

forward to 2006 and say that to his staff and to Mr. DAVIS, of course, the best, a happy holiday season, a very special merry Christmas and happy Chanukah and for the kind words mentioned by some of your colleagues.

We live in such a great Nation with a diverse background. We have had many problems through the years, and we still will have problems in the future; but I think that this body shows consistently, and continues to show, respect for that diversity. So I, again, say thank you and ask for Members to support the bill.

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

The SPEAKER pro tempore (Mr. CONAWAY). The question is on the motion offered by the gentleman from Nevada (Mr. PORTER) that the House suspend the rules and agree to the resolution, H. Res. 587.

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.

#### RECOGNIZING COMMODORE JOHN BARRY AS THE FIRST FLAG OFFICER OF THE UNITED STATES NAVY

Mrs. DRAKE. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 38) recognizing Commodore John Barry as the first flag officer of the United States Navy.

The Clerk read as follows:

H.J. RES. 38

Whereas John Barry, American merchant marine captain and native of County Wexford, Ireland, volunteered his services to the Continental Navy during the American War for Independence and was assigned by the Continental Congress as captain of the Lexington, taking command of that vessel on March 14, 1776, and later participating in the victorious Trenton campaign;

Whereas the quality and effectiveness of Captain John Barry's service to the American war effort was recognized not only by George Washington but also by the enemies of the new Nation;

Whereas Captain John Barry rejected British General Lord Howe's flattering offer to desert Washington and the patriot cause, stating: "Not the value and command of the whole British fleet can lure me from the cause of my country.";

Whereas Captain John Barry, while in command of the frigate Alliance, successfully transported French gold to America to help finance the American War for Independence and also won numerous victories at sea;

Whereas when the First Congress, acting under the new Constitution of the United States, authorized the raising and construction of the United States Navy, it was to Captain John Barry that President George Washington turned to build and lead the new Nation's infant Navy, the successor to the Continental Navy of the War for Independence;

Whereas Captain John Barry supervised the building of his flagship, the U.S.S. United States;

Whereas on February 22, 1797, President Washington personally conferred upon Captain John Barry, by and with the advice and

consent of the Senate, the rank of Captain, with "Commission No. 1", United States Navy, dated June 7, 1794;

Whereas John Barry served as the senior officer of the United States Navy, with the title of "Commodore" (in official correspondence), under Presidents Washington, John Adams, and Jefferson;

Whereas as commander of the first United States naval squadron under the Constitution of the United States, which included the U.S.S. Constitution ("Old Ironsides"), John Barry was a Commodore, with the right to fly a broad pendant, which made him a flag officer; and

Whereas in this sense it can be said that Commodore John Barry was the first flag officer of the United States Navy: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Commodore John Barry is recognized, and is hereby honored, as the first flag officer of the United States Navy.*

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. DRAKE) and the gentleman from North Carolina (Mr. BUTTERFIELD) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia.

#### GENERAL LEAVE

Mrs. DRAKE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.J. Res. 38, the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

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

Mr. Speaker, I rise in support of H.J. Res. 38. This resolution recognizes Commodore John Barry as the first flag officer of the United States Navy. Born in 1745, John Barry came to America as a young seaman and became a great American patriot and warrior during the Revolutionary War.

John Barry's contributions during the Revolutionary War were unparalleled. He was the first captain to capture a British vessel on the high seas; and while waiting for a warship to be built, he also fought on the land with a company of marines at the Battles of Trenton and Princeton.

When he assumed command of his favorite ship, the frigate Alliance, he captured two British ships after being severely wounded during a ferocious sea battle. In all, he captured over 20 ships and fought the last sea battle of the war at the helm of the frigate Alliance in 1783.

After the war, he was appointed the head of the United States Navy by President George Washington. He was so highly regarded that his contemporaries labeled him the Father of the American Navy.

Today, with this resolution, we honor Commodore John Barry as the first Navy officer authorized to fly his own pennant.

Mr. Speaker, I particularly want to thank my House colleague, the gentleman from New York (Mr. KING), for introducing this resolution. I urge my colleagues to support it.

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

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

Mr. Speaker, I, too, rise in support of H.J. Res. 38, honoring Commodore John Barry as the first flag officer of the United States Navy. I want to recognize and thank the gentlewoman from Virginia (Mrs. DRAKE), my friend, for her support of this resolution now before the House.

Mr. Speaker, H.J. Res. 38 is a tribute to a man recognized as the Father of the American Navy. Unfortunately, I suspect most Americans today probably do not remember Commodore Barry, let alone his gallant and heroic actions during the American Revolution.

John Barry was born in Wexford, Ireland, in 1745. A son of a poor Irish farmer, young John followed his uncle, Nicholas Barry, to sea, starting out as a ship's cabin boy and ultimately becoming the senior commander of the entire United States fleet.

In 1766, Barry had his first command aboard the schooner Barbadoes, which sailed out of his home port of Philadelphia. Philadelphia became home to John Barry, not only because it was an emerging maritime trade center but because it was also an environment which promoted religious freedom.

Upon his return from a trade voyage to England, John Barry found that the Colonies and Great Britain were at war. As the war for independence began, Barry was given the responsibility for ensuring that all the Continental Navy ships sailing from Philadelphia were outfitted and provisioned appropriately.

For his exemplary service to our young Nation, John Barry was awarded a captain's commission in the Continental Navy on March 14, 1776. With his commission came command of a new 14-gun ship named the Lexington. On April 7, 1776, Captain Barry captured the British ship Edward. It was the first capture of a British warship by a regularly commissioned American cruiser.

In 1777, Mr. Speaker, the British assaulted Philadelphia, and Captain Barry was forced to scuttle his new ship, the Effingham. While the Effingham was under construction, Barry volunteered his service to the Continental Army and served with a company of marines under the command of General John Cadwalader. He fought at the Battles of Trenton and Princeton, but by March 1778, Barry was back on the sea.

His heroic deeds during the American Revolution were remarkable. He is credited with the capture of over 200 British ships. He was known to have

quelled three mutinies, and he authored a signal book that was used to communicate between ships.

On February 22, 1797, President George Washington conferred the first naval commission in the United States Navy on John Barry and gave him the rank of captain.

Captain Barry served as commodore of the U.S. Navy under three Presidents: Washington, Adams, and Jefferson. As commander of the first naval squadron, Commodore Barry was entitled to fly a pendant, which made him, in essence, the Nation's first naval flag officer.

Commodore Barry's last day on active duty was March 6, 1801, but he continued to remain the head of the Navy until his death on September 12, 1803.

This resolution, Mr. Speaker, is an effort to honor Commodore John Barry for his outstanding contributions to the Continental Navy and for his extraordinary accomplishments as the Nation's first flag officer of the United States Navy.

Mr. Speaker, I again thank the gentlewoman from Virginia (Mrs. DRAKE) for her support of this resolution. I want to thank my colleagues and urge support for this resolution.

Mr. KING of New York. Mr. Speaker, today I rise in support of H.J. Res. 38, a resolution which honors and recognizes Commodore John Barry as the first flag officer of the United States Navy.

An American merchant marine captain and native of County Wexford, Ireland, John Barry volunteered for the Continental Navy during the American Revolution. During his 17 years of service, Commodore Barry's naval expertise was instrumental in defeating the British as well as building and leading our new Nation's infant Navy. In addition, he commanded the first U.S. Naval squadron, served as the senior officer in the U.S. Navy (the equivalent of the current position of Chief of Naval Operations) under Presidents George Washington, John Adams, and Thomas Jefferson, and supervised the construction of the USS *United States*.

Throughout his career, from taking command of the *Lexington* to participating in the victorious Trenton and Princeton campaigns, Barry's contributions to the American war effort were monumental. Dubbed the "Father of the American Navy," Commodore Barry continued his service to our country by supervising the construction of the first Naval frigates and urging the creation of the Department of the Navy.

I urge the House of Representatives to pass H. J. Res. 38 and recognize Commodore John Barry as the first flag officer of the United States Navy.

Mr. BUTTERFIELD. Mr. Speaker, if I have no more speakers, and I do not think that I do at this time, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Virginia (Mrs. DRAKE) that the House suspend the rules and pass the joint resolution, H.J. Res. 38.

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

A motion to reconsider was laid on the table.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 327. An act to allow binding arbitration clauses to be included in all contracts affecting land within the Gila River Indian Community Reservation.

The message also announced that the Senate has passed a bill of the following title in which concurrence of the House is requested:

S. 449. An act to facilitate shareholder consideration of proposals to make Settlement Common Stock under the Alaska Native Claims Settlement Act available to missed enrollees, eligible elders, and eligible persons born after December 18, 1971, and for other purposes.

#### CONGRESSIONAL AWARD ACT REAUTHORIZATION

Ms. FOXX. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 335) to reauthorize the Congressional Award Act.

The Clerk read as follows:

S. 335

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

#### SECTION 1. REAUTHORIZATION OF THE CONGRESSIONAL AWARD ACT.

(a) EXTENSION OF REQUIREMENTS REGARDING FINANCIAL OPERATIONS OF CONGRESSIONAL AWARD PROGRAM; NONCOMPLIANCE WITH REQUIREMENTS.—Section 104(c)(2)(A) of the Congressional Award Act (2 U.S.C. 804(c)(2)(A)) is amended by striking "and 2004" and inserting "2004, 2005, 2006, 2007, 2008, and 2009".

(b) TERMINATION.—

(1) IN GENERAL.—Section 108 of the Congressional Award Act (2 U.S.C. 808) is amended by striking "October 1, 2004" and inserting "October 1, 2009".

(2) SAVINGS PROVISION.—During the period of October 1, 2004, through the date of the enactment of this section, all actions and functions of the Congressional Award Board under the Congressional Award Act (2 U.S.C. 801 et seq.) shall have the same effect as though no lapse or termination of the Board ever occurred.

(c) TECHNICAL AMENDMENTS.—The Congressional Award Act is amended—

(1) in section 103 (2 U.S.C. 803)—

(A) in subsection (a)(1) (B) and (C), by striking "a local" and inserting "a local"; and

(B) in subsection (b)(3)(B), by striking "section" each place it appears and inserting "subsection"; and

(2) in section 104(c)(2)(A) (2 U.S.C. 804(c)(2)(A)), by inserting a comma after "1993".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from North Carolina (Ms. FOXX) and the gentleman from New Jersey (Mr. HOLT) each will control 20 minutes.

The Chair recognizes the gentlewoman from North Carolina.

#### GENERAL LEAVE

Ms. FOXX. 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 S. 335.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from North Carolina?

There was no objection.

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

Today, the House considers S. 335, a bill which would reauthorize the Congressional Award Act. The Congressional Award program was established by PL 96-114 in 1979 to promote initiative, achievement, and excellence among youths aged 14 to 23. Award recipients complete a self-designed program of challenging, but achievable, goals in four program areas: voluntary service, personal development, physical fitness, and expedition/exploration.

Program participants can work toward a Congressional Award certificate or medal. In either category, there are three achievement levels: gold, silver, and bronze. Minimum requirements must be met regarding the number of hours devoted to each of the four program areas, total hours worked toward the award, and the duration of the participant's efforts.

Senators and Representatives present the awards at local, city, or State ceremonies. It was my great pleasure to make a presentation of the silver award recently in my district to Cameron Harris. Cameron exemplifies all the positive aspects of the Congressional Award. Making that presentation was one of the highlights of my first year in Congress.

Gold medal recipients are recognized each year at the Congressional Award Gold Ceremony at the U.S. Capitol, and I look forward to making a presentation in the near future to Cameron.

In 2000, the Congressional Award Act was amended by PL 106-533 to establish a congressional recognition for excellence in arts education. This act established a nine-member congressional board to recognize schools that promote excellence in arts education.

The Congressional Award program is administered by the Congressional Award Board, which is a nonprofit 503(c)(3) private-public partnership that is statutorily prohibited from receiving Federal funds. In lieu of Federal funding, the board is supported by charitable contributions and is authorized to receive in-kind services from the Federal Government, including free office space and an annual audit by the General Accountability Office, GAO.

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S. 335 maintains current law by continuing the prohibition on Federal funding and provides a straight reauthorization that extends current law in-kind services for another 5 years.

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

Mr. HOLT. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of S. 335, the bill to reauthorize the Congressional Award Act, and I am proud to be an original cosponsor of the House companion bill.

This public-private partnership gives the opportunity to young people to set and achieve personally challenging goals that build character and foster