

The missing documents are highly classified reports on the Clinton administration's handling of al Qaeda terror threats during the December 1999 millennium celebrations. They included critical assessments of the U.S. response to terrorist threats, as well as identification of vulnerabilities at U.S. airports and seaports.

Removing highly classified anti-terrorism information from a secure area is extremely dangerous, and misplacing such information is absolutely inexcusable.

Mr. Berger has attributed his actions to sloppiness. A person in Mr. Berger's position does know better than to do something so irresponsible, and he should be well aware of the serious consequences.

The Justice Department is currently conducting a criminal investigation. We should render Mr. Berger the benefit of the doubt, but these admitted actions have the potential of undermining U.S. national security and damaging the integrity of the September 11 Commission.

#### BUSH ADMINISTRATION SMEAR CAMPAIGN

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

Mr. McDERMOTT. Mr. Speaker, well, here we go again. Anytime the heat is on the Republicans, the Bush administration, they leak something out and try and smear somebody.

The 9/11 Commission report is coming out tomorrow, and just 3 days before it they bring up something that has been investigated for 9 months. They leak it out of the Justice Department.

Now, even conservative reporters like Norm Ornstein and David Gurgin have said they are enormously skeptical about this whole thing. David Gurgin said it is suspicious.

It is not suspicious. It is what they always do. Whenever there is something coming up, they find a way to leak out something like against Ms. Gorelick on the 9/11 Commission. They never wanted the commission, and now it is going to come out and say bad things about them. So they are going to smear all the people around it as quickly as possible.

That is a standard operating position for these people, and it is despicable. Why do they not let the Justice Department do the report? It was 9 long months ago it started. Let them bring it out when there is going to be an indictment.

We will do the same for the gentleman from Texas (Mr. DELAY), and we will do the same for all the Members on the Republican side who want to raise these kinds of issues. Why do we not wait until the people in the Justice Department make the decision?

#### FINAL OVERTIME RULES

(Mr. OWENS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. OWENS. Mr. Speaker, on their policy of liquidating overtime pay as we know it, the Republican majority should end their covert sabotage and come out of the closet. The right to overtime pay is a fundamental right guaranteed for the past 66 years by the Fair Labor Standards Act. For 6 million or more American workers, however, that right will expire in exactly 1 month's time.

On August 23, a Bush administration rule will be implemented to strip hard-working Americans, including certain police officers, nurses, preschool teachers and many others, of rightfully earned overtime pay. Republicans must admit their war on overtime. Come out of the closet.

The House Republican leadership is now refusing to bring the fiscal year 2005 Labor-HHS appropriations to the floor. The Republicans fear the truth and power of a Democratic amendment to reverse this Bush rule and protect workers' rights to overtime pay. The Republicans are afraid to expose their unjust policy to the voters.

Under the Bush economic plan which favors the haves and have-mores, an increasing number of American workers have had to rely on overtime wages simply to pay their electricity bill or their monthly mortgage.

But overtime for working families is also an issue of fundamental fairness. In Iraq, 90 percent of the frontline soldiers are the children of these working families. Mandating that employees work extra hours without adequate pay is a betrayal of the trust of the families of our heroes.

Vote "yes" on overtime pay. Bring it to the floor today.

#### THE MAJORITY'S NEW STRATEGY

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

Mr. ANDREWS. Mr. Speaker, 6 million Americans are about to lose their right to overtime protection, police officers, firefighters, preschool teachers; and I believe that a majority of this House is ready to vote against that proposal and is ready to restrain that proposal from becoming law.

I have, Mr. Speaker, to commend the majority because they have found a new way to subvert the will of the majority. On two occasions what the majority has done is permit a proposition to come to the floor, lose, as they did in the case of the Medicare vote, lose as they did in the case of protecting civil rights under an amendment to the PATRIOT Act, and then fix the result after they have lost.

This time they have come up with a new strategy. Because the majority knows it will lose this vote on overtime, they are prohibiting the vote from coming to the floor in the first place.

If the Labor-HHS appropriations bill were reported out of committee and brought to this floor, this House would get a chance to work its will and defeat this proposal that will deny 6 million Americans the right to overtime.

I say, Mr. Speaker, to the majority, bring it to the floor. Let the House work its will. Let the majority protect the rights of 6 million Americans.

#### THE CRISIS IN THE SUDAN

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

Ms. SCHAKOWSKY. Mr. Speaker, I come to the floor today with a sense of urgency to call on my colleagues to act now, before we adjourn, upon the crisis that is developing more and worsening every day in the Sudan.

Over 1 million Sudanese have been displaced and 30,000 have been killed so far in Darfur, and we understand that a minimum of 1,000 people a day are dying, being killed. Women and girls are being systematically raped and brutalized by thugs who have been reported to sing with glee as they inflict pain and humiliation beyond belief.

I stand here today not only as a Member of the United States House of Representatives but as a Jew, as part of a people who are still haunted by the killing of 6 million during World War II, while there were people in the world who knew what was happening, and as a grandmother who does not want to face my grandchildren who say to me, Grandma, you were in the Congress when people were killed in a genocide in the Sudan, what did you do. That is a question we all have to ask ourselves.

We should pass a resolution today before we leave this Congress that we will act, not just talk about it.

#### WHEN THE HEAT IS ON, BUSH TEAM USES NATIONAL SECURITY INFORMATION FOR POLITICAL COVER

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

Mr. PALLONE. Mr. Speaker, just 3 days prior to the release of the 9/11 Commission report critical of the Bush administration's lack of attention on terrorism, a 7-month-old FBI investigation of former National Security Adviser Sandy Berger was leaked to the media. The timing of the leak is sort of curious.

Previously, the Bush team has used national security information and memos to disparage 9/11 Commission members who they did not like. Now, tomorrow, the 9/11 Commission is preparing to release their report, and we know it will be bad for the Bush administration. We know we were not as safe as we should have been on September 11, and we still mourn the thousands who died that day.

The Bush administration opposed the creation of the commission. They

fought against giving the commission enough time to complete its work and tried to limit the documents the commission could see.

President Bush and Vice President CHENEY sought to limit any questions they received from the commission and National Security Adviser Condoleezza Rice tried to avoid testifying publicly at all.

Now, the commission's report is done and the questions it raises are, Are we as safe as we should be today? How much progress have we made in correcting homeland security deficiencies?

Unfortunately, the Bush administration has a lot of work left to be done.

□ 1030

#### PROVIDING FOR CONSIDERATION OF H.R. 4837,

#### MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2005

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 732 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 732

*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. 4837) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2005, 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: section 129. 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 (Mr. KIRK). The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for the purpose 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 res-

olution, all time yielded is for the purpose of debate only.

Mr. Speaker, last night the Committee on Rules met and granted an open rule for H.R. 4837, the Fiscal Year 2005 Military Construction Appropriations Act.

The United States military is clearly the best in the world, and the young men and women in our Army, Navy, Air Force, and Marines are thoroughly dedicated and patriotic professionals, the best our Nation has to offer.

And we are asking a lot of our military today. Our military personnel on active duty know that they may well be deployed overseas and perhaps on dangerous missions; so we want to provide a quality of life for themselves and their families that will allow them to serve, knowing that their families will be taken care of with good housing and good health care.

H.R. 4837 recognizes the dedication and commitment of our troops by providing for their most basic needs: improved military facilities, including housing and medical facilities.

Mr. Speaker, we must honor the most basic commitments we have made to the men and women of our Armed Forces. We must ensure a reasonable quality of life to recruit and retain the best and the brightest for America's fighting forces, and most importantly, we must do all in our power to ensure a strong, able, dedicated American military so this Nation will be ever vigilant, ever prepared.

H.R. 4837 provides nearly \$1.1 billion for troop housing and \$190 million for hospital and medical facilities for the troops and their families. Military families also have a tremendous need for quality child care, especially single parents and families in which one or both parents may face lengthy deployments. To help meet this need, the bill provides \$26 million for child development centers.

This bill is more than just a signal to our soldiers, sailors, airmen, and Marines that this Nation recognizes their sacrifices. It is a means by which we meet our commitment to providing them decent quality of life, and this will sustain the commitment and professionalism of America's all-volunteer armed services and the families that support them. We owe them a great debt of gratitude.

While our men and women in uniform have swiftly engaged our enemies abroad, they face increasingly complex personal and professional challenges here at home. We must do more to take care of those who are putting their lives on the line to defend our freedom and for their families that support them. So I urge my colleagues to support this rule and to support the conference report.

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 thank the gentlewoman for yielding me the customary 30 minutes.

Last night the Committee on Rules met to report a rule for the Military Construction Appropriations bill for 2005. The bill has wide bipartisan support. It provides sufficient funding for America's military construction needs and includes funding to improve facilities and family housing on reserve and active duty installations around the world. The bill also includes a provision that protects the most successful military housing project in history, the Military Housing Privatization Initiative.

Under this program, the Federal Government creates public-private partnerships to construct and renovate military family housing. The current state of military housing is a disgrace. It is often old and dilapidated. Under this program, quality homes for our troops and their families are constructed more affordably and more quickly. It is estimated that the government saves 10 to 15 percent over the life of the project, and military families receive improved homes in one-tenth of the time it will have taken using old methods of family housing construction.

When the program started in 1996, it was tied to a cap of \$850 million in government investment. The Department of Defense will reach this cap in November. The Military Construction bill contains a provision to raise the cap and ensure that the most successful military housing program ever will be able to continue.

And herein lies the problem, Mr. Speaker. The rule that we are considering today puts this program in danger. It allows a point of order on the section of the bill raising the cap on the Privatization Initiative that would allow it to be completely stripped from the bill. If that happens, the program would be unable to continue past November of this year, and almost 50,000 military families would pay the price and continue to live in substandard housing.

I made a motion last night in the Committee on Rules to protect this section of the bill so that it could not be stripped out, but it was defeated on a party-line vote. I just do not understand that, Mr. Speaker, because perhaps more than anything else in this bill, this provision will help raise the quality of life for our troops and their families.

Perhaps worst of all is the fact that this is the only provision in the Military Construction bill that can be stripped out on a point of order. I think that shows real disregard and disrespect for our soldiers, and, quite frankly, Mr. Speaker, I find it disgraceful. We in this House are constantly talking about the need to support our troops, and yet when the time comes to actually vote on a substantive issue that could really help our fighting men and women and their families, some