

this resolution suggests. Unless that debt is dealt with soon, Iraq will be unable to develop as its resources and the skills of its people would otherwise allow. This is an absurd situation and an affront to any reasonable standard of justice.

The Iraqi people had absolutely nothing to do with the acquiring of this debt. Creditor nations supplied Saddam resources to build up his army to invade his neighbors and attack his own citizens; for his effort to develop weapons of mass destruction; and for his building of palaces and monuments for self-aggrandizement.

This money did not serve the needs of the Iraqi people. These loans were not used to develop the infrastructure and resources of the country. The Iraqis not only failed to benefit from this policy of relentless borrowing; they were its primary victims.

Without debt forgiveness, we are now asking the Iraqis literally to pay for Saddam Hussein's crimes for generations to come. By way of illustration, let me boil this absurd situation down to a simple truth: Without debt forgiveness, generations of Iraqi Kurds will be asked to pay the bills for developing the chemical weapons that were used to kill and maim their brethren at Halabja.

As a further absurdity: If the Iraqi people are forced to repay Saddam's debts, most of these repayment funds would be directed to creditor nations that actually opposed Iraq's liberation.

Mr. Speaker, our nation not only liberated Iraq. It has also already donated—I repeat, donated—approximately \$3 billion to provide for Iraq's humanitarian needs and rebuild its crumbling infrastructure. And now it has been asked to give more. It is time for Iraq's creditors to step up to the plate and at last do something for the Iraqi people, instead of for Saddam Hussein. As both direction to Administration policy-makers and to strengthen their hand, it is important that this body go on record with a clear demand for international debt forgiveness for Iraq.

Mr. COLE. Mr. Speaker, I rise today in support of House Resolution 198. This is a resolution which I introduced several months ago to address the inadequacies of France's, Germany's, and Russia's efforts in participating in the reconstruction effort. In doing so, I believe it best to highlight the outstanding debt owed to them by Saddam Hussein's regime in Iraq.

Mr. Speaker, the time has come for the consideration of its resolution. In the past year, the United States has committed its most precious commodity, the lives of our men and women, for the liberation of an oppressed people. It is not an action which we took lightly as a Congress, and one which we took after much consideration. Now we must win the peace, and in doing so, call upon the very nations who have indicated they would like to see the successful reconstruction of Iraq to forgive its debt.

The odious debt which the regime of Saddam Hussein contracted with numerous countries is not one which would be foisted upon the innocent people of Iraq. Now is the time for debt forgiveness and now is the time for the community of nations to come together and assist in solving this problem. In particular, France, Germany, and Russia must bear special responsibility for this because they represent the countries most vocal in supporting the illegitimate regime of Saddam Hussein.

The Speaker, the past policies of these countries were particularly helpful to Saddam Hussein's regime when United Nations Resolutions prohibited such relationships. They have requested that they be allowed to assist in reconstruction, and this is a first step.

Furthermore, because of their particular role over the last decade, it would be particularly helpful if they were to pledge greater amounts of money to aid in Iraq's reconstruction at the upcoming Madrid Donors' Conference. Thus, we have amended this legislation to reflect that fact.

Mr. Speaker, we are about to enter into a great debate over the substance of a Supplemental that will directly aid Iraq in its reconstruction. While there are a variety of opinions on the Supplemental, there is little doubt that America will keep her word to the Iraqi people and directly aid her in reconsideration. There is absolutely no question that we will not hold the innocent people of Iraq responsible for the actions of Saddam Hussein.

Vote "yes" on House Resolution 198.

Mr. ROHRABACHER. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 198

Whereas France, Germany, Russia, and other nations have expressed an interest in assisting in the reconstruction of Iraq;

Whereas France, Germany, Russia, and other nations have previously encouraged and provided debt relief as a way to assist other nations;

Whereas France, Germany, Russia, and other nations had extensive trade relationships with Iraq;

Whereas loans and other support from France, Germany, Russia, and other nations were used by the Saddam Hussein regime to support the development of its weapons of mass destruction programs, the expansion of the Iraqi Army that the regime used to invade its neighbors, and the building of palaces, monuments, and other means of aggrandizing Saddam Hussein;

Whereas the United States has already provided approximately \$3,000,000,000 in the form of grants to provide for the humanitarian needs of the Iraqi people and to rebuild Iraq's crumbling infrastructure; and

Whereas France, Germany, Russia, and other nations are capable of making generous pledges for the reconstruction of Iraq at the International Conference on Reconstruction in Iraq to be held in Madrid: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that France, Germany, Russia, and other nations—

(1) should work with multilateral institutions and with creditor nations in the "Paris Club" to establish a debt forgiveness program for Iraq to aid its reconstruction;

(2) should make generous pledges for the reconstruction of Iraq at the International Conference on Reconstruction in Iraq to be held in Madrid; and

(3) should acknowledge the role that Iraq's current debt plays in hindering its reconstruction.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MS. ROS-LEHTINEN

Ms. ROS-LEHTINEN. Mr. Speaker, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

Amendment in the Nature of a Substitute offered by Ms. ROS-LEHTINEN:

Strike all after the resolving clause and insert in lieu thereof the following:

That it is the sense of the House of Representatives that France, Germany, Russia, and other nations—

(1) should work with multilateral institutions and with creditor nations in the "Paris Club" to establish a debt forgiveness program for Iraq to aid its reconstruction;

(2) should make generous pledges for the reconstruction of Iraq at the International Conference on Reconstruction in Iraq to be held in Madrid; and

(3) should acknowledge the role that Iraq's current debt plays in hindering its reconstruction.

Ms. ROS-LEHTINEN (during the reading). Mr. Speaker, I ask unanimous consent that the amendment in the nature of a substitute be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The question is on the amendment in the nature of a substitute offered by the gentleman from Florida (Ms. ROS-LEHTINEN).

The amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the resolution, as amended.

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

□ 1045

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on House Resolution 198, the resolution just considered.

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

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 3289, EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE AND FOR THE RECONSTRUCTION OF IRAQ AND AFGHANISTAN, 2004

Mr. HASTING of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 396 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 396

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3289) making emergency supplemental appropriations for defense and for the reconstruction of Iraq and Afghanistan for the fiscal year ending September 30, 2004, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. After general debate the bill shall be considered for amendment under the five-minute rule. Points of order against provisions in the bill for failure to comply with clause 2 of rule XXI are waived except as follows: beginning with "Provided" on page 32, line 7, through "Act:" on line 20; section 3005; and section 3006. Where points of order are waived against part of a paragraph, points of order against a provision in another part of such paragraph may be made only against such provision and not against the entire paragraph. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

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

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 396 is an open rule waiving all points of order against consideration of H.R. 3289, the Emergency Supplemental Appropriations Act for Defense and the Reconstruction of Iraq and Afghanistan, 2004.

The rule also waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI except as specified in the resolution. The rule provides for 1 hour of general debate to be equally divided between, and controlled by, the chairman and ranking minority member of the Committee on Appropriations.

In accordance with the rules of the House, the rule provides that the bill shall be read by paragraph. The rule also authorizes the Chair to accord priority recognition to Members who have

preprinted their amendments in the CONGRESSIONAL RECORD.

Finally, Mr. Speaker, the rule provides for one motion to recommit with or without instructions.

This supplemental appropriations bill, H.R. 3289, was approved and reported out of the Committee on Appropriations by a strong bipartisan vote, with a majority of Republicans and Democrats on the Committee on Appropriations supporting this emergency funding measure.

The Committee on Appropriations worked diligently to review the administration's request; and having personally observed a portion of the committee's work, I can attest to the seriousness with which they approached their responsibilities.

The bill provides a total of \$86.9 billion in supplemental appropriations with \$64.7 billion dedicated to our military personnel and national defense, \$18.6 billion for Iraq relief and reconstruction, and \$1.2 billion for Afghanistan relief and reconstruction.

The funding provided in this bill is vital to winning the war on terrorism, Mr. Speaker. The bill places a priority on ensuring our men and women in uniform receive the support that they need.

Funding is provided to protect our forces, including increased funds for body armor and equipment to jam radio frequencies to better protect our soldiers from explosives detonated from afar by cell phones. The bill also fully funds hazardous pay and family separation allowances.

Winning the war on terrorism requires us to ensure that the removal of Saddam Hussein from power leads to a free and secure Iraq, and not a haven and breeding ground for terrorists.

The Iraq reconstruction funds provided in this bill are not only an investment in building this safe and secure Iraq; it is an investment in protecting America and in making Americans safer from terrorists.

The bill includes a commonsense provision that prohibits the use of any of these emergency supplemental funds from being used to pay any of Iraq's foreign debts.

Mr. Speaker, as I stated, this emergency supplemental received strong bipartisan support in the Committee on Appropriations. Accordingly, I urge my colleagues to support both the rule, House Resolution 396, and the underlying bill.

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

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

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

Mr. FROST. Mr. Speaker, I voted to authorize the war to remove Saddam Hussein from power, and I believe we must provide the resources to finally finish this war and to ensure Iraq transitions to a stable democratic nation. So I anticipate supporting this bill, de-

spite the fact that it still asks for too much from U.S. taxpayers while also doing too little for U.S. troops.

President Bush and his administration have created a very difficult situation for themselves, for Iraq, and for the United States. So while they will likely get the \$87 billion they have requested, I personally doubt that they will get more for reconstruction in the future, even from this fiscally irresponsible Republican Congress, if they continue to force American taxpayers to shoulder this burden alone.

I hope that the Bush administration is finally able to convince our allies to share this burden by providing significant financial and military help, like the first President Bush did in the first Gulf War, and I am frankly mystified that they have failed to get it done so far. There is no good reason to force Americans to pay for this reconstruction alone or to shift the burden to our children and grandchildren by adding its cost to our already monstrous national debt.

Mr. Speaker, the American people are generous, but the United States has needs of its own. The Republican Congress refuses to fix our crumbling schools or help with sky-high prescription drug prices, and too many military families still live in sub-standard housing. If the Republicans who control this government can find money to take care of Iraq, why will they not take care of our needs here at home?

Moreover, the Bush administration did not prepare the American people for the costly and deadly reconstruction efforts they are now witnessing. Many Democrats in Congress repeatedly urged the President to be completely forthright with the public and to share his post-war plan. Needless to say, the administration did no such thing. Instead, they told us not to worry about the post-war plan. And whenever people like General Shinseki and Larry Lindsey let slip the truth, that it would be very expensive and require lots of troops, they were publicly rebuked and then relieved of duty.

Well, Mr. Speaker, ever since President Bush landed on an aircraft carrier and declared the war officially over, the American people have seen for themselves the post-war plan he told us not to worry about, and the public is worried because they have seen over 180 Americans killed in Iraq since President Bush declared victory. And they have seen reconstruction costs explode while certain big corporations are making massive profits at the expense of the public.

Mr. Speaker, before the war, the American people were told Iraq was an oil-rich country that could fund its own reconstruction. So the gentleman from California (Mr. LANTOS), the ranking member of the Committee on International Relations, will offer an amendment to turn this reconstruction gift into a loan so that Iraqis can use their future oil wealth to help Americans pay to rebuild the Iraq that Saddam Hussein destroyed.

Now, for some reason, the Bush administration insists that American taxpayers should shoulder this burden alone, so they oppose the Lantos amendment. President Bush has even personally lobbied Republicans against such a measure.

Like the gentleman from California (Mr. LANTOS), I cannot imagine that Iraq's proven oil reserves have disappeared since the war began, and I do not understand the administration's opposition to protecting American taxpayers. Because the Bush administration is basically saying that Iraq oil revenue cannot be used to pay for rebuilding Iraq and instead must be used to repay the debts that Saddam Hussein ran up to rebuild his war machine.

The administration is saying that paying off Iraq's debts to countries like France and Germany, which opposed our efforts against Saddam Hussein, is a better use of American taxpayers' money than paying off America's own national debt or investing in priorities like education, health care, and the economy. To my mind, Mr. Speaker, this is simply wrong.

But if the Bush administration insists on forcing American taxpayers to foot the entire bill for rebuilding Iraq, they should at least pay the tab, instead of passing the buck on to our children and grandchildren by adding it to our massive national debt.

Make no mistake, there is a simple way to pay for it. Since President Bush took office, he has given massive tax breaks to the very wealthiest in this country. If you simply ask those wealthiest few, individuals making over \$350,000 a year, to take a smaller tax break, then you can pay for this entire bill and have some left over for the next bill for Iraq.

That is why the substitute legislation, written by the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations, is so important. The Obey amendment provides more resources for U.S. troops, \$4.6 billion more for priorities like 20,000 additional U.S. Army soldiers, better health care, and increased military family support services. The Obey amendment forces the administration to share the financial burdens for rebuilding Iraq by working through the World Bank. And instead of passing on the cost to our children, the Obey amendment pays for itself by asking the wealthiest few individuals, those making over \$350,000 a year, to take a smaller tax break than the one Republicans have already given them.

Mr. Speaker, for reasons I cannot explain, the Bush administration opposes this reasonable, fiscally-responsible, and pro-defense plan. They would force all Americans to sacrifice in the future because President Bush will not ask the wealthiest few to take a smaller tax break now. They would raise taxes on our children in future years because they refuse to ask people making over \$350,000 to take a smaller tax break.

Last night in the Committee on Rules, Mr. Speaker, the Republicans

blocked the Obey amendment, preventing it from even being considered on the House floor. As a result, Members of this House have only one way to increase help to U.S. troops and relieve the burden on U.S. taxpayers, by voting "no" on the important parliamentary vote known as the previous question.

If the previous question is defeated, I will amend the rule to allow the House to consider the Obey amendment. But if Members vote "yes" on the previous question, they will be voting to deny the House the opportunity to vote on the Obey amendment, and they will be preventing the House from helping the taxpayers and the troops today.

That should not be a difficult decision, Mr. Speaker. So I hope my friends on the Republican side of the aisle will not allow blind party loyalty to keep them from doing what is right for the country and for the American people.

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

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Florida (Mr. KELLER).

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

Mr. Speaker, I support this Iraq supplemental because it specifically includes language which I insisted on, which prohibits any American taxpayer dollars from being used to pay Iraq's foreign debts. Americans would be justifiably outraged if a dime of the taxpayer aid requested by President Bush allowed Iraq to pay creditors in France, Germany, Russia, or Saudi Arabia. I applaud Chairman YOUNG for including this language to make sure that does not happen.

□ 1100

As we move forward, we must do two things. First, while supporting President Bush and our troops, we must make sure that other countries and the Iraqis themselves contribute substantially to the rebuilding effort. Second, we must work toward the day when we can bring our troops back home and turn control over to a free Iraq. To achieve this mission, Iraqis are creating their own constitution. They are working toward free elections next year, and they are training 55,000 of their own people to provide their own future security.

Now in the interest of straight talk, let me squarely address what may be the most controversial aspect of this bill, and that is whether the money to rebuild Iraq should be in the form of a grant or a loan. After personally speaking with Ambassador Paul Bremer yesterday, who was kind enough to call me from Baghdad, I decided to support President Bush's proposal to make this money available in the form of a grant. And let me tell the Members why. The cost of rebuilding Iraq is estimated to be \$55 billion, and the United States is proposing to invest \$18.6 billion toward

that effort. That means other countries and the Iraqi people themselves will be expected to pay two thirds of the cost for rebuilding Iraq, which is appropriate.

Supporting President Bush's proposal to make this money available as a grant has two key advantages. First, the conference in Madrid, Spain, on October 23 and 24 will remain a donors conference and not turn into a lenders conference. And second, Iraq will be in a much better position to write off nearly all of their foreign debt incurred by Saddam Hussein.

For these reasons I urge my colleagues to support President Bush and vote "yes" on the Iraq supplemental and vote "yes" on the rule.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentlewoman from New York (Ms. SLAUGHTER).

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

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

Mr. Speaker, last spring we appropriated \$79 billion, it was just this past spring, to fund the war on the reconstruction efforts in Iraq. And again the administration is asking us to open up the Federal purse and hand over billions more. The Federal Government is already facing record deficits, the highest deficits the country has ever faced. But the President now wants our permission to charge \$18 billion more, which would have to be charged, by the way. We have no money to pay for that, pay for Iraqi reconstruction on the American credit card. What happened to the \$79 billion that Congress handed to the administration? One might well ask. Why are American soldiers being sent into life-threatening situations without the body armor or adequate training?

We do not know the answers to these questions, but we do know the conditions in Iraq for our military is shameful. I have received volumes of calls and letters from the families of soldiers serving in Iraq. They are concerned about their children, their brothers, sisters, husbands, and wives suffering from heat exhaustion and dehydration. We just heard that they are just now beginning to study the possible 12 suicides of our service people since they have been in Iraq. Some soldiers are rationed only two bottles of water a day despite the 120 degree weather, and we have been told that they have often had to survive on one meal a day.

I was flying back to D.C. this week to go to work on this appropriation. At the airport a TSA official told me of her recent assignment at the airport in Baghdad. She, a civilian employee, was housed in an air-conditioned trailer; but the U.S. soldiers had no relief. She felt so bad for the Army that she would let them sleep on the floor of the trailer just to get a little nap and escape the sweltering heat.

Just this morning, The Washington Post reports that many soldiers have very low morale. In fact, a poll was done by "Stars and Stripes" that says that only half the people in Iraq now think that the morale is any good at all; 48, 49 percent say the morale is very low; and the same number, about 50 percent of those who are there now, say they will not reenlist. They claim that their mission lacks clear definition and they characterized the war in Iraq as of little or no value. These are the people who are there fighting it. Fully 40 percent said the jobs they were doing had little or nothing to do with the training that they had received.

The largest proportion of this appropriation that has been asked for, some \$60 billion, is for the troops; and they desperately need more. They need more water, more food, more adequate shelter, more body armor to save their lives, and other essentials. We were also told this week that ammunition dumps are all over the country of Iraq where we know where they are, but we do not have sufficient troops to guard them. These are supporting the ammunition which is being used to shoot at our soldiers. These men and women have to be our top priority.

Congress must demand and receive a full accounting of the reporting on the Federal dollars appropriated for our brave troops and for rebuilding Iraq. No one has been able to tell us that they know where the \$79 billion has gone. Congress must demand to receive a full and thorough accounting and justification for any Federal taxpayer dollars spent anywhere, but it is as part of a contract that did not go through a proper competitive bidding process that is particularly egregious. I intend to offer an amendment to ensure that Congress receives the specific information on no-bid contracts that our oversight duties and obligations to our constituents demand.

Mr. Speaker, I find it odd we cannot find the funds to pay for the mandates of No Child Left Behind or fully fund Medicaid or upgrade America's electrical grid, but somehow there is money to build schools and hospitals and an electrical grid for Iraq. The people of New York will pay \$1.26 billion of the \$18.6 billion to rebuild Iraq. That could be used to place almost 150,000 children in Head Start programs.

This money could also be used to fund healthcare for over 150,000 New Yorkers. We cannot forget the great needs at home. If State and local governments received matching funds for the \$18.6 billion to rebuild Iraq, New York State would receive approximately \$2 billion in State and local government budget relief. That is why I am cosponsoring the American Parity amendment.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I oppose this rule, and I oppose the underlying bill. Our policy toward Iraq is one of the biggest issues facing this coun-

try today, and every Member of this House deserves an opportunity to have their voices heard. Shamefully, the rule before us does not meet that standard and should be rejected. I also believe that the underlying \$87 billion supplemental appropriation bill fails in several key areas.

The administration has not provided an adequate plan for success in Iraq. The United States invaded Iraq and now occupies that country. In my view, the war was a mistake based on inadequate and shifting rationales unsupported by the evidence and damaging to our security at home and our standing in the world.

Having said that, I recognize that we now have a moral obligation both to support our troops in the field and to help rebuild Iraq. Our soldiers deserve the equipment, training, and supplies they need to continue their remarkable work; and the people of Iraq deserve help in rebuilding their infrastructure and establishing a democratic society. Those are the goals that all of us share, but I have seen nothing from this administration that leads me to believe that a plan exists to get us there.

How long will our troops be stationed in Iraq? Why have we not successfully reached out to our allies for help? When can we expect the security situation to improve on the ground? What is the strategy for dealing with increasing ethnic tensions? What is the total price tag of our policy? How many more emergency supplemental bills? Has the war made us safer? Has it reduced terrorism? These are not trivial matters, Mr. Speaker. They are serious and fundamental questions, the answers to which will help determine our success or failure in building a more stable, more secure world.

In addition, I am deeply concerned that this bill shortchanges important priorities here at home. Yes, we should build schools and hospitals and roads and bridges in Iraq, but we should build them in this country too. To make matters worse, this bill has no offsets. It is not paid for. It will add \$87 billion to our national deficit, and it passes the cost on to our children and our grandchildren, and that is wrong.

It has been nearly 6 weeks since President Bush made a speech to the country requesting the money. I simply cannot believe that in those 6 weeks given all the smart people we have in this Congress that the leadership could not come up with a single offset, a single deferred tax break for millionaires, a single corporate loophole to pay for this. But, no. Instead, we are going to charge this money on the national credit card and send the bill to our kids.

We are constantly being told that we are at war and that wars demand sacrifices. The young men and women who are serving, being attacked and in some cases dying in Iraq, are certainly sacrificing. The people in the middle class and those trying to get in the middle who rely on adequate funding

for education, health care, and housing, veterans benefits, they are sacrificing. But heaven forbid that we ask the Nation's millionaires to defer a small portion of their tax cuts.

Mr. Speaker, our policy in Iraq is not working. I simply cannot support a bill that merely endorses the status quo. We are being asked to close our eyes and spend \$87 billion on top of the \$79 billion that we have already spent and that nobody can seem to account for. Right now there is a kid from Massachusetts on some corner in Baghdad wondering what he is doing there, wondering when he is coming home, wondering if he will have a job or health care when he comes back. He deserves a voice in this Congress.

This House spent a grand total of 1 day, 1 day, debating the resolution authorizing war. We did not ask the tough questions. We did not get straight answers. We abdicated our responsibilities, and we must not make the same mistake again. Congress should do its job. We need to get this right, to spend this money wisely, not just for the future of Iraq but for the future of that young man from Massachusetts, his family, the thousands like him serving in Iraq, and the millions of Americans here at home.

Mr. Speaker, I urge my colleagues to oppose this rule and to oppose the underlying bill.

Mr. FROST. Mr. Speaker, I yield 4 minutes to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. Mr. Speaker, I thank my good friend, the ranking member, for yielding me this time.

Mr. Speaker, I rise today in strong opposition to this rule and bill. Anyone who has read a newspaper or watched a news program can hardly argue that American troops need and deserve additional support. I have voiced my support for an amendment to this bill, several as a matter of fact, but more specifically one offered by the gentleman from South Carolina (Mr. SPRATT). That amendment will increase imminent danger and hardship duty pay for our military. It would increase the family separation allowance and add funding to a program that assists disabled service members who are returning to civilian life. The Spratt amendment will also eliminate the fees currently charged to hospitalized service members and several other vital themes for our military. That amendment was not made in order.

However, because of my support for the members of the armed services, I cannot in good conscience vote in favor of this massive supplemental blank check, at least not until this administration is forthcoming in answering the questions that Congress has asked again and again and again. My good friend, the dean of the Florida delegation, the chairman of the appropriations committee and my good friend, the ranking member of the Committee on Appropriations on yesterday both

averred that they were unable to answer in detail how 79 billion taxpayer dollars are being spent. That is unconscionable, and not to mean that we did not have general understanding as to how the money was spent; but we as persons with oversight responsibility have a responsibility to have a detailed analysis.

Thirteen months ago when we were debating a resolution on the use of U.S. Armed Forces against Iraq, at that time I offered an alternative war resolution, one with some definitive conditions. It called on the President to provide Congress with a comprehensive plan for the long-term cultural, economic, and political stabilization in a free Iraq. When I presented my resolution, I said, "The young men and women of our Armed Forces are already fighting a war on terrorism. Before we expand their role and send them even deeper into harm's way, I want assurances that we have a plan for maintaining stability in the region once we declare victory."

Mr. Speaker, I gave that speech on September 23, 2002. More than a year has passed. More than 320 U.S. troops have lost their lives in Iraq, and hundreds more have been wounded. I am still waiting for an answer. The only thing we have been told by this administration is that the next installment, this one, is going to cost American taxpayers \$87 billion.

We have already seen what happens when we relinquish our oversight authority and fail to hold this administration accountable ahead of time. There are far too many questions that need to be answered before we abrogate our responsibilities to the American taxpayer and simply hand over nearly \$87 billion. For instance, where is the comprehensive strategy that will ensure our goals for the Iraqi people will be met?

□ 1115

How long will it take to implement that strategy? How much is it going to cost the American taxpayer? And, finally, exactly how did this administration spend the \$79 billion we already appropriated for this war? And just how much more are we going to do by way of supplemental without benefit of authorization, without benefit of clear understanding, without benefit of oversight responsibility.

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

Mr. FROST. Mr. Speaker, I yield 7 minutes to the gentleman from Wisconsin (Mr. OBEY).

Mr. OBEY. Mr. Speaker, we have previously appropriated almost \$80 billion to deal with the problems in Iraq and now we are being asked to provide \$87 billion more. We have had no real accounting of how that previously appropriated money has been spent, and we certainly have no line item information about how the next \$87 billion is going to be spent. If that is not a blank check, it is certainly a malleable one.

It seems to me that if the administration wants us to consider their aid package today, that we have a right to see to it that we can offer on the House floor a responsible, comprehensive alternative. But under this rule before us, we are being denied that opportunity. The majority Members of this House will say the rule gives us an open rule. That is a meaningless comment. Because the key to understanding our problem is to understand that the rule waives several of the House rules to enable the committee to bring its bill to the floor but then when we want to bring a parallel substitute to the floor, they say, "oh, no, no, no, you can't waive those same rules to allow your package to come to the floor." So that is the way that the majority leadership funnels us into a situation where it is either their way or no way. That is not the way to unite people in fighting a war.

What we are asking is to give the minority the same right to offer a comprehensive amendment that was given to the minority in the Senate. Here is what the amendment would say. The amendment would essentially say if this House is hellbent on providing \$87 billion, then there is a better way to do it.

If any Member of this House votes for the previous question without allowing our amendment to be made in order, that Member will be voting to block our efforts to transfer about \$4.5 billion of badly-thought-out reconstruction plans to categories in the budget that would do us a whole lot more good.

Example. We want to do something about the fact that 80 percent of American troops in Iraq right now are drinking putrid water, getting dysentery. There is absolutely no reason that we should not provide clean water to 100 percent of American troops in Iraq. If you vote for the previous question, you will be denying us the opportunity to correct that. If you vote for the previous question, you will deny us the opportunity to provide predeployment health and dental services to Guard and Reserve forces who right now have to pay those expenses on their own. If you vote for the previous question, you will be blocking us from extending postduty health care coverage from the 60 days which Guard and Reserve people now have when they are coming off duty to 6 months. That is what you will be doing. You will also be preventing us from providing the money that the Army and the other services asked for to refurbish equipment which was worn out or used up in Iraq.

The Services asked for the full amount that they could spend on that over the rest of the year, but the Department slashed those recommendations, in my view, in order to hide from the public the full cost of reconstituting that equipment which will approach \$20 billion by the time it is done rather than about the \$2 billion asked for by the administration.

If Members vote for the previous question, they will be voting against

our efforts to relieve pressure on Guard and Reserve forces, many of whom have now been told they are going to have to serve an extra year. You will prevent us from correcting the mess that we now have in our troop rotation schedules. What we try to do to correct those items is to recognize the validity of General Shinseki's warning when he warned us that we should not follow a 12-division strategy if we only had a 10-division Army. So what we do is face up to the need to create another division so that you can restore order to the lives of Guard and Reserve forces and restore order to the rotation schedule for our regular troops.

If Members vote for the previous question, they will also be swallowing, swallowing whole, the administration plans to rely on huge contracts with politically well-connected multinational corporations rather than relying on more appropriate low-technology contracts with indigenous groups within Iraq so that we can put Iraqis to work doing something constructive besides shooting Americans.

If you vote for the previous question, you will be blocking our efforts to convert one-half of the reconstruction funds in our package to loans by running that portion through the World Bank and having it matched by other international contributors. You will also be preventing us from insulating those contracts against cronyism if you have an agency administering these contracts that is responsive to the political appointees at the White House. And, most importantly, if you vote for the previous question, you will be blocking our efforts to meet our responsibilities to our taxpayers by paying for this adventure rather than putting it on the cuff.

We have got two choices on that score. We can either charge this bill to our kids or we can pay for it now.

There is a whole lot of talk about shared sacrifice on this floor. We heard a lot of it last night. I would like to ask who on earth in this country is being asked to share the sacrifice except the troops and their families? The Guard and Reserve forces right now face a total discombobulation of their life. Our regular troops face the same thing. They are sacrificing in spades. Yet, if you vote for this previous question motion, you will be denying our effort to say there is a better way to achieve self-sacrifice.

What is wrong with asking a millionaire to settle for a \$53,000 tax cut rather than the \$130,000 tax cut they will get absent our amendment? Persons in the \$50,000 to \$75,000 range will get on average from all sources perhaps \$1,000 if they are lucky under the tax cuts now in effect. Persons in the \$200,000 to \$500,000 range will get \$2,200. Why shouldn't millionaires be happy with 25 times that amount?

I ask Members to vote against the previous question to give us a chance to offer an amendment that is a truly balanced, comprehensive alternative.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Ohio (Ms. PRYCE), a member of the Committee on Rules.

Ms. PRYCE of Ohio. I thank the gentleman for yielding me this time.

Mr. Speaker, everyone in this Chamber needs to support this important funding package. The President made it very clear when he articulated his plan to fight the war on terror. In no uncertain terms he declared that Iraq is now the central front in this war. The job is only half done, though. Terrorists still roam the globe and threats still exist. If we leave Iraq now, we essentially allow the country to become a terror magnet, a flypaper that attracts terrorists from all over the world to its vast deserts and its countless caves. Iraq will become their home base as they wage their war against freedom, their war against civilization.

Mr. Speaker, to vote against this funding package and the goals it seeks to achieve would be to vote in favor of terror and against America's homeland security. It is that critical. This package will provide the funds necessary to establish a working society in Iraq. A government that is run by free Iraqis is a government that provides hope to her people. A free government responds to the wishes and desires of those whom it governs. People who live under a responsive and fair government have no need for terrorism. They do not experience the desperation and destitution that so often are the precursors to a life dedicated to terror.

So, Mr. Speaker, a free Iraq keeps terror out of that country and, therefore, out of ours. A free Iraq will send a clear message to people of the Middle East and around the world that freedom and democracy, not violence and terrorism, are the best paths for the future. Hope and stability in Iraq translate into security and peace for Americans here at home. We are close. Iraq is experiencing the first fruits of freedom and now they must be completely transitioned into a state of stability. So far, the coalition provisional authority has made significant progress on infrastructure improvements and governmental restructuring. All of Iraq's hospitals are now fully functional. Schools are opening and running. They are now places for young minds to receive information, not indoctrination.

Colleagues of ours who have been there talk of wheat fields and oil fields and cotton fields. This is progress. It is a beautiful picture of what comes of our noble pursuit in the fight for freedom and the war against terror. But more is needed to secure Iraq to bring our troops home soon. The funding in this package will provide the body armor that is so essential to protect them from terrorists. It will provide extra pay and benefits to the soldiers who are already sacrificing so much on our behalf. It will provide our troops the weapons and systems necessary to

finish the mission we started and get our troops home to their families. Finally, this package will effectively help to revolutionize Iraq, turning this country from a terrorist breeding ground into yet another beacon of democracy in the Middle East. Terror will be shunned rather than invited.

Mr. Speaker, I urge my colleagues to vote in favor of this bill to secure America by stabilizing Iraq.

Mr. FROST. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, to visit an Austin widow with three preschool children and no longer a husband is to understand that far more than \$87 billion is involved in what we do today. We all honor those who die for our country. But the question for Congress is whether we can pursue a policy that allows more of these brave young Americans to live for America.

We do not have a shortage of money in Iraq. We have a shortage of sound thinking and in good planning in pursuit of international cooperation in Washington, DC, where we have Washington ideologues paired up against courageous young Americans who are fighting for us in Iraq.

Our responsibility in Congress is to ensure that more lives and more tax dollars are not squandered as quickly as this Administration squandered international goodwill after 9/11. To those in Washington who defend this failed policy by saying, "we have to stand with our troops," of course, this Administration did not even ask for additional spending until last month. Until that point, they told us nothing was necessary. Indeed a nonpartisan report released yesterday, as reflected in this chart, indicates that if we did not appropriate a single cent today, the Army has enough appropriations to last through half of next year. This question is not about providing more Kevlar vests for our troops. It is about providing "political Kevlar" for those who want to get through the next election.

Those who pursued an extreme ideology have reversed 50 years of bipartisan American foreign policy in favor of a preemptive war, and today a large number of Members of this Congress are going to say "no," not to our troops, who we stand with and honor, but "no" to a failed policy. We are going to stand by the courageous young men and women in Iraq in uniform, but not with the ideologues in Washington in business suits who have failed them with their policies.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, sometimes I think that too many of us are ignoring the big picture during this debate, and sometimes we lose sight of what this money will mean, not only to America but for the entire world.

□ 1130

I have got an article off of CNN.com that just came out that shows that Damascus even ended up voting for the Security Council resolution this morning. They want stability, they want security.

There is another part of this debate that we get caught up in. We all agree that the \$66 billion portion of the supplemental is absolutely critical for our troops, for their well-being as they are defending freedom. The debate that we have set about today and through the past couple of weeks, not only as a legislative body but as a people, has really focused on the remaining \$18.6 billion of the appropriation.

Let me put it this way: In my district, one of the things we have talked about is that the \$66 billion is for the military, and that \$18.6 billion that is for reconstruction, that is for you, Mr. Speaker, it is for me. That \$18.6 billion is for every single American man, woman and child who never, ever, wants to see another September 11 take place. It is for every American who understands that we have an opportunity, a very unique opportunity, to help reshape a region of the world that has been a breeding ground for hatred and for terrorism.

I have visited with my constituents at Fort Campbell, people that have family members deployed over there. I have stood on the tarmac to shake the hands of the men and women that are returning from over there. These are people that are on the front lines and they understand what is at stake, and they have told me that they think it would be a mistake to withdraw now; if we choose to leave, we will have done a tremendous disservice to our children, to our country; that the work there that we are doing is an investment in making the world a safer place.

I am going to be going to Iraq this month because I want to see the progress that we have made there. I want to see it with my own eyes. I want to thank our men and women in uniform, and I want to let the Iraqi people know we understand that they will be an important and valuable ally in our war on terrorism, but only if we do what is right and necessary for the future and for our kids' futures by providing a critical investment in that country.

We can talk all day about domestic needs and different needs and all sorts of programs that are great programs, but there will never be an end to these, and it is necessary that we fight the war on terrorism.

Mr. Speaker, I ask my colleagues to step back, take another look at the bigger picture, to support this.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I appreciate the former speaker's comments, but I rise today to oppose the rule and the underlying bill, because I think the very thoughtful

amendment of the gentleman from Wisconsin (Mr. OBEY) should have had a full discussion on the floor of the House.

Maybe we have not listened to the words of the administration. I do not believe that \$20 billion is for any one of you in America. It actually is undermining the needs of Americans with Medicare and Medicaid and jobs.

Secretary Rumsfeld said just a few weeks ago, "If you worry about just the cost, the money, Iraq is a very different situation from Afghanistan. Iraq has oil. They have financial resources." But yet we find the administration coming and asking us for \$20 billion.

There is no reason to vote for this supplemental under the guise of supporting troops, when our troops do not have the armor, they do not have the water, they do not have the right kind of equipment.

I would say to this body, it is imperative that you use your oversight responsibilities to stand with the troops, to make sure that they have the number of troops so they can be refreshed and cycled back home. You have troops on the frontline that I have met this weekend in the Mideast who told me that they have been there for 6 and 7 and 8 months and nobody will tell them when they can go home.

I am going to stand for the troops today. Vote against this ill-fated, misdirected \$87 billion, because the administration does not know what they are talking about.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON), a member of the Committee on Appropriations.

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding, and I stand in support of the rule and support of the emergency supplemental bill.

Here is what it does. It does four very important things.

Number one, it supports our troops. We have troops on the ground. We need to support them. Republicans in Congress supported President Clinton when he had, I think, something like over 30 deployments. I hope that the Democrats will support our President by supporting the troops and put aside partisan differences in support of this bill for our troops on the ground.

The second thing it does is it supports freedom in Iraq. There are those on the left who truly believe that this war was such a mistake that the people of Iraq were better off under Saddam Hussein, even after we found jet airplanes that were buried, even after they violated 17 UN resolutions, even after we found something like hundreds of thousands of mass graves. There are people in America, liberals on the left, who believe that Iraq was better off before we got there. This bill supports their freedom.

The third thing it does, it helps them begin reconstruction. It is going to cost about \$150 billion to rebuild this

country. This bill has a little bit over \$18 billion to get that started. It is a grant, it is not a loan. The reason is we want other nations around the globe to step forward and pull out their checkbooks. There will be meetings coming up in the next month to try to urge them to do that. If we start off by saying we are going to lend you this money, Iraq will never be rebuilt.

Think about the great strides that have already taken place. Electricity and water in 80 percent of the country. Health care, \$200 million has already been spent, compared to \$13 million spent previously under Saddam Hussein. Newspapers, 150 newspapers are up and being published in Iraq every day. Police forces in the municipalities have already been trained, some are up and going and some are on line to come. Those are steps of great progress. That is why this reconstruction effort cannot stop midstream.

Finally, the fourth and final thing this bill does is it brings security to the people of the United States and all over the world. What if we had left Saddam Hussein in charge in Iraq? What if all this saber rattling to the terrorist organizations of the world was for naught? What if we just wanted to continue with the rhetoric, as opposed to action? We would just be sitting, waiting, counting the clock for another 9/11. It still could happen, but it is not going to be the same world as it would have been if we had just sat back and said, well, America likes to run its mouth, but not have action.

This bill today and our war effort helps bring peace and stability to the world, and we cannot afford to stop with the job half done. Please vote for the rule and the bill.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Mississippi (Mr. WICKER), a member of the Committee on Appropriations.

Mr. WICKER. Mr. Speaker, I thank my friend for yielding me time.

Mr. Speaker, I rise in support of the rule and of the underlying legislation, and I rise to observe, first of all, that there are at least four different points of view being expressed in the debate leading up to this vote that we will have either today or tomorrow.

First of all, there are those who feel that the military action against Saddam Hussein was the right thing to do and that we should stay the course.

Secondly, there are those who never supported the President's action and see no need to support him now.

Then there are those who disagree with what we did in Iraq, but also realize that we have an obligation, having gone in, to bring stability to the region.

Finally, there is at least a fourth group, Mr. Speaker, who were happy to pay for the war, to appropriate funds for the bombs and tanks and ammunition and for our troops, but who are suddenly taken by surprise to learn that we must now spend money to protect the peace.

I find myself in the first group, those who support President Bush's action in Iraq and who realize how important it is now to do what is necessary to win the peace.

I firmly believe that the United States of America did the right thing in removing Saddam Hussein. It has cost us the lives and health of hundreds of young Americans, to be sure. It is costing our taxpayers billions of dollars, but it is worth the cost.

When we consider the history of Saddam Hussein, his torture and cruelty, his use of weapons of mass destruction in previous wars, his repeated defiance of the United Nations, and when we learn what has already been uncovered since our military offensive, then it becomes clearer and clearer that this Congress and this President made the right decision.

Contrary to the initial media analysis of the Iraq Survey Group on weapons of mass destruction, the report of Dr. David Kay details discoveries of dozens of WMD-related activities, including significant amounts of equipment that Iraq concealed from the United Nations, a secret network of laboratories, strains of biological organisms hidden in a scientist's home, plans and advance designs for new long-range missiles, and details of secret negotiations with North Korea to secure technology to develop ballistic missiles, cruise missiles and other military equipment. I believe these findings provide strong justification for our military action.

Finally, it bothers me to hear some of my colleagues refer to the \$18 billion in Iraqi reconstruction as an outright gift to Iraq. On the contrary, Mr. Speaker, whether in the form of a loan or an outright grant, these are taxpayer dollars being spent in the U.S. national interest. Some Americans will be employed using these dollars. There is an element of altruism and charity involved, to be sure, but these reasons are secondary. The principal reason we are appropriating these reconstruction dollars is that they will be used to protect our troops as long as they have to be over there and to provide electricity, water, public safety and other infrastructure so that Iraq can have stability and so that our troops do not have to go back and win this war yet another time.

Mr. Speaker, today is a day when we will be called upon to make some tough votes, votes which may not be politically popular at first blush, votes which may require some explaining, but which we are fully able to explain and justify. That is one definition of leadership.

President Bush is providing strong national and international leadership. I believe the actions he has taken and that this Congress will take this week are the best chance for a true and lasting resolution to the Iraqi situation, and, in the long run, will provide enormous dividends in our continuing struggle against world terrorism.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, today we are debating an issue that has tremendous consequences, certainly for America, for Iraq, for the entire world. After the absolutely horrific attacks on our Nation of the 9/11, I think the al Qaeda thought America would respond by perhaps shooting off a few cruise missiles and go right back to our couches watching the football games. They calculated that Americans would not have the political will to respond; that we would be afraid that if we did respond, that terrorists might ratchet up their attacks against us.

Well, they calculated wrong. They seriously underestimated the resolve of the American people, and they most certainly did not understand an American President who was not afraid, who was willing to take the fight to them. They never expected Afghanistan, and they certainly never expected Iraq.

Today, we have successfully removed the regimes of both the Taliban and of Saddam Hussein, and, as we continue to successfully prosecute the war on terror, as we liberate millions of people, as we continue to export freedom and democracy and liberty across the world, the burden is on us to recognize that we are at a pivotal moment in world history, that we face the task of either stabilizing and ensuring a free Iraq, a democratic Iraq, or not. We need to decide if this war was truly about liberation and not occupation, or let the enemies of freedom point to the United States and say, see, they never really meant it, that this really was about the oil after all, anyway.

□ 1145

Conflict with Saddam was never optional; it was only a matter of when. And if we would have waited, the cost would surely be higher, both in terms of dollars as well as in terms of human life.

Our mission in Iraq has been incredibly successful, and that success has translated in mitigation against future terrorist attacks whose cost cannot be calculated. Today, the entire world watches this vote, and the citizens of the world will be trying to decipher the message that we are sending.

I say the message that we should send is that America is there to help. America will not cut and run. America is serious about assisting them to build their own democracy.

The world is watching us now. We must not fail.

Pass the supplemental.

Mr. HASTINGS of Washington. Mr. Speaker, I would advise my friend from Texas (Mr. FROST) that we just have one more speaker, so if he wants to close.

The SPEAKER pro tempore (Mr. THORNBERRY). The gentleman from Texas is recognized for 2½ minutes.

Mr. FROST. Mr. Speaker, I yield myself the balance of the time.

I would like to make a clarification for the record. In the report to accompany this rule, I am recorded as having voted "aye" to report the resolution. However, the fact is that I was recorded as having voted "no" on the motion to report.

The report submitted by the majority to the Government Printing Office makes clear that I did indeed vote "no" on that motion. But because GPO made an error and recorded me as an "aye" vote, the Committee on Rules majority has asked for a star print of the committee report which will correct the record. However, since this report is now available publicly, I wanted to state for the record that I voted "no" on the motion to report.

Mr. Speaker, I urge Members to oppose the previous question. If the previous question is defeated, I will offer an amendment to the rule. The amendment will give Members an opportunity to vote on the Obey substitute which will help the troops, would require accountability, and will pay for that bill.

Last night, the Republican leadership instructed Republicans on the Committee on Rules to vote against allowing the House to consider this substantive alternative to the committee bill. Voting for the previous question will deny the whole House the opportunity to debate important questions that the Republican leadership in the House do not want to air.

Mr. Speaker, the Obey amendment provides desperately needed funding for the many overlooked and severely underfunded areas that threaten our troops in Iraq and Afghanistan. The amendment will reduce total reconstruction funds by \$4.6 billion and use it instead to provide desperately needed protection for our soldiers in the field and to help ease the difficulties these brave men and women face every day.

It will provide funds to repair and replace military equipment. It will allow the Army to increase the number of active duty troops to ease the burden on those currently deployed. It will provide funds for water purification, predeployment health and dental screening, and extension of Guard and Reserve health benefits.

That is not all this amendment will do. It will also pay for this bill so our children will not be burdened with its staggering costs for years to come. We can pay off this enormous IOU simply by eliminating the Bush tax break for the wealthy 1 percent of Americans with annual incomes in excess of \$350,000. Our troops make huge sacrifices every day; I think the wealthy can do their part too.

It is very disturbing that the Republican leadership of the House would deny Members an opportunity to vote on an amendment to improve the conditions faced daily by our troops.

Mr. Speaker, I want to make something very clear. A "no" vote will not,

I repeat will not, prevent us from voting on this supplemental. But a "no" vote will allow Members to vote to better protect our troops who are risking their lives every day in Iraq and Afghanistan. A "no" vote on the previous question is a vote for our troops, and I urge each and every Member of this body to stand up and do the right thing by these men and women who are on the front lines.

At this point, Mr. Speaker, I ask unanimous consent to insert the text of the amendment and a description of the amendment immediately prior to the vote.

Vote "no" on the previous question so we can have an opportunity to vote on the Obey substitute.

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

There was no objection.

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield the balance of our time to the distinguished chairman of the Committee on Rules, the gentleman from California (Mr. DREIER).

The SPEAKER pro tempore. The gentleman from California is recognized for 9½ minutes.

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

Mr. DREIER. Mr. Speaker, I just said that I am not planning to use the 9½ minutes.

First of all, let me thank my friend, the gentleman from Washington (Mr. HASTINGS), and the gentleman from Texas (Mr. FROST) for ably managing this measure; and I am glad we were able to correct the record for the gentleman from Texas (Mr. FROST) on his vote last night. But I am proud of the fact that he did indicate and he does plan at the end of the day to vote in support of this measure.

The reason is because it struck me, a friend of mine the other day stopped me and said, how in the world can you be supportive of our troops and not be supportive of this package, which my friend from Mississippi and my friend from Georgia earlier both said is very important to defend and protect our troops. So at the end of the day, it is my hope that we will be able to continue this strong bipartisan spirit in passing this measure, which is so, so critical, not only for the protection of our troops, but for the stabilization of the region.

The President has, I think, made a very strong and effective case that if we look at neighboring countries in that very troubled region of the world, bringing about a free, democratically elected leadership in Iraq will go a long way towards encouraging the kind of positive moves that we need throughout that part of the world and, frankly, in other parts of the world. The President, the other night, reminded a group of us to look at Kim Jong-il in North Korea and realize that he poses a great threat. But the fact that he now knows

that behind diplomatic words from the United States of America stands strength is an important signal to him and any others who are not considered to be friendly towards the United States.

I urge strong support of this rule and, of course, before that, passage of the previous question.

My good friend, the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations, has, on a regular basis, come before the Committee on Rules on appropriations measures; and, in fact, on seven of the 10 measures which we have reported out of the Committee on Rules on appropriations, he has made a request similar to the one that he is making on this supplemental appropriations bill. I respect him for proceeding with it, and I admire his tenacity; but I think that he understands that it would require a waiver which would move into the jurisdiction of the Committee on Ways and Means, and so this is nongermane.

The structure around which we will be considering this is an open rule. It is an open amendment process; and it is what the Democrats, when they were in the majority, used as the normal consideration for appropriations, the structure for consideration on appropriations bills; and it is what we have done, Mr. Speaker. I believe that it is proper for us to do that.

Any amendment that any Member wants to offer that complies with the rules of the House will be in order, and that is why we are going to have a very full day ahead of us with, I am sure, a lot of different amendments offered. So we have provided protection for the bill and not made in order these other amendments which do, as I say, violate the rules of the House.

The proposal that the gentleman from Wisconsin (Mr. OBEY) has, while an interesting one, as I said, would, I believe, have a very deleterious effect on the small business sector of our economy.

Mr. Speaker, we are very, very gratified that the tax and economic growth package that we worked so hard on and passed out of this House was a bipartisan measure and passed the other body, and we got the President's signature on it; and we are already beginning to see the benefits of that. We have seen improvements take place in markets. We have seen a lot of very, very clear benefits. One of my colleagues earlier today was talking about increased earning reports from a number of large companies; and if we look at the proposal that the gentleman from Wisconsin (Mr. OBEY) has that he would like to have made in order, if we were to, in fact, defeat the previous question, it would have a very negative effect on that important small business sector of our economy. I know we talk about people in upper income levels, but we have to realize the tremendous numbers of those who are small business men and women, the backbone of

our economy, where 95 percent of the creativity emanates from.

So that is why I believe it is important for us to make sure that we pass the previous question, pass this rule, and then move ahead with what will be a very interesting debate; and at the end of the day, at the end of the day, I hope and pray that we will have strong bipartisan support, so that we can stand behind our troops, so that we will be able to do the kinds of things that can bring about the goals that we all, in a bipartisan way, share for the people of Iraq.

The amendment previously referred to by Mr. FROST is as follows:

At the end of the resolution add the following new sections:

"SEC. 2 Notwithstanding any other provision of this legislation, before consideration of any other amendment it shall be in order to consider the amendment specified in section 3 of this resolution, which may be offered only by Representative Obey or his designee, shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an opponent and shall not be subject to amendment in the House or in the Committee of the Whole. All points of order against such amendment are waived.

SEC. 3. The amendment referred to in section 2 of this resolution is as follows:

Strike all after the enacting clause and insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2004, and for other purposes, namely:

TITLE I—NATIONAL SECURITY
CHAPTER 1

DEPARTMENT OF DEFENSE—MILITARY
MILITARY PERSONNEL
MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$12,188,870,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$816,100,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", \$753,190,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", \$3,384,700,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$24,355,664,000: *Pro-*

vided, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATION AND MAINTENANCE, NAVY
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Operation and Maintenance, Navy", \$1,934,058,000, of which up to \$80,000,000 may be transferred to the Department of Homeland Security for Coast Guard Operations: *Provided*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$1,198,981,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$5,598,368,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", \$4,485,452,000, of which—

(1) not to exceed \$15,000,000 may be used for the CINC Initiative Fund account, to be used primarily in Iraq and Afghanistan; and

(2) not to exceed \$1,300,000,000, to remain available until expended, may be used, notwithstanding any other provision of law, for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical and military support provided, or to be provided, to United States military operations in connection with military action in Iraq and the global war on terrorism: *Provided*, That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the Committees on Appropriations on the use of these funds:

Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATION AND MAINTENANCE, MARINE CORPS
RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", \$16,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATION AND MAINTENANCE, AIR FORCE
RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", \$53,000,000: *Provided*, That such amount is

designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$214,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For an additional amount for "Overseas Humanitarian, Disaster, and Civic Aid", \$35,500,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

IRAQ FREEDOM FUND

(INCLUDING TRANSFER OF FUNDS)

For "Iraq Freedom Fund", \$1,988,600,000, to remain available for transfer until September 30, 2005, for the purposes authorized under this heading in Public Law 108-11: *Provided*, That the Secretary of Defense may transfer the funds provided herein to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; military construction; the Defense Health Program; and working capital funds: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation or fund to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees of any such transfer: *Provided further*, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

PROCUREMENT

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", \$101,600,000, to remain available until September 30, 2006: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$1,250,287,000, to remain available until September 30, 2006: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", \$158,600,000, to remain

available until September 30, 2006: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", \$76,357,000, to remain available until September 30, 2006: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", \$123,397,000, to remain available until September 30, 2006: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", \$53,972,000, to remain available until September 30, 2006: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for "Missile Procurement, Air Force", \$20,450,000, to remain available until September 30, 2006: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", \$3,418,006,000, to remain available until September 30, 2006: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", \$418,635,000, to remain available until September 30, 2006: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", \$34,000,000, to remain available until September 30, 2005: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air Force", \$39,070,000, to remain available until September 30, 2005: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", \$195,817,000, to remain available until September 30, 2005: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

REVOLVING AND MANAGEMENT FUNDS
DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", \$600,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

NATIONAL DEFENSE SEALIFT FUND

For an additional amount for "National Defense Sealift Fund", \$24,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", \$658,380,000 for Operation and maintenance: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Drug Interdiction and Counter-Drug Activities, Defense", \$73,000,000: *Provided*, That these funds may be used for such activities related to Afghanistan: *Provided further*, That the Secretary of Defense may transfer the funds provided herein only to appropriations for military personnel; operation and maintenance; procurement; and research, development, test and evaluation: *Provided further*, That the funds transferred shall be merged with and be available for the same purposes and for the same time period, as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

RELATED AGENCIES

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for "Intelligence Community Management Account", \$21,500,000, to remain available until September 30, 2005; of which \$3,000,000 may be transferred to and merged with the Department of Energy, "Other Defense Activities", and \$15,500,000 may be transferred to and merged with the Federal Bureau of Investigation, "Salaries and Expenses": *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

GENERAL PROVISIONS—THIS CHAPTER
(TRANSFER OF FUNDS)

SEC. 1101. Upon his determination that such action is necessary in the national interest, the Secretary of Defense may transfer between appropriations up to \$3,000,000,000 of the funds made available to the Department of Defense in this chapter: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to this authority: *Provided further*, That the transfer authority provided in this section is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the authority in this section is subject to the same terms and conditions as the authority provided in section 8005 of the Department of Defense Appropriations Act, 2004, except for the fourth proviso: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

SEC. 1102. Funds appropriated in this Act, or made available by the transfer of funds in or pursuant to this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

SEC. 1103. Sections 1318 and 1319 of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108-11; 117 Stat. 571), shall remain in effect during fiscal year 2004.

SEC. 1104. From October 1, 2003, through September 30, 2004, (a) the rates of pay authorized by section 310(a) of title 37, United States Code, shall be \$225; and (b) the rates of pay authorized by section 427(a)(1) of title 37, United States Code, shall be \$250.

SEC. 1105. (a) DEFENSE EMERGENCY RESPONSE FUND CLOSE-OUT AUTHORITY.—Section 1313 of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108-11; 117 Stat. 569), is amended by inserting “unobligated” before “balances”.

(b) ACCOUNTS CHARGEABLE.—Effective November 1, 2003, adjustments to obligations that before such date would have been properly chargeable to the Defense Emergency Response Fund shall be charged to any current appropriation account of the Department of Defense available for the same purpose.

SEC. 1106. During the current year, funds made available in this Act to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 1107. Notwithstanding any other provision of law, from funds made available in this Act to the Department of Defense under “Operation and Maintenance, Defense-Wide”, not to exceed \$100,000,000 may be used by the Secretary of Defense, with the concurrence of the Secretary of State, to provide assistance only to the New Iraqi Army and the Afghan National Army to enhance their capability to combat terrorism and to support U.S. military operations in Iraq and Afghanistan: *Provided*, That such assistance may include the provision of equipment, supplies, services, training and funding: *Provided further*, That the authority to provide assistance under this section is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That the Sec-

retary of Defense shall notify the congressional defense committees not less than 15 days before providing assistance under the authority of this section: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

SEC. 1108. None of the funds provided in this chapter may be used to finance programs or activities denied by Congress in fiscal year 2004 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior notification to the congressional defense committees.

SEC. 1109. In addition to amounts made available elsewhere in this Act, there is hereby appropriated to the Department of Defense \$413,300,000, to be used only for recovery and repair of damage due to natural disasters including Hurricane Isabel, to be distributed as follows:

“Operation and Maintenance, Army”, \$73,600,000;

“Operation and Maintenance, Navy”, \$126,400,000;

“Operation and Maintenance, Marine Corps”, \$9,200,000;

“Operation and Maintenance, Air Force”, \$201,900,000; and

“Other Procurement, Air Force”, \$2,200,000;

Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

SEC. 1110. During the current fiscal year, from funds made available in this Act to the Department of Defense for operation and maintenance, not to exceed \$180,000,000 may be used, notwithstanding any other provision of law, to fund the Commander’s Emergency Response Program, established by the Administrator of the Coalition Provisional Authority for the purpose of enabling military commanders in Iraq to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility by carrying our programs that will immediately assist the Iraqi people, and to establish and fund a similar program to assist the people of Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports, beginning on January 15, 2004, to the congressional defense committees regarding the source of funds and the allocation and use of funds made available pursuant to the authority provided in this section.

SEC. 1111. Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report describing an Analysis of Alternatives for replacing the capabilities of the existing Air Force fleet of KC-135 tanker aircraft.

SEC. 1112. (a) PROVIDING MEDICAL AND DENTAL SCREENING FOR RESERVISTS CALLED TO ACTIVE DUTY.—Section 1074a of title 10, United States Code, is amended by adding at the end the following new subsection:

“(f)(1) At any time after the Secretary concerned notifies members of the Ready Reserve that the members are to be called or ordered to active duty, the administering Secretaries may provide to each such member any medical and dental screening and care that is necessary to ensure that the member meets the applicable medical and dental standards for deployment.

“(2) The Secretary concerned shall promptly transmit to each member of the Ready Reserve eligible for screening and care under this subsection a notification of eligibility for such screening and care.

“(3) A member provided medical or dental screening or care under paragraph (1) may not be charged for the screening or care.

“(4) Screening and care may not be provided under this section after September 30, 2004.”.

(b) APPROPRIATION.—In addition to amounts appropriated or otherwise made available in this or any other Act, \$40,000,000 is hereby appropriated to the Department of Defense under the heading “Defense Health Program” only for covering the costs of reservists medical and dental screening and care. Such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

SEC. 1113. (a) EXTENDING TRANSITIONAL HEALTH CARE BENEFITS FOR RESERVISTS.—Subject to subsection (b), during the period beginning on the date of the enactment of this Act and ending on September 30, 2004, section 1145(a) of title 10, United States Code, shall be administered by substituting for paragraph (3) the following:

“(3) Transitional health care for a member under subsection (a) shall be available for 180 days beginning on the date on which the member is separated from active duty.”.

(b) APPLICABILITY.—(1) Subsection (a) shall apply with respect to separations from active duty that take effect on or after the date of the enactment of this Act.

(2) Beginning on October 1, 2004, the period for which a member is provided transitional health care benefits under section 1145(a) of title 10, United States Code, shall be adjusted as necessary to comply with the limits provided under paragraph (3) of such section.

(c) APPROPRIATION.—In addition to amounts appropriated or otherwise made available in this or any other Act, \$60,000,000 is hereby appropriated to the Department of Defense under the heading “Defense Health Program” only for covering the costs of extending transitional health care benefits for reservists. Such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

SEC. 1114. (a) INCREASE IN SUPPORT FOR RESERVE AND NATIONAL GUARD FAMILY ASSISTANCE CENTERS.—In addition to any other amounts appropriated in this or any other Act for fiscal year 2004, \$50,000,000 is hereby appropriated to the Department of Defense for operation and maintenance for fiscal year 2004, as follows:

(1) For the Army Reserve, \$4,000,000.

(2) For the Army National Guard, \$42,000,000.

(3) For the Air National Guard, \$2,000,000. The the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

(b) AVAILABILITY.—Amounts appropriated pursuant to subsection (a) shall be available only for family assistance centers.

SEC. 1115. PERMANENT ELIMINATION OF SUBSISTENCE FEE FOR MEMBERS HOSPITALIZED FOR WOUNDS RECEIVED WHILE IN COMBAT OR TRAINING.—Subsection (c) of section 1075 of title 10, United States Code (as added by section 8146(a)(2) of the Department of Defense Appropriations Act, 2004 (Public Law 108-87)), is repealed.

SEC. 1116. (a) PREPAID PHONE CARDS FOR MEMBERS DEPLOYED IN COMBAT ZONE.—Beginning on the first day of the first month following the date of the enactment of this Act, the Secretary of Defense shall establish and implement a program to provide prepaid phone cards to members of the Armed Forces

stationed outside the United States who are directly supporting military operations in a combat zone. The value of the benefit shall be at least \$50 per month per person.

(b) TELEPHONE AND INTERNET SERVICE FOR MEMBERS DEPLOYED IN COMBAT ZONE.—To the maximum extent practicable, the Secretary should seek to provide free telephone and Internet access to members of the Armed Forces stationed outside the United States who are directly supporting military operations in a combat zone.

(c) APPROPRIATION.—In addition to amounts appropriated or otherwise made available in this or any other Act, \$65,000,000 is hereby appropriated to the Department of Defense only for covering the costs of providing telephone and Internet service to members of the United States Armed Services in Iraq and Afghanistan. Such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

SEC. 1117. (a) GOVERNMENT-PAID TRAVEL UNDER REST AND RECOVERY LEAVE PROGRAM FOR MEMBERS SERVING ONE YEAR OR MORE IN-THEATRE.—In the case of a member of the Armed Forces serving outside of the United States for a period of one year or more who is granted rest and recuperative leave, and provided the travel and transportation allowances authorized by section 411c(a) of title 37, United States Code, in connection with that leave, the Secretary of Defense shall also pay the member for transportation, or provide transportation for the member, between—

(1) the locations specified in paragraph (1) or (2) of such section; and

(2) the permanent duty station of the member, the home of record of the member, or other location in the United States or overseas approved by the Secretary.

(b) APPLICABILITY.—Subsection (a) shall apply with respect to travel beginning on or after the date of the enactment of this Act in connection with rest and recuperative leave described in subsection (a).

(c) APPROPRIATION.—In addition to amounts appropriated or otherwise made available in this or any other Act, \$50,000,000 is hereby appropriated to the Department of Defense only for covering the costs of providing transportation for service to members of the United States Armed Services in Iraq and Afghanistan on rest and recuperation leave. Such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

SEC. 1118. PROVIDING ESSENTIAL GOODS AND SERVICES FOR TROOPS.—Of amounts appropriated under the heading "Operation and Maintenance, Army" in this Act, \$40,500,000 shall be made available only for providing essential goods and services to the military exchange services.

SEC. 1119. (a) MILITARY CAMPAIGN MEDALS TO RECOGNIZE SERVICE IN OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM.—The President shall establish a campaign medal specifically to recognize service by members of the Armed Forces in Operation Enduring Freedom and a separate campaign medal specifically to recognize service by members of the Armed Forces in Operation Iraqi Freedom.

(b) ELIGIBILITY.—Subject to such limitations as may be prescribed by the President, eligibility for a campaign medal established pursuant to subsection (a) shall be set forth in uniform regulations to be prescribed by the Secretaries of the military departments and approved by the Secretary of Defense or in regulations to be prescribed by the Secretary of Homeland Security with respect to

the Coast Guard when it is not operating as a service in the Navy.

SEC. 1120. (a) ENHANCED TRANSITION ASSISTANCE FOR DISABLED SERVICEMEMBERS RETURNING TO CIVILIAN LIFE.—In addition to amounts appropriated in this or any other Act, \$50,000,000 is appropriated for the Disabled Transition Assistance Program, in addition to any other amounts available for that program. Such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

(b) USE OF APPROPRIATED AMOUNTS.—Amounts appropriated pursuant to subsection (a) shall be used to increase the number of personnel within the Department of Veterans Affairs and the Department of Defense assigned as case managers and discharge planners with responsibility for managing the case of a member of the Armed Forces who is very seriously ill, or seriously ill.

SEC. 1121. INCREASE FOR RECONSTITUTING THE MILITARY FORCES.—In addition to amounts appropriated in this or any other Act, the sum of \$3,126,400,000 is appropriated only for the maintenance, repair, replacement, or reconstitution of weapon systems and equipment used in Operation Iraqi Freedom and Operation Enduring Freedom, to be distributed to the following accounts and in the following amounts:

(1) "Operation and Maintenance, Army", \$323,700,000;

(2) "Operation and Maintenance, Navy", \$861,000,000;

(3) "Aircraft Procurement, Army", \$467,100,000;

(4) "Procurement of Weapons and Tracked Combat Vehicles, Army", \$129,200,000;

(5) "Other Procurement, Army", \$329,700,000;

(6) "Aircraft Procurement, Navy", \$61,000,000;

(7) "Procurement, Marine Corps", \$220,400,000;

(8) "Aircraft Procurement, Air Force", \$146,300,000;

(9) "Missile Procurement, Air Force", \$33,000,000; and

(10) "Other Procurement, Air Force", \$555,000,000.

Provided, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

SEC. 1122. INCREASE IN ARMY MANPOWER END-STRENGTH LEVEL.—Notwithstanding the limitations set forth in Section 691 of title 10 United States Code, as amended by Public Law 107-314 (116 Stat. 2524), the number of members of the Army on active duty at the end of fiscal year 2004 shall not be less than 500,000: *Provided*, That in addition to amounts appropriated in this or any other Act, \$1,000,000,000 is hereby appropriated to the Department of Defense, to be allocated as follows:

(1) "Military Personnel, Army", \$600,000,000; and

(2) "Operation and Maintenance, Army", \$400,000,000.

Provided further, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004

CHAPTER 2

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION

MILITARY CONSTRUCTION, ARMY

For an additional amount for "Military Construction, Army", \$364,100,000, to remain

available until September 30, 2008: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

MILITARY CONSTRUCTION, NAVY

For an additional amount for "Military Construction, Navy", \$45,530,000, to remain available until September 30, 2008: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out military construction projects not otherwise authorized by law: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for "Military Construction, Air Force", \$292,550,000, to remain available until September 30, 2008: *Provided*, That notwithstanding any other provision of law, such funds may be obligated or expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Family Housing Operation and Maintenance, Army", \$8,151,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For an additional amount for "Family Housing Operation and Maintenance, Navy and Marine Corps", \$6,280,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Family Housing Operation and Maintenance, Air Force", \$6,981,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

GENERAL PROVISION—THIS CHAPTER

SEC. 1201. (a) TEMPORARY AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR MILITARY CONSTRUCTION PROJECTS.—During fiscal year 2004, the Secretary of Defense may use this section as authority to obligate appropriated funds available for operation and maintenance to carry out a construction project outside the United States that the Secretary determines meets each of the following conditions:

(1) The construction is necessary to meet urgent military operational requirements of a temporary nature involving the use of the Armed Forces in support of Operation Iraqi Freedom or the Global War on Terrorism.

(2) The construction is not carried out at a military installation where the United

States is reasonably expected to have a long-term presence.

(3) The United States has no intention of using the construction after the operational requirements have been satisfied.

(4) The level of construction is the minimum necessary to meet the temporary operational requirements.

(b) LIMITATION ON USE OF AUTHORITY.—The total cost of the construction projects carried out under the authority of this section using, in whole or in part, appropriated funds available for operation and maintenance shall not exceed \$500,000,000 in fiscal year 2004.

(c) QUARTERLY REPORT.—(1) Not later than 30 days after the end of each fiscal-year quarter of fiscal year 2004, the Secretary of Defense shall submit to the congressional committees specified in subsection (e) a report on the worldwide obligation and expenditure during that quarter of appropriated funds available for operation and maintenance for construction projects.

(2) The report shall include with regard to each project the following:

(A) Certification that the conditions specified in subsection (a) are satisfied with regard to the construction project.

(B) A description of the purpose for which appropriated funds available for operation and maintenance are being obligated.

(C) Relevant documentation detailing the construction project.

(D) An estimate of the total cost of the construction project.

(E) The total amount obligated for the construction project as of the date of the submission of the report.

(d) RELATION TO OTHER AUTHORITIES.—The temporary authority provided by this section, and the limited authority provided by section 2805(c) of title 10, United States Code, to use appropriated funds available for operation and maintenance to carry out a construction project are the only authorities available to the Secretary of Defense and the Secretaries of the military departments to use appropriated funds available for operation and maintenance to carry out construction projects.

(e) CONGRESSIONAL COMMITTEES.—The congressional committees referred to in this section are the following:

(1) The Committee on Armed Services and the Subcommittees on Defense and Military Construction of the Committee on Appropriations of the Senate.

(2) The Committee on Armed Services and the Subcommittees on Defense and Military Construction of the Committee on Appropriations of the House of Representatives.

CHAPTER 3

DEPARTMENT OF HOMELAND SECURITY
SECURITY, ENFORCEMENT, AND
INVESTIGATIONS

UNITED STATES COAST GUARD
OPERATING EXPENSES

For an additional amount for "Operating Expenses", \$23,183,000 for costs related to Hurricane Isabel damage: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

TITLE II—IRAQ AND AFGHANISTAN RECONSTRUCTION AND INTERNATIONAL ASSISTANCE

CHAPTER 1

DEPARTMENT OF JUSTICE
LEGAL ACTIVITIES
GENERAL LEGAL ACTIVITIES

For necessary expenses for "Salaries and Expenses, General Legal Activities",

\$15,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS
DIPLOMATIC AND CONSULAR PROGRAMS
(INCLUDING RESCISSION)

For necessary expenses for "Diplomatic and Consular Programs", \$156,300,000, of which \$35,800,000 shall remain available until expended. Of the funds appropriated under this heading in the Emergency Wartime Supplemental Appropriations Act, 2003, \$35,800,000 are rescinded. Each such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for "Embassy Security, Construction, and Maintenance", \$43,900,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for "Emergencies in the Diplomatic and Consular Service", \$50,000,000, to remain available until expended, which may be transferred to, and merged with, the appropriations for "Diplomatic and Consular Programs": *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses for "Contributions for International Peacekeeping Activities", \$245,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For necessary expenses for "International Broadcasting Operations", for activities related to the Middle East Television Network broadcasting to Iraq, \$40,000,000: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

GENERAL PROVISION—THIS CHAPTER

SEC. 2101. Funds appropriated under this chapter for the Broadcasting Board of Governors and the Department of State may be obligated and expended notwithstanding section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, and section 15 of the State Department Basic Authorities Act of 1956, as amended.

CHAPTER 2

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For necessary expenses for "Operating Expenses of the United States Agency for International Development", \$40,000,000, for direct support of operations in Afghanistan, to remain available until September 30, 2005: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OTHER BILATERAL ECONOMIC ASSISTANCE

IRAQ RELIEF AND RECONSTRUCTION FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the purposes of the Foreign Assistance Act of 1961, for security, relief, rehabilitation and reconstruction in Iraq, \$14,031,000,000, to remain available until September 30, 2005, to be allocated as follows: \$2,104,000,000 for security and law enforcement; \$1,081,000,000 for justice, public safety infrastructure, and civil society; \$3,735,000,000 for the electric sector; \$1,800,000,000 for oil infrastructure; \$3,507,000,000 for water resources and sanitation; \$500,000,000 for transportation and telecommunications; \$185,000,000 for roads, bridges, and construction; \$793,000,000 for health care; \$73,000,000 for private sector development; and \$253,000,000 for education, refugees, human rights, democracy, and governance: *Provided*, That the President may reallocate up to 10 percent of any of the preceding allocations, except that the total for the allocation receiving such funds may not be increased by more than 20 percent: *Provided further*, That such reallocations shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961 and notifications shall be transmitted at least 15 days in advance of the obligation of funds: *Provided further*, That an annual spending plan for reconstruction programs under the preceding allocations, including project-by-project detail, shall be submitted by the President to the Committees on Appropriations not later than January 1, 2004, and shall be updated and submitted every 180 days thereafter: *Provided further*, That funds appropriated under this heading shall be apportioned only to the Coalition Provisional Authority in Iraq, the Department of State, the Department of Health and Human Services, the Department of Treasury, the Department of Defense, and the United States Agency for International Development: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That of the amount appropriated in this paragraph, not less than \$35,000,000 shall be made available for administrative expenses of the Department of State Bureau of International Narcotics and Law Enforcement Affairs and the United States Agency for International Development for support of the reconstruction activities in Iraq: *Provided further*, That up to 1 percent of the amount appropriated in this paragraph may be transferred to "Operating Expenses of the Coalition Provisional Authority", and that any such transfer shall be in accordance with the regular notification procedures of the Committees on Appropriations and section 634A of the

Foreign Assistance Act of 1961: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization, may be credited to this Fund and used for such purposes: *Provided further*, That the Committees on Appropriations shall be notified quarterly of any collections pursuant to the previous proviso: *Provided further*, That the Coalition Provisional Authority shall work, in conjunction with relevant Iraqi officials, to ensure that a new Iraqi constitution preserves full rights to religious freedom: *Provided further*, That, notwithstanding any other provision of law, 10 percent of the total amount of funds apportioned to the United States Agency for International Development under this heading that are made available on a subcontract basis shall be reserved for contracts with small business concerns, including small business concerns owned and controlled by veterans, small business concerns owned and controlled by service-disabled veterans, HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, and small business concerns owned and controlled by women (as such terms are defined for purposes of the Small Business Act): *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

OPERATING EXPENSES OF THE COALITION
PROVISIONAL AUTHORITY

For necessary expenses of the Coalition Provisional Authority in Iraq, established pursuant to United Nations Security Council resolutions including Resolution 1483, for personnel costs, transportation, supply, equipment, facilities, communications, logistics requirements, studies, physical security, media support, promulgation and enforcement of regulations, and other activities needed to oversee and manage the relief and reconstruction of Iraq and the transition to democracy, \$858,000,000, to remain available until September 30, 2005: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

ECONOMIC SUPPORT FUND

For necessary expenses for "Economic Support Fund", \$872,000,000, to remain available until December 31, 2004: *Provided*, That not less than \$672,000,000 is available only for accelerated assistance for Afghanistan: *Provided further*, That not to exceed \$30,000,000 may be used for activities related to disarmament, demobilization, and reintegration of militia combatants, including registration of such combatants, notwithstanding section 531(e) of the Foreign Assistance Act of 1961: *Provided further*, That not to exceed \$2,000,000 may be used to provide additional policy experts in Afghan ministries and that not more than five senior advisors to the United States Ambassador may be deployed in Afghanistan: *Provided further*, That not less than \$17,250,000 is available only for security requirements that directly support United States and Coalition personnel who are implementing assistance programs in Afghanistan, including the provision of adequate dedicated air transport and support for civilian personnel at provincial reconstruction team sites: *Provided further*, That upon the receipt by the Speaker of the House of Representatives and the President of the Senate of a determination by the President that the Government of Pakistan is fully cooperating with the United States in the global war on terrorism, not to exceed \$200,000,000 appro-

riated under this heading may be used for the costs, as defined in section 502 of the Congressional Budget Act of 1974, of modifying direct loans and guarantees for Pakistan: *Provided further*, That amounts that are made available under the previous proviso for the cost of modifying direct loans and guarantees shall not be considered "assistance" for the purposes of provisions of law limiting assistance to a country: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

INTERNATIONAL DISASTER AND FAMINE
ASSISTANCE
(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for International Disaster and Famine Assistance utilizing the general authorities of section 491 of the Foreign Assistance Act of 1961, to respond to or prevent unforeseen complex foreign crises, especially in Sudan and Liberia, \$100,000,000, and by transfer not to exceed 1 percent of the funds appropriated under any other heading in this chapter, to remain available to the Secretary of State until September 30, 2005: *Provided*, That funds appropriated under this heading may be made available only pursuant to a determination by the President, after consultation with the appropriate congressional committees, that it is in the national interest and essential to efforts to reduce international terrorism to furnish assistance on such terms and conditions as he may determine for such purposes, including support for peace and humanitarian intervention operations: *Provided further*, That none of these funds shall be available to respond to natural disasters: *Provided further*, That funds made available under this heading to respond to or prevent unforeseen complex foreign crises shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That the entire amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW
ENFORCEMENT

For necessary expenses for "International Narcotics Control and Law Enforcement", \$170,000,000, to remain available until December 31, 2004, for accelerated assistance for Afghanistan: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

NONPROLIFERATION, ANTI-TERRORISM,
DEMING AND RELATED PROGRAMS

For necessary expenses for "Nonproliferation, Anti-Terrorism, Demining and Related Programs", \$35,000,000, for accelerated assistance for Afghanistan: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For necessary expenses for the "Foreign Military Financing Program", \$297,000,000, for accelerated assistance for Afghanistan: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

PEACEKEEPING OPERATIONS

For necessary expenses for "Peacekeeping Operations", \$50,000,000, to support the global war on terrorism: *Provided*, That such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

GENERAL PROVISIONS—THIS CHAPTER

SEC. 2201. None of the funds appropriated by this Act or any unexpended funds provided in Public Law 108-11 may be used to repay, in whole or in part, principal or interest on any loan or guarantee agreement entered into by the Government of Iraq with any private or public sector entity including with the government of any country (including any agency of such government or any entity owned in whole or in part by the government of such country) or with any international financial institution, prior to May 1, 2003: *Provided*, That for the purpose of this section, the term "international financial institution" shall mean those institutions contained in section 530(b) of division E of Public Law 108-7.

SEC. 2202. (a) COMPETITION IN CONTRACTING FOR THE RECONSTRUCTION OF INFRASTRUCTURE IN IRAQ.—Notwithstanding any other provision of law, none of the funds appropriated by this Act under the heading "Iraq Relief and Reconstruction Fund" and made available under the same heading in Public Law 108-11 may be used to enter into any Federal contract (including any follow-on contract) unless—

(1) the contract is entered into in accordance with title III of the Federal Property and Administrative Services Act (41 U.S.C. 251 et seq.); and

(2) in any case in which procedures other than competitive procedures are to be used to enter into such a contract—

(A) if such procedures are to be used by reason of the application of a paragraph (other than paragraph (2)) under section 303(c) of such Act (41 U.S.C. 253(c)), the head of the executive agency entering into the contract shall submit to the committees described in subsection (b), not later than 7 calendar days before award of the contract—

(i) notification of the use of such other procedures; and

(ii) the justification for such use; and

(B) if such procedures are to be used by reason of the application of paragraph (2) of section 303(c) of such Act (41 U.S.C. 253(c)(2)), the head of the executive agency entering into the contract shall submit to the committees described in subsection (b), not later than 7 calendar days after approval of the justification for the use of such other procedures under section 303(f)(1)(B) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(f)(1)(B))—

(i) notification of the use of such other procedures; and

(ii) the justification for such use

(b) COMMITTEES.—The committees referred to in subsection (a)(2) are—

(1) the Committees on Government Reform, on International Relations, and on Appropriations of the House of Representatives; and

(2) the Committees on Governmental Affairs, on Foreign Relations, and on Appropriations of the Senate.

(c) APPLICABILITY.—This section shall not apply to contracts entered into before the date of the enactment of this Act or after September 30, 2010.

(d) GAO REPORT ON NONCOMPETITIVE CONTRACTING.—The Comptroller General shall submit a report to the appropriate committees on a quarterly basis on the contracts awarded under procedures other than competitive procedures that were subject to the

notification requirements of paragraph (a). Such review shall include an evaluation of the reasons for using other than competitive procedures and an evaluation of the selection procedures used to make final contract awards.

SEC. 2203. (a) PUBLIC DISCLOSURE OF NON-COMPETITIVE CONTRACTING FOR THE RECONSTRUCTION OF INFRASTRUCTURE IN IRAQ.—

(1) PUBLICATION AND PUBLIC AVAILABILITY.—The head of an executive agency of the United States that enters into a contract for assistance for Iraq, using funds described in paragraph (3), through the use of procedures other than competitive procedures shall publish in the Federal Register or Commerce Business Daily and otherwise make available to the public, not later than 5 days before the date on which the contract is entered into, except in the case of urgent and compelling contracts issued pursuant to paragraph (2) of section 303(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(2)), the following information:

(A) The amount of the contract.

(B) A brief description of the scope of the contract.

(C) A discussion of how the executive agency identified, and solicited offers from, potential contractors to perform the contract, together with a list of the potential contractors that were issued solicitations for the offers.

(D) The justification and approval documents (as required under section 303(f)(1) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(f)(1)) on which was based the determination to use procedures other than competitive procedures.

(2) FUNDS.—The funds referred to in paragraph (1) are—

(A) any funds available to carry out sections 103 through 106 and chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b-2151d; 2346 et seq.); and

(B) any funds appropriated by Public Law 108-11 under the heading "Iraq Relief and Reconstruction Fund" (in chapter 5 of title I; 117 Stat. 573).

(3) APPLICABILITY.—Paragraph (1) shall not apply to contracts entered into before the date of the enactment of this Act or after September 30, 2010.

(b) CLASSIFIED INFORMATION.—

(1) AUTHORITY TO WITHHOLD.—The head of an executive agency may—

(A) withhold from publication and disclosure under subsection (a) any document that is classified for restricted access in accordance with an Executive order in the interest of national defense or foreign policy; and

(B) redact any part so classified that is in a document not so classified before publication and disclosure of the document under subsection (a).

(2) AVAILABILITY TO CONGRESS.—In any case in which the head of an executive agency withholds information under paragraph (1), the head of such executive agency shall make available an unredacted version of the document containing that information to the chairman and ranking member of each of the following committees of Congress:

(A) The Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives.

(B) The Committees on Appropriations of the Senate and House of Representatives.

(C) Each committee that the head of the executive agency determines has legislative jurisdiction for the operations of such department or agency to which the information relates.

(c) RELATIONSHIP TO OTHER DISCLOSURE LAWS.—Nothing in this section shall be con-

strued as affecting obligations to disclose United States Government information under any other provision of law.

(d) DEFINITIONS.—In this section, the terms "competitive procedures" and "executive agency" have the meanings given such terms in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403).

SEC. 2204. Section 1503 of Public Law 108-11 is amended—

(1) by striking "equipment" and inserting in lieu thereof "equipment, including equipment"; and

(2) by striking "2004" and inserting in lieu thereof "2005".

SEC. 2205. Section 1504 of Public Law 108-11 is amended by striking "controlled" and inserting "or small arms controlled".

SEC. 2206. Section 202(b) of the Afghanistan Freedom Support Act of 2002 (Public Law 107-327) is amended by striking "\$300,000,000" and inserting in lieu thereof "\$450,000,000".

SEC. 2207. (a) Until January 2005, the Coalition Provisional Authority (CPA) shall, on a monthly basis, submit a report to the Committees on Appropriations and International Relations of the House of Representatives and the Committees on Appropriations and Foreign Relations of the Senate that details, for the preceding month, Iraqi oil production and oil revenues, and uses of such revenues.

(b) The first report required by subsection (a) shall be submitted not later than 30 days after enactment of this Act.

(c) The reports required by this section shall also be made publicly available, including through the CPA's Internet website.

SEC. 2208. Any reference in this chapter to the "Coalition Provisional Authority in Iraq" shall be deemed to include any successor United States Government entity with the same or substantially the same authorities and responsibilities as the Coalition Provisional Authority in Iraq.

SEC. 2209. Assistance or other financing under chapter 2 of this title may be provided for Iraq and Afghanistan notwithstanding any other provision of law not contained in this Act that restricts assistance to foreign countries and section 660 of the Foreign Assistance Act of 1961: *Provided*, That funds made available for Iraq pursuant to this section shall be subject to the regular reprogramming notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961, except that notification shall be transmitted at least 5 days in advance of obligation.

SEC. 2210. Funds made available in chapter 2 of this title are made available notwithstanding section 10 of Public Law 91-672 and section 15 of the State Department Basic Authorities Act of 1956, as amended.

SEC. 2211. Notwithstanding any other provision of law, the Overseas Private Investment Corporation is authorized to undertake any program authorized by title IV of the Foreign Assistance Act of 1961 in Iraq: *Provided*, That funds made available pursuant to the authority of this section shall be subject to the regular reprogramming notification procedures of the Committees on Appropriations.

SEC. 2212. (a) REPORT ON MILITARY OPERATIONS AND RECONSTRUCTION EFFORTS IN IRAQ AND AFGHANISTAN.—The President shall prepare and transmit to Congress on a quarterly basis, beginning January 15, 2004, a report on United States military operations and reconstruction efforts in Iraq and Afghanistan.

(b) CONTENTS.—The report shall, at a minimum, contain the following information:

(1) A detailed and complete accounting of amounts appropriated under any previous Acts used to support military or reconstruction activities in and around Iraq and Afghanistan; a detailed and complete accounting of funds appropriated in this Act that

were expended during the preceding quarter for military operations and reconstruction efforts in and around Iraq and Afghanistan; and, an estimate of the remaining total cost to the United States of military operations and reconstruction efforts in Iraq and Afghanistan for fiscal year 2004 and subsequent fiscal years.

(2) A description of activities undertaken and findings made in the search for weapons of mass destruction in Iraq.

(3) A description of progress made in reconstruction efforts in Iraq and Afghanistan, particularly efforts relating to public safety, defense and law enforcement, energy infrastructure, water, sewage systems, road construction and other public works, transportation and telecommunications infrastructure, medical and hospital services, and private sector development.

(4) A description of progress made to reduce attacks against members of the United States Armed Forces in Iraq; a detailed listing of the casualties suffered by United States Armed Forces personnel in Iraq and Afghanistan during the preceding quarter and cumulatively; a listing of equipment, weapons, and spare parts shortfalls (compared to stated military service requirements) and a description of the actions taken to address the shortfalls; and a timeframe for the withdrawal of all United States Armed Forces from Iraq.

(5) An analysis of the impact that military operations in Iraq and Afghanistan have had on overall readiness of the Armed Forces.

(6) An analysis of the impact the deployment of members of the Armed Forces in connection with Operation Iraqi Freedom and Operation Enduring Freedom is having on recruiting and retention efforts in the active and reserve components.

(7) An estimate of the remaining cost of repairing or replacing the combat vehicles, aircraft, and other equipment damaged or destroyed by combat, by prolonged use in Iraq and Afghanistan, or by exposure to the extreme climatic and terrain conditions in Iraq and Afghanistan.

(8) A description of progress made toward holding of free and fair elections in Iraq.

(9) A description of the extent of international participation (including financial and other) in the stabilization and reconstruction of Iraq.

(10) A detailed accounting of the number of United States Armed Forces currently deployed in connection with Operation Iraqi Freedom and Operation Enduring Freedom.

(11) A detailed accounting on the use of private contractors for contracts over \$10,000,000, including the costs of salaries, insurance payments, oversight plans, costs of security provided by coalition troops to contractors, performance schedules, plans to train Iraqi national to assume functions of the contract, and the extent of the use of local procurement and local management.

(c) LIMITATION.—Beginning on January 15, 2004, none of the funds made available by this Act that remain for obligation may be obligated unless and until the President has submitted to Congress the report described in subsections (a) and (b) of this provision.

SEC. 2213. (a) REVIEW OF CONTRACTING PROCEDURES.—The Comptroller General shall review each covered contract and task or delivery order entered into during a review period to determine whether the procedures used to enter into the contracts and orders were in compliance with the requirements of this Act and other applicable laws and regulations.

(b) REPORT.—At the end of each review period, the Comptroller General shall submit to Congress a report on the results of the review.

(c) REVIEW PERIOD.—A review under subsection (a) shall be carried each quarter of a fiscal year, beginning with the first quarter beginning after the date of the enactment of this Act.

(d) COVERED CONTRACTS AND ORDERS.—This section applies to any contract or task or delivery order entered into using funds appropriated by this Act for foreign assistance if—

(1) in the case of a contract, the contract is in an amount in excess of the simplified acquisition threshold (as defined in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403), and

(2) in the case of a task or delivery order, the order is in an amount in excess of \$1,000,000.

SEC. 2214. (a) TRANSPARENCY IN CONTRACTING; NOTIFICATION TO CONGRESS.—(1) The head of an executive agency that enters into a contract, or task or delivery order under a task or delivery order contract, in excess of \$5,000,000 relating to activities in Iraq shall, within 7 days after entering into the contract or order, notify the chairman and ranking member of the committees described in subsection (b) that the contract or order has been entered into.

(2) Upon request of the chairman or ranking member of a committee described in subsection (b), the head of an executive agency shall provide, within 14 days after receipt of the request, unredacted copies of any documents required to be maintained in the contracting office contract file, the contract administration office contract file, and the paying office contract file pursuant to subpart 4.8 of the Federal Acquisition Regulation, including—

(A) copies of the contract and all modifications;

(B) orders issued under the contract;

(C) justifications and approvals;

(D) any government estimate of contract price;

(E) source selection documentation;

(F) cost or price analysis;

(G) audit reports;

(H) justification for type of contract;

(I) authority for deviations from regulations, statutory requirements, or other restrictions;

(J) bills, invoices, vouchers, and supporting documents; and

(K) records of payments or receipts.

(b) COMMITTEES.—The committees referred to in subsection (a) are the following:

(1) The Committee on Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives.

(2) The Committees on Appropriations of the Senate and House of Representatives.

(3) Each committee that the head of the executive agency determines has legislative jurisdiction for the operations of the department or agency to which the contract, task or delivery order, or documents referred to in paragraph (1) or (2) of subsection (a) relates.

SEC. 2215. (a) IRAQI INVOLVEMENT PLAN.—The head of each executive agency entering into a contract relating to activities in Iraq shall develop a plan for minimizing costs to the Federal Government through the use of Iraqi firms.

(b) COMPONENTS OF PLAN.—(1) The plan shall require the head of each executive agency to assess, before entering into a contract relating to activities in Iraq, whether the use of Iraqi firms to carry out the contract could reduce the costs of such contract to the Federal Government.

(2) The plan may provide for the waiver of otherwise applicable Federal procurement laws or regulations with respect to the contract if the head of the executive agency determines that such laws or regulations im-

pede the ability of the executive agency to reduce the costs of such contract to the Federal Government through the use of Iraqi firms.

(3) The plan shall ensure that all contracts with respect to which laws or regulations are waived pursuant to paragraph (2) are entered into using contracting procedures that are open, fair, accountable, and, to the maximum extent practicable, competitive.

SEC. 2216. (a) LEGAL STATUS OF COALITION PROVISIONAL AUTHORITY FOR IRAQ.—For purposes of the following provisions of law, the Coalition Provisional Authority for Iraq shall be considered to be an executive agency within the meaning of the term in section 105 of title 5, United States Code:

(1) Procurement statutes, including chapters 137 and 141 of title 10, United States Code, title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.), and the Office of Federal Procurement Policy Act (41 U.S.C. 403 et seq.).

(2) Section 552 of title 5, United States Code (known as the Freedom of Information Act).

(3) Financial management statutes requiring the preparation of audited financial statements, including section 3535 of title 31, United States Code.

(b) DEFINITION.—For purposes of this section, the term “Coalition Provisional Authority for Iraq” means the entity charged by the President with directing reconstruction efforts in Iraq.

TITLE III—GENERAL PROVISIONS—THIS ACT

SEC. 3001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 3002. None of the funds made available in this or any other Act for fiscal year 2004 may be used for any defense or reconstruction activities in Iraq or Afghanistan coordinated by any officer of the United States Government whose office is not subject to appointment by the President by and with the advice and consent of the Senate.

SEC. 3003. For purposes of computing the amount of a payment for an eligible local educational agency under section 8003(a) of the Elementary and Secondary Education Act (20 U.S.C. 7703(a)), children enrolled in a school of such agency that would otherwise be eligible for payment under section 8003(a)(1)(B) of such Act, but due to the deployment of both parents or legal guardians, or due to the death of a military parent or legal guardian while on active duty, are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at the same school that they attended prior to their change in eligibility status.

SEC. 3004. None of the funds made available by this Act may be provided to any unit of the security forces of a foreign country participating with coalition forces in Afghanistan or Iraq if the Secretary of State or the Secretary of Defense has credible evidence that such unit has committed gross violations of human rights, unless the appropriate Secretary determines and reports to the Committees on Appropriations that the government of such country is taking effective measures to bring the responsible members of the security forces unit to justice: *Provided*, That nothing in this section shall be construed to withhold funds made available by this Act from any unit of the security forces of a foreign country not credibly alleged to be involved in gross violations of human rights: *Provided further*, That in the event that funds are withheld from any unit

pursuant to this section, the appropriate Secretary shall promptly inform the foreign government of the basis for such action and shall, to the maximum extent practicable, assist the foreign government in taking effective measures to bring the responsible members of the security forces to justice.

SEC. 3005. None of the funds in this Act, or any other appropriations Act, may be used to execute the Lateral Repatriation Program, or any other program under which citizens or nationals of Mexico are removed by land from the United States by returning them to a location other than the United States port of entry closest to the location where they were apprehended or last imprisoned, or, in the case of an alien who is removed upon being acquitted of a criminal charge, the port of entry closest to the courthouse where the acquittal occurs. If the Secretary of Homeland Security determines that compliance with the preceding sentence is not feasible, the Secretary shall notify the Committees on the Judiciary and on Appropriations of the House of Representatives and of the Senate.

SEC. 3006. None of the funds in this Act, or any other appropriations Act, may be used for the issuance of Form I-20A by the San Antonio Office of Detention and Removal of the Bureau of Immigration and Customs Enforcement and the Border Patrol sectors served by said office.

TITLE IV—IRAQ RECONSTRUCTION TRUST FUND

SEC. 4001. SHORT TITLE.

This title may be cited as the “Iraq Reconstruction Trust Fund Act”.

SEC. 4002. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives.

(2) COALITION PROVISIONAL AUTHORITY.—The term “Coalition Provisional Authority” means the entity charged by the President with directing reconstruction efforts in Iraq.

(3) GOVERNING COUNCIL IN IRAQ.—The term “Governing Council in Iraq” means the Governing Council established in Iraq on July 13, 2003, or any successor governing authority in Iraq.

(4) SECRETARY.—The term “Secretary” means the Secretary of State.

(5) TRUST FUND.—The term “Trust Fund” means the Iraq Reconstruction Fund.

(6) WORLD BANK.—The term “World Bank” means the International Bank for Reconstruction and Development.

SEC. 4003. LIMITATION OF USE OF FUNDS.

Of the funds appropriated in title II under the subheading “Iraq Relief and Reconstruction Fund” under the heading “Other Bilateral Economic Assistance Funds Appropriated to the President” other than amounts appropriated under such subheading for security and for refugees, human rights, democracy, and civil society, \$7,000,000,000 may not be obligated or expended before the Secretary negotiates with the World Bank, in consultation with the Coalition Provisional Authority, the member nations of the World Bank, and other interested parties, for the establishment within the World Bank of the Iraq Reconstruction Trust Fund in accordance with the provisions of this title.

SEC. 4004. DESCRIPTION OF THE TRUST FUND.

(a) PURPOSES.—The purposes of the Trust Fund shall be to use contribute funds to—

(1) assist in restoration of infrastructure and essential services in Iraq;

(2) assist in the creation of civil society in Iraq; and

(3) ensure a secure environment for the people of Iraq.

(b) IN GENERAL.—As part of the negotiations required by section 4003, the Secretary shall negotiate with the World Bank to establish conditions under which the Trust Fund will be terminated.

(c) REPAYMENT OF CONTRIBUTIONS.—If the Trust Fund is terminated, any amounts contributed, to the Fund that have not been expended shall be returned to the countries that contributed funds to the Trust Fund, on basis proportionate to their contribution.

SEC. 4005. USE OF FUNDS.

(a) LOANS AND LOAN GUARANTEES.—In carrying out the purposes set out in section 4004(a), the Trust Fund shall be used to provide loans and loan guarantees under terms that will facilitate economic development in Iraq.

(b) ACTIVITIES SUPPORTED.—The funds in the Trust Fund shall be used to provide loans and loan guarantees that carry out the purposes of the Trust Fund, including projects to—

- (1) create or repair infrastructure to—
 - (A) produce and distribute electricity;
 - (B) extract, refine, and distribute oil;
 - (C) provide drinking water;
 - (D) treat and dispose of wastewater;
 - (E) provide transportation; and
 - (F) facilitate communications;
- (2) promote public health;
- (3) provide housing;
- (4) ensure public safety; and
- (5) develop a private sector economy.

SEC. 4006. CONTRIBUTIONS AND ACCOUNTABILITY.

(a) AUTHORITY TO SOLICIT AND ACCEPT CONTRIBUTIONS.—The Trust Fund shall be authorized to solicit and accept contributions from governments, the private sector, and nongovernmental entities of all kinds.

(b) ACCOUNTABILITY OF FUNDS AND CRITERIA FOR PROGRAMS.—The Secretary shall, consistent with subsection (c)—

(1) take such actions as are necessary to ensure that adequate procedures and standards are in place to account for and monitor the use of funds contributed to the Trust Fund, including the cost of administering the Trust Fund; and

(2) seek agreement with the World Bank on the criteria to be used to determine the pro-

grams and activities to be assisted by the Trust Fund.

(c) SELECTION OF PROJECTS AND RECIPIENTS.—The Trust Fund and its contributors shall establish—

(1) criteria for the selection of projects to receive support from the Trust Fund;

(2) standards and criteria regarding qualifications of recipients of such support;

(3) such rules and procedures as may be necessary for cost-effective management of the Trust Fund; and

(4) such rules and procedures as may be necessary to ensure transparency and accountability in the making of loans and loan guarantees.

(d) TRANSPARENCY OF OPERATIONS.—The Trust Fund shall establish procedures to ensure full and prompt public disclosure of the proposed objectives, financial organization, and operations of the Trust Fund.

(e) ACCESS TO RECORDS.—The Comptroller or any duly authorized representatives of the Comptroller shall have access to any books, documents, papers, and records of the Trust Fund for the purpose of preparing the reports required in section 4007(b).

SEC. 4007. REPORTS TO CONGRESS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for the duration of the Trust Fund, the Secretary shall submit to the appropriate congressional committees a report on the Trust Fund.

(b) REPORT ELEMENTS.—Each report required by paragraph (1) shall include a description of—

- (1) the goals of the Trust Fund;
- (2) the programs, projects, and activities supported by the Trust Fund;
- (3) private and governmental, contributions to the Trust Fund; and
- (4) the criteria that have been established that would be used to determine the programs and activities to be assisted by the Trust Fund.

SEC. 4008. AVAILABILITY OF FUNDS.

(a) IN GENERAL.—In addition to any other funds available for multilateral or bilateral programs related to the purposes of the Trust Fund, of the amounts appropriated in title II under the subheading “Iraq Relief and Reconstruction Fund” under the heading “Other Bilateral Economic Assistance Funds Appropriated to the President”, other than amounts appropriated under such subheading

for security, and for refugees, human rights, democracy, and civil society, \$7,000,000,000 shall be made available for the fiscal year 2004 for contribution to the Trust Fund. Such amount is designated by the Congress as an emergency requirement pursuant to section 502 of H. Con. Res. 95 (108th Congress), the concurrent resolution on the budget for fiscal year 2004.

(b) MATCHING CONTRIBUTIONS.—Subject to the maximum amount available for contributions to the Trust Fund under this Act, the United States shall contribute to the Trust Fund out of the additional amount made available under subsection (a), the amount that equals the total amount contributed by foreign countries to the Trust Fund during the 180-day period that begins on the date of the enactment of this Act.

(c) TRANSFER OF FUNDS.—On the date that is 180 days after the date of the enactment of this Act, any amount made available for the Trust Fund under subsection (a) that exceeds the amount required to be contributed to the Trust Fund under subsection (b) shall cease to be available for transfer to the Trust Fund and shall be transferred to an account to be available to the Coalition Provisional Authority for use as loans to, or to guarantee loans made by the Governing Council in Iraq.

SEC. 4009. NOTIFICATION REQUIREMENT.

Not later than 15 days prior to the initial obligation or expenditure of funds appropriated pursuant to section 4009, the Secretary shall certify to the appropriate congressional committees that—

(1) the Trust Fund has been created in accordance with the provisions of this title; and

(2) adequate procedures and standards have been established to ensure accountability for and monitoring of the use of funds contributed to the Trust Fund, including the cost of administering the Trust Fund.

TITLE V—REVENUE PROVISION

SEC. 5001. TOP MARGINAL RATE INCREASED TO 39.6 PERCENT BEGINNING IN 2005.

(a) IN GENERAL.—The table contained in paragraph (2) of section 1(i) of the Internal Revenue Code of 1986 (relating to reductions in rates after June 30, 2001) is amended to read as follows:

	The corresponding percentages shall be substituted for the following percentages:			
	28%	31%	36%	39.6%
2001	27.5%	30.5%	35.5%	39.1%
2002	27.0%	30.0%	35.0%	38.6%
2003 or 2004	25.0%	28.0%	33.0%	35.0%
2005 and thereafter	25.0%	28.0%	33.0%	39.6%.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2004.

This Act may be cited as the “Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004”.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. FROST. 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.

Pursuant to clauses 8 and 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the resolution, if ordered, and on adopting House Resolution 198, as amended.

The vote was taken by electronic device, and there were—yeas 221, nays 202, answered “present” 1, not voting 10, as follows:

[Roll No. 544]

YEAS—221

Aderholt	Boehner	Calvert
Akin	Bonilla	Camp
Bachus	Bonner	Cannon
Baker	Bono	Cantor
Barrett (SC)	Boozman	Capito
Barton (TX)	Bradley (NH)	Carter
Bass	Brady (TX)	Castle
Beauprez	Brown (SC)	Chabot
Bereuter	Brown-Waite,	Chocola
Biggert	Ginny	Coble
Bilirakis	Burgess	Cole
Bishop (UT)	Burns	Collins
Blackburn	Burr	Cox
Blunt	Burton (IN)	Crane
Boehlert	Buyer	Crenshaw

Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Myrick
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa

NAYS—202

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)

Istook
Janklow
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter

Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gephardt
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa

Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Stearns
Sullivan
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

Hoefel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Klecza
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey

Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-
McDonald
Miller (NC)
Miller, George
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell

ANSWERED "PRESENT"—1

Paul

NOT VOTING—10

Ballenger
Bartlett (MD)
Clay
Jones (OH)
Marshall
McCrery
Mollohan
Saxton
Souder
Sweeney

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1217

Ms. ESHOO, Ms. JACKSON-LEE of Texas, Mr. MEEHAN and Mr. GEORGE MILLER of California changed their vote from "yea" to "nay."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. THORNBERRY). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXPRESSING SENSE OF HOUSE OF REPRESENTATIVES THAT FRANCE, GERMANY, AND RUSSIA CAN BEST CONTRIBUTE TO RECONSTRUCTION OF IRAQ BY FORGIVENESS OF OUTSTANDING DEBT

The SPEAKER pro tempore. The pending business is the vote on agreeing to the resolution, House Resolution 198, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 394, nays 31, not voting 9, as follows:

[Roll No. 545]
YEAS—394

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baker
Baldwin
Ballance
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berkley
Berman
Berry
Biggart
Billirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Clyburn
Coble
Cole
Collins
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart, L.

Diaz-Balart, M.
Dicks
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gephardt
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoefel
Hoekstra
Holden
Honda
Hookey (OR)
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson-Lee
(TX)
Janklow
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kanjorski
Kaptur
Keller

Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klecza
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Matheson
Matsui
McCollum
McCotter
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-
McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering