

resolution, waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The waiver authorized by this resolution applies to any special rule reported on the legislative day of Friday, October 8, 2004, providing for the consideration or disposition of a conference report to accompany 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.

Mr. Speaker, I would advise my colleagues that adoption of this resolution is made necessary because the work of the conferees has taken longer than anticipated. To that end, I urge my colleagues to support the rule.

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

Mr. FROST. I thank the gentlewoman from North Carolina for yielding me time, and I yield myself such time as may consume.

Mr. Speaker, in our rush to finish our legislative work in Washington and return to our districts before the election, I fear we are jumping the gun by taking up this rule. While I realize that time is running short and that the House is likely to adjourn today or tomorrow, it is premature for the House to consider a martial law rule for a bill that has not even been completed. Why we are passing a rule to expedite passage of a bill for which we do not even have the final language, I cannot understand.

I am fully aware of the importance of sending as many of the 13 appropriations bills as possible to the President before we adjourn. But it is only reasonable to wait to bring up a martial law rule to expedite the consideration of a conference report, that may or may not be ready today, until we actually have that conference report filed and in hand.

However, given the magnitude and importance of this appropriation for military construction funding, I am not going to oppose this rule. I simply think that it would serve regular order to bring it up when we actually have a final conference report to read.

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

Mrs. MYRICK. 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.

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 8 o'clock and 14 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2242

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 10 o'clock and 42 minutes p.m.

AUTHORIZING ILLUMINATION OF GATEWAY ARCH IN HONOR OF BREAST CANCER AWARENESS MONTH

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2895) to authorize the Gateway Arch in St. Louis, Missouri, to be illuminated by pink lights in honor of breast cancer awareness month, 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 Utah?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2895

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

SECTION 1. ILLUMINATION OF GATEWAY ARCH IN HONOR OF BREAST CANCER AWARENESS MONTH.

In honor of breast cancer awareness month, the Secretary of the Interior shall authorize the Gateway Arch in St. Louis, Missouri, to be illuminated by pink lights for a certain period of time in October, to be designated by the Secretary of the Interior.

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.

FORT DONELSON NATIONAL BATTLEFIELD EXPANSION ACT OF 2004

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the Committee on Resources be discharged from further consideration of the Senate bill (S. 524) to expand the boundaries of the Fort Donelson National Battlefield to authorize the acquisition and interpretation of lands associated with the campaign that resulted in the capture of the fort in 1862, 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 Utah?

There was no objection.

The Clerk read the Senate bill as follows:

S. 524

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fort Donelson National Battlefield Expansion Act of 2004".

SEC. 2. FORT DONELSON NATIONAL BATTLEFIELD.

(a) DESIGNATION; PURPOSE.—There exists as a unit of the National Park System the Fort Donelson National Battlefield to commemorate—

(1) the Battle of Fort Donelson in February 1862; and

(2) the campaign conducted by General Ulysses S. Grant and Admiral Andrew H. Foote that resulted in the capture of Fort Donelson by Union forces.

(b) BOUNDARIES.—The boundary of the Fort Donelson National Battlefield is revised to include the site of Fort Donelson and associated land that has been acquired by the Secretary of the Interior for administration by the National Park Service, including Fort Donelson National Cemetery, in Stewart County, Tennessee and the site of Fort Heiman and associated land in Calloway County, Kentucky, as generally depicted on the map entitled "Fort Donelson National Battlefield Boundary Adjustment" numbered 328/80024, and dated September 2003. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(c) EXPANSION OF BOUNDARIES.—The Fort Donelson National Battlefield shall also include any land acquired pursuant to section 3.

SEC. 3. LAND ACQUISITION RELATED TO FORT DONELSON NATIONAL BATTLEFIELD.

(a) ACQUISITION AUTHORITY.—Subject to subsections (b) and (c), the Secretary of the Interior may acquire land, interests in land, and improvements thereon for inclusion in the Fort Donelson National Battlefield. Such land, interests in land, and improvements may be acquired by the Secretary only by purchase from willing sellers with appropriated or donated funds, by donation, or by exchange with willing owners.

(b) LAND ELIGIBLE FOR ACQUISITION.—The Secretary of the Interior may acquire land, interests in land, and improvements thereon under subsection (a)—

(1) within the boundaries of the Fort Donelson National Battlefield described in section 2(b); and

(2) outside such boundaries if the land has been identified by the American Battlefield Protection Program as part of the battlefield associated with Fort Donelson or if the Secretary otherwise determines that acquisition under subsection (a) will protect critical resources associated with the Battle of Fort Donelson in 1862 and the Union campaign that resulted in the capture of Fort Donelson.

(c) BOUNDARY REVISION.—Upon acquisition of land or interests in land described in subsection (b)(2), the Secretary of the Interior shall revise the boundaries of the Fort Donelson National Battlefield to include the acquired property.

(d) LIMITATION ON TOTAL ACREAGE OF PARK.—The total area encompassed by the Fort Donelson National Battlefield may not exceed 2,000 acres.

SEC. 4. ADMINISTRATION OF FORT DONELSON NATIONAL BATTLEFIELD.

The Secretary of the Interior shall administer the Fort Donelson National Battlefield in accordance with this Act and the laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (commonly known as the National Park Service Organic Act; 16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (commonly known as the Historic Sites, Buildings, and Antiquities Act; 16 U.S.C. 461 et seq.).

SEC. 5. RELATION TO LAND BETWEEN THE LAKES NATIONAL RECREATION AREA.

The Secretary of Agriculture and the Secretary of the Interior shall enter into a

memorandum of understanding to facilitate cooperatively protecting and interpreting the remaining vestige of Fort Henry and other remaining Civil War resources in the Land Between the Lakes National Recreation Area affiliated with the Fort Donelson campaign.

SEC. 6. CONFORMING AMENDMENT.

The first section of Public Law 86-738 (16 U.S.C. 428k) is amended by striking "Tennessee" and all that follows through the period at the end and inserting "Tennessee."

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.

STATE JUSTICE INSTITUTE REAUTHORIZATION ACT OF 2004

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2714) to reauthorize the State Justice Institute, with a Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Senate amendment: Page 3, after line 5, insert:

SEC. 4. LAW ENFORCEMENT ARMOR VESTS.

Section 1001(a)(23) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(23)) is amended by striking "2004" and inserting "2007".

Mr. LOBIONDO. Mr. Speaker, I rise today in support of the Bulletproof Vest Partnership Grant Act included in the State Justice Institute Reauthorization Act of 2004. This legislation reauthorizes the Grant program until 2007. The current authorization expired on September 30, 2004. Congress has overwhelmingly approved this program twice, both in the 105th Congress and the 106th Congress. The Bulletproof Vest Partnership Grant program has directly benefited every U.S. state and territory.

A bulletproof vest is one of the most important pieces of equipment an officer can have. Many times the vest can mean the difference between life and death. Every day, law enforcement officers are confronted by violent criminals armed with deadly weapons. While many officers wear vests to protect themselves, an alarming number of officers across the United States are not afforded this same protection because of local budget constraints. The Bulletproof Vest Partnership Grant program has helped state and local law enforcement to purchase vests. These funds have saved countless lives across the nation.

We must protect those who risk their lives every day protecting our communities. This program has provided more than 1 million of these life saving vests since its inception. In 2004 alone, the Bulletproof Vest Partnership Grant program provided \$25 million to state and local law enforcement agencies across America. In turn, this funding helped provide more than 175,000 new bulletproof vests giving vital protection to thousands of law enforcement officer nationwide.

Due to the success of this program, grant applications have steadily increased annually since the program's enactment, yet many municipalities are denied grants due to a lack of funding for the program. This reauthorization will provide an additional three years to work

toward full funding for this program, enabling more law enforcement officers to have access to these lifesaving vests.

Please join me as we work together to save more lives, and give our law enforcement officers the necessary tools they need to help them keep our communities safe.

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

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. CANNON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2714.

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

There was no objection.

□ 2245

PREVENTION OF CHILD ABDUCTION PARTNERSHIP ACT

Mr. CANNON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 2883) to amend the International Child Abduction Remedies Act to limit the tort liability of private entities or organizations that carry out responsibilities of the United States Central Authority under that Act, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore (Mr. SIMPSON). Is there objection to the request of the gentleman from Utah?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 2883

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Prevention of Child Abduction Partnership Act".

SEC. 2. LIMITATION ON LIABILITY.

Section 7 of the International Child Abduction Remedies Act (42 U.S.C. 11606) is amended by adding at the end the following new subsection:

"(f) LIMITED LIABILITY OF PRIVATE ENTITIES ACTING UNDER THE DIRECTION OF THE UNITED STATES CENTRAL AUTHORITY.—

"(1) LIMITATION ON LIABILITY.—Except as provided in paragraphs (2) and (3), a private entity or organization that receives a grant from or enters into a contract or agreement with the United States Central Authority under subsection (e) of this section for purposes of assisting the United States Central Authority in carrying out its responsibilities and functions under the Convention and this Act, including any director, officer, employee, or agent of such entity or organization, shall not be liable in any civil action sounding in tort for damages directly related to the performance of such responsibilities and functions as defined by the regulations

issued under subsection (c) of this section that are in effect on October 1, 2004.

"(2) EXCEPTION FOR INTENTIONAL, RECKLESS, OR OTHER MISCONDUCT.—The limitation on liability under paragraph (1) shall not apply in any action in which the plaintiff proves that the private entity, organization, officer, employee, or agent described in paragraph (1), as the case may be, engaged in intentional misconduct or acted, or failed to act, with actual malice, with reckless disregard to a substantial risk of causing injury without legal justification, or for a purpose unrelated to the performance of responsibilities or functions under this Act.

"(3) EXCEPTION FOR ORDINARY BUSINESS ACTIVITIES.—The limitation on liability under paragraph (1) shall not apply to any alleged act or omission related to an ordinary business activity, such as an activity involving general administration or operations, the use of motor vehicles, or personnel management."

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.

Mr. HYDE. Mr. Speaker, I rise today in support of S. 2883, the Prevention of Child Abduction Partnership Act.

The Hague Convention on the Civil Aspects of International Child Abduction is the diplomatic tool which creates a civil cause of action for the return of an abducted child to his or her habitual residence. Under this international treaty, the U.S. Department of State is the central authority responsible for discharging the duties as outlined by the Convention. For the past 9 years, pursuant to a cooperative agreement between the National Center for Missing and Exploited Children, NCMEC, and the Departments of State and Justice, NCMEC has played a vital role by assisting the Department of State in performing certain obligations under the Convention, thereby helping the United States fulfill its international treaty obligations under the Convention.

In sum, NCMEC helps parents seeking the return of or access to a child in the United States to process an application under the Convention and to pursue remedies as provided by statute. Secretary of State Colin Powell has written to NCMEC that

its expertise and national networks make NCMEC uniquely effective in helping us give force to the Hague Abduction Convention in the United States. NCMEC's credibility and the success of our work together also give us a decided advantage when we press other governments for changes of practice, policy, legislation, and resource allocation to deter international parental child abduction and send abducted children home to the United States.

In May, I introduced H.R. 4347, the International Assistance for Missing and Exploited Children Act of 2004. Among many other important issues, this legislation provides a mechanism for granting NCMEC employees, who are working on Hague Convention cases under the direction of the State Department, the same limited immunity enjoyed by those employed by the Department of State. This legislation is currently being negotiated with the administration and other congressional committees, and I intend to reintroduce it again in the 109th session of Congress. As a product of this negotiation, an agreement has been reached on language which would provide NCMEC with the limited immunity necessary to be able to continue performing its