

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 25 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1333

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 1 o'clock and 33 minutes p.m.

EXTENSION OF NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES

Mr. GOSS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2136) to extend the final report date and termination date of the National Commission on Terrorist Attacks Upon the United States, to provide additional funding for the Commission, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2136

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

SECTION 1. EXTENSION OF NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES.

(a) FINAL REPORT DATE.—Subsection (b) of section 610 of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107-306; 6 U.S.C. 101 note; 116 Stat. 2413) is amended by striking "18 months" and inserting "20 months".

(b) TERMINATION DATE.—Subsection (c) of that section is amended—

(1) in paragraph (1), by striking "60 days" and inserting "30 days"; and

(2) in paragraph (2), by striking "60-day period" and inserting "30-day period".

(c) ADDITIONAL FUNDING.—Section 611 of that Act (6 U.S.C. 101 note; 116 Stat. 2413) is amended—

(1) by redesignating subsection (b) as subsection (c);

(2) by inserting after subsection (a) the following new subsection (b):

"(b) ADDITIONAL FUNDING.—In addition to the amounts made available to the Commission under subsection (a) and under chapter 2 of title II of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108-11; 117 Stat. 591), of the amounts appropriated for the programs and activities of the Federal Government for fiscal year 2004 that remain available for obligation, not more than \$1,000,000 shall be available for transfer to the Commission for purposes of the activities of the Commission under this title."; and

(3) in subsection (c), as so redesignated, by striking "subsection (a)" and inserting "this section".

Mrs. MALONEY. Mr. Speaker, I fully support this extension for the 9/11 commission. In fact, I would support giving it any and all time and cooperation it needs to get to the bottom of 9/11.

Sixty days is but a bare minimum—but it is absolutely necessary. This extension is nice, White House cooperation would be better. A thorough final report would bolster our national security and bring a measure of understanding and closure to Americans, New Yorkers, and, most importantly, the victims' loved ones. Unfortunately, that effort has been hampered by an uncooperative White House.

The latest manifestation, as reported in today's New York Times, is severe restrictions on interviews with key 9/11 players.

I ask unanimous consent to put this in the RECORD.

Mr. Speaker we need White House cooperation now. And if they continue to refuse to give it, we should demand to know why.

Mr. Speaker, it's too important for this country, for my city and its people not to get this report done right. This is too important an issue for the White House to play hid and seek with. I hope this extension will trigger full cooperation.

[From the New York Times, Mar. 3, 2004]

9/11 PANEL REJECTS WHITE HOUSE LIMITS ON INTERVIEWS

(By Philip Shenon)

WASHINGTON, Mar. 2.—The independent commission investigating the Sept. 11 attacks is refusing to accept strict conditions from the White House for interviews with President Bush and Vice President Dick Cheney and is renewing its request that Mr. Bush's national security adviser testify in public, commission members said Tuesday.

The panel members, interviewed after a private meeting on Tuesday, said the commission had decided for now to reject a White House request that the interview with Mr. Bush be limited to one hour and that the questioners be only the panel's chairman and vice chairman.

The members said the commission had also decided to continue to press the national security adviser, Condoleezza Rice, to reconsider her refusal to testify at a public hearing. Mr. Bush and Mr. Cheney are expected to be asked about how they had reacted to intelligence reports before Sept. 11, 2001, suggesting that Al Qaeda might be planning a large attack. Panel members want to ask Ms. Rice the same questions in public.

"We have held firm in saying that the conditions set by the president and vice president and Dr. Rice are not good enough," said Timothy J. Roemer, a former Indiana congressman who is one of five Democrats on the 10-member commission.

Mr. Roemer said that former President Bill Clinton and former Vice President Al Gore had agreed to meet privately with the full bipartisan commission, and that Samuel R. Berger, Ms. Rice's predecessor, would testify in public.

"It's very important that we treat both the Bush and the Clinton administration the same," he said.

The White House has declined to discuss details of the limitations it has sought on the interviews with Mr. Bush and Mr. Cheney but has said the administration wants to cooperate fully with the commission, known formally as the National Commission on Terrorist Attacks Upon the United States.

A spokesman for the National Security Council, Sean McCormack, said Tuesday that the White House believed it would be inappropriate for Ms. Rice to appear at a pub-

lic hearing as a matter of legal precedent. "White House staff have not testified before legislative bodies," Mr. McCormack said. "This is not a matter of Dr. Rice's preferences."

Even as panel members warned of a possible confrontation with the White House, there was fresh evidence that the commission had averted a showdown on Capitol Hill. Speaker J. Dennis Hastert, Republican of Illinois, said Tuesday that he planned to shepherd a bill granting the panel a 60-day extension for its final report. Mr. Hastert had vowed to block the extension.

Mr. Hastert met Tuesday with the commission's chairman, Thomas H. Kean, a Republican and a former governor of New Jersey, and the vice chairman, Lee H. Hamilton, another former Democratic congressman from Indiana, and said at a news conference later that he would try to secure House approval of the extension, a proposal already accepted in the Senate.

With the extension, the commission would have until July 26 for its final report. The panel had warned that if it was held to its original deadline of May 27, as mandated by Congress, it would be unable to complete a full investigation and would have to curtail public hearings.

Mr. Hastert denied suggestions from Congressional Democrats that he had tried to block the extension as a favor to the White House, given Republican fears that the report might embarrass President Bush during his re-election campaign. Mr. Hastert said he had no direction from the White House.

"I didn't want it to become a political football," Mr. Hastert said of his initial opposition to the extension, adding that he had been chagrined when the White House said in February that it would back the extension.

Referring to the commission, Mr. Hastert said he had changed his mind last week "after it became apparent that they couldn't get their work done."

Commission officials said that if the White House continued to insist on limitations on the interviews with Mr. Bush and Mr. Cheney, there might be little that the panel could do to force the issue and that the commission might have to accept the White House's terms.

And they said that despite internal conversation about the possibility of issuing a subpoena for Ms. Rice's public testimony, that move was unlikely. Ms. Rice provided several hours of private testimony last month and has suggested that she is willing to answer additional questions behind closed doors.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 3752, COMMERCIAL SPACE LAUNCH AMENDMENTS ACT OF 2004

Mr. REYNOLDS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 546 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 546

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. 3752) to promote the development of the emerging commercial human space flight industry, to extend the liability indemnification regime for

the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation, and for other purposes. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII 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 Science. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. No amendment to the bill shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and 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 recommend with or without instructions.

The SPEAKER pro tempore. The gentleman from New York (Mr. REYNOLDS) is recognized for 1 hour.

Mr. REYNOLDS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), 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. REYNOLDS asked and was given permission to revise and extend his remarks.)

Mr. REYNOLDS. Mr. Speaker, House Resolution 546 is a modified open rule that provides for consideration of H.R. 3752, the Commercial Space Launch Amendments Act of 2004. The rule provides 1 hour of general debate and makes in order under the 5-minute rule any amendments preprinted in the CONGRESSIONAL RECORD. The rule also provides one motion to recommit with or without instructions.

Mr. Speaker, recent discoveries in the space program have reinvigorated our Nation's enthusiasm for space travel and discovery and, while in its infancy, commercial human space flight is becoming a new and exciting industry. As this concept continues to mature, there is hope of regular and safe round trips into space for paying customers. Eventually these trips will also serve as an important tool for investigation into commercial remote sensing and microgravity and atmospheric research. Currently there is no clear, defined structure to preside over this emerging new concept. Failing to provide a precise and consistent form of management will negatively affect the industry's ability to plan for its future, compete with international providers and attract financing from investors.

The underlying bill creates a process for all commercial space flight and grants authority over commercial

human space flight to the FAA's Office of the Associate Administrator for Commercial Space Transportation. This will clearly define the structure to allow flights of suborbital rockets carrying human beings. Centrally locating this within the Administrator's office will also expedite the issuance of permits and licenses for commercial space travel. The Administrator will also be charged with drafting a policy for crews relating to training and medical condition prior to space travel.

Mr. Speaker, H.R. 3752 is a non-controversial bill that moved easily through the committee process and is necessary to support this emerging space industry. I urge my colleagues to support this rule and the underlying legislation.

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

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from New York for yielding me the customary 30 minutes and I yield myself such time as I may consume.

Mr. Speaker, I want to recognize Chairman BOEHLERT, Ranking Member GORDON and the entire Science Committee's hard work in crafting this legislation. While I am disappointed that the Committee on Rules did not grant an open rule today, it is refreshing to actually consider a truly bipartisan bill in this body.

Mr. Speaker, H.R. 3752 will promote the development of the emerging commercial human space flight, extend the government indemnification until 2007, and allow the FAA to issue experimental launch permits. Mr. Speaker, the idea of space travel is extremely exciting and it holds a special place in the heart of Massachusetts' Third Congressional District. My hometown of Worcester, Massachusetts, is the birthplace of Dr. Robert Goddard, the father of modern rocketry. At the age of 17, Dr. Goddard had a vision of space travel while in his family's backyard that would remain with him the rest of his life. In his autobiography, Goddard wrote:

"On the afternoon of October 19, 1899, I climbed a tall cherry tree. It was one of the quiet, colorful afternoons of sheer beauty which we have in October in New England, and as I looked towards the fields at the east, I imagined how wonderful it would be to make some device which had even the possibility of ascending to Mars. I was a different boy when I descended from the tree from when I ascended for existence at last seemed very purposive."

Mr. Speaker, in 1926 Dr. Goddard, as Director of the physical laboratories at Clark University, went on to launch the first liquid propellant rocket at Auburn, Massachusetts, which was the catalyst for our modern space industry. Throughout his lifetime, Dr. Goddard was at the forefront of science and space research. As a Professor at Clark University and Princeton University, Dr. Goddard devoted his life to the growth of rockets and his research has

had lasting effects on our space industry.

During World War II, Dr. Goddard was Director of Research for the Navy Department's Bureau of Aeronautics. In that position he developed jet-assisted takeoff and variable-thrust liquid propellant rockets at Annapolis, Maryland and Roswell, New Mexico. Following his service as a researcher to our Nation in World War II, Dr. Goddard served a year as Director of the American Rocket Society before passing away on August 10, 1945 in Baltimore, Maryland.

As is the case with innovation, many people did not see the potential that Dr. Goddard's research would have on future space travel. Indeed, a New York Times editorial in January 1920 stated that Dr. Goddard's assertions of future space travel lacked the knowledge laddled out daily in high schools. Dr. Goddard countered by saying that every vision is a joke until the first man accomplishes it. Once realized, it becomes commonplace. Of course, 49 years later on the eve of man's first walk on the Moon in 1969, the New York Times printed a correction to their editorial by stating that it is now definitely established that a rocket can function in a vacuum as well as in an atmosphere. The Times regrets the error. That was in their editorial.

Since the start of the space program, we have seen Americans walk on the Moon, we have started to construct an international space station, and we currently have unmanned rovers exploring the surface of Mars. And now, with the passage of this legislation, commercial space travel is one step closer to reality.

Mr. Speaker, while I am disappointed that the Committee on Rules would refer a restrictive rule for this bipartisan bill, I keep hoping that one of these days the rhetoric of my friends on the majority side will be actually matched by their actions, but I guess we are going to have to wait for that day. But having said that, I will not oppose the rule and I support the underlying legislation.

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

Mr. REYNOLDS. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on four motions to suspend the rules previously postponed. Votes will be taken in the following order:

- H. Res. 530, by the yeas and nays;
- H.R. 912, by the yeas and nays;
- H.R. 3389, by the yeas and nays;
- H.R. 1417, by the yeas and nays.