

prostate cancer, however. It is a disease that strikes elderly people in the United States, which also highlights the importance of balancing the potential benefits and risks of various treatments on an individual basis.

Congress as a whole, and Members of Congress as individuals, are in unique positions to support the fight against prostate cancer to help raise public awareness about the need to make screening tests available to all people at risk and to provide prostate cancer patients with adequate information to assess the relative benefits and risks of their treatment options.

This resolution does several things. First of all, it recognizes that national and community organizations and health care providers have played a commendable role in supplying information concerning the importance of screening prostate cancer and the treatment options for patients with prostate cancer; and the Federal Government and States should ensure that health care providers supply prostate cancer patients with appropriate information and any other tools necessary for them to receive readily understandable descriptions of the advantages, disadvantages, benefits, and risks of all medically efficacious treatments for prostate cancer, including brachytherapy, hormonal treatments, external beam radiation, chemotherapy, surgery and, in some cases, simply watchful waiting.

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

Mr. BROWN of Ohio. Mr. Speaker, I yield myself 3 minutes.

I would like to commend my colleague, the gentleman from Georgia (Mr. DEAL), and my colleague, the gentleman from New York (Mr. TOWNS), and other Members who helped put this resolution together.

One in six American men will develop prostate cancer in their lifetimes, one in six. Only skin cancer is more prevalent in our population. Approximately 30,000 men will die from prostate cancer this year. Early detection can obviously reduce that number. In fact, early detection is crucial in raising awareness about this disease as the best way to promote regular testing.

A friend of mine in Columbus recently learned that lesson. He had a regular test, early detection, successful surgery and back to his normal active life.

This resolution says Congress can play a unique role in raising public awareness about prostate cancer. We can and we should. There have been exciting developments recently in prostate cancer prevention. A class of drugs called statins hold promise for keeping this form of cancer at bay.

Each year, I join the gentleman from New York (Mr. KING), my friend, on a letter signed by many Members on both sides of the aisle urging the Committee on Appropriations to provide ample funding for prostate cancer research. That is one piece of the puzzle; public awareness is the other.

We have a ready tool in the fight against prostate cancer. That tool is information.

I urge my colleagues on both sides of the aisle to support this resolution and continue to help get the word out.

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

Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from Georgia (Mr. BURNS), my colleague.

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

Mr. Speaker, I rise today in support of H. Res. 669 and the families and victims of prostate cancer throughout our Nation.

Almost 30,000 Americans died of prostate cancer last year; and Mr. Speaker, that is far too many families who are left behind, losing the company of their loved ones. When it is identified early, like many cancers, prostate cancer can be treated and treated effectively. That is why it is crucial for all Americans to receive periodic screenings.

None of us are in a hurry to leave this world. Our time with our children and grandchildren is precious, and we should all protect ourselves in every manner possible. Our health care providers in America are performing an important service by advocating periodic screenings for this deadly disease.

I am proud to join my colleague, the gentleman from Georgia (Mr. DEAL), and to offer my thanks to these men and women, as well as those who assist all Americans, in recognizing the challenges of prostate cancer. As a Congress, we must pass this resolution to reaffirm Congress' commitment to supporting their efforts.

Mr. BROWN of Ohio. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. DEAL of Georgia. Mr. Speaker, I yield myself such time as I may consume.

There are many who have played an important role in making the public aware of the ability to treat and to deal with prostate cancer. One of those is a constituent of mine, Theragenix, that is located in my district, manufacturer of a seed that is used in brachytherapy. They, along with many other organizations who provide other treatments, have been very instrumental in passing this resolution to the floor today to get it available to the public for information and also to ensure that adequate reimbursements are made to the providers so that when a treatment is selected by a patient and by a physician that adequate reimbursement will be made to make that treatment available.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. DEAL) that the House suspend the rules and agree to the resolution, H. Res. 669. The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of

those present have voted in the affirmative.

Mr. DEAL of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

#### PROVIDING FOR ESTABLISHMENT OF HEADQUARTERS FOR DEPARTMENT OF HOMELAND SECURITY

Mr. HUNTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4322) to provide for the establishment of the headquarters for the Department of Homeland Security in the District of Columbia, to require the transfer of administrative jurisdiction over the Nebraska Avenue Naval Complex in the District of Columbia to serve as the location for the headquarters, to facilitate the acquisition by the Department of the Navy of suitable replacement facilities, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4322

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

#### SECTION 1. TRANSFER OF NEBRASKA AVENUE NAVAL COMPLEX, DISTRICT OF COLUMBIA.

(a) TRANSFER REQUIRED.—Except as provided in subsection (b), the Secretary of the Navy shall transfer the parcel of Department of the Navy real property in the District of Columbia known as the Nebraska Avenue Complex to the jurisdiction, custody, and control of the Administrator of General Services for the purpose of permitting the Administrator to use the Complex to accommodate the Department of Homeland Security. The Complex shall be transferred in its existing condition.

(b) AUTHORITY TO RETAIN MILITARY FAMILY HOUSING.—At the option of the Secretary of the Navy, the Secretary may retain jurisdiction, custody, and control over that portion of the Complex that, as of the date of the enactment of this Act, is being used to provide Navy family housing.

(c) TIME FOR TRANSFER AND RELOCATION OF NAVY ACTIVITIES.—Not later than nine months after the date of the enactment of this Act, the Secretary of the Navy shall—

(1) complete the transfer of the Complex to the Administrator of General Services under subsection (a); and

(2) relocate Department of the Navy activities to the Complex to other locations.

(d) PAYMENT OF INITIAL RELOCATION COSTS.—

(1) PAYMENT RESPONSIBILITY.—Subject to the availability of appropriations for this purpose, the Secretary of the Department of Homeland Security shall be responsible for the payment of—

(A) all reasonable costs, including costs to move furnishings and equipment, related to the initial relocation of Department of the Navy activities from the Nebraska Avenue Complex; and

(B) all reasonable costs incident to the initial occupancy by such activities of interim leased space, including rental costs for the first year.

(2) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out paragraph (1),

there is authorized to be appropriated to the Department of Homeland Security such sums as may be necessary for fiscal years 2005 through 2007.

(e) PAYMENT OF LONG-TERM RELOCATION COSTS.—

(1) SENSE OF CONGRESS REGARDING PAYMENT.—It is the sense of the Congress that the Secretary of the Navy should receive, from Federal agencies other than the Department of Defense, funds authorized and appropriated for the purpose of covering all reasonable costs, not paid under subsection (d), that are incurred or will be incurred by the Secretary to permanently relocate Department of the Navy activities from the Complex under subsection (c)(2).

(2) SUBMISSION OF COST ESTIMATES.—As soon as practicable after the date of the enactment of this Act, the Secretary of the Navy shall submit to the Director of the Office of Management and Budget and the Congress an initial estimate of the amounts that will be necessary to cover the costs to permanently relocate Department of the Navy activities from the portion of the Complex to be transferred under subsection (a). The Secretary shall include in the estimate anticipated land acquisition and construction costs. The Secretary shall revise the estimate as necessary whenever information regarding the actual costs for the relocation is obtained.

(f) TREATMENT OF FUNDS.—(1) Funds received by the Secretary of the Navy, from sources outside the Department of Defense, to relocate Department of the Navy activities from the Complex shall be used to pay the costs incurred by the Secretary to permanently relocate Department of the Navy activities from the Complex. A military construction project carried out using such funds is deemed to be an authorized military construction project for purposes of section 2802 of title 10, United States Code. Section 2822 of such title shall continue to apply to any military family housing unit proposed to be constructed or acquired using such funds.

(2) When a decision is made to carry out a military construction project using such funds, the Secretary of the Navy shall notify Congress in writing of that decision, including the justification for the project and the current estimate of the cost of the project. The project may then be carried out only after the end of the 21-day period beginning on the date the notification is received by Congress or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of title 10, United States Code.

(g) EFFECT OF FAILURE TO RECEIVE SUFFICIENT FUNDS FOR RELOCATION COSTS.—

(1) CONGRESSIONAL NOTIFICATION.—At the end of the five-year period beginning on the date on which the transfer of the Complex is to be completed under subsection (c)(1), the Secretary of the Navy shall submit to Congress a report—

(A) specifying the total amount needed to cover both the initial and permanent costs of relocating Department of the Navy activities from the portion of the Complex transferred under subsection (a);

(B) specifying the total amount of the initial relocation costs paid by the Secretary of the Department of Homeland Security under subsection (d); and

(C) specifying the total amount of appropriated funds received by the Secretary of the Navy, from sources outside the Department of Defense, to cover the permanent relocation costs.

(2) ROLE OF OMB.—The Secretary of the Navy shall obtain the assistance and concurrence of the Director of the Office of Management and Budget in determining the

total amount needed to cover both the initial and permanent costs of relocating Department of the Navy activities from the portion of the Complex transferred under subsection (a), as required by paragraph (1)(A).

(3) CERTIFICATION REGARDING RELOCATION COSTS.—Not later than 30 days after the date on which the report under paragraph (1) is required to be submitted to Congress, the President shall certify to Congress whether the amounts specified in the report pursuant to subparagraphs (B) and (C) of such paragraph are sufficient to cover both the initial and permanent costs of relocating Department of the Navy activities from the portion of the Complex transferred under subsection (a). The President shall make this certification only after consultation with the Chairmen and ranking minority members of the Committee on Armed Services and the Committee on Appropriations of the House of Representatives and the Chairmen and ranking minority members of the Committee on Armed Services and the Committee on Appropriations of the Senate.

(4) RESTORATION OF COMPLEX TO NAVY.—If the President certifies under paragraph (3) that amounts referred to in subparagraphs (B) and (C) of paragraph (1) are insufficient to cover Navy relocation costs, the Administrator of General Services, at the request of the Secretary of the Navy, shall restore the Complex to the jurisdiction, custody, and control of the Secretary of the Navy.

(5) NAVY SALE OF COMPLEX.—If the Complex is restored to the Secretary of the Navy, the Secretary shall convey the Complex by competitive sale. Amounts received by the United States as consideration from any sale under this paragraph shall be deposited in the special account in the Treasury established pursuant to paragraph (5) of section 572(b) of title 40, United States Code, and shall be available for use as provided in subparagraph (B)(i) of such paragraph.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HUNTER) and the gentleman from Washington (Mr. LARSEN) each will control 20 minutes.

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

GENERAL LEAVE

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4322, the bill under consideration.

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

There was no objection.

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

Mr. Speaker, this March the Department of Homeland Security celebrated its first anniversary in its short existence. DHS has been a leader in the effort to secure America, prevent and deter terrorist attacks, and protect against and respond to threats against the Nation.

While DHS has successfully integrated 22 government agencies into the homeland security mission, it still does not have a centralized headquarters location. The longer that DHS operates without such a centralized location, the longer it will be handicapped by the challenges of running an organization whose parts are scattered throughout the region.

H.R. 4322 addresses this shortcoming by authorizing the Department of the Navy to transfer jurisdiction, custody, and control over more than 30 acres in northwest Washington, known as the Nebraska Avenue Complex, to the General Services Administration. This property will be used as the Department of Homeland Security headquarters.

This bill was crafted at the request of the administration and is cosponsored by the gentleman from California (Mr. COX), the chairman of the Select Committee on Homeland Security. The House Committee on Armed Services reported the base text of this bill without objection on a voice vote.

The amended version before the House today contains a number of technical changes to the bill reported by the committee, most notably the addition of "custody and control" to the transfer language, but the substance of the bill remains the same. In sum, it provides a home for the headquarters of DHS for the foreseeable future.

In just 1 year, DHS has proven its value to homeland security. I urge my colleagues to help make DHS an even more effective organization by supporting H.R. 4322 today.

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

Mr. LARSEN of Washington. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, the Department of Homeland Security has understandably operated without a consolidated headquarters since its inception. The bill before us will convey property from the Navy to the GSA to help consolidate headquarters for the Department.

Given the critical nature of the Department's mission, we must allow Secretary Ridge to operate the Department as efficiently as possible. This bill is a significant step in the growth of this new agency; and that is why the Committee on Armed Services, in a bipartisan way, supports relocating the Navy from its Nebraska Avenue Complex in northwest Washington, D.C., to accommodate the Department of Homeland Security.

We should be under no illusion, however, that the headquarters provided under this bill is a permanent or ideal solution. In fact, some have even questioned whether this is truly a headquarters at all. We are consolidating some of the leadership elements of the departments on one site, but workers will still be spread among more than a dozen buildings. It is not yet clear that the site can fully accommodate the Department's headquarters, in part because the Department is still evolving and is itself a patchwork of agencies. Several of the Department's key agencies will maintain separate headquarters elsewhere. These concerns have led some in Congress to question whether we should even designate the Nebraska Avenue Complex as the headquarters of the Department at all.

I am also aware that the distinguished gentlewoman from the District of Columbia (Ms. NORTON) has concerns with portions of the bill, and she will seek time to speak on this, in particular, the provision that calls for the selling of property if the Navy is not fully reimbursed for the cost of its move. This provision was inserted to help ensure the Navy does not pay a financial penalty to accommodate the Department of Homeland Security, but the potential mandatory sale of 38 acres in the District raises legitimate concerns. We will continue to work with everyone, including the gentlewoman from the District, to address these concerns when we conference with the Senate on this matter.

The bill before us is imperfect. It still needs some work, but a lot of changes have been made to it. In a sense it is a reflection of the nature and the status of the Department of Homeland Security itself. Despite some of these flaws, though, the bill is a step in the right direction, and I urge my colleagues to support it.

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

Mr. HUNTER. Mr. Speaker, I do not believe we have anymore speakers. I would thank my colleague, an esteemed member of the committee, for his comments; and I believe he has one more speaker on his side. If he could go ahead and recognize that speaker, then we will close out very quickly.

Mr. LARSEN of Washington. Mr. Speaker, I yield 6½ minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

□ 1545

Ms. NORTON. Mr. Speaker, I appreciate the work of the gentleman from California (Mr. HUNTER), the chairman of the committee, and the gentleman from Washington (Mr. LARSEN) for bringing this bill to the floor. I support this bill.

I am very pleased that this question has been settled by the commitment of the Department of Homeland Security to make its home in the District of Columbia. It is unthinkable that the Department of Homeland Security of our country should be elsewhere. I commend Secretary Ridge for his personal involvement in this decision. I am a member of both of the committees involved with this issue, the Select Committee on Homeland Security, I am not a member of the Committee on Armed Services, of course, and the Subcommittee on Public Buildings, Economic Development and Emergency Development of the Committee on Transportation and Infrastructure.

Since the Department was created 2 years ago, I have worked with both the Department of Homeland Security and the General Services Administration to identify suitable space in the District of Columbia to house the new Department. I am delighted that for now, and until the Committee on Transportation and Infrastructure reviews and ap-

proves housing plans, which the Department is in the process of drawing, the Department will be housed at the Naval complex on Nebraska Avenue.

The Department has spent considerable time in preparing a housing plan, but it is important to note that this is a department in formation, so the Department itself is having its difficulties thinking about how the Department will look 5 years out, 10 years out; and for that reason we have not held hearings to review the DHS's plan for what security elements will be included in headquarters operations. Members can imagine that they would have to be extraordinary.

My colleagues on the Committee on Transportation and Infrastructure in a bipartisan fashion shared that they all have concerns about the language contained in the title. The language is that this facilitates the establishment of a headquarters complex at the Nebraska Avenue complex. This may seem like a technical matter. I hope it is a technical matter.

We would hope if the director, after drawing his housing plan, were to decide that he wished to be elsewhere, the way in which the GSA operates is it goes and tries to find him space elsewhere. We do not even know how big this Department will be and if it will outgrow the Nebraska headquarters, so the notion that this is the headquarters could be read technically to mean they do not have the authority to move elsewhere.

By way of background, officials from the White House Office of Management and Budget, the Department of Homeland Security, the General Services Administration, and the Navy agreed to a three-step approach whereby: (1) the Nebraska Avenue complex would be transferred to GSA; (2) GSA would lease the space to homeland security; and (3) the Navy would be made whole for the expenses associated with its move from the site.

In fact, in February of this year, these officials met with the transportation committee staff on a bipartisan basis to review the details of this approach. That is the administration and the staff on both sides of the aisle meeting in the same room. The original bill title merely spoke about the use of the property by homeland security, not establishing permanent headquarters. Again, this is a very technical matter, but we have seen how technical matters can throw people off once they want to do something in the Congress. I am not making a major objection, but I want to go on the record to say that if Secretary Ridge says this is a whole lot smaller space than we need, I do not want us to say you are locked in by the language of the title. That is all I am bringing to Members' attention.

The Nebraska Avenue complex is 38 acres in northwest Washington. It contains 33 mostly unconnected buildings, over 1,000 parking spaces, and 556,000 square feet of office space. Many of the

buildings are old, one dating back to 1916, many constructed in the 1920s. The site is not nearly as secure as it has to be for the agency with the highest security mission.

Currently, there are 1,300 personnel at the site, almost evenly split between Navy personnel and DHS personnel. Eventually DHS intends to house 1,986 personnel at the site; at least that is what they think now. Those personnel are now housed in mostly leased space in over 5 million square feet of space in the District and the region.

Given the enormous impact DHS will have on the government's administrative costs, and the impact it will have on the District and the region, more thought and attention should be given to establishing a headquarters in the District of Columbia. I have to assume that the decision of the Secretary would be controlling, it always is, when we look for space for an agency.

The bill also contains a mandatory sale provision of the property in the event the Navy is not fully reimbursed for its moving cost. A sale of such magnitude in the District of Columbia should be consistent with provisions of the Property Act, and not an act conducted solely by the Navy.

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

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

I thank the gentlewoman from the District of Columbia (Ms. NORTON) and also the gentleman from Washington (Mr. LARSEN) for their comments. I think we do have 22 agencies coming together in this Homeland Security Department. Obviously it is a major, major challenge to put this team together. We are taking the first step, and that is getting an appropriate area in Washington, D.C. to headquarter this team.

I want to commend Mr. Ridge and Asa Hutchinson and the gentleman from Washington (Mr. LARSEN), who is helping us on this legislation, and the gentlewoman from the District of Columbia (Ms. NORTON) for everything she has done.

Mr. OBERSTAR. Mr. Speaker, I would like to thank the House Armed Services Committee for making changes, at the request of the Transportation and Infrastructure Committee, to H.R. 4322, a bill to transfer the Nebraska Avenue Naval Complex ("Complex") in Washington, DC, to General Service Administration ("GSA") for the purpose of permitting GSA to use the Complex to house the Department of Homeland Security ("DHS"). One important change clarifies that the Department of Navy will transfer the property to the "jurisdiction, custody, and control" of GSA. These terms clarify that GSA will have the same authority over the Complex as it does over other government facilities.

However, I regretfully note that the title of the amended bill includes an error that suggests that the bill is establishing the DHS headquarters. Although the bill title does not have legislative effect, I wish to make clear that this bill does not establish a headquarters

for DHS. It would be premature to do so because there has been no analysis of the pros and cons of the Complex, compared to other possible sites. DHS will continue to be housed in the Complex facility while DHS and GSA prepare a long-term housing plan for the Department of Homeland Security to be submitted for approval to the Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works. Through that process, the Committee will determine an appropriate permanent headquarters location for DHS in the District of Columbia.

While the Nebraska Avenue Naval Complex adequately serves DHS as an interim facility, there are many serious deficiencies associated with its aging buildings and the fact that the facility's 33 buildings are scattered across a 38-acre site. Moreover, building and telecommunication security is not optimal. DHS, GSA, and the Transportation Committee will consider these and other issues as we examine a long-term housing plan and headquarters location for DHS.

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

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from California (Mr. HUNTER) that the House suspend the rules and pass the bill, H.R. 4322, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A Bill to provide for the transfer of the Nebraska Avenue Naval Complex in the District of Columbia to facilitate the establishment of the headquarters for the Department of Homeland Security, to provide for the acquisition by Department of the Navy of suitable replacement facilities, and for other purposes."

A motion to reconsider was laid on the table.

#### PROVIDING RAPID ACQUISITION AUTHORITY TO SECRETARY OF DEFENSE TO RESPOND TO COMBAT EMERGENCIES

Mr. HUNTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4323) to amend title 10, United States Code, to provide rapid acquisition authority to the Secretary of Defense to respond to combat emergencies.

The Clerk read as follows:

H.R. 4323

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

#### SECTION 1. RAPID ACQUISITION AUTHORITY TO RESPOND TO COMBAT EMERGENCIES.

(a) IN GENERAL.—Chapter 141 of title 10, United States Code, is amended by adding at the end the following new section:

##### "§2410p. Rapid acquisition authority to respond to combat emergencies

"(a) RAPID ACQUISITION AUTHORITY.—The Secretary of Defense may rapidly acquire, in accordance with this section, equipment needed by a combatant commander to elimi-

nate a combat capability deficiency that has resulted in combat fatalities.

"(b) PROCESS FOR RAPID ACQUISITION.—Not later than 30 days after the date of the enactment of this section, the Secretary of Defense shall develop a process for the rapid acquisition authority provided by subsection (a) and submit to Congress a detailed explanation of the process, including procedures to be followed in carrying out the process. The process shall provide for the following:

"(1) A requirement that the process may be used only to acquire the minimum amount of equipment needed until the needs of the combatant commander can be fulfilled under existing acquisition statutes, policies, directives, and regulations.

"(2) A goal of awarding a contract for the equipment within 15 days after receipt of a request from a commander.

"(3) In a case in which the equipment cannot be acquired without an extensive delay, a requirement for an interim solution to minimize the combat capability deficiency and combat fatalities until the equipment can be acquired.

"(4) Waiver of the applicability of all policies, directives, and regulations related to—

"(A) the establishment of the requirement for the equipment;

"(B) the research, development, test, and evaluation of the equipment; and

"(C) the solicitation and selection of sources, and the award of the contract, for procurement of the equipment.

"(5) Such other procedures or requirements as the Secretary considers appropriate.

"(c) WAIVER OF CERTAIN STATUTES.—For purposes of exercising the authority provided by subsection (a) with respect to equipment, laws relating to the following shall not apply:

"(A) The establishment of the requirement for the equipment.

"(B) The research, development, test, and evaluation of the equipment.

"(C) The solicitation and selection of sources, and the award of the contract, for procurement of the equipment.

"(d) LIMITATIONS.—The rapid acquisition authority provided by subsection (a) may be used only—

"(1) after the Secretary of Defense, without delegation, determines in writing that there exists a combat capability deficiency that has resulted in combat fatalities; and

"(2) to acquire equipment in an amount aggregating not more than \$100,000,000 during a fiscal year.

"(e) SOURCE OF FUNDS.—For acquisitions under this section to be made during any fiscal year, the Secretary may use any funds made available to the Department of Defense for that fiscal year.

"(f) NOTIFICATION TO CONGRESS AFTER EACH USE OF AUTHORITY.—The Secretary of Defense shall notify the congressional defense committees within 15 days after each use of the authority provided by subsection (a). Each such notice shall identify the equipment to be acquired, the amount to be expended for such acquisition, and the source of funds for such acquisition.

"(g) COMBATANT COMMANDER.—In this section, the term 'combatant commander' means the commander of a unified combatant command with authority for the conduct of operations in a specific area of responsibility or who otherwise has authority to conduct operations at the direction of the President or Secretary of Defense."

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2410p. Rapid acquisition authority to respond to combat emergencies."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HUNTER) and the gentleman from Washington (Mr. LARSEN) each will control 20 minutes.

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

#### GENERAL LEAVE

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, on April 21, 2004, the Committee on Armed Services held an open hearing on the performance of the DOD acquisition process in support of force protection for combat forces, an area which is of extreme importance to all Americans, and especially to our 138,000-plus troops serving in Iraq and the troops who are serving in Afghanistan, and obviously other places around the world where our forces are exposed to terrorist operations and the dangers thereof.

Mr. Speaker, as a result of the testimony that we received in this hearing, it became very clear that under the special circumstances, a change in the acquisition process is required. When a combat commander submits an urgent requirement for equipment that directly relates to preventing combat fatalities, it should not take 6 months to process the commander's request. Because of the oversight role that Congress plays and of course the interest that any administration, the executive branch, has in the acquisition process and the many billions of dollars which flow through the military acquisition process, it is understandable that our acquisition process is rather slow moving.

There are combatant requirements that are set up by the field commanders. Those are scrubbed by a number of requirements, bodies, including the joint chiefs, and the service that attends that particular area. There is a competitive bidding process which carries with it its own appeals process. And as a result of that, when we have a requirement that emanates from field conditions, from a threat that is posed by the enemy on the battlefield, it can take months and months and months before America can respond to that particular challenge.

Right now we are seeing some of that, and we are seeing rapid tactical changes by our adversaries in the field in Afghanistan and Iraq and other places. Very simply, Mr. Speaker, we have to be able to react quickly. We need to be able to come up with not necessarily the 100 percent solution, but maybe the 80 percent solution while we are researching and developing and putting out contracts in this very measured pace that the present acquisition system takes.