

money that can bring down an entire economy.

So I say to my friend from California and other Members that think there is no need to do something, we are going to be faced with a dilemma and we had better start facing it. Do we want to cut benefits by one-third? I doubt it. But that is what we will have to do if we are going to keep the system going as a pay-as-you-go system.

Do we want to increase payroll taxes by 50 percent? I am sure we do not. But that is what we are going to have to do if you are going to maintain benefits and keep it as a pay-as-you-go system.

Or do we want to rack up a deficit of \$25 trillion over the next 75 years? I am not making these figures up. I do not come to this floor unprepared with these figures. It is a question of what the administration has said through the Social Security System, now through a Democrat and a Republican administration.

So I think it is time that we quit the talk about privatization, quit the talk about raiding the trust fund, all of these sorts of things. It is pure nonsense, because we do not raid the trust fund, because there is no money in the trust fund. There are only Treasury Bills, and you cannot raid the Treasury Bills.

I would also say that over the years when the Democrats controlled this House and the Senate and spending was very much in the red, that the Democrats did not raid the Social Security trust fund, because the system just does not work that way. But those are great words to really worry our seniors.

The seniors of this country have paid into a Social Security system as they know it today, and this Congress or no Congress should touch it. We should maintain the system and the integrity of the system as exactly what they have paid into.

However, it is time for us to begin to think ahead. If we do not want to raise payroll taxes, if we do not want to cut benefits, then we had better start planning ahead for the next generation, instead of just the next election. All we have heard about from the other side is the next election. Let us be responsible legislators and get together and save Social Security. Let us be concerned about our grandkids and our kids.

This is tremendously important. I think about every one of my 13 grandkids every time I think about where are we going to leave this country and this great retirement system. These little bitty kids are going to be seniors some day; they are going to be facing the possibility of poverty. They are going to pay into a Social Security system all of their working years.

They deserve better, Mr. Speaker. They deserve a responsible Congress that will go ahead and put all this rhetoric aside and reform Social Security. Unfortunately, I do not think we are going to see that until after this election, because there are some in this

House that would rather have the issue that might change the majority of this House rather than saving Social Security for their kids. That is a sad commentary, Mr. Speaker.

With that, I would like to end on a positive note and urge that all of the Members of this body vote "yes" on H.R. 4069 which is before this House.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD). The Chair would remind all Members that it is not in order to cast reflections on the Senate.

Ms. DELAURO. Mr. Speaker, I rise in support of this legislation, but it is with my extreme disappointment.

Mr. Speaker, five million widows currently experience a drastic reduction of benefits of up to 50 percent after their spouse dies. The poverty rate remains a staggering 15 percent for widows. That is simply wrong. America's seniors should not have to be confronted with a dramatic reduction in their Social Security income at the same time their beloved spouse dies. It should not happen.

That is why we should be debating legislation today that would guarantee Social Security benefits for elderly widows. But we are not.

Instead, we are debating a totally inadequate Republican proposal that would cover only 125,000 widows. The Republicans would leave over four million widows—four out of ten of whom depend on Social Security for 90 percent of their income—with severely cut benefits.

But it is a small step in the right direction. Covering 125,000 widows is better than covering none, which is our only other alternative and which is why I will support this weak bill. But let's not fool ourselves into thinking it is enough. We could do more. Democrats want to do more.

Our substitute, which was not allowed to be considered today, would have helped approximately 4.5 million elderly people—one million of whom now live below the poverty level. It would have addressed this problem in a meaningful way that helps our seniors out of poverty.

Instead, the Republicans are trying to fool the electorate into think they care about this issue by offering something, anything. The fact is that the Republicans find no problem with denying over four million widows Social Security benefits while they look forward to spending \$8 trillion to privatize the system.

Mr. Speaker, we should be doing more.

Mrs. MALONEY of New York. Mr. Speaker, I rise in support of the legislation we are considering today, H.R. 4069, the Social Security Benefit Enhancements for Women Act of 2002.

This bill makes a modest attempt to address current deficiencies in the manner that Social Security compensates some widows.

The fact is that women are more likely than men to be dependent on Social Security for their retirement. Because of the kind of jobs they are more likely to hold, the responsibilities that they face with children and the work interruptions that result from family commitments, women tend to have lower earnings than men, are less likely to have pensions and therefore are more reliant upon Social Security for their retirement.

The bill we are considering today rectifies a few inequities in the system that are faced by certain widows whose benefits are unfairly reduced by the rigidity of the system. However, if the Majority wants to truly begin to address the failings in the system for widows we should be considering Representative MATSUI's more comprehensive legislation today—H.R. 4671, the Social Security Widow's Benefit Guarantee Act.

Representative MATSUI's bill, which I proudly cosponsored, would go much further than the bill on the floor and grant real retirement security for poor seniors by guaranteeing widows a benefit equal to 75 percent of the combined benefits the couple had been receiving prior to the death of the spouse.

Guaranteeing a livable retirement benefit for widows is critical because they tend to be overwhelmingly dependent on Social Security.

As a group, 75 percent of elderly non-married women, including widows, rely on Social Security for half of their income.

In the short-term these women deserve the guarantee Mr. MATSUI's bill would provide. In the long-term, we need to make sure benefits are available as promised and not risk the future of the system by privatizing it.

The question is on the motion offered by the gentleman from Florida (Mr. SHAW) that the House suspend the rules and pass the bill, H.R. 4069, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SHAW. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### PROHIBITING MEMBERS OF ARMED FORCES IN SAUDI ARABIA FROM BEING REQUIRED OR COMPELLED TO WEAR THE ABAYA GARMENT

Mr. RYUN of Kansas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4714) to prohibit members of the Armed Forces in Saudi Arabia from being required or formally or informally compelled to wear the abaya garment, and for other purposes.

The Clerk read as follows:

H.R. 4714

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

#### SECTION 1. WEAR OF ABAYAS BY MEMBERS OF THE ARMED FORCES IN SAUDI ARABIA.

(a) PROHIBITION RELATING TO WEAR OF ABAYAS.—A member of the Armed Forces may not be required or formally or informally compelled to wear the abaya garment or any part of the abaya garment while in the Kingdom of Saudi Arabia pursuant to a permanent change of station or orders for temporary duty.

(b) INSTRUCTION.—(1) The Secretary of Defense shall provide each member of the Armed Forces ordered to a permanent

change of station or temporary duty in the Kingdom of Saudi Arabia with instructions regarding the prohibition in subsection (a). Such instructions shall be provided to a member within 10 days before the date of a member's arrival at a United States military installation within the Kingdom of Saudi Arabia or immediately upon such arrival. The instructions shall be presented orally and in writing. The written instruction shall include the full text of this section.

(2) In carrying out paragraph (1), the Secretary shall act through the Commander in Chief, United States Central Command and Joint Task Force Southwest Asia, and the commanders of the Army, Navy, Air Force, and Marine Corps components of the United States Central Command and Joint Task Force Southwest Asia.

(c) PROHIBITION ON USE OF FUNDS FOR PROCUREMENT OF ABAYAS.—Funds appropriated or otherwise made available to the Department of Defense may not be used to procure abayas for regular or routine issuance to members of the Armed Forces serving in the Kingdom of Saudi Arabia or for any personnel of contractors accompanying the Armed Forces in the Kingdom of Saudi Arabia in the performance of contracts entered into with such contractors by the United States.

(d) COMMANDER AUTHORITY.—Notwithstanding subsection (a), the commander of the United States Central Command may require the wear of the abaya garment in specific circumstances that, in the opinion of the commander, constitute an operational requirement essential for the conduct of the military mission.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kansas (Mr. RYUN) and the gentleman from Rhode Island (Mr. LANGEVIN) each will control 20 minutes.

The Chair recognizes the gentleman from Kansas (Mr. RYUN).

#### GENERAL LEAVE

Mr. RYUN of Kansas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4714.

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

There was no objection.

Mr. RYUN of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise to speak to the bill offered by the gentleman from Indiana (Mr. HOSTETTLER) and the gentleman from Rhode Island (Mr. LANGEVIN).

Mr. Speaker, this legislation establishes certain requirements relating to the wear of the abaya garment by Members of the U.S. Armed Forces in the Kingdom of Saudi Arabia. This bill represents a compromise bill on an amendment proposed during the markup of H.R. 4546, the Bob Stump National Defense Authorization Act for Fiscal Year 2003.

Mr. Speaker, I think many Members feel the wearing of the abaya uniform by female service members should be entirely voluntary. I agree with that particular view. The pending legislation provides for such voluntary wear, except under specific circumstances that the Commander of the United

States Central Command may designate when the CINC determines that mandatory wear constitutes an operational requirement essential for the conduct of the military mission.

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

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

Mr. Speaker, before I explain the bill the gentleman from Indiana (Mr. HOSTETTLER) and I wrote together and introduced today, I would like to thank the Members who made this possible.

From the moment I introduced language that prohibited the requiring or strongly encouraging our military women to wear abayas, both the gentleman from Indiana (Mr. HOSTETTLER) and the gentlewoman from New Mexico (Mrs. WILSON) were by my side. As we negotiated with the committee, maneuvered through the Committee on Rules, floor consideration and final passage of the National Defense Authorization Act, the three of us illustrated the power of bipartisanship and determination. I am truly honored to have worked with such knowledgeable and dedicated Members of this body.

Mr. Speaker, I also want to thank the gentleman from New York (Chairman MCHUGH) of the Subcommittee on Military Personnel and the members of the Committee on Armed Services for their understanding and willingness to work with us to include this language in the defense bill. To clarify for the CONGRESSIONAL RECORD, it is the intent of the House that this language be included in the final defense bill that is passed by both Chambers and enacted into law.

Mr. Speaker, one last thank you before I highlight the importance of this legislation, and that is my constituent, Lt. Colonel Martha McSally. Many of you know her as the first female fighter pilot to fly in combat, as well as leader in the effort to change the military's policy of requiring military servicewomen in Saudi Arabia to wear abayas. For 7 years this battle was fought. She is a remarkable person, whose patriotism is undeniable, integrity unquestionable, and determination to do what is right unparalleled. I am deeply honored to sponsor this legislation today to help Lt. Colonel McSally end this battle once and for all.

My colleagues have heard me say it numerous times before: women make first-class soldiers and should not be treated like second-class citizens. This bill we consider today will prohibit the military from requiring or formally or informally compelling servicewomen in Saudi Arabia to wear abayas and would block the military from making regular procurements of abayas.

This sends a very strong message. It says Congress will no longer tolerate forcing our dedicated military servicewomen who are on the front lines risking their lives, protecting and fighting for freedom and democracy and to defend Saudi Arabia itself to wear a religious garment of faith most of them do not follow.

As you can see from this picture, the abaya and head scarf cover the entire body from head to toe. Our female servicewomen stationed in Saudi Arabia are wearing this and having the most radical of Islamic beliefs imposed upon them, even though the Department of State does not require or encourage any of its employees to wear the abaya. It does not require its employees to wear abayas while on duty precisely because they are representing the United States of America. Not even the spouses and dependents of the State Department staff wear the abaya, nor did Mrs. Cheney or former Secretary of State Madeleine Albright during their visits to Saudi Arabia.

The Government of Saudi Arabia itself does not require non-Muslim women to wear abayas. My colleagues may be interested to know that even General Schwarzkopf did not issue any mandate requiring the servicewomen to wear abayas during the Gulf War. Male servicemembers are not required to wear the abaya, grow beards or embrace any Islamic religious beliefs in this way, so neither should women. Forcing our female service troops to wear the abaya has a negative impact on our recruitment and diminishes morale, unit cohesion and the chain of command headed by female servicemembers. Most of all, this practice is completely unnecessary.

Mr. Speaker, this is about leadership. This is about sending a message to the world that America treats its citizens equally. And this message comes from the top. On November 17 of last year, President Bush launched a worldwide effort to focus on the brutality against women and children by the al Qaeda terrorist network and the Taliban. Under this regime, women were denied access to doctors and education and could not work outside the home or even leave the home by themselves.

This severe repression of women under the guise of religion masked an insidious discrimination that neither America nor many Muslims condone. In fact, most of the Islamic world recognizes women make important contributions to their societies. That is why America must affirmatively reject subjecting our military servicewomen to this discrimination and that is why I have fought to bring this bill to the floor today.

I urge my colleagues to join me, the gentleman from Indiana (Mr. HOSTETTLER), and the gentlewoman from New Mexico (Mrs. WILSON) in passing this legislation and ending the demeaning practice of making only American servicewomen wear the abaya.

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

Mr. RYUN of Kansas. Mr. Speaker, it is my pleasure to yield 5 minutes to the gentleman from Indiana (Mr. HOSTETTLER).

(Mr. HOSTETTLER asked and was given permission to revise and extend his remarks.)

Mr. HOSTETTLER. Mr. Speaker, I thank the gentleman from Kansas for yielding me time.

Mr. Speaker, I am proud to join the gentleman from Rhode Island (Mr. LANGEVIN) and the gentlewoman from New Mexico (Mrs. WILSON) in sponsoring H.R. 4714, a bill to prohibit members of the Armed Forces in Saudi Arabia from being required or formally or informally compelled to wear the abaya garment.

Present DOD policy of "strongly encouraging" our female military personnel to wear the abaya sure sounds like an order to me. Christians like Lt. Colonel Martha McSally should not be forced to wear a Muslim outfit, especially when off duty and on their own time.

I am puzzled by the fact that our female military personnel are treated like second-class citizens while stationed on soil they are defending from Iraqi aggression. As a matter of fact, the State Department does not require its female embassy employees to wear the abaya in Saudi Arabia. When Second Lady Lynne Cheney accompanied Vice President DICK CHENEY on his recent visit to Saudi Arabia, she did not wear an abaya; she wore a business suit.

It gets better. The Government of Saudi Arabia, according to their officials in the D.C. embassy, does not require foreigners to wear the abaya.

Forcing our female troops to wear the abaya in the past and now today strongly encouraging them to do so has a negative impact on our recruitment and retention of highly qualified military personnel.

How many well-trained, well-qualified military personnel have separated from the military to avoid wearing the abaya in Saudi Arabia? How many have not decided to enlist in our U.S. military in the first place to avoid ever being forced to wear the abaya?

The argument that women should wear the abaya for force protection begs the question what are we doing in any country if the best force protection measure is wearing an abaya?

Likewise, I believe Lt. Colonel McSally was right when she said, "When you separate your troops into two groups and then impose the values of the host nation on one of them, to me that is abandoning your American values."

This important legislation informs our allies that while our presence in their country is advantageous to their security, we are there not to defend their values, but the values of Americans. Some of those are women who have volunteered to put their lives on the line for our liberties.

The time is now for the Congress to take control of this issue, given our responsibilities under Article I, section 8 of our Constitution; and H.R. 4714 does just that. I should not have to remind anyone in this Congress about the plaque that hangs in the House Committee on Armed Services room which

reminds us, all of us, including officials from the Department of Defense, that according to our Founding Fathers, "The Congress shall have power to make rules for the government and regulation of the land and naval forces."

□ 1715

In conclusion, Mr. Speaker, I would like to take this opportunity to commend Lieutenant Colonel Martha McSally for her courage in bringing this issue to the public's attention. For 6 years, she quietly tried to persuade the Pentagon to modify its policy with no success. She even discussed the issue with then Defense Secretary William Perry in 1995. In 2000, she lobbied then Secretary of the Air Force, Whit Peters. Moreover, she has written memos and met with top generals in the Air Force and still got nowhere.

It was not until she was questioned by a reporter for USA Today in April 2001 that she talked publicly about this policy, and I am glad she did. Otherwise, the Congress would probably still be in the dark about this religious liberty and quality of life issue for our female military personnel.

Mr. Speaker, I hope we take action to remedy this injustice now. I urge all of my colleagues to support H.R. 4714.

Mr. LANGEVIN. Mr. Speaker, I yield 1 minute to the gentleman from Missouri (Mr. SKELTON), our esteemed ranking member of the Committee on Armed Services.

Mr. SKELTON. Mr. Speaker, first let me say I appreciate and applaud the persistence of the gentleman from Rhode Island (Mr. LANGEVIN) in behalf of this legislation. It is the right thing to do. I appreciate the work of the gentleman from Indiana (Mr. HOSTETTLER) and the gentlewoman from New Mexico (Mrs. WILSON) on this issue.

There was a phrase that the gentleman from Indiana (Mr. HOSTETTLER) used that is part of our Constitution. Mr. Speaker, the United States Constitution requires the Congress to raise and maintain the military and also to establish the rules and regulations thereof. Through my years in Congress, I have had the opportunity to do both and particularly, in writing rules and regulations insofar as military education is concerned and insofar as the structure of the military is concerned, which resulted in what we now call Goldwater-Nickles.

Mr. Speaker, this is the right thing to do. The Americans are in Saudi Arabia, have been in Saudi Arabia, were there to make sure that Saddam Hussein's troops did not come down south and into that country. They are there for the protection of that country. This is a very appropriate thing to do, to not make the American women of the military abide by anything but the American rules.

Mr. RYUN of Kansas. Mr. Speaker, I yield 5 minutes to the gentlewoman from New Mexico (Mrs. WILSON), a member of the Committee on Armed Services.

(Mrs. WILSON of New Mexico asked and was given permission to revise and extend her remarks.)

Mrs. WILSON of New Mexico. Mr. Speaker, I want to commend the gentleman from Rhode Island (Mr. LANGEVIN) and the gentleman from Indiana (Mr. HOSTETTLER) for their leadership and their perseverance on this issue. This is a provision that probably should have been included in this year's defense authorization bill and may ultimately get rolled into that bill in conference, but without their perseverance we would not have been able to bring this bill to the floor of the House today.

It is my hope that the House tonight will send a very clear message to the Department of Defense that its policy on the wearing of the abaya, first making it mandatory and then strongly encouraging women service members in Saudi Arabia to wear the abaya, is completely unacceptable to this House and to the American people.

This bill, when passed, and I believe it will be passed and included in the defense authorization bill, or a stand-alone bill will pass the Senate, will end the DOD policy that affects American servicewomen serving in Saudi Arabia.

The sad thing is that this bill is needed at all. This policy should never have been put in place in the first place. When it was put in place and brought to the attention of senior commanders at the Pentagon, it should have been immediately repealed as transparently unconstitutional. Yet, it requires action by the United States House of Representatives in order to send a clear message to the Department of Defense that if they do not get it, we do, and they have to change this policy.

The Department of Defense changed its policy slightly by changing it from being mandatory to strongly encouraging American servicewomen to wear the abaya when off duty and off post in Saudi Arabia. Maybe that was clever from a public relations point of view, but for those of us who have served in the military, and I have, we know that "strongly encouraged" is not optional. When a senior officer tells a young service member that they are strongly encouraged to wear an abaya, that is about as close to an order as one can get. In fact, if one values one's military career, one will do it. If one values just one's freedom from hassles, from being labeled as a troublemaker or not a team player, it means one will do it, because it really means that one has to, because the commander says they are strongly recommending it. And they say that with a kind of tone in their voice that means, you do it or else.

It is those kinds of policies that we do not need in the United States military, and I think this goes beyond the issues of class, beyond issues of respect for women in positions of command. I believe that this is a first amendment issue.

The abaya is traditional Muslim garb. It is as inappropriate for the Department of Defense to order servicewomen to wear traditional Muslim garb, most of whom are Christians or Jewish who do not share the faith of women who choose to wear that dress, it is as inappropriate to do that as it is to tell servicemen serving in Israel that they must wear a yarmulke when they go to the Western Wall. Now, most servicemen would do so out of respect for the traditions of the country in which they are a resident. But it is inappropriate for the Department of Defense to force service members to wear religious clothing, pure and simple, and it is likewise inappropriate to strongly encourage that they do so.

This legislation is very clear in its language. It prohibits formally or informally compelling service members to wear the abaya. That covers all of the synonyms for "strongly encouraged" so that they could not just change it to "strongly recommend" or "highly recommend." They are prohibited from informally or formally compelling them. There is only one exception, and that exception is force protection. This House has rejected the DOD's spurious arguments about force protection, and that is exactly what they are.

The only exception is very narrowly crafted, and that is if it is essential to the conduct of the military mission and, in sitting on this floor with my colleagues and talking about what that might mean, if there was a serious civil unrest in Saudi Arabia and we had soldiers who are downtown in a building and we needed to extract them without local people knowing who they were, or for some reason for a special forces operation or to move people around, we may need to hide who our people really are. Those are the essential kinds of things that might justify such an order. Nothing else does.

I commend the gentleman from Rhode Island and the gentleman from Indiana for their leadership. This House will make a statement tonight that we will not tolerate this kind of policy from the Department of Defense, and we are strong enough and united enough to stand up for them.

Mr. LANGEVIN. Mr. Speaker, I yield 5 minutes to the gentlewoman from New York (Mrs. MALONEY).

(Mrs. MALONEY of New York asked and was given permission to revise and extend her remarks.)

Mrs. MALONEY of New York. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank him for his leadership on this important issue, and the gentlewoman from New Mexico also, who served in the military and who brings a great deal of knowledge and understanding to this issue. I thank her for her very impassioned statement before Congress today.

Our country is at war. Our troops overseas are risking their lives to protect our lives and our rights as United States citizens. Unfortunately, in

Saudi Arabia we have seen servicewomen who have lost their rights to wear their military-issued uniforms as they are protecting our rights. Instead, while fighting to protect our freedom and democracy, these women are being encouraged and sometimes required to wear an abaya. For those of us who are not familiar with it, it is a long black robe that covers a woman from head to toe.

Requiring women to wear this garment discriminates against them and violates their religious freedom by forcing them to adopt another faith's garb. It does not increase the safety and security of U.S. interests. Instead, it works against them. By discriminating against women in the military, we undermine the authority of officers stationed in Saudi Arabia and diminish morale among servicewomen.

Last December, Lieutenant Colonel Martha McSally, the highest ranking female fighter pilot in the Air Force, brought a lawsuit against the military for its practice of requiring servicewomen stationed in Saudi Arabia to wear this black garment, ride in the back seat of cars, and be accompanied by a man when off base. In response to her courageous suit, I sent a letter to Secretary Rumsfeld, along with 18 other Members of Congress, urging him to revoke this discriminatory policy against women serving in Saudi Arabia.

Mr. Speaker, I will include for the RECORD the referenced letter.

Mr. Speaker, let me be clear. The Government of Saudi Arabia does not require non-Muslim women to wear abayas and the State Department does not require them or even encourage any of its employees to wear this garment. Our Armed Forces should show the same amount of respect for its employees.

The bottom line is that our servicewomen are fulfilling a very difficult job in Saudi Arabia, and they deserve to be treated with respect. They must not be forced into a subservient position.

Mr. Speaker, U.S. servicewomen are valued, respected, capable members of our Armed Forces. It is the duty of the United States Government and its military to demonstrate to other nations how much we value our servicewomen serving overseas.

The United States must set a standard for equality around the world and stop this discriminatory treatment against American servicewomen.

I congratulate my colleagues on the committee for putting forward this bill. I support it strongly. It is an important statement in support of our women serving overseas in Saudi Arabia and other countries.

U.S. CONGRESS,

Washington, DC, Dec. 17, 2001.

HON. DONALD RUMSFELD,  
Office of the Secretary, Pentagon, Washington,  
DC.

DEAR SECRETARY RUMSFELD: We are very troubled to learn that American servicewomen stationed in Saudi Arabia are required to wear abayas and ride in the back

seat of cars when off base, and that they cannot go off base unless accompanied by a man. We are conscious of the need to maintain good relations with Saudi Arabia, particularly during this time of war; however, we understand that servicewomen are the only federal employees stationed in Saudi Arabia who are obliged to follow these rules.

Our servicewomen are fulfilling a very difficult job in Saudi Arabia, and they deserve to be treated with respect. By requiring servicewomen to adopt a subservient position, the military is sending the very clear signal that they are not deserving of equal respect. This has a particularly significant impact on officers, who are being asked to be subservient to men under their command. It is very difficult for these officers to maintain the same degree of authority if they must adopt a submissive role off base.

We urge you to revoke this policy and to treat servicewomen with the same dignity afforded other federal employees in Saudi Arabia.

Sincerely,

Carolyn B. Maloney; Betty McCollum; Janice Schakowsky; Lloyd Doggett; James P. McGovern; Nita Lowey; Peter DeFazio; Martin Frost; James Leach; Barbara Lee; Diane Watson; Lucille Roybal-Allard; Ellen Tauscher; Jim McDermott; Elijah Cummings; Julia Carson; George Miller; Neil Abercrombie; Diana DeGette.

Mr. RYUN of Kansas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a result of the concerted efforts of several members of the Committee on Armed Services, this bill expresses the views of many Members of Congress regarding the wearing of the abaya by our military personnel serving in the Kingdom of Saudi Arabia. Moreover, it affords the commanders the latitude necessary to educate service members about the threats and allows such force protection measures as may be dictated by a unit's mission and location. I urge my colleagues to support this bill.

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

Mr. LANGEVIN. Mr. Speaker, I yield myself such time as I may consume to just take a minute to thank the gentlewoman from New Mexico (Mrs. WILSON) and the gentleman from Indiana (Mr. HOSTETTLER) once again for their leadership and determination. I think that this bill sends a very clear message about how we expect our soldiers to be treated overseas and in this country.

Mrs. WILSON of New Mexico. Mr. Speaker, I rise in support of H.R. 4714, a bill to prohibit members of the Armed Forces in Saudi Arabia from being required or formally or informally compelled to wear the abaya garment. I commend my colleagues on the Armed Services Committee—Mr. LANGEVIN and Mr. HOSTETTLER for their perseverance on this issue and for bringing this bill to the floor today.

This legislation will end a Defense Department policy affecting servicewomen stationed in Saudi Arabia.

It is a sad commentary that this legislation is needed at all. This policy should not have been implemented in the first place; it should have been changed rapidly when it was brought to the attention of senior commanders and the Pentagon; and the revised policy is also flawed.

This bill would have been part of the Defense Authorization bill this year, and it may be incorporated into that legislation in conference committee. It is my hope that the Defense Department won't wait to be forced to do the right thing.

Our vote tonight is to send a message to the Defense Department loud and clear: your policy requiring or strongly encouraging servicewomen stationed in Saudi Arabia to wear the abaya is without merit and is offensive to the American people. You need to change it, or the Congress will change it for you.

Mr. Speaker, those who choose to serve our country, regardless of gender, should be treated with respect by their commanders. There's a lot of talk about loyalty from the bottom up. But loyalty from the top down is more important, and more rare. Since the beginning of the Republic, Americans, both men and women have done their duty to secure the liberties that we enjoy. Women make first-class soldiers and should not be treated like second-class citizens.

But this legislation goes far beyond issues of class and respect for women in the service. The abaya is a garment that covers a Muslim woman from head to toe with only the eyes showing. It is associated by others and by servicewomen with the Muslim religion. Forcing American servicewomen—most of whom are Christian or Jewish—to wear traditional Muslim dress is deeply offensive to their religious beliefs and possibly unconstitutional.

But the Defense Department just doesn't seem to get it. They would never force American servicemen to wear a yarmulke in Israel or a crucifix in order to avoid harassment or be sensitive to the local culture. Indeed, the same regulation that ordered women to wear the abaya in Saudi Arabia prohibited servicemen from wearing local Saudi dress for men.

The Defense Department has never seemed to be troubled by this double standard that directs servicemen to dress conservatively while prohibiting the wear of local dress, and presumes that young servicewomen could not or would not follow similar command guidelines and ordered them to wear the abaya.

The Department's modified policy that "strongly encourages" women to wear the abaya only sounds satisfactory to people who have never been in the military. When an officer "strongly encourages" any young troop to do something, that is not optional. It means you darn well better do it if you value your career in the military. It means if you don't do it, you risk being branded as an attitude problem, a troublemaker, someone deserving extra (and certainly unwanted) attention that is likely to make your life a whole lot harder and possibly downright miserable. Every veteran in this body knows what I'm saying is true.

DOD's policy change to "strongly encourage" wearing the abaya was clever as a public relations move, but not clever enough to hide from this body that DOD wishes to preserve a practice offensive to military women and offensive to the American people and the beliefs we cherish.

Mr. Speaker, this legislation states that a member of the Armed Forces may not be required or formally or informally compelled to wear the abaya garment or any part of the abaya garment while in the Kingdom of Saudi Arabia. It prohibits taxpayer funds from being used to purchase abayas. It requires commanders to inform their troops of this policy and provide them a copy of it in writing.

The language "formally or informally compelled" is intended to cover a range of synonyms for "strongly encouraged". We did not want to prohibit DOD from "encouraging" wear of the abaya while they change their policy to "recommend" it, or "suggest" it. We are not interested in playing with words. DOD may not formally or informally compel wear of the abaya in any way. The current DOD policy of "strongly encouraging" wearing of the abaya is not consistent with this legislation and, if this legislation passes, it must be changed.

There is one exception in this legislation, and it deserves explanation. The Defense Department initially justified their abaya policy on the grounds of host nation sensitivity, even though neither the Saudi government nor the State Department require or strongly encourage wearing the abaya. In fact, the State Department also does not recommend that tourists—arguably the least prepared to deal with religious enforcers, called Mutawa'ihin—wear abayas. The recommendation for tourists is the same as for the male service members: conservative clothes that cover the arms and legs.

Then, as pressure grew, the Defense Department modified their policy and the justification for it on the grounds of "force protection". They maintain that they must continue to have the option of ordering women to wear the abaya if a commander considers it to be necessary for the safety of our servicewomen.

In passing this legislation, the Congress is explicitly rejecting this "force protection" argument. Indeed, in negotiations with DOD staff before the FY03 Defense Authorization Act came to the floor of the House, the DOD argued for a "force protection" exception that was so broad that it made the prohibition meaningless. The members of Congress involved in these discussions rejected DOD's arguments and the force protection exception is not included in this bill.

What we have included is a much narrower exception that says the commander of the United States Central Command may require the wear of the abaya in "specific circumstances" that "constitute an operational requirement essential for the conduct of the military mission."

First, the Commander of USCENTCOM may not delegate this authority to anyone else below him. Second, he may not do so based on a general need for "force protection" or "safety". The only time he may do so is if it is an operational requirement to complete the military mission.

In crafting this exception, we had in mind very unusual circumstances like special operations requiring concealment, an unusual need to move people in-country without the knowledge of the best country, or if there were widespread civil unrest to extract service members from a dangerous situation without detection or provocation.

Mr. Speaker, I hope this House will be heard today and that we send a resounding message to the Department of Defense. Your policy on wearing the abaya is inconsistent with our values as a nation and we insist that it be changed.

Mr. PAUL. Mr. Speaker, while I support this legislation, I would like to make a few observations. It is unfortunate that we are in a position where we must act on such legislation. Because of our unwise policy of foreign interventionism, which has placed thousands of

American service members in the Middle East including in Saudi Arabia, we are placed in a no-win situation. Either we disregard and mock the customs and culture of Saudi Arabia by refusing to adhere to dress codes that they have adopted, or we subject American women to a dress code that is offensive to our own culture and customs and is disrespectful to the sacrifices they are making for this country. What a choice, Mr. Speaker!

I am voting for this bill because I believe, on the whole, that it is preferable to place concerns about our own citizens over those whose homeland is being defended by American troops. Young Americans join the all-volunteer military as an act of patriotism in hopes of defending their country and their constitution. We in Congress must honor that sacrifice. It is bad enough that our troops are sent around the world to defend foreign soil. Asking them to comply with foreign customs which violate basic American beliefs about freedom in order to appease the very governments our troops are defending adds insult to injury. I do not believe a single female member of the armed forces enlisted for the "privilege" of wearing an abaya while defending the House of Saud or that one single male member of the armed forces enlisted in order to force his female colleagues to wear an abaya.

The fact remains that we continue to maintain troops in a place where they are not needed. It is the consequences of this dangerous policy that concern me most. Isn't it time to return to a more sound foreign policy, one that respects the culture of others by not intervening in their affairs? Is it not time to bring American troops home to protect America, rather than continuing to station them in far off lands where the protection they offer is not needed?

Ms. SLAUGHTER. Mr. Speaker, I rise today in support of this bill to prohibit the Department of Defense from requiring female service members to wear the 'abaya', a long black robe covering the body from head to toe, worn with a head scarf and often a veil.

Currently, the DOD requires U.S. servicewomen to wear the abaya when they leave base in Saudi Arabia. DOD policy also mandates that servicewomen cannot sit in the front seat of a vehicle when traveling off-base. I am outraged that DOD would not only tolerate, but perpetrate, this type of discriminatory treatment against American servicewomen. Our women in uniform are performing their duty to protect the interests of both the United States and of the host country. It is unfortunate that the Saudi government has so little appreciation for the contributions of U.S. servicewomen as to allow harassment of them to take place at the hands of the Saudi religious police. But it is unconscionable that our own government should uphold this institutionalized disrespect of women by requiring that Americans conform to these standards.

U.S. servicewomen are valued, respected, capable members of our armed forces. It is the duty of the U.S. government, including its military, to demonstrate to other nations the high regard in which we hold them.

It is important to note that official Saudi policy does not require non-Muslim women to wear the abaya. Similarly, the U.S. State Department allows its female employees to use their own best judgment when deciding how to dress when they go outside the embassy. The Department of Defense should show the same

degree of trust in its employees, and end this backward order regarding the abaya. This legislation would do just that, and I urge my colleagues to support it.

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

Mr. RYUN of Kansas. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Kansas (Mr. RYUN) that the House suspend the rules and pass the bill, H.R. 4714.

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

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 29 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1832

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. STEARNS) at 6 o'clock and 32 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules and on approving the Journal on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

H.R. 3694, by the yeas and nays;

H.R. 4069, by the yeas and nays; and approving the Journal, de novo.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

HIGHWAY FUNDING RESTORATION ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3694, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 3694, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 410, nays 5, not voting 19, as follows:

[Roll No. 159]

YEAS—410

Abercrombie  
Aderholt  
Akin  
Allen  
Andrews  
Armey  
Baca  
Bachus  
Baird  
Baker  
Baldacci  
Baldwin  
Ballenger  
Barcia  
Barr  
Barrett  
Bartlett  
Barton  
Bass  
Becerra  
Bentsen  
Bereuter  
Berkley  
Berman  
Berry  
Biggert  
Bilirakis  
Bishop  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Boniior  
Bono  
Boozman  
Borski  
Boswell  
Boucher  
Boyd  
Brady (TX)  
Brown (FL)  
Brown (OH)  
Brown (SC)  
Bryant  
Burr  
Buyer  
Callahan  
Calvert  
Camp  
Cantor  
Capito  
Capps  
Capuano  
Cardin  
Carson (IN)  
Carson (OK)  
Castle  
Chabot  
Chambliss  
Clay  
Clayton  
Clement  
Clyburn  
Coble  
Collins  
Combest  
Condit  
Conyers  
Cooksey  
Costello  
Cox  
Coyne  
Cramer  
Crane  
Crenshaw  
Crowley  
Cubin  
Culberson  
Cummings  
Cunningham  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis, Jo Ann  
Davis, Tom  
Deal  
DeFazio  
DeGette  
Delahunt  
DeLauro  
DeLay  
DeMint  
Deutsch  
Dicks  
Dingell

Doggett  
Dooley  
Doolittle  
Doyle  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Ehrlich  
Emerson  
Engel  
English  
Eshoo  
Etheridge  
Evans  
Everett  
Farr  
Fattah  
Ferguson  
Filner  
Fletcher  
Foley  
Forbes  
Ford  
Fossella  
Frank  
Frelinghuysen  
Frost  
Gallegly  
Ganske  
Gekas  
Gephardt  
Gibbons  
Gilchrest  
Gillmor  
Gilman  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Goss  
Graham  
Granger  
Graves  
Green (TX)  
Green (WI)  
Greenwood  
Grucci  
Gutierrez  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hansen  
Harman  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hefley  
Herger  
Hill  
Hilleary  
Hilliard  
Hinckey  
Hinojosa  
Hobson  
Hoeffel  
Hoekstra  
Holden  
Holt  
Honda  
Hooley  
Horn  
Hostettler  
Houghton  
Hoyer  
Hulshof  
Hunter  
Hyde  
Inslee  
Isakson  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee (TX)  
Jefferson  
Jenkins  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam

Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kerns  
Kildee  
Kilpatrick  
Kind (WI)  
King (NY)  
Kingston  
Kirk  
Kleczka  
Knollenberg  
Kolbe  
Kucinich  
LaFalce  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Luther  
Lynch  
Maloney (CT)  
Maloney (NY)  
Manzullo  
Markey  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCrery  
McDermott  
McGovern  
McHugh  
McInnis  
McKeon  
McKinney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Mica  
Millender-McDonald  
Miller, Dan  
Miller, Gary  
Miller, George  
Miller, Jeff  
Mink  
Mollohan  
Moore  
Moran (KS)  
Moran (VA)  
Morella  
Myrick  
Nadler  
Napolitano  
Neal  
Nethercutt  
Ney  
Northrup  
Norwood  
Nussle  
Oberstar  
Obey  
Olver  
Ortiz  
Osborne  
Ose  
Otter  
Owens  
Oxley  
Pallone  
Pascarell

Pastor  
Pelosi  
Pence  
Peterson (PA)  
Petri  
Phelps  
Pickering  
Pitts  
Platts  
Pombo  
Pomeroy  
Portman  
Price (NC)  
Pryce (OH)  
Putnam  
Quinn  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Reyes  
Reynolds  
Rivers  
Rodriguez  
Roemer  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Roukema  
Roybal-Allard  
Rush  
Ryan (WI)  
Ryun (KS)  
Sabo  
Sanchez  
Sanders  
Sandlin  
Sawyer

Saxton  
Schakowsky  
Schiff  
Schrock  
Scott  
Sensenbrenner  
Serrano  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shows  
Shuster  
Simmons  
Simpson  
Skeen  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Souder  
Spratt  
Stark  
Stearns  
Stenholm  
Strickland  
Stupak  
Sullivan  
Sununu  
Tancredo  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Thomas  
Thompson (CA)

Thompson (MS)  
Thornberry  
Thune  
Thurman  
Tiahrt  
Tiberi  
Tierney  
Toomey  
Towns  
Turner  
Udall (CO)  
Udall (NM)  
Upton  
Velazquez  
Visclosky  
Vitter  
Walden  
Walsh  
Wamp  
Waters  
Watkins (OK)  
Watson (CA)  
Watt (NC)  
Watts (OK)  
Waxman  
Weiner  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)

NAYS—5

Flake  
Paul

Royce  
Sessions

Shadegg

NOT VOTING—19

Ackerman  
Blagojevich  
Brady (PA)  
Burton  
Cannon  
Diaz-Balart  
Lee

Mascara  
McIntyre  
Murtha  
Payne  
Peterson (MN)  
Riley  
Rothman

Schaffer  
Stump  
Sweeney  
Terry  
Traficant

□ 1854

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. DIAZ-BALART. Mr. Speaker, on rollcall No. 159 I was unavoidably detained. Had I been present, I would have voted "yea."

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. STEARNS). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on each additional motion to suspend the rules on which the Chair has postponed further proceedings.

SOCIAL SECURITY BENEFIT ENHANCEMENTS FOR WOMEN ACT OF 2002

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4069, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by