

# MILITARY HOUSING IMPROVEMENT ACT OF 2004

The SPEAKER pro tempore (Mr. OSE). The pending business is the question of suspending the rules and passing the bill, H.R. 4879.

The Clerk read the title of the bill.

The SPEAKER pro tempore. 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. 4879, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 423, nays 0, not voting 11, as follows:

[Roll No. 406]

YEAS—423

Abercrombie	Conyers	Graves
Ackerman	Cooper	Green (TX)
Aderholt	Costello	Green (WI)
Akin	Cox	Greenwood
Alexander	Cramer	Grijalva
Allen	Crane	Gutierrez
Andrews	Crenshaw	Gutknecht
Baca	Crowley	Hall
Bachus	Cubin	Harman
Baird	Culberson	Harris
Baker	Cummings	Hart
Baldwin	Cunningham	Hastings (FL)
Ballenger	Davis (AL)	Hastings (WA)
Barrett (SC)	Davis (CA)	Hayes
Bartlett (MD)	Davis (FL)	Hayworth
Barton (TX)	Davis (IL)	Hefley
Bass	Davis (TN)	Hensarling
Beauprez	Davis, Jo Ann	Herger
Becerra	Davis, Tom	Herseth
Bell	Deal (GA)	Hill
Bereuter	DeFazio	Hinchey
Berkley	DeGette	Hinojosa
Berman	Delahunt	Hobson
Berry	DeLauro	Hoeffel
Biggert	DeLay	Hoekstra
Bilirakis	DeMint	Holden
Bishop (GA)	Diaz-Balart, L.	Holt
Bishop (NY)	Diaz-Balart, M.	Honda
Bishop (UT)	Dicks	Hooley (OR)
Blackburn	Dingell	Hostettler
Blumenauer	Doggett	Houghton
Blunt	Dooley (CA)	Hoyer
Boehlert	Doolittle	Hulshof
Boehner	Doyle	Hunhof
Bonilla	Dreier	Hyde
Bonner	Duncan	Inslee
Bono	Dunn	Isakson
Boozman	Edwards	Norwood
Boswell	Ehlers	Israel
Boucher	Emanuel	Issa
Boyd	Emerson	Istook
Bradley (NH)	Engel	Jackson (IL)
Brady (PA)	English	Jackson-Lee
Brady (TX)	Eshoo	(TX)
Brown (SC)	Etheridge	Jefferson
Brown, Corrine	Evans	Jenkins
Brown-Waite,	Everett	Johnson (CT)
Ginny	Farr	Johnson (IL)
Burgess	Fattah	Johnson, E. B.
Burns	Feeney	Johnson, Sam
Burr	Filner	Jones (NC)
Burton (IN)	Flake	Jones (OH)
Butterfield	Foley	Kanjorski
Buyer	Forbes	Kaptur
Calvert	Ford	Keller
Camp	Fossella	Kelly
Cannon	Frank (MA)	Kennedy (MN)
Cantor	Franks (AZ)	Kildee
Capito	Frelinghuysen	Kilpatrick
Capps	Frost	Kind
Capuano	Gallely	King (IA)
Cardin	Garrett (NJ)	King (NY)
Cardoza	Gephardt	Kingston
Carson (OK)	Gerlach	Kirk
Carter	Gibbons	Kleczka
Case	Gilchrest	Kline
Castle	Gillmor	Knollenberg
Chabot	Gingrey	Kolbe
Chandler	Gonzalez	Kucinich
Chocola	Goode	LaHood
Clay	Goodlatte	Lampson
Clyburn	Gordon	Langevin
Coble	Goss	Lantos
Cole	Granger	Larsen (WA)

Larson (CT)	Osborne	Shimkus
Latham	Ose	Shuster
LaTourette	Otter	Simmons
Leach	Owens	Simpson
Lee	Oxley	Skelton
Levin	Pallone	Slaughter
Lewis (CA)	Pascarell	Smith (MI)
Lewis (GA)	Pastor	Smith (NJ)
Lewis (KY)	Paul	Smith (TX)
Linder	Payne	Smith (WA)
Lipinski	Pearce	Snyder
LoBiondo	Pelosi	Solis
Lofgren	Pence	Souder
Lowey	Peterson (MN)	Spratt
Lucas (KY)	Peterson (PA)	Stark
Lucas (OK)	Petri	Stearns
Lynch	Pickering	Stenholm
Maloney	Pitts	Strickland
Manzullo	Platts	Stupak
Markey	Pombo	Sullivan
Marshall	Pomeroy	Sweeney
Matheson	Porter	Tancredo
Matsui	Portman	Tanner
McCarthy (MO)	Price (NC)	Tauscher
McCarthy (NY)	Pryce (OH)	Taylor (MS)
McCollum	Putnam	Taylor (NC)
McCotter	Radanovich	Terry
McCrery	Rahall	Thomas
McDermott	Ramstad	Thompson (CA)
McGovern	Rangel	Thompson (MS)
McHugh	Regula	Thornberry
McInnis	Rehberg	Tiahrt
McIntyre	Renzi	Tiberi
McKeon	Reyes	Tierney
McNulty	Rodriguez	Toomey
Meehan	Rogers (AL)	Towns
Meek (FL)	Rogers (KY)	Turner (OH)
Meeks (NY)	Rogers (MI)	Turner (TX)
Menendez	Rohrabacher	Udall (CO)
Mica	Ros-Lehtinen	Udall (NM)
Michaud	Ross	Upton
Millender-	Rothman	Van Hollen
McDonald	Roybal-Allard	Velázquez
Miller (FL)	Royce	Visclosky
Miller (MI)	Ruppersberger	Vitter
Miller (NC)	Rush	Walden (OR)
Miller, Gary	Ryan (OH)	Walsh
Miller, George	Ryan (WI)	Wamp
Mollohan	Ryun (KS)	Waters
Moore	Sabo	Watson
Moran (KS)	Sánchez, Linda	Watt
Moran (VA)	T.	Waxman
Murphy	Sanchez, Loretta	Weiner
Murtha	Sanders	Weldon (FL)
Murphy	Sandlin	Weldon (PA)
Musgrave	Saxton	Weller
Myrick	Schakowsky	Wexler
Nadler	Schiff	Whitfield
Napolitano	Schrock	Wicker
Neal (MA)	Scott (GA)	Wilson (NM)
Nethercutt	Scott (VA)	Wilson (SC)
Neugebauer	Sensenbrenner	Wolf
Northup	Serrano	Woolsey
Norwood	Sessions	Wu
Nunes	Shadegg	Wynn
Nussle	Shaw	Young (AK)
Oberstar	Shays	Young (FL)
Obey	Sherman	
Oliver	Sherwood	
Ortiz		

NOT VOTING—11

Brown (OH)	Ferguson	Quinn
Carson (IN)	Kennedy (RI)	Reynolds
Collins	Majette	Tauzin
Deutscher	Ney	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1755

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. NEY. Mr. Speaker, on July 21, 2004, I was unable to be present for rollcall vote No. 404, on agreeing to the Conference Report to

H.R. 2443, the Coast Guard and Maritime Transportation Act of 2003; rollcall vote No. 405, on final passage of H.R. 4840, the Tax Simplification for America's Job Creators Act of 2004; and rollcall vote No. 406, on final passage of H.R. 4879, the Military Housing Improvement Act. Had I been present I would have voted "yes" on rollcall vote No. 404, "yes" on rollcall vote No. 405, and "yes" on rollcall vote No. 406.

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken tomorrow.

Furthermore, the following votes postponed yesterday will be taken tomorrow:

H.R. 4175, by the yeas and nays;

H. Res. 728, by the yeas and nays; and Motion to instruct on H.R. 1308.

## SUPPORTING GOALS OF NATIONAL MARINA DAY

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 647) supporting the goals of National Marina Day and urging marinas to continue providing environmentally friendly gateways to boating.

The Clerk read as follows:

H. RES. 647

Whereas the people of the United States highly value their recreational time and their ability to access the waterways of the United States, one of the Nation's greatest natural resources;

Whereas in 1928, the National Association of Engine and Boat Manufacturers first used the word "marina" to describe a recreational boating facility;

Whereas the United States is home to more than 12,000 marinas that contribute substantially to local communities by providing safe and reliable gateways to boating;

Whereas the marinas of the United States serve as stewards of the environment and actively seek to protect the waterways that surround them for the enjoyment of this generation and generations to come;

Whereas the marinas of the United States provide communities and visitors with a place where friends and families, united by a passion for the water, can come together for recreation, rest, and relaxation; and

Whereas the Marina Operators Association of America has designated August 14, 2004 as "National Marina Day" to increase awareness among citizens, policymakers, and elected officials about the many contributions that marinas make to communities: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) supports the goals of National Marina Day; and

(2) urges that the marinas of the United States continue to provide environmentally friendly gateways to boating for the people of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentleman from California (Mr. FILNER) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, H. Res. 647, which was introduced by our colleague, the gentleman from Georgia (Mr. DEAL), proclaims the House of Representatives' support for the goals and ideals of National Marina Day and urges marina owners and operators to continue their strong stewardship of the marine environment so that this Nation's waters may be enjoyed by recreational boaters for generations to come.

August 14 is National Marina Day, and this is a perfect resolution to be considering in the week prior to the August recess. Throughout the country, Americans of every economic class are using their summer vacations to enjoy their own recreational boats or to charter time on professionally operated vessels.

The vast majority of boat owners do not have their own docks, and many boaters hire vessels rather than owning their own vessels. Therefore, without the Nation's 12,000 marinas and the services they provide, many of these boaters would be unable to maintain, operate, and enjoy their recreational boating. In turn, by providing dock space and services to the Nation's boat owners and operators, marinas provide 140,000 jobs and generate significant tax revenue.

As the resolution states, marinas are places where friends and families, united by a passion for the water, can come together for recreation, rest, and relaxation. Certainly in this summer season, we should support the goals and ideals of such places.

I want to commend our colleague, the gentleman from Georgia (Mr. DEAL), for introducing this resolution. I urge our colleagues to cast an "aye" vote to support the goals and ideals of National Marina Day.

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

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

I, too, rise in support of H. Res. 647, designating August 14 as National Marina Day. Like many Members of this House, I have a marina in my district. I am joined with all those who, over the United States, have 12,000 of them.

These marinas, of course, provide a home to millions of boats and provide millions of Americans with access to the ocean, bays, rivers, and lakes in the United States; and as we heard, they also provide jobs for over 140,000 of us.

When we are in our districts next month, we will likely see our constituents relaxing on the water because they have access to that water through the marina.

These marinas will be celebrating National Marina Day with boating safety demonstrations, environmental demonstrations, fishing rodeos, and marina open houses. What is a fishing rodeo? I wrote it, but I just do not know what I mean.

In a time of heightened security, marina owners across the Nation are working with the Coast Guard to help improve security on our waterways by keeping an eye out for aggressive tactics and unusual activities on the water. They are on the water everyday and know when something appears unusual, and they will call the Coast Guard.

So, Mr. Speaker, it is entirely fitting and appropriate for the U.S. House of Representatives to recognize the contributions that marinas make to maritime safety, our national economy, our national enjoyment.

I urge my colleagues to support H. Res. 647, designating August 14 as National Marina Day.

Mr. OBERSTAR. Mr. Speaker, will the gentleman yield?

Mr. FILNER. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Speaker, the gentleman was inquiring about a fishing rodeo. That is catch-and-release fishery. You cast out and catch fish and weigh them.

Mr. FILNER. It is not riding them?

Mr. OBERSTAR. Then you throw them back into the water, not throw them but you put them gently back into the water. You kiss the fish when you put it back in.

Mr. FILNER. I thank the gentleman. I am glad I yielded to him.

Mr. OBERSTAR. The gentleman from Ohio understands what is kissing the fish and putting it back in, especially in Lake Erie.

Mr. LATOURETTE. Mr. Speaker, will the gentleman yield?

Mr. FILNER. I yield to the gentleman from Ohio.

Mr. LATOURETTE. Mr. Speaker, in Ohio we always had trouble finding the little saddles necessary to accommodate the fish rodeos. They are very popular in Ohio as well.

Mr. FILNER. Do I have to wear stirrups or whatever?

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

Mr. LATOURETTE. Mr. Speaker, it is my pleasure to yield such time as he might consume to the gentleman from Georgia (Mr. DEAL), the author of this resolution.

□ 1800

Mr. DEAL of Georgia. Mr. Speaker, I would say, if the gentleman would come to Lake Lanier in north Georgia, we have some fish big enough to ride in Lake Lanier. We will provide the saddles. Fishing rodeos are big business, and they attract a lot of people to the sport of fishing.

On August 14, we will celebrate the third annual National Marina Day. This annual celebration promotes the

United States' 12,000 marinas and strives to educate all of us, politicians, civic leaders and the public, about the important roles that marinas play in the waterfront communities across America.

During the first year, 80 marinas in 23 States participated in National Marina Day. Last year, the celebration spread to 150 marinas in 25 States. This year again marks another significant opportunity to recognize marina operators and their industry's role and contributions to America's water recreation.

National Marina Day offers local marina operators the opportunity to host events to bring tens of thousands of people to our country's marinas. These marinas are gateways to boating and help maintain the natural environments that we enjoy.

In my district, Lake Lanier is home to 10 marinas, and I am proud to recognize Kirby Cay Scheimann of the Aqualand Marina in Flowery Branch, Georgia, as the National Marina Day chairman. The marinas in my district, like other marinas throughout the country, provide an economic investment in the lake, boat storage, boat events, and a wealth of local knowledge for visitors to the lake. These marinas serve in our State as the area's gateway to Georgia's Great Lake.

This resolution supports the goals of National Marina Day and recognizes the value marinas play as gateways to boating and as stewards of the environment. This resolution commends marinas as places where Americans can visit with family and friends and come together for recreation, rest, and relaxation.

Congress and all of us as Members of Congress are in a unique position to support these goals. When the National Association of Engine and Boat Manufacturers first used the word "marina" in 1928, it was defined simply as a recreational boating facility. Today, however, marinas are much more. They have become an integral part not only of American recreation, but also of American life. They are strong, vibrant communities of families and friends united by a shared passion for the water.

I urge adoption of the resolution.

Mr. OBERSTAR. Mr. Speaker, the resolution before us recognizes National Marina Day on August 14, 2004.

There are more than 12,000 marinas in the United States providing safe harbor for millions of recreational vessels that operate on the lakes and navigable waters of the United States. These marinas include boatyards, yacht clubs, and public and private mooring basins across the United States. Marinas in the United States provide employment for more than 140,000 Americans.

Perhaps most importantly, marinas provide a means for millions of Americans to relax and enjoy themselves boating.

National Marina Day is a time to celebrate the history of marinas and boating and to look to the future of this vibrant industry. National Marina Day activities across the United States

will include environmental demonstrations, youth center events, fishing rodeos, boating safety demonstrations, and marina open houses.

National Marina Day is going to be celebrated from Maine to Florida; from Maryland to Los Angeles, CA. Marinas participating in the celebration include marinas from the Marriott Marina in San Diego to the Constitution Marina in Boston.

Marina owners are working closely with the United States Coast Guard to step up vigilance at their facilities to improve security on U.S. waterways. These efforts include looking out for aggressive activities, attempts to gain access to vessels without proper identification, fixtures attached to structures, unusual diving operations, and vehicles and vessels in unusual locations.

Mr. Speaker, it is fitting for the U.S. House of Representatives to recognize the ongoing contribution of marina operators in the United States to our economy, our security, our environment, and most of all, for providing us with a way of enjoying a day on the beautiful waterways of the United States.

I urge my colleagues to support the Resolution.

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

Mr. LATOURETTE. Mr. Speaker, I urge passage of the resolution, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. OSE). The question is on the motion offered by the gentleman from Ohio (Mr. LATOURETTE) that the House suspend the rules and agree to the resolution, H. Res. 647.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3313, MARRIAGE PROTECTION ACT OF 2004

Mrs. MYRICK (during consideration of H. Res. 647), from the Committee on Rules, submitted a privileged report (Rept. No. 108-623) on the resolution (H. Res. 734) providing for consideration of the bill (H.R. 3313) to amend title 28, United States Code, to limit Federal Court jurisdiction over questions under the Defense of Marriage Act, which was referred to the House Calendar and ordered to be printed.

#### REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4613, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005

Mrs. MYRICK (during consideration of H. Res. 647), from the Committee on Rules, submitted a privileged report (Rept. No. 108-624) on the resolution (H. Res. 735) waiving points of order against the conference report to accompany the bill (H.R. 4613) making appropriations for the Department of Defense for the fiscal year ending Sep-

tember 30, 2005, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### HIPOLITO F. GARCIA FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. LATOURETTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3884) to designate the Federal building and United States courthouse located at 615 East Houston Street in San Antonio, Texas, as the "Hipolito F. Garcia Federal Building and United States Courthouse".

The Clerk read as follows:

H.R. 3884

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

#### SECTION 1. DESIGNATION.

The Federal building and United States courthouse located at 615 East Houston Street in San Antonio, Texas, shall be known and designated as the "Hipolito F. Garcia Federal Building and United States Courthouse".

#### SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 shall be deemed to be a reference to the "Hipolito F. Garcia Federal Building and United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. LATOURETTE) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. LATOURETTE).

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

Mr. Speaker, H.R. 3884, introduced by the gentleman from Texas (Mr. GONZALEZ), designates the Federal Building and United States Courthouse located at 615 East Houston Street, San Antonio, Texas, as the Hipolito F. Garcia Federal Building and United States Courthouse.

Judge Garcia was born in San Antonio, Texas, on December 4, 1925, and grew up in a neighborhood a few blocks from the very courthouse that will now bear his name. After serving his country in the Army from 1943 to 1945, Judge Garcia attended St. Mary's University School of Law. He graduated in 1951 and began working for Bexar County, Texas, as the Assistant Criminal Attorney, a position he held until 1963.

After a short time practicing law privately, Judge Garcia served as Judge to the county court in 1964 and State district court until 1974. Judge Garcia's career culminated in 1981 when President Carter appointed him to the United States District Court for the Western District of Texas. He sadly passed away on January 16, 2002.

Judge Garcia is remembered as a man who treated everyone with respect and remained humble despite his high position. He served his country in arms

and in justice, and he was the first Mexican American to serve as a United States District Judge in the Western District of Texas.

This is a fitting tribute to a dedicated public servant. I support this legislation and urge my colleagues to do the same.

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

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

Mr. Speaker, H.R. 3884 is a bill to designate the Federal Building and United States Courthouse located at 615 East Houston Street, San Antonio, Texas, as the Hipolito F. Garcia Federal Building and United States Courthouse.

The bill was introduced by the gentleman from Texas (Mr. GONZALEZ). Judge Garcia was born on December 14, 1925, in San Antonio. He recently died in January, 2002. He was educated at public schools, and in 1951 received his law degree from St. Mary's University School of Law. During World War II, he served in the United States Army.

His professional career included being Deputy District Clerk for Bexar County, Assistant Criminal Attorney, and Judge for the County-Court-at-Law. In 1979, President Carter nominated him for the Federal bench, and he was confirmed by the Senate in 1980.

Judge Garcia was an inspiration and role model. He broke barriers and earned a place in history as the first Mexican American to serve as a United States District Court Judge in the Western District of Texas. Despite his status, he remained humble and was known for treating everyone with dignity and respect.

He was an outstanding public servant who mentored young lawyers, providing sage advice and counsel. Judge Garcia was an exemplary public servant, and this dedication honors his contributions to the citizens of San Antonio and Texas.

I support H.R. 3884 and strongly urge its passage.

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

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

Ms. NORTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. GONZALEZ), the author of the bill.

Mr. GONZALEZ. Mr. Speaker, I thank the gentleman from Alaska (Chairman YOUNG), the ranking member, the gentleman from Minnesota (Mr. OBERSTAR), the gentleman from Ohio (Mr. LATOURETTE), and the gentlewoman from the District of Columbia (Ms. NORTON) for bringing this bill to the floor.

I could go over all of Hippo's accomplishments, and I say "Hippo" with the greatest affection and respect. Few people ever referred to him by formal title because he would not have it. And if he were alive and we were honoring him in this fashion today, he would probably be a little humbled and embarrassed.