(g)(4) of such Act."

(b) **SPECIAL AUCTION PROVISIONS FOR ELIGIBLE FREQUENCIES.**—Section 309(j) of such Act is further amended by adding at the end the following new paragraph:

"(15) **SPECIAL AUCTION PROVISIONS FOR ELIGIBLE FREQUENCIES.**—

"(A) **SPECIAL REGULATIONS.**—The Commission shall revise the regulations prescribed under paragraph (4)(F) of this subsection to prescribe methods by which the total cash proceeds from any auction of eligible frequencies described in section 113(g)(2) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(g)(2)) shall at least

equal 110 percent of the total estimated relocation costs provided to the Commission pursuant to section 113(g)(4) of such Act.

"(B) **CONCLUSION OF AUCTIONS CONTINGENT ON MINIMUM PROCEEDS.**—The Commission shall not conclude any auction of eligible frequencies described in section 113(g)(2) of such Act if the total cash proceeds attributable to such spectrum are less than 110 percent of the total estimated relocation costs provided to the Commission pursuant to section 113(g)(4) of such Act. If the Commission is unable to conclude an auction for the foregoing reason, the Commission shall cancel the auction, return within 45 days after the auction cancellation date any deposits from participating bidders held in escrow, and absolve such bidders from any obligation to the United States to bid in any subsequent reauction of such spectrum.

"(C) **AUTHORITY TO ISSUE PRIOR TO DE-AUTHORIZATION.**—In any auction conducted under the regulations required by subparagraph (A), the Commission may grant a license assigned for the use of eligible frequencies prior to the termination of an eligible Federal entity's authorization. However, the Commission shall condition such license by requiring that the licensee cannot cause harmful interference to such Federal entity until such entity's authorization has been terminated by the National Telecommunications and Information Administration."

(c) **DEPOSIT OF PROCEEDS.**—Paragraph (8) of section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) is amended—

(1) in subparagraph (A), by inserting "or subparagraph (D)" after "subparagraph (B)"; and

(2) by adding at the end the following new subparagraph:

"(D) **DISPOSITION OF CASH PROCEEDS.**—Cash proceeds attributable to the auction of any eligible frequencies described in section 113(g)(2) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(g)(2)) shall be deposited in the Spectrum Relocation Fund established under section 118 of such Act, and shall be available in accordance with that section."

## SEC. 4. ESTABLISHMENT OF FUND AND PROCEDURES.

Part B of the National Telecommunications and Information Administration Organization Act is amended by adding after section 117 (47 U.S.C. 927) the following new section:

### "SEC. 118. SPECTRUM RELOCATION FUND.

"(a) **ESTABLISHMENT OF SPECTRUM RELOCATION FUND.**—There is established on the books of the Treasury a separate fund to be known as the 'Spectrum Relocation Fund' (in this section referred to as the 'Fund'), which shall be administered by the Office of Management and Budget (in this section referred to as 'OMB'), in consultation with the NTIA.

"(b) **CREDITING OF RECEIPTS.**—The Fund shall be credited with the amounts specified in section 309(j)(8)(D) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(D)).

"(c) **USED TO PAY RELOCATION COSTS.**—The amounts in the Fund from auctions of eligible frequencies are authorized to be used to pay relocation costs, as defined in section 113(g)(3) of this Act, of an eligible Federal entity incurring such costs with respect to relocation from those frequencies.

"(d) **FUND AVAILABILITY.**—

"(1) **APPROPRIATION.**—There are hereby appropriated from the Fund such sums as are required to pay the relocation costs specified in subsection (c).

"(2) **TRANSFER CONDITIONS.**—None of the funds provided under this subsection may be transferred to any eligible Federal entity—

"(A) unless the Director of OMB has determined, in consultation with the NTIA, the appropriateness of such costs and the timeline for relocation; and

"(B) until 30 days after the Director of the OMB has submitted to the Committees on Appropriations and Energy and Commerce of the

House of Representatives, the Committees on Appropriations and Commerce, Science, and Transportation of the Senate, and the Comptroller General a detailed plan describing how the sums transferred from the Fund will be used to pay relocation costs in accordance with such subsection and the timeline for such relocation.

“(3) REVERSION OF UNUSED FUNDS.—Any auction proceeds in the Fund that are remaining after the payment of the relocation costs that are payable from the Fund shall revert to and be deposited in the general fund of the Treasury not later than 8 years after the date of the deposit of such proceeds to the Fund.

“(e) TRANSFER TO ELIGIBLE FEDERAL ENTITIES.—

“(1) TRANSFER.—

“(A) Amounts made available pursuant to subsection (d) shall be transferred to eligible Federal entities, as defined in section 113(g)(1) of this Act.

“(B) An eligible Federal entity may receive more than one such transfer, but if the sum of the subsequent transfer or transfers exceeds 10 percent of the original transfer—

“(i) such subsequent transfers are subject to prior approval by the Director of OMB as required by subsection (d)(2)(A);

“(ii) the notice to the committees containing the plan required by subsection (d)(2)(B) shall be not less than 45 days prior to the date of the transfer that causes such excess above 10 percent;

“(iii) such notice shall include, in addition to such plan, an explanation of need for such subsequent transfer or transfers; and

“(iv) the Comptroller General shall, within 30 days after receiving such plan, review such plan and submit to such committees an assessment of the explanation for the subsequent transfer or transfers.

“(C) Such transferred amounts shall be credited to the appropriations account of the eligible Federal entity which has incurred, or will incur, such costs, and shall, subject to paragraph (2), remain available until expended.

“(2) RETRANSFER TO FUND.—An eligible Federal entity that has received such amounts shall report its expenditures to OMB and shall transfer any amounts in excess of actual relocation costs back to the Fund immediately after the NTIA has notified the Commission that the entity's relocation is complete, or has determined that such entity has unreasonably failed to complete such relocation in accordance with the timeline required by subsection (d)(2)(A).”

#### SEC. 5. TELECOMMUNICATIONS DEVELOPMENT FUND.

Section 714(f) of the Communications Act of 1934 (47 U.S.C. 614(f)) is amended to read as follows:

“(f) LENDING AND CREDIT OPERATIONS.—Loans or other extensions of credit from the Fund shall be made available to an eligible small business on the basis of—

“(1) the analysis of the business plan of the eligible small business;

“(2) the reasonable availability of collateral to secure the loan or credit extension;

“(3) the extent to which the loan or credit extension promotes the purposes of this section; and

“(4) other lending policies as defined by the Board.”

#### SEC. 6. CONSTRUCTION.

Nothing in this Act is intended to modify section 1062(b) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65).

#### SEC. 7. ANNUAL REPORT.

The National Telecommunications and Information Administration shall submit an annual report to the Committees on Appropriations and Energy and Commerce of the House of Representatives, the Committees on Appropriations and Commerce, Science, and Transportation of the Senate, and the Comptroller General on—

(1) the progress made in adhering to the timelines applicable to relocation from eligible frequencies required under section 118(d)(2)(A) of the National Telecommunications and Information Administration Organization Act, separately stated on a communication system-by-system basis and on an auction-by-auction basis; and

(2) with respect to each relocated communication system and auction, a statement of the estimate of relocation costs required under section 113(g)(4) of such Act, the actual relocations costs incurred, and the amount of such costs paid from the Spectrum Relocation Fund.

#### SEC. 8. PRESERVATION OF AUTHORITY; NTIA REPORT REQUIRED.

(a) SPECTRUM MANAGEMENT AUTHORITY RETAINED.—Except as provided with respect to the bands of frequencies identified in section 113(g)(2)(A) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(g)(2)(A)) as amended by this Act, nothing in this Act or the amendments made by this Act shall be construed as limiting the Federal Communications Commission's authority to allocate bands of frequencies that are reallocated from Federal use to non-Federal use for unlicensed, public safety, shared, or non-commercial use.

(b) NTIA REPORT REQUIRED.—Within 1 year after the date of enactment of this Act, the Administrator of the National Telecommunications and Information Administration shall submit to the Energy and Commerce Committee of the House of Representatives and the Commerce, Science, and Transportation Committee of the Senate a report on various policy options to compensate Federal entities for relocation costs when such entities' frequencies are allocated by the Commission for unlicensed, public safety, shared, or non-commercial use.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Massachusetts (Mr. MARKEY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. UPTON).

#### GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 1320, bipartisan legislation called the Commercial Spectrum Enhancement Act, otherwise known as the spectrum relocation trust fund bill. I introduced this legislation with my good friend, the gentleman from New York (Mr. TOWNS), along with the gentleman from Louisiana (Mr. TAUZIN), the gentleman from Virginia (Mr. Boucher), the gentleman from Nebraska (Mr. TERRY), the gentleman from Texas (Mr. GREEN), the gentleman from Florida (Mr. STEARNS), the gentleman from New Hampshire (Mr. BASS), the gentleman from Mississippi (Mr. PICKERING), the gentleman from Kentucky (Mr. WHITFIELD), and the gentleman from Illinois (Mr. KIRK).

Lately the subcommittee has been focused on the ailing telecommuni-

cations sector. Clearly the commercial wireless industry has not been spared from the wreckage, and we have been searching for ways to restore some hope. In my view what we need to do is get new, valuable spectrum into the hands of the commercial wireless carriers so that they can bring new, advanced wireless services to the consumer. That would be good for the wireless carriers, good for the equipment manufacturers, good for the consumer, and certainly great for the economy.

In the current context, the government already has identified the 1710 to 1755 megahertz band for relocation from the government to the private sector. This spectrum, mostly encumbered by DOD, is considered valuable “beachfront property” due to its suitability for commercial, mobile advanced wireless services like 3G. However, the road to relocating government entities to comparable spectrum is unpaved and filled with potholes. This bumpy road creates massive uncertainty in the process and depresses interest in participating in the auction in the first place.

H.R. 1320 would pave that road, establishing a spectrum relocation fund and procedures to ensure a timely, certain and privately yet fully funded relocation of Federal incumbents to comparable spectrum. H.R. 1320 requires the FCC to notify the National Telecommunications and Information Administration, NTIA, 18 months before conducting an auction of relocated spectrum. The purpose of that notification is so that the NTIA, after review by the Office of Management and Budget, can provide the Commission with an estimate of relocation costs for a particular band and a time line for relocation. That information is critical because under the legislation, an FCC auction of relocated spectrum is only valid if the auction yields proceeds of at least 110 percent of the estimated relocation costs.

The proceeds from auctions of eligible reallocated bands are deposited into a spectrum relocation fund which is an OMB-administered separate fund at the Department of Treasury. If any agency has any transferred money remaining when relocation is complete, the agency is required to transfer the money back to the spectrum relocation fund right away. Unexpected auction proceeds are then transferred to the Treasury no later than 8 years after the proceeds were initially deposited into the spectrum relocation fund. All the while, H.R. 1320 provides tight fiscal controls and congressional oversight, as it should, of the use of the spectrum relocation fund.

Finally, the bill exempts the telecommunications development fund, TDF, from the Federal Credit Reform Act, the practical application of which has prevented TDF from making loans without first obtaining budget authority on an annual basis. The provision in H.R. 1320 will significantly enhance

the TDF's ability to make loans to worthy development projects focused on rural and underserved areas. I appreciate my good friend, the gentleman from New York (Mr. TOWNS), for his attention to this issue. I am pleased that the provision in fact is incorporated into the bill.

As such, the bipartisan bill represents a win-win-win. That is good news for the private sector which craves certainty in the process and the consumer who craves the benefits which new services enabled by additional spectrum will afford them. That is good news for government agencies who know that they will be made whole when they relocate to comparable spectrum and the taxpayer who will not have to pay a dime to relocate government agencies and will know that there is tight fiscal oversight in that regard. As I indicated, all of this is great news for the economy.

I should also add that we worked very closely with the administration to get where we are today and that the bill enjoys the administration's support, including the Department of Defense, the OMB and NTIA. I want to especially thank Assistant Secretary of Commerce Nancy Victory and former Deputy Assistant Secretary of Defense Stephen Price, the gentleman from Louisiana (Mr. TAUZIN), my good friend from the great State of Michigan, ranking member (Mr. DINGELL), and certainly the gentleman from Massachusetts (Mr. MARKEY), in addition to the majority and minority staff for their efforts to get us where we are today. I urge an "aye" vote on this legislation.

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

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

I would like to begin by first thanking my good and great friend, the gentleman from Michigan (Mr. UPTON), for that wonderful opening statement and to the chairman of the full committee, the gentleman from Louisiana (Mr. TAUZIN), to the great Member of Congress from the State of Michigan (Mr. DINGELL), the dean of the entire House of Representatives, for his wonderful work on this legislation, and to all the Members who participated in the formulation of this excellent piece of legislation. I want to thank all of them for their help in putting this bill together today.

The goal of this legislation is to establish a policy mechanism that may assist the Federal Government in reallocating airwave frequencies from the Federal Government to the Federal Communications Commission. Ensuring the best use of such frequencies for the public is a vital function of both the National Telecommunications Information Agency and the Federal Communications Commission. The bill we bring to the House floor this morning proposes the creation of a fund derived from FCC auction revenue to pay the military and other Federal users

for moving out of particular bands of frequencies. Establishing such a mechanism when and if the FCC chooses to license certain government frequencies through auctions may bring greater certainty to the process and may also speed along the availability of certain frequencies. In addition, one issue that we will need to continue to focus on is the necessity of ensuring that the money raised is spent wisely and with adequate oversight. We have returned to an era of Federal budget deficits for as far as the eye can see and, as a result, this is a very important issue.

□ 1030

The bill does contain improved oversight and reporting provisions to guard against cost overruns by Federal entities that seek to use money in the Spectrum Relocation Fund, but this process will likely need ongoing review as the bill is implemented.

I want to commend the gentleman from Michigan (Mr. DINGELL), the gentleman from Michigan (Mr. UPTON), and the gentleman from Louisiana (Chairman TAUZIN) for their work in this area.

Second, it is important to note that today's bill puts in place a new policy for Federal spectrum reallocations. It does so through establishing a Federal fund derived from auction proceeds to compensate the Federal users for the costs associated with moving out of their current frequencies.

One issue that arose during the committee consideration of this bill is that this new policy is only operative in circumstances when an auction actually occurs. I think it is important to recognize that in the future certain frequencies utilized by Federal entities may be reallocated by the Federal Communications Commission, yet not licensed through auctions. They may be for public safety, noncommercial uses, shared frequencies, or unlicensed use such as the so-called WiFi technologies. In other words, in order to ensure the highest and best use of such frequencies for the public, the FCC may seek to allocate or assign such frequencies without auctions.

In recent years it has become evident that one of the telecommunications sector's economic bright spots has been unlicensed applications such as WiFi. Ensuring that we have a policy in place to permit the Federal Communications Commission to continue to promote unlicensed spectrum is important. But in addition, retaining the historic flexibility for the Federal Communications Commission to allocate frequencies for both commercial and non-commercial use is something we should safeguard, even as we put in place a new policy to compensate Federal users for the costs of moving out.

We do not want the absence of an articulated policy for unlicensed use, shared use, public safety use, or non-commercial use to be construed as compelling the FCC to use auctions whenever it intends to move a Federal user to another frequency band.

I am pleased that the legislation contains a provision that I authored in this policy area. First, the provision safeguards the FCC's historic authority to allocate frequencies as the public interest is deemed to be best served. Second, it also directs the National Telecommunications Information Agency to develop reports on various policy options to compensate Federal entities for relocation costs when such entities' frequencies are allocated by the commission for unlicensed public safety, shared or noncommercial use.

Finally, I believe that when the Federal Communications Commission does decide to proceed with auctions as a means of granting licenses for use of the public's airwaves the public deserves to reap the benefits of the sale of licenses to its airwaves. These benefits should not only manifest themselves in the offering of new commercial services or the temporary infusion of cash into the Federal Treasury as under current law.

I have proposed in H.R. 1396 that the public should also enjoy the dividends that can be reaped by reinvesting auction money into a Digital Dividends trust fund. This fund would generate interest, and that interest could be used in the form of grants to promote educational technology projects, public safety telecommunications initiatives, software R&D, teacher training, and digitizing for online access the important cultural assets held in our Nation's libraries and museums, among other initiatives.

Investing surplus auction revenues in this manner is a wise investment. It supports the educational infrastructure of our country. It will help to better prepare our citizens for an information-rich, knowledge-based economy. An educated citizenry is indispensable to our democracy. Educating citizens so that they possess the necessary digital skill set that they will need in order to compete in a modern global economy will make us a more secure, more productive country for the generations to come.

Again, I want to thank the gentleman from Louisiana (Chairman TAUZIN), the gentleman from Michigan (Chairman UPTON), the gentleman from Michigan (Mr. DINGELL), and all of the Members who have helped to construct this very progressive legislation.

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

Mr. UPTON. Mr. Speaker, I include for the RECORD three statements in support of this legislation: the first by the administration in their statement of administration policy; second, a strong letter of support by the Chamber of Commerce; and, third, a letter of strong support by the CTIA.

#### STATEMENT OF ADMINISTRATION POLICY

(This statement has been coordinated by OMB with the concerned agencies.)

The Administration strongly supports House passage of H.R. 1320, which would create a spectrum relocation fund. The Administration believes that the fund will serve as

an important spectrum management tool to streamline the process for reimbursing government users, facilitate their relocation to comparable spectrum, and provide greater certainty to auction bidders and incumbents. This legislation will also expedite the opening of spectrum to commercial use for new services and technologies for consumers.

The Administration is pleased that H.R. 1320 closely tracks the Administration's proposal to create a spectrum relocation fund. The Administration urges quick action by the Congress to establish a spectrum relocation fund to make the spectrum management process more effective and efficient.

#### PAY-AS-YOU-GO SCORING

H.R. 1320 would affect direct spending. The Budget Enforcement Act's pay-as-you-go requirements and discretionary spending caps expired on September 30, 2002. The Administration supports the extension of these budget enforcement mechanisms in a manner that ensures fiscal discipline and is consistent with the President's budget.

CHAMBER OF COMMERCE  
OF THE UNITED STATES OF AMERICA,  
*Washington, DC, June 10, 2003.*

*To All Members of the U.S. House of Representatives:*

The U.S. Chamber of Commerce, the world's largest business federation, representing more than three million businesses and organizations of every size, sector and region, urges you to support H.R. 1320, the Commercial Spectrum Enhancement Act. It is expected that the U.S. House of Representatives will consider H.R. 1320 on June 11 or 12, 2003, under suspension of the rules. Furthermore, we urge you to oppose any amendments that would weaken this legislation or divert substantial funds away from the primary purpose of freeing up essential spectrum for commercial use.

This legislation would clear a major hurdle in the ongoing effort to make available more spectrum for advanced wireless services and applications. The act would establish a mechanism for reimbursing incumbent federal spectrum users for their relocation costs when their spectrum is reallocated for commercial use. The trust fund would ensure the safe and efficient transition of governmental operations from one spectrum location to another, while creating new opportunities for innovation in the wireless sector.

The creation of a spectrum relocation trust fund represents an important step in the difficult process of reforming our nation's spectrum allocation and management policies. We must continue to support these efforts in order to create the necessary incentives for investment and advancement in the technology industry, which will continue to be a key driver of the American economy.

Sincerely,

R. BRUCE JOSTEN,  
*Executive Vice President.*

CELLULAR TELECOMMUNICATIONS  
AND INTERNET ASSOCIATION,  
*Washington, DC, June 11, 2003.*

Hon. BILLY TAUZIN,  
*Chairman, House Energy and Commerce Committee, RHOB, House of Representatives, Washington, DC.*

Hon. JOHN D. DINGELL,  
*Ranking Member, House Energy and Commerce Committee, RHOB, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN AND RANKING MEMBER: The Cellular Telecommunications & Internet Association (herein, CTIA) offers its unqualified support for the Commercial Spectrum Enhancement Act (H.R. 1320). We salute your hard work on this legislation and urge its passage by the House of Representatives.

CTIA represents all categories of commercial wireless telecommunications carriers, including cellular and personal communications services, manufacturers and wireless Internet providers.

CTIA and the wireless industry appreciate the efforts of the many members who are co-sponsors of H.R. 1320, in particular Telecommunications Subcommittee Chairman Upton and Congressman Towns, the lead sponsors.

Passage of H.R. 1320 would significantly improve spectrum management for both government spectrum users and for the commercial wireless industry. The current process is a "black hole" for both government agencies and the private sector—filled with uncertainty, punctuated by unknown costs, and bereft of predictability. The current process works for no one.

President Bush identified that fact in both the Fiscal Year 2003 and 2004 Budgets and called for the legislative changes that are embodied in H.R. 1320. The relocation fund legislation balances three key policy objectives: First, H.R. 1320 fully funds government relocation, providing certainty essential to the Defense Department and all other government incumbents. Second, H.R. 1320 will result in workable timelines for both wireless industry and government incumbents. Third, H.R. 1320 provides certainty and accountability in developing—and adhering to—relocation cost estimates and relocation timetables.

During his March 25 testimony, Deputy Assistant Secretary of Defense for Spectrum, Space, Sensors and C3 Steven Price called for a "trustworthy Trust Fund." We concur, H.R. 1320 provides exactly this solution.

This bi-partisan legislation is a "win-win" solution, benefiting our national security, our nation's economy and American consumers. CTIA looks forward to continuing to work with you and all members of the Committee to assure that this legislation is soon law.

Sincerely,

STEVEN K. BERRY,  
*Senior Vice President, Government Affairs.*

Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. TAUZIN), the chairman of the powerful Committee on Energy and Commerce.

Mr. TAUZIN. Mr. Speaker, I thank the distinguished chairman of the Subcommittee on Telecommunications and the Internet, the gentleman from Michigan (Mr. UPTON); and I want to congratulate him on his hard work and the work product that we debate here on the House floor today.

I particularly also want to congratulate and thank my friend, the gentleman from Massachusetts (Mr. MARKEY), the ranking member of the subcommittee, and my dear friend, the gentleman from Michigan (Mr. DINGELL), the dean of our House and the ranking Democrat on the full committee, for the extraordinary cooperation that has been shown on this and so many pieces of legislation that our Committee on Energy and Commerce brings to the floor in the course of a year.

This is one of those rare occasions where the administration, the Democrats and Republicans are all on the same page. We all agree this is of vital importance to the national economy, to the advancement of important wire-

less technologies for the good of our consumers in America and for the good of the lead that our Nation has played in world telecommunications technologies and commerce.

This is one area where we can immediately begin to assist the Nation's economy in recovering, where we can immediately begin to do something to advance the cause of third-generation wireless technologies, the video and data links that are going to provide new services, equipment and products, built in America, made by American hands and used by Americans to advance the progress of their lives and their social contact with one another.

This is a good day for America, because we have come together and realized that all the handicaps, all the internecine battles that may have been fought between agencies and those in the private sector who wanted spectrum to begin to develop these new technologies, all of these fights about who is going to pay the relocation costs to get the spectrum made available to have these things happen in our country are now being resolved by this relocation trust fund, a concept that says the trust fund is going to be there to make sure the relocation costs are taken care of so the FCC can move these new and exciting technologies to the forefront so Americans can enjoy them and our economy can grow again.

This is a good day, but I want to point out to Members how without this kind of legislation things go wrong. We passed a bill on this House floor, again with the extraordinary bipartisan support of our friends on the Democratic side of our committee in this House and with the President's support, called E911. E911 is a concept that says when a person makes an emergency 911 call, it would be good to know where they are calling from; and when they are using a mobile telephone it would be certainly extraordinarily helpful if the person who received the 911 call could identify the location of the caller, because often the call is made in times of distress, an accident on the highway, a mugging in a park, a call of distress made by a citizen who is lost or in trouble on the highway and needs assistance, someone who has been seriously injured and cannot get help, cannot leave the automobile.

One of my dearest friends a few years ago was in an automobile accident in the middle of the night. His car got flipped off the road, and he landed in one of those wonderful Louisiana marshes on the side of the road and no one could see him on the highway. He spent the night there, crushed, bleeding, broken, until a garbage truck driver spotted him from the highway the next morning.

He nearly died. He went through incredible, horrible operations that might have been avoided if only E911 were in place, where he could have picked up his mobile phone in that car, called 911, and immediately somebody could have known where he was and an

ambulance could have come to his rescue.

That is what E911 is all about. E911 is literally taking the "search" out of "search and rescue" and making our mobile systems work much more efficiently so we can, in that first incredible hour where we can save lives and save limbs on the highway, we get to the person who has been injured, who made the call, and we rescue them. In that important 20 minutes when someone's child is being abducted, or a house is being broken into and somebody sees it on the highway and calls from a mobile unit, we can immediately identify that location.

When those kind of things are happening in our society, when we pass a bill to facilitate this kind of technology, and we find out that the funds that are derived from the telecommunications companies to pay for the deployment of this service are being diverted by State and local governments to other purposes, even when 911 is not deployed in our communities, we should get upset.

So today I take this opportunity to congratulate the House on moving forward on this Spectrum Relocation Fund and emphasizing how important it is to get the ball rolling on these new technologies and also call upon our colleagues at the State and local level to stop raiding those E911 funds. They are set up, like this relocation fund, to get that technology deployed.

In the E911 case, it is not just to get a technology that is going to enrich our entertainment values or satisfy our need for information exchanges and mobile services. In E911 it is going to mean somebody's life. It may mean someone you love survives. It may mean my friend would not have had to go through all of those operations and not have had to spend the night broken and wounded in the swamps of Louisiana waiting for rescue. That is how important it is.

So I hope, and I know my friends on the other side agree with me on this, we need to urge our friends at the State and local governments to take a good example from what we are doing on this relocation fund and make sure the funds that have been allocated to deploy E911 are used to deploy E911, not to cover deficit problems at a State or local government or divert it to other purposes.

E911 funds ought to be used to deploy E911. Americans ought to demand it. Any State and local government that is diverting those funds ought to be put on notice today that you are taking a chance on somebody's life when you do not deploy those services.

Here today, this House, this Congress, this government says that if we have government spectrum that we can make available to important uses like this, we are going to set up a relocation fund to make sure nobody touches it.

Mr. Speaker, I want to thank the gentleman from Iowa (Chairman

NUSSLE) of the Committee on the Budget, who helped make this suspension day possible for us by helping approve this bill. I want to thank the chairman of the Committee on Appropriations, the gentleman from Florida (Mr. YOUNG), because the appropriators and budget chairmen have surrendered the right to control this money. This money is going to be in this fund to do what it was intended to do. They did the right thing when they approved this legislation.

I want to again thank the Defense Department and the head of our Committee on Armed Services, the gentleman from California (Mr. HUNTER), for working with us, because in so many cases the spectrum we are talking about is now under the control of the Defense Department. That is the spectrum that might make the new generation of wireless services available for Americans.

I want to thank all of them for working with us on this legislation. This is the best example of Democrats and Republicans, of government agencies, of the White House, of everybody agreeing that we can do something good for the American economy, great for telecom resurgence in this country, great for new consumer services, great for all who produce and develop and work for the technology companies that make these incredible products available to us in America and to people all over the world. This is a good day for this House and for this government and for this country, and I urge approval of this legislation.

Mr. MARKEY. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. TOWNS), the principal cosponsor of this legislation.

Mr. TOWNS. Mr. Speaker, I rise as a cosponsor and strong supporter of the Commercial Spectrum Enhancement Act. H.R. 1320 will allow for deployment of advanced wireless services through relocating federally owned spectrum to commercially designated areas and allowing the carriers to bid on the bands of spectrum currently held by the government. The bill would also allow NTIA and the Department of Defense adequate flexibility to complete the relocation while being held liable for the funds spent by the General Accounting Office.

Another important provision of the bill, Mr. Speaker, deals with the Telecommunications Development Fund, TDF, which was founded as part of the 1996 Telecommunications Act to ensure that entrepreneurs in rural and underserved areas are not left behind by the digital economy.

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The language in H.R. 2350 will allow the TDF to extend loans to start up technology and telecom companies in rural and underserved areas without being held to the standards of the Fair Credit Reform Act, which is good. Not only will this be a boon to small busi-

ness, but it will also spur innovation and investment, both of which are desperately needed in this day and age.

I would like to again thank the gentleman from Louisiana (Chairman TAUZIN), I would like to thank the ranking member, the gentleman from Michigan (Mr. DINGELL), the lead sponsor of the bill, the gentleman from Michigan (Mr. UPTON), chairman of the subcommittee, and the ranking member of the Subcommittee on Telecommunications and the Internet, the gentleman from Massachusetts (Mr. MARKEY).

In addition, I would also like to thank Jesse McCollum from my staff, and Will Nordwind, Howard Waltzman, and Greg Rothschild of the committee staff, for their efforts as well.

I urge my colleagues to vote for this good government bill because it makes a lot of sense and it is something that we should do.

Mr. MARKEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I would add to that litany of saints which was just uttered by the gentleman from New York (Mr. TOWNS). I would also like to add the names of David Schooler, who is counsel to the gentleman from Michigan (Mr. DINGELL) and the Democrats on the committee, and to Colin Crowell on my staff, who participated in the drafting of this legislation right from its inception.

During the course of the actual drafting of the bill, his first son Gavin was born, while balancing those two important responsibilities. Both of them have come out extremely well over the last month. I think our country for the future is much brighter because of the work of Colin for our Nation over this past year.

I hope that the other Members of this great Chamber deem fit to pass this important legislation today, which will help us become stronger economically while not undermining the defense of our Nation at all.

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

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

Mr. Speaker, I urge my colleagues to support this legislation. It is good legislation, a win-win. I look forward to getting it to the President's desk and working with the other body as well to make sure this bill happens.

Mr. GREEN of Texas. Mr. Speaker, I rise in support of H.R. 1320, and I would like to thank Chairman UPTON, Ranking Member MARKEY, Chairman TAUZIN, and Ranking Member DINGELL, the dean of the House, for the opportunity to work with them on this beneficial legislation, of which I am proud to be an original cosponsor.

I am pleased that our House leadership has moved this bill to the floor in a timely manner. This is good, consensus legislation.

The Commercial Spectrum Enhancement Act is a reasonable, effective effort to allow American consumers to more quickly benefit from the ambitious rollout of wireless technologies that America's wireless industry is planning in the near future.



By freeing up federal spectrum for the market, consumers who are coming to depend on mobile communications will greatly benefit.

Wireless technology increases economic efficiency and productivity, increases convenience and connectivity for individuals and families, and is ready to be a major growth sector of the technology economy.

I would like to point out some key aspects of this bill that make it deserving of support by all in this House. Number 1 is filling national security needs.

This bill has a sustainable and predictable funding mechanism to ensure DOD does not have to cut corners with their communications.

Robust communications are especially critical to our modern military's ability to get its job done, and DOD, and all other federal agencies should be fully, 100 percent compensated for spectrum relocation costs.

Number two is the Congressional oversight of the spectrum auction and relocation process to be led by the Commerce Committee and the GAO.

While the Department of Defense may be the most essential federal agency and one with a great tradition of heroism and honor—waste, fraud, and abuse do occur there. That is no particular criticism of DOD, just the federal government in general.

Mr. Speaker, I urge my colleagues to suspend the rules and pass this consensus legislation.

Mr. DINGELL. Mr. Speaker, I strongly support H.R. 1320, the "Commercial Spectrum Enhancement Act," to ensure that consumers benefit from the tremendous technological advances in commercial wireless services.

I had several concerns when this bill was first introduced, and I commend Chairmen TAUZIN and UPTON for working with me to address my concerns.

It is important that the Committee on Energy and Commerce, whenever it creates a direct funding mechanism to achieve a policy goal, ensure that both the Committee and the congress maintain full and effective oversight abilities. I am comfortable that the substitute before us achieves that goal.

First, it directs that both the Comptroller General and the Energy and Commerce and Appropriations Committees receive reports on the preliminary and final cost estimates for all relocations. The Committees and the General Accounting Office (GAO) will also receive reports on an annual basis regarding adherence to cost estimates and proposed timelines. These materials, taken together, will permit the Congress to closely monitor the spending inclinations of the Department of Defense and other agencies as they relocate to new spectrum.

Also—this is particularly important—if an agency ever exceeds its spending estimates by 10 percent, it has to justify that increase both to the relevant Committees and to the GAO. In addition, the government agency in question is prohibited from spending the additional request for 45 days while the Congress examines the reason for the cost overrun.

These provisions are not perfect, but they represent a good faith effort on the part of the Energy and Commerce leadership to exercise effective oversight over the relocation process. I am pleased that Chairman TAUZIN, Subcommittee Chairman UPTON, Subcommittee Ranking Member MARKEY and I will be working with the GAO throughout the process to

ensure that its work is thorough and its oversight is effective.

Mr. Speaker, I look forward to passing this legislation and to bringing the next generation of wireless services to America's consumers.

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) to suspend the rules and pass the bill, H.R. 1320.

The question was taken.

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

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

The yeas and nays were ordered.

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

### WELFARE REFORM EXTENSION ACT OF 2003

Mr. HERGER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2350) to reauthorize the Temporary Assistance for Needy Families block grant program through fiscal year 2003, and for other purposes.

The Clerk read as follows:

H.R. 2350

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Welfare Reform Extension Act of 2003".

#### SEC. 2. REFERENCES.

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the amendment or repeal shall be considered to be made to a section or other provision of the Social Security Act.

#### SEC. 3. CONTINUATION OF TANF BLOCK GRANT FUNDING.

(a) STATE FAMILY ASSISTANCE GRANT.—Section 403(a)(1) (42 U.S.C. 603(a)(1)) is amended—

(1) in subparagraph (A), by striking "and 2002" and inserting "2002, and 2003"; and

(2) by striking subparagraphs (B) through (E) and inserting the following:

"(B) STATE FAMILY ASSISTANCE GRANT.—The State family assistance grant payable to a State for a fiscal year shall be the amount that bears the same ratio to the amount specified in subparagraph (C) of this paragraph as the amount required to be paid to the State under this paragraph for fiscal year 2002 (determined without regard to any reduction pursuant to section 409 or 412(a)(1)) bears to the total amount required to be paid under this paragraph for fiscal year 2002 (as so determined).

"(C) APPROPRIATION.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated for fiscal year 2003 \$16,566,542,000 for grants under this paragraph."

(b) MATCHING GRANTS FOR THE TERRITORIES.—Section 1108(b)(2) (42 U.S.C. 1308(b)(2)) is amended by striking "2002" and inserting "2003".

(c) BONUS TO REWARD DECREASE IN ILLEGITIMACY RATIO.—Section 403(a)(2) (42 U.S.C. 603(a)(2)) is amended—

(1) in subparagraph (C)(ii), by striking "and 2002" and inserting "2002, and 2003"; and

(2) in subparagraph (D), by striking "2002" and inserting "2003".

(d) SUPPLEMENTAL GRANTS FOR POPULATION INCREASES IN CERTAIN STATES.—Section 403(a)(3)(H) (42 U.S.C. 603(a)(3)(H)) is amended—

(1) in the subparagraph heading, by striking "of grants for fiscal year 2002";

(2) in clause (i), by striking "fiscal year 2002" and inserting "each of fiscal years 2002 and 2003";

(3) in clause (ii), by striking "2002" and inserting "2003"; and

(4) in clause (iii), by striking "fiscal year 2002" and inserting "each of fiscal years 2002 and 2003".

(e) CONTINGENCY FUND.—

(1) IN GENERAL.—Section 403(b)(2) (42 U.S.C. 603(b)(2)) is amended by striking "and 2002" and inserting "2002, and 2003".

(2) CONFORMING AMENDMENT.—Section 403(b)(3)(C)(ii) (42 U.S.C. 603(b)(3)(C)(ii)) is amended by striking "2002" and inserting "2003".

(f) FEDERAL LOANS FOR STATE WELFARE PROGRAMS.—Section 406(d) (42 U.S.C. 606(d)) is amended by striking "2002" and inserting "2003".

(g) MAINTENANCE OF EFFORT.—Section 409(a)(7) (42 U.S.C. 609(a)(7)) is amended—

(1) in subparagraph (A), by striking "or 2003" and inserting "2003, or 2004"; and

(2) in subparagraph (B)(ii), by striking "2002" and inserting "2003".

(h) GRANTS TO INDIAN TRIBES.—Paragraphs (1)(A) and (2)(A) of section 412(a) (42 U.S.C. 612(a)(1)(A) and (2)(A)) are each amended by striking "and 2002" and inserting "2002, and 2003".

(i) CENSUS BUREAU STUDY.—Section 414(b) (42 U.S.C. 614(b)) is amended by striking "and 2002" and inserting "2002, and 2003".

#### SEC. 4. CONTINUATION OF MANDATORY CHILD CARE FUNDING.

Section 418(a)(3)(F) (42 U.S.C. 618(a)(3)(F)) is amended by striking "fiscal year 2002" and inserting "each of fiscal years 2002 and 2003".

#### SEC. 5. CONTINUATION OF CHILD WELFARE DEMONSTRATION AUTHORITY.

Section 1130(a)(2) (42 U.S.C. 1320a-9(a)(2)) is amended by striking "2002" and inserting "2003".

#### SEC. 6. CONTINUATION OF ABSTINENCE EDUCATION FUNDING.

Section 510(d) (42 U.S.C. 710(d)) is amended by striking "2002" and inserting "2003".

#### SEC. 7. CONTINUATION OF TRANSITIONAL MEDICAL ASSISTANCE.

(a) IN GENERAL.—Section 1925(f) (42 U.S.C. 1396r-6(f)) is amended by striking "2002" and inserting "2003".

(b) CONFORMING AMENDMENT.—Section 1902(e)(1)(B) (42 U.S.C. 1396a(e)(1)(B)) is amended by striking "2002" and inserting "2003".

#### SEC. 8. EFFECTIVE DATE.

The amendments made by this Act shall take effect on July 1, 2003.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HERGER) and the gentleman from Maryland (Mr. CARDIN) each will control 20 minutes.

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

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

Mr. Speaker, I rise in support of H.R. 2350, the Welfare Reform Extension Act of 2003. This legislation is a simple 3-month extension of key parts of the Nation's welfare system.