United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151 WASHINGTON, TUESDAY, SEPTEMBER 6, 2005 No. 109

House of Representatives

The House met at 2 p.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

As Members assemble for this fall session of the 109th Congress, Lord God, we ask for Your blessing upon all who serve as Members or staff in the House of Representatives. Invigorate them, Lord, with health and clarity of conscience, that in and through them Your holy will be accomplished.

As true representatives of the people, enable Members to undertake the task of addressing the Nation's greatest natural disaster in history and whatever else You ask of them with care, imagination and deep commitment.

May all the work accomplished in this Chamber be blessed by You and be perceived as a blessing by the people of this Nation and the world community. May all laws be just, inclusive and far-reaching both in vision and effectiveness.

May Your people hold this noble institution in high esteem and give You, Almighty God, glory and praise now and forever. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3199. An act to extend and modify authorities needed to combat terrorism, and for other purposes.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 3199) ''An Act to extend and modify authorities needed to combat terrorism, and for other purposes,'' requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SPECTER, Mr. HATCH, Mr. KYL, Mr. DEWINE, Mr. SESSIONS, Mr. ROBERTS, Mr. LEAHY, Mr. KENNEDY, Mr. ROCKFELLER and Mr. LEVIN, to be the conferees on the part of the Senate.

The message also announced that the Senate has passed bills of the following titles in which concurrence of the House is requested:

S. 172. An act to amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of all contact lenses as medical devices, and for other purposes.

S. 397. An act to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others.

S. 501. An act to provide a site for the National Women's History Museum in the District of Columbia.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to clause 1 of rule I, the Speaker signed the following enrolled bill on Friday, September 2, 2005:

H.R. 3645, making emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, and for other purposes.

THE LOUISIANA-TEXAS CONNECTION

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, in 1836 Texans were in desperate need and fighting for freedom and independence from Mexico. Hundreds of men from Louisiana joined to help Texas in this struggle and time of need. Among them were Jim Bowie, hero of the Alamo; and volunteer soldiers forming a unit known as the New Orleans Greys helped in this endeavor. These brave men came to Texas' aid to fight against the oppression of the dictator Santa Anna. They fought and died at the Alamo, Goliad and San Jacinto.

Today, 170 years later, it is the people of Louisiana who are in desperate need in their struggle against the oppression caused by Hurricane Katrina. There are approximately 200,000 people from Louisiana now in Texas because of Katrina.

Mr. Speaker, just as the people of Louisiana came to Texas' aid those many years ago, so will Texans come to theirs. We along with other Americans will join the people of Louisiana until they are able to be free from the effects of Hurricane Katrina and rebuild their great city of New Orleans. It is what good Americans, good neighbors, good Southerners, and good Texans do.

HURRICANE KATRINA

(Mr. MORAN of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN of Virginia. Mr. Speaker, our Nation failed its people last week. There was a violation of the trust that the American people have a right to vest in their government. The importance of that trust cannot be overstated. It is why we let our sons

Printed on recycled paper.

and daughters go to foreign lands to fight wars. It is why we pay our taxes. It is why we obey official laws and orders.

But last week this trust was breached. Whether it is because we are not used to seeing poverty so visible or the results of institutional racism so stark or because of just pure incompetence, it was criminal to abandon thousands and thousands of men and women, mothers and children and grandparents to rot in the squalor of complete government neglect. There has to be an immediate, rigorous and harsh determination of accountability for this criminal neglect.

But there must also be a response worthy of a great and prosperous and noble Nation. A person of the caliber of a Colin Powell, perhaps, must be given singular authority and responsibility to resettle when necessary, to rebuild where possible, and to return eventually New Orleans to its status as one of America's great cities. The people of New Orleans are asking for no more and the American people should demand no less.

HOPE FROM HURRICANE KATRINA

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, throughout the past week, Americans have watched scenes of devastation that we never imagined would occur in our country. Lives have been lost, families have been separated, and communities have been demolished in the wake of Hurricane Katrina. As rescue workers search for survivors and permanent shelter for evacuees, the severity of this disaster continues to shock all Americans.

As a former National Guard liaison to the Governor's office during hurricanes in South Carolina, I see that our Nation grows more hopeful every day. Federal, State, and local officials are working together to save lives, deliver relief and restore order in Louisiana, Mississippi, Alabama, and Florida. Last Friday, Congress passed a $10.5 billion emergency relief package to immediately help American families.

Across our country, Americans are opening up their homes and their checkbooks to help their neighbors. I would like to encourage South Carolinians to join this effort by contacting the Red Cross at www.redcross.org or by calling 1–800–HELP-NOW. Now more than ever, Americans must do what we do best: help each other.

In conclusion, God bless our troops, and we will never forget September 11.

HURRICANE KATRINA

(Mr. McGOVERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McGOVERN. Mr. Speaker, I am here today to express, first and foremost, my sincere sympathy for the victims of Hurricane Katrina. The people of Louisiana, Mississippi, and Alabama are dealing with a catastrophic event; and they deserve whatever it takes from the Federal Government. The mismanagement of the Federal response to this disaster is beyond comprehension. The victims and the rest of America deserve answers to their questions, not excuses, because there is no excuse for the slow Federal reaction. There is no excuse for the lack of preparedness. There is no excuse for this absence of leadership.

Why were Federal funding requests by Louisiana for flood control perennially denied? Why was the New Orleans district of the U.S. Army Corps of Engineers budget for levee construction slashed by a record $72 million? Why was the head of FEMA, Michael Brown, hired despite having zero background in disaster management and was actually fired from his previous job for mismanagement?

It is clear now that we need to revamp FEMA, and that starts with firing Michael Brown as director who has been an absolute embarrassment. Louisiana Governor Blanco has hired former FEMA director James Lee Witt to direct Katrina recovery efforts. I encourage President Bush to follow Governor Blanco's lead and to hire someone new, this time based on qualifications, not political patronage.

Mr. Speaker, the U.S. Government needs to get the best people possible working on the rescue, recovery, and rebuilding efforts. Anything less is unacceptable.

□ 1415

ENCOURAGING CONTRIBUTIONS TO CHARITABLE ORGANIZATIONS FOR VICTIMS OF HURRICANE KATRINA

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, I rise today to express my heartfelt condolences to the victims of Hurricane Katrina. My thoughts and prayers are with those who suffered through the storm and continue to suffer through its aftermath. I especially pray for those who have lost loved ones and hope they can find some comfort in this time of distress.

I commend the many volunteers, health care workers, law enforcement officials and military personnel who have been working selflessly around the clock to help those who have been devastated by this hurricane.

I hope that my constituents in North Carolina's Fifth Congressional District and other Americans will join me in making a contribution to a charitable organization. The outpouring of generosity and support from our communities has been amazing, but we must do more. The people affected by this storm need our help right away. A donation to the American Red Cross, the Salvation Army and other charitable organizations will help provide the resources necessary for these people to survive.

Again, I extend my thoughts and prayers to the victims of this hurricane and their loved ones. May God bless you all.

NATIONAL EMERGENCY MANAGEMENT RESTORATION AND IMPROVEMENT ACT

(Mr. DINGELL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, we confront a hideous problem in this Nation. People are dying. People are dead. And people need help. The hospitals are full and nonfunctioning, and the suffering is tremendous all across the southern part of the United States.

The first task we have is to assure that we take care of the people, and we resolve the problems of seeing to it that their suffering is ended and that the rebuilding begins. But while we are doing that, we can commence looking at one thing, and that is the structure of the Federal Government to address problems of these kinds.

At the time we passed the Homeland Security legislation, it was very plain that inserting FEMA into the Department of Homeland Security was a prodigious mistake. Events in the southern United States associated with Hurricane Katrina have proved that to be so.

I am introducing at an early time legislation which sees to it that FEMA becomes an independent agency, with the head reporting directly to the President of the United States, whose responsibility will be set out in statute and whose qualifications and that of his two principal assistants, also subject to confirmation by the Senate, will have to meet certain tests, and that is the need to show ability and experience in areas of emergency management. Only by doing this can we assure that the kind of misfortune and the kind of open criticism that has occurred in the United States of FEMA and our efforts to help people in the southern United States will not occur on a regular basis.

Mr. Speaker, FEMA was an outstanding Federal agency directing its attentions to the cure of massive problems that followed catastrophes, things like hurricanes, fires and earthquakes. We need to see to it that that wonderful reputation is restored by proper structuring of the agency.

AMERICAN CAN-DO SPIRIT WILL WORK FOR HURRICANE KATRINA VICTIMS

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, this Sunday marks the fourth anniversary of one of the most tragic days in our Nation's history: September 11th of 2001. We all know what happened following that tragic day. We came together, Democrats and Republicans, focusing on ways in which we could deal with the crisis of terrorist attacks on our soil.

We all know what has happened since that time. We just last week saw what our Chaplain very appropriately described as the worst natural disaster in our Nation's history, and I believe now it is absolutely essential that we do all we can to come together to make sure that we face that number-one priority of meeting the human need that is there.

This Congress is going to do everything we possibly can to ensure that our fellow Americans are comforted. Then, we need to focus on rebuilding.

Mr. Speaker, I have to tell my colleagues, in 1994, we had a tragic earthquake in Los Angeles, the Northridge earthquake, and we, at that time, saw the crumbling of I–10, the same interstate that runs into New Orleans. I have a piece of it right here from just over La Cienega Boulevard. When it collapsed, the most traversed freeway in the country, a quarter of a million cars a day go over it, they said it could take up to 2 years to rebuild that freeway. By incentivizing the contractor and reducing the regulatory burden, within 66 days, the Santa Monica Freeway was moving again.

We need to use this same can-do spirit to do exactly what Governor Haley Barbour said. He said, We will build the Gulf Coast bigger and better than it ever has been.

AMERICAN SPIRIT

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. PRICE of Georgia. Mr. Speaker, as we return from our district work period, at the forefront of all of us is the catastrophe of Hurricane Katrina which literally turned our Nation upside down.

In my district on the north side of Atlanta, I am so proud of the work that has been done to provide relief support for those directly affected by the storm, the largest natural disaster in our Nation's history. Local towns are sending not just money and goods but personnel from fire and police departments. Our local Red Cross has activated shelters to help evacuees find relatives and get back on their feet. These are Americans helping Americans. The American can-do spirit is alive and well and strong.

But most disheartening has been the vicious, personal attacks against some who are trying their hardest to help folks recover, attacks that have even come from supposed leaders in our Nation. These statements and their tone are harmful to our Nation and our recovery. I call on all Americans, especially those in positions of influence, to work positively and constructively to solve our current challenge. Anything less does a disservice to all Americans and, ultimately, our viability as a free and a democratic society.

BUSH ADMINISTRATION BEGINS DAMAGE CONTROL SPIN OPERATION

(Mr. GEORGE MILLER of California asked and was given permission to address the House for 1 minute.)

Mr. GEORGE MILLER of California. Mr. Speaker, I rise to express my support for the people affected and harmed by Hurricane Katrina and to pledge my total support for their aid and recovery. There is so much to be done to help the people on the ground, and there is so much to do in Washington to scrutinize and improve Federal policy regarding disaster prevention and response, and we must undertake that review and those efforts.

But I am also deeply frustrated and angry by the Bush administration's failed response to this tragedy and its failure to take responsibility for its own mistakes. According to the New York Times, the administration, led by Karl Rove, has begun a political damage control operation to blame the local officials in Louisiana, the Governor and the Mayor of the City of New Orleans, for the Federal Government's failures.

No one can undo the damage that has been done, and I wish we could. We should be putting our efforts into helping these people and repairing that damage. I wish the administration would have put as much energy into an early and timely response, an effective response to Hurricane Katrina, as the energy they are putting in now to developing a political strategy to undermine the local officials who have suffered so much in their own communities.

THANKING THE PEOPLE OF TEXAS FOR THEIR EFFORTS IN PROVIDING RELIEF TO THE VICTIMS OF HURRICANE KATRINA

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, I wanted to take this minute and thank the people of my home State of Texas for opening their hearts and opening their State to their neighbors in Louisiana. Almost a quarter of a million residents from the State of Louisiana are now seeking shelter in the State of Texas.

In my district in north Texas, truly an unbelievable story has unfolded. The Dallas County Medical Society sent out a fax last week to 3,600 doctors and their membership; 800 members immediately sent back the response: Where do I show up and when?

That group put together a response for the hurricane victims that is absolutely unprecedented in my experience in medicine. In my own district in north Texas, from Gainesville to Denton to Keller, to the City of Fort Worth, shelters have been set up, sometimes at a church, sometimes at a summer camp, sometimes at an old hospital, but these centers have provided the shelter and the comfort to the victims of this devastating hurricane. And hopefully, we will get them back on their way, get them the help they need and allow them to rebuild their lives.

Mr. Speaker, I again want to thank the people of the great State of Texas for all that they have done to help their neighbors in Louisiana.

HURRICANE KATRINA EXPOSES FAILURE OF FEDERAL POLICIES

(Ms. McCOLLUM of Minnesota asked and was given permission to address the House for 1 minute.)

Ms. McCOLLUM of Minnesota. Mr. Speaker, Hurricane Katrina has inflicted destruction, suffering and death on our Nation. The people of Mississippi and Louisiana have our prayers, and they deserve our Nation's full support. Our gratitude also goes out to the relief workers, law enforcement and military personnel who are helping, healing and saving lives.

Now, as one Nation, Congress must act to provide the necessary relief, shelter, jobs, schools and hope our fellow citizens need to restart their lives. This is a long-term commitment, and these families must not be left behind.

Katrina exposed the Federal policies that have neglected and abandoned our Nation's poor, elderly and disabled. Congress must address these shameful failures of the Federal Government's pathetic emergency response that left thousands of Americans vulnerable, exposed and abandoned.

The American people and Katrina's victims deserve action and answers, and Congress has the obligation to deliver both.

WORKING TOGETHER TO FIX WHAT IS WRONG

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, we have all seen the horrors left in the wake of Hurricane Katrina over the past week. Yet, in the midst of this chaos and destruction, the American people, once again, demonstrated their compassion for those left with nothing. The American people and people from all over the world have opened not only their wallets, but also their homes, cities and schools. This compassion has not been limited to Americans alone. Over 70 countries have offered their assistance as well.

Now, a great deal of criticism has been leveled against the Federal Government's response, and much of it may be deserved. But there is also a

level of criticism due to local and State governments, too. Allowing New Orleans to turn into something out of the Wild West where anarchy reins is inexcusable, and all levels of government need to see what was done wrong. In the meantime, we must work together to ensure that the necessary resources are available.

ENCOURAGING SIMPLIFIED FORM FOR VICTIMS OF HURRICANE KATRINA

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute.)

Mr. BROWN of Ohio. Mr. Speaker, our hearts go out to all who have suffered the tragedy of Hurricane Katrina. Our hearts also go out to those who have suffered the tragedy of a failed Federal Government in coming to their aid in saving people's lives.

I ask my friends on the other side of the aisle to step back for a minute, to stop their campaign out of the White House blaming local and State officials for their role in this tragedy. I also ask my friends on the other side of the aisle to step back from their mission to cut Medicaid $10 billion, that they step back from their drive to cut taxes for the wealthiest 1 percent of people in this country; because instead of those tax cuts for the wealthy, instead of cutting Medicaid $10 billion, this Congress should, first of all, adopt legislation that anybody in need of disaster-related assistance should only have to fill a single form out for Medicaid, if they have lost their job, for TANF, for unemployment insurance, for food stamps. The simplified form, instead of the bureaucracy we know they will deal with, could be used to determine eligibility for all Federal programs for a 90-day period, just showing you have lost your job because of Hurricane Katrina, and then they could be helped.

IMMIGRATION PROBLEM IS MORE ALARMING THAN EVER

(Mr. SHUSTER asked and was given permission to address the House for 1 minute.)

Mr. SHUSTER. Mr. Speaker, I rise today because America's immigration problem has grown to be even more alarming to me than it was just 2 weeks ago. Three men were killed in Altoona, Pennsylvania, by an illegal alien who should have been deported years ago.

Miguel Padilla, the alleged killer, has been living in central Pennsylvania for 15 years. He has a driver's license, a registered car. He graduated from a Pennsylvania high school and has been arrested twice for assault with a knife and illegal possession of a gun, all after entering the U.S. illegally.

Al Mignogna, a beloved local businessman; Fred Rickabaugh; and Stephen Heiss, a Marine veteran, were killed in cold blood by Padilla last week.

□ 1430

It is terrible enough when a murder occurs, but to have it happen by someone who should not have been here adds to the despair. This is an example of what happens far too often in our country. When police had Padilla in custody during these arrests, they contacted the Immigration and Customs Enforcement. ICE did nothing and they have no answers to this day. Three murders could have been prevented. It is outrageous for Padilla to go unnoticed by ICE for so long, especially with prior arrests. It is hard enough to find illegal aliens, but when they are handed over to Federal authorities, action needs to be taken.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken after 6:30 p.m. today.

COMMEMORATING THE 60TH ANNIVERSARY OF V–J DAY AND THE END OF WORLD WAR II IN THE PACIFIC

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 360) commemorating the 60th anniversary of V–J Day and the end of World War II in the Pacific.

The Clerk read as follows:

H. RES. 360

Whereas the United States entered the Second World War in December 1941, following the Japanese attack on Pearl Harbor, and over the next four years Americans participated in what was arguably the greatest national endeavor in the Nation's history;

Whereas the casualty toll of Americans in the Pacific Theater during World War II was approximately 92,904 killed, 208,333 wounded, and tens of thousands missing in action and prisoners of war, with civilians and military forces of the Allied Powers suffering equally devastating tolls;

Whereas Japanese military forces and the Japanese civilian population also suffered staggering losses;

Whereas on August 15, 1945, Emperor Hirohito of Japan announced the unconditional surrender of Japan's military forces, made formal on September 2, 1945, aboard the U.S.S. Missouri in Tokyo Bay, Japan; thus ending the most devastating war in human history;

Whereas Japan is now a free and prosperous democracy, a valued, durable friend based on shared values and mutual interests, and a guarantor against despotism and oppression in that area of the world; and

Whereas the courage and sacrifice of the members of the United States Armed Forces and of the military forces of the Allied Powers who served valiantly to rescue the Pacific nations from tyranny and aggression should always be remembered: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 60th anniversary of V–J Day and the end of World War II in the Pacific theater;

(2) joins with a grateful Nation in expressing respect and appreciation to the members of the United States Armed Forces who served in the Pacific theater during World War II; and

(3) remembers and honors those Americans who made the ultimate sacrifice and gave their lives for their country during the campaigns in the Pacific theater during World War II.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Kentucky (Mr. CHANDLER) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of New Jersey. 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 the resolution under consideration.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

I would like to begin by thanking the gentleman from Florida (Mr. STEARNS), my good friend and colleague, for authoring this resolution. The gentleman is a Member who is considerably schooled in the Far East and knows well the effects which the war in the Pacific had, not only on Japan, but on other nations in the region.

The gentleman from Florida is also a senior member of the House Committee on Veterans' Affairs, and I know that he has been a leader in ensuring that no veteran is ever left behind. He is also the author of the Millennium Health Care Act, which puts a special emphasis on providing long-term health care, especially to our World War II veterans. So it is very fitting, I think, that the gentleman from Florida (Mr. STEARNS) is the author of this resolution, and I thank the gentleman for introducing it.

Mr. Speaker, H. Res. 360 is a resolution that recognizes the 60th anniversary of victory in the Pacific during World War II, V–J Day.

Mr. Speaker, 60 years ago the guns fell silent and the world was able to begin the process of, paraphrasing Abraham Lincoln at Gettysburg when he said, we will bind up our Nation's wounds when we begin the very difficult and arduous process of binding up the world's wounds. The loss of life was indeed staggering; the process of rebuilding seemingly insurmountable. But just as Americans had rallied in war, Americans rallied in peace as well.

This resolution reiterates the simple, but very powerful, message that our Nation honors and deeply appreciates

the men and women who served in the Pacific Theatre during World War II, and we especially remember and pay tribute to those Americans who made the ultimate sacrifice for our country.

Mr. Speaker, we take this opportunity to honor those individuals who gave their lives in the Pacific Theatre and thank all veterans of World War II. During the war, several million members of the United States Armed Forces fought in the Pacific, including the chairman of the International Relations Committee, our distinguished friend and colleague, the gentleman from Illinois (Mr. HYDE). This was one of the largest military forces ever committed by the U.S. in any theatre of operation.

I would also briefly pay tribute to my own late father, who saw horrific combat starting in New Guinea and ending in the Philippines. My dad was tough as nails but had a very gentle heart, and he was like so many of those combat veterans that I have met over the many years who absolutely hated war, but felt it was his duty to defend freedom and to defend America.

This resolution recognizes the staggering deaths and casualties and the struggle by military forces and civilians of the allied powers during the epic struggle for the control of the Pacific. It also recognizes that since the war Japan has become a free and prosperous democracy and has become a valued partner in the process of standing tall against despotism and oppression.

This is an occasion, Mr. Speaker, to remember and to commemorate. We must remember why the war was fought, remember the victims and the heroes, and thank those who fought so hard and sacrificed so much. I join millions of Americans participating in thousands of events all across the United States, many of which have already been held, and around the world, in observing and honoring the courage of American servicemembers, allied soldiers, and home front workers. This truly was the greatest generation.

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

Mr. CHANDLER. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of this resolution. Mr. Speaker, it is a privilege for me to address this resolution where the House will once again congratulate the Armed Forces of our great Nation for their service in the Pacific Theatre of World War II. And it is also a privilege to serve on a committee whose chairman participated in the struggle against fascism by helping liberate the Philippines and helped liberate the people of those islands from Japanese control.

It is with a point of personal privilege to support this particular resolution that I stand to mention that my family, like so many other families, were affected. Just about every family in the United States of America was affected by World War II, and most by the Pacific Theatre in World War II.

My grandfather had the honor to serve on the Military Affairs Committee of the United States Senate during World War II; and during that service on the Military Affairs Committee, he spent time in the Pacific Theatre meeting with such American heroes as General Douglas MacArthur and General Joseph Stillwell to discuss allied war strategy. He said that he was never more proud than he was of our soldiers in the Pacific Theatre because they gave everything that they had.

The liberation of much of Eastern Asia and the eventual victory of allied forces in the war on the Pacific now seems to have been predetermined. Yet it was anything but decided during that important moment in global history.

Mr. Speaker, I have the greatest respect and admiration for the sacrifices of American soldiers, many of whom gave their lives in this epic battle against the forces of fascism. There are millions of citizens in the Asia-Pacific region, from the Philippines to South Korea, who also owe their freedom to the brave Americans who fought our enemies at Midway, at Guadalcanal and many other places.

In many ways, Mr. Speaker, the victory over Japan was more of a beginning than an end. In the aftermath of World War II, the United States developed strong alliances across the Asian-Pacific region that have only strengthened over the last 60 years.

The United States and Japan have developed a robust multifaceted relationship based on shared democratic values and mutual interests in Asia and global stability and development.

The strength of our relationship with Japan today demonstrates that the sacrifices made by brave American soldiers in the Pacific Theatre were indeed not in vain. With passage of this resolution, we once again commemorate these enormous contributions and commit ourselves to remembering for all time those who made the ultimate sacrifice for our Nation.

Mr. Speaker, it is only right that we continue to help these veterans. I was amazed to hear reports that members of our Armed Forces who survived Pearl Harbor have now survived Hurricane Katrina.

415 veterans from World War II and Korea whose Armed Forces retirement home in Gulfport, Mississippi, was swamped by Hurricane Katrina have been relocated around the country; 250 of those veterans have come to this very city.

Mr. Speaker, just as we are caring for our veterans who have been afflicted by this horrendous crisis, I hope this House quickly turns to the relief of all of our people on our Nation's gulf coast.

And I would also like to thank the U.S. servicemen and -women and all those citizens who are helping the citizens of Louisiana, Mississippi, and Alabama survive and recover from the devastation that they are enduring.

I fully support the emergency appropriations that this House passed last week. And I and the people of Kentucky stand ready to not only help the veterans but also every U.S. citizen affected by this devastating natural disaster.

Mr. Speaker, we are supremely proud of our heroes of the Pacific Theatre in World War II. And I proudly support this resolution. I urge all of my colleagues to support this resolution.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the author of the resolution, my distinguished friend and colleague from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Speaker, I thank the gentleman from New Jersey (Mr. SMITH), my distinguished colleague, the former chairman of the Committee on Veterans' Affairs. And like his father, the gentleman is as tough as nails, also with a gentle heart. And I think most of our people on the Committee on Veterans' Affairs where he served with distinction as chairman will agree with that.

I am very pleased this afternoon to bring my resolution to the floor commemorating the 60th anniversary of V-J Day and the end of World War II in the Pacific. I thank sincerely the two Chairs of the committees of jurisdiction for their consideration. First of all, the House Committee on International Relations, the gentleman from Illinois (Mr. HYDE), who himself fought for victory in Japan as mentioned by my colleague from Kentucky, and the chair of the Committee on Armed Services, the gentleman from California (Mr. HUNTER). Like my father, Chairman HUNTER's father, Robert Hunter, served in World War II.

On August 15, 1945, Emperor Hirohito of Japan, in a radio address to his countrymen, announced the unconditional surrender of Japan's military forces. So, frankly, World War II officially came to a close with the signing of the surrender documents on September 2, 1945, aboard the USS *Missouri* in Tokyo Bay.

Throughout the Pacific Theatre, the men and women of the United States Armed Forces fought bravely and suffered brutally. My own father, United States Navy Captain Clifford Robert Stearns, participated in the landing on the island of Iwo Jima. During the battle, a bullet passed close by his temple, striking the bulwark of the ship behind him. He recovered the bullet, brought it home to my mother and I. And while I could never name each of my constituents who fought, I have been honored by many such stories, just like my dad's.

I wanted, in this World War II anniversary year, to focus attention once more on what we call V–J Day.

For years, following World War II, both V–E Day, victory in Europe, May

8, and V–J Day were commonly printed on calendars. But that is not so anymore. And sometimes when I talk to veterans of the Pacific Theatre, they will say, you know, CLIFF, we have seen movies like ''Saving Private Ryan'' and ''Band of Brothers,'' and while we take nothing away from the triumph of our brothers in the European theaters, we would like to see our story told also. And I do think this summer we see a renewed interest in just this. From the movie ''The Great Raid,'' to dances, a parade, a V–J 60th speech by the President, to fireworks last Friday night, September 2, on the National Mall, the veterans of the Pacific are getting their due.

When exactly is V–J Day, some will ask me. Some refer to it as the day that the Emperor announced the surrender, which is August 15. This is when many of our World War II allies formally recognized August 15 as V–J Day, namely, the United Kingdom, New Zealand, Australia. In Australia, as a matter of fact, they are particularly adamant about naming August 15 V–J and not V–P, for victory in the Pacific, as some do, because the Australians in the West fought just as strongly in the Indian Ocean. Some Asian islands, such as China and Korea, recognize August 15 as Liberation Day.

Also since the surrender announcement fell on August 14 in American time zones, you may see this date commemorated as V–J Day here.

And finally, it may refer to the date of the formal surrender which was September 2, as I mentioned earlier, in 1945.

I would like to take us back to August 14, 1945. When this news was made public over radios, America experienced a moment mixed with both relief and jubilation. This is the very essence of V–J Day, a collective sense of ease and an express ebullience of excitement. We had endured many years of worry, of rationing, planting victory gardens, buying war bonds, air raid drills and civil defense patrol, blackouts even on our own soil. But on V–J Day this ended. America was thrown open for the Nation's single largest tailgate party, and we were all there rooting for the same team.

In this jubilation, there was no difference between enlisted, officers or civilians. Americans danced in the streets, honked horns, blared radios. Americans poured into village parks, busy city squares in the streets. Libations flowed. Everywhere the noise was deafening.

Even before the surrender, when it appeared imminent, there was some interesting preparation.

□ 1445

In my State of Florida, on August 10, 1945, Governor Millard F. Caldwell issued a proclamation calling for Floridians to maintain the ''solemnity and dignity of the occasion'' by avoiding ''boisterous conduct,'' and to facilitate this, that ''all liquor package stores, bars and tap rooms and places dispensing alcoholic beverages remain closed during that period.''

Now, I do not imagine that he achieved his objective here. I do not think the decorum was what he thought it would be, but everybody was excited with jubilation.

Of course, the image most recognizable to Americans and the world is of the Life Magazine cover of a joyous kissing sailor and nurse which photographer Alfred Eisenstadt froze for all time. In an interview last month, the nurse, now a grandmother, Edith Cullen Shain, recalled the pandemonium on August 14, 1945, when people grabbed anyone and hugged and kissed each other.

Mr. Speaker, I close with the testament that understanding and alliances can arise out of former cataclysms. Today, Japan stands with us as a true and enduring friend, fellow economic world leader and a force for a stable and prosperous Asia.

I believe it is important to bring this resolution to the floor to commemorate that. As the events of World War II pass further and further into history, the deeds of so many must not fade in our memories. The veterans in the Pacific theater brought peace and liberation to millions and millions of people. And as Americans rejoiced on V–J Day 1945, we will continue to salute those veterans for many, many more years to come.

I am pleased that the House is bringing up my resolution Commemorating the 60th anniversary of V–J Day and the end of World War II in the Pacific. I want to thank the two Chairs of the Committees of jurisdiction for their consideration. First, of the House Committee on International Relations, the gentleman from Illinois, the Honorable HENRY HYDE, who himself fought for Victor in Japan by piloting a landing craft in the Lingayen Gulf. And next, the Chair of the Committee on Armed Services, the gentleman from California, the Honorable DUNCAN HUNTER. Like mine, Chairman HUNTER's father, Robert Hunter, served in WWII.

On August 15, 1945, Emperor Hirohito of Japan, in a radio address to his countrymen, conceded defeat and announced the unconditional surrender of Japan's military forces. World War II officially came to a close with the signing of the surrender documents on September 2, 1945, aboard the U.S.S. *Missouri* in Tokyo Bay. Thus ended this devastating war.

Throughout the Pacific Theater, the men and women of the United States Armed Services fought bravely, and suffered brutally. My own father, USN Captain Clifford Robert Stearns participated in the landings on the island of Iwo Jima. During the battle, a bullet passed close by his temple striking the bulwark of the ship behind him. He recovered the bullet and brought it to my mother and me. And, while I could never in a million years name every one of my constituents and neighbors who fought in this theater, I have had the honor of hearing so many stories:

1. Writing last Friday for the Gainesville Sun on V–J Day, Bob Gasche of Gainesville was a Marine who saw combat in the Pacific.

And from my hometown of Ocala,

2. James C. Phillips, while we were interviewing him for the Library of Congress' Veterans History Project, quietly described his harrowing experience as a Kamikaze survivor of the USS *Luce*;

3. Dewey Roberson joined the Army Air Corps and went from New Guinea to the Philippines to Okinawa, dodging bombs every step of the way;

4. Nolie Deas was in the 517th Army Battalion in the South Pacific who invaded the Philippines in June 1945;

5. Leonard Orr served in the 509th Composite Group in the Air Force; and

6. Tommy Needham served in the Naval Reserve in post-war Japan. All of these gentlemen, and many women, brought us to Victory in Japan.

But I did not author this legislation to rehash the horrific, but brave, tales of Pacific battles; this has been done so much before. Instead, I wanted, in this World War II anniversary year, to focus attention once more, as we did 60 years ago, on what we called V–J Day.

For years following World War II, both V–E Day (Victory in Europe, May 8) and V–J Day (Victory over Japan, Aug. 14), were commonly printed on calendars. But that's not so anymore, and I think this is a little sad. And sometimes, when I talk to veterans of the Pacific Theater they'll say, ''You know Cliff, we see movies like 'Saving Private Ryan', and 'Band of Brothers'. And while we take nothing away from the tremendous triumph of our brothers in the European theater, we sure would like our story told, too.'' And, I do think this summer we are seeing a renewed interest. For example, the movie ''The Great Raid'', about the successful rescue of over 500 Americans from a Japanese POW camp by the 6th Army Rangers Battalion and Filipino guerrillas was released. In my hometown, Ocala, Florida, the Yankee Air Force Inc. had a V–J Day dance on August 6 at the American Legion Post 58. More, the History Channel hosted and aired a commemoration on the USS *Intrepid* in New York City on V–J Day, on August 14th. Also Sunday the 14th, Moosup, Connecticut held a parade, believed to be the only V–J Day parade still held in the eastern United States. Meanwhile, the President commemorated the 60th Anniversary of V–J Day Naval Air Station North Island San Diego, California. And still, last Friday night September 2 on the National Mall, the National Park Service put on a fireworks display.

So, I think you, Pacific Theater veterans, are getting your due this summer and it is essential and proper that we as a grateful nation honor you.

When I talked about my V–J Day resolution, I encountered questions about when, exactly is it? Some refer to it as the day that the Emperor announced the surrender: August 15th. This is when Many of our World War II allies formally recognize August 15th as ''V–J Day'', namely the United Kingdom, New Zealand, and Australia. In Australia, as a matter of fact, they are particularly adamant about naming August 15th V–J, and not V–P for Victory in the Pacific, as some do, because the Australians in the West fought just as strongly in the Indian Ocean. Relatedly, some Asian lands, such as China and Korea, recognize August 15 as Liberation Day.

Also in the U.S., since the surrender announcement fell on August 14th in American time zones, you may see this date commemorated to as V–J Day. Finally, it may refer to the date of the formal surrender, September 2, 1945.

I would like to take us back to August 14, 1945, to the battlefront, and to the homefront. When this news was made public over radios, Americans experienced a moment mixed of both relief and jubilation. This is the very essence of V–J Day—a collective exhalation of ease, and expressive ebullience.

We had endured years of worry, of rationing, planting Victory Gardens and canning, buying war bonds. Even school children bought many war stamps and pasted them in special books. When the books were filled, the students traded them in for a war bond. We had air raid drills and civil defense patrolled blackouts on our own soil. Civil defense wardens saw to it that people obeyed the rules. According to a North Carolina history museum, one Wilmington, North Carolina department store clerk was even arrested, convicted, and fined ''for smoking a lighted cigarette upon the streets after having been warned by a person in authority to extinguish it.'' We studied printed plane silhouettes to learn the shape of enemy aircraft. Ration coupons for sugar, meat, fabric, and gasoline were a way of life, as was carpooling to preserve rubber and gasoline for troops. Housewives poured off cooking fat to be salvaged for munitions.

But on V–J Day, this was over in an instant. America was thrown open for the Nation's single largest tailgate party, and we were all rooting for the same team. In the joyous celebration, there was no difference between enlisted or officer or civilian, Americans danced in the streets, honked horns, blared radios. Americans poured into village parks, busy city squares and the streets. Libations flowed and everywhere, the noise was deafening.

Even days before the surrender, when it appeared eminent, there was some interesting preparation. In my State of Florida, on August 10, 1945, Governor Millard F. Caldwell issued a proclamation calling for Floridians to maintain the ''solemnity and dignity of the occasion'' by avoiding ''boisterous conduct,'' and to facilitate this, that ''all liquor package stores, bars and tap rooms and places dispensing alcoholic beverages, remain closed during that period''. I do not imagine that he achieved the abstemious decorum he sought, but it all went well. (I would like to enter this into the RECORD.)

Of course, the image most recognizable to Americans, and the world, is of the Life magazine cover of a joyous, kissing sailor and nurse, which photographer Alfred Eisenstadt froze for all time. In an interview last month, Edith Cullen Shain recalled the pandemonium on August 14, 1945, the day of victory for the Allied Forces over Japan, when people grabbed anyone and hugged and kissed each other. ''I let him kiss me because he had been in war and he fought for me,'' Shain said of the sailor. ''I only wish now I had had a conversation with him or asked his name. I just got lost in the moment,'' said Shain, now an 87-year-old great-grandmother from Santa Monica, California. And never missing the opportunity to point out a Floridian, I share that Elizabeth Harris of Tampa is the lady in the photo peeking over the sailor's shoulder. Also, two Floridians had their own V–J Day kiss. Betty and Dominick Bruno, 79 and 86 today living in Lakeland, never met but conducted a wartime correspondence. They finally met in person in Charlotte, North Carolina four years later, and kissed in the V–J Day bedlam in the streets, and have become local celebrities in Charlotte where they are featured in newspaper stories every decade on the anniversary of V–J Day.

I would like to close with a testament that understandings and alliances can arise out of former cataclysm, today Japan stands with us as a true and enduring friend, fellow economic world leader, and force for a stable and prosperous Asia.

Thank you, again, for bringing this Resolution to the Floor. As the events of World War II pass further into history, the deeds of so many must not fade in our memories. The veterans in the Pacific Theater brought peace and liberation to millions, and as Americans rejoiced on V–J Day 1945, we will continue to salute you for many years to come.

[From: Division of Elections, Proclamations and Executive Orders, 1845–1995, Series S 13]

V–J DAY PROCLAMATION, 1945

The United States entered the Second World War in December 1941, following the Japanese attack on Pearl Harbor, Hawaii. For the next fours years Americans participated in what was arguably the greatest national endeavor in our nation's history.

World War II had an enormous impact on the state of Florida. More than 250,000 Floridians served in the Army, Navy, Marines, or Coast Guard and almost 4,700 gave their lives. About 170 military training bases of various sizes were established in the state; while shipyards at Tampa, Jacksonville, Panama City, and Pensacola turned out Liberty Ships and landing craft; and Florida farmers helped feed both Allied soldiers and civilians.

Spessard L. Holland served as Florida's governor for most of World War II, but Millard F. Caldwell had been elected the state's twenty-ninth governor in late 1944. He presided over the victory celebrations that erupted across the state in May 1945 upon the defeat of Nazi Germany, and again in August 1945, when victory over Japan was proclaimed.

On August 10, when it became obvious that Japan was on the verge of surrender, Governor Caldwell issued a proclamation calling for Floridians to maintain the ''solemnity and dignity of the occasion'' by avoiding ''boisterous conduct.'' He urged all establishments that dispensed alcohol to close for twenty-four hours following the announcement of the surrender. Nevertheless, when news reached the state a few days later of Japan's acceptance of surrender terms, joyous pandemonium ensued. ''News of the Japanese capitulation last night hit Tallahassee,'' reported a newspaper, ''with the force of Uncle Sam's new atomic bomb and was the signal for everybody to unloose that pent-up feeling and start what old-timers view as the most wild, I spontaneous and enthusiastic celebration ever witnessed in the Capital City.''

A text version of the V–J Day proclamation is included below the graphic image.

PROCLAMATION

STATE OF FLORIDA

EXECUTIVE DEPARTMENT

TALLAHASSEE

WHEREAS, the announcement of victory against Japan and the final end of the destructive world-wide conflict, in which we have been engaged since 1941, will be received by the people of Florida, of the United States of America, and of the entire civilized world, with gratitude and thanksgiving that we have been spared further damage and sorrow, and

WHEREAS, the solemnity and dignity of this occasion should not be marred by any boisterous conduct on the part of the thoughtless or by any tragic incident that can be avoided,

NOW, THEREFORE, I, Millard F. Caldwell, by virtue of the authority vested in me as Governor of the State of Florida, proclaim V–J DAY in Florida as the twenty-four hours next succeeding announcement of the surrender of Japan upon the proclamation by the President of the United States that hostilities are at an end, and urge that all liquor package stores, bars and tap rooms and other places dispensing alcoholic beverages, remain closed during that period;

I also call upon the Sheriffs, their deputies and other law enforcement officers throughout the State to cooperate in making V–J Day orderly, dignified and law-abiding in accordance with the spirit and intent of this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Florida at Tallahassee, the Capital, this the 10th day of August, A.D. 1945.

MILLARD F. CALDWELL,
Governor.

Attest: R. A. Gray, Secretary of State.

Mr. BACA. Mr. Speaker, I rise in support of H.R. 360, a resolution commemorating the 60th anniversary of V–J Day and the end of World War II in the Pacific.

Sixty years ago today, Japanese offlcials formally surrendered and by doing so concluded the bloodiest war in modern history,

The United States entered the Second World War in December 1941, following the Japanese attack on Pearl Harbor, and over the next four years Americans participated in the greatest national endeavor in our Nation's history.

The casualty toll of Americans in the Pacific Theater during World War II was approximately 92,904 killed, 208,333 wounded, and tens of thousands missing in action and prisoners of war, with civilians and military forces of the Allied Powers suffering equally devastating tolls.

Mr. Speaker, the people of the Inland Empire are grateful to this greatest generation for their sacrifice and we honor them for their courage.

Courage of people like Frank Sandoval of Ontario, California who bravely stood his ground as a landing crew machinist during battles with Japanese forces off the Island of Leyte, Philippines.

Courage like that of former Congressman Jerry Pettis, who fought in the Pacific and then returned home to dedicate his life to his community. Indeed, our local VA Medical Center in Loma Linda is named after him.

Mr. Speaker, I am proud to support this resolution so we may appropriately acknowledge the countless number of Americans who sacrificed their lives in World War II.

The contributions of these brave Americans have allowed us to live in the prosperous and free America we know today. It is our duty not only to recognize and remember their example, but also to courageously follow it.

Mr. HONDA. Mr. Speaker, as we commemorate the 60th anniversary of the victory over Japan and the end of World War II in the Pacific Theater, let us not forget the suffering and injustices experienced by prisoners of war (POWs) and innocent civilians who found themselves in the path of the Japanese military.

Thousands of American servicemen in the Pacific Theater were taken prisoner during World War II. Many were subjected to the Bataan Death March, in which the Japanese military forced them to march more than 60 miles

with little food or water. During this torturous trek, hundreds of U.S. soldiers died of dehydration, starvation, and violence. After being transported to Japan, many of these American POWs were handed over to private Japanese companies to toil as slave laborers.

Sadly, American POWs were not the only victims of Japanese military abuse. The list of atrocities committed by the Japanese military is extensive. Some of the more widely known acts of brutality include: death, beheadings, rape and other violent acts, forced labor and marches, and imprisonment during the occupation of Guam and many Asian countries; creation of a biochemical warfare detachment, known infamously as Unit 731 in Mukden, Manchuria, where horrendous experiments on living POWs were conducted; killing of more than 300,000 Chinese men, women, and children and the rape of 20,000 women during the event known as the 'Rape of Nanking'; and forced sexual slavery of hundreds of thousands of women from Korea, the Philippines and other countries for Japanese troops.

I acknowledge that H. Res. 360 properly recognizes that, "Japan is now a free and prosperous democracy, a valued and durable friend based on shared values and mutual interests, and a guarantor against despotism and oppression in that area of the world." However, we must not forget the past.

While the Government of Germany has formally apologized to the victims of the Holocaust and has taken great steps to provide financial compensation to the victims, the Government of Japan has refused to fully acknowledge the crimes it committed during World War II, and to provide reparations to its victims. The Government of Japan must reconcile its past in order to become a trusted world leader today.

Mr. WILSON of South Carolina. Mr. Speaker, I join in supporting House Resolution 360 recognizing V–J Day.

Last week, I was honored to serve on a delegation with Congresswoman MADELEINE BORDALLO, accompanied by Col. Antonio Baines (U.S. Army—Ret.) for the V–J Day activities in Beijing, China. The U.S. Embassy staff professionally coordinated the visit.

A highlight was to meet with U.S. veterans who served in China during World War II. It was inspiring to personally meet heroes who still exhibit the courage of their service 60 years ago.

I am grateful for my host, the Hon. Jiang Enzhu, Chairman of the Foreign Affairs Committee of the National People's Congress, who extended the invitation and provided a warm exchange of ideas to promote Chinese American Friendship. I addressed concern that the talks on textile imports had broken down the previous day.

At the Great Hall of the People, we were welcomed by the Hon. Sheng Hauren, Vice Chairman of the National People's Congress Standing Committee. In a frank exchange of viewpoints, we determined China and America have more in common rather than differences.

It was inspiring to join veterans of a dozen nations at the Beijing Peace Wall for the signing for the Beijing Peace Declaration. Our stay concluded with a dinner hosted by President Hu Jintao.

As the son of a Flying Tiger who served in China, I especially was appreciative to attend these events. My late father, 1LT Hugh D. Wilson, was proud to have protected the Chinese people in the Fourteenth Air Force as a member of the 91st Fighter Squadron, 81st Fighter Group known as the Thunderdragons of Fungwaushan, China.

The following report by my father was presented to fellow 14th Air Force Veterans as he reflected on his service.

A NIGHT ON A SANDBAR ON THE YANGTZE RIVER—MARCH 8, 1945

(By Hugh D. Wilson)

I had spent twelve months in China as a fighter pilot, flying P–40's and P–47's. In another three months I would finish my quota of missions and be on my way home.

On March 7, Lt. Col. Getchel, 1st Lt. Phil Van Sickle and I were called into our CO's office to inform us that we had been picked to ferry three L–5's (Stinson) from Kunming to Chengtu a distance of 600 miles. We were to fly by transport to Kunming early on the 8th. The planes would be ready and we were to fly half way back by night fall to Ipin, spend the night and then on to Chengtu.

We took off from Kunming about 2 p.m. with an ETA at Ipin at 5 p.m. The L–5's had a 165 HP Engine and we were cruising about 100 MPH.

Van Sickle and I being 1st Lts. closely followed our Col. which was a mistake, for after about two hours he called on the radio that he thought he had missed a check point.

I had been doing some map reading and assured the Col. that we couldn't be far off course and should reach the Yangtze river in about 45 minutes. So—on we flew and arrived at the river in one hour. The Col. said he thought we were west of Ipin and that we should fly east along the river until we could recognize some check points.

Ipin is at the foot of the Himalaya mountains on the headwaters of the Yangtze river. We were warned not to fly much west of Ipin because there was a tribe of Chinese head hunters at the foot of Mt. Minya Konka. (Second highest mountain in the world 24,900 ft.)

It was getting dark about this time as I spotted a white sand bar that I thought we could land on. We all agreed and flew down close to get a good look. The river runs thru a narrow valley with mountains on each side rising to 800 ft.

On landing the Col. who went in first landed too far from the water where the sand was soft and nosed but he was not hurt. Van Sickle and I were both from Florida and knew that on our beaches the sand is firmer at the water's edge. We both got in fine. In a few minutes it was dark.

In about thirty minutes we could see a circle of lanterns all around us and closing in slowly. We didn't know whether they were head hunters or who. As they closed in on us we stood close together and agreed to be as friendly as possible (all the Chinese we knew was "Ding How"—"good"). Inside my jacket I had the Chinese and American flag and I took it off to show them.

There were at least fifty men all with a lantern with candles in them and each had a gun of some kind. I have never seen as many old guns, some were blunderbusses even.

In a few minutes they acknowledged that we were Americans and friendly. They took a good look at our planes and saw the U.S. Air Force identification.

In another twenty minutes, a Chinese Buddha monk arrived from a monastery that was atop the mountain just above us. He could speak some English and asked us to follow him up the mountain for shelter for the night (800 ft).

The monk offered us some food and we decided to eat some of their duck eggs.

After a fairly comfortable night and assured by the monks that we were east of Ipin the Col. flew with me west to Ipin and to gas up (50 miles). We then flew back to assure Van Sickle that he could follow us home. We transferred the gas from the wrecked plane to Van Sickle's and flew on home with no further trouble. This time we all three navigated!

The above summary is indicative of the courage of our veterans in China and it is with deep appreciation that I urge my colleagues to support H.R. 360.

Mr. CASE. Mr. Speaker, I rise today in support of House Resolution 360, a resolution commemorating the 60th Anniversary of V-J Day and the end of World War II in the Pacific.

On Friday, September 2, 2005, a ceremony was held on the USS *Missouri* in Pearl Harbor, Hawaii, commemorating the September 2, 1945 signing of the final surrender of Japan on her deck. Although I was in Iraq on that day, I made the following statement:

On this very ship, six decades ago, the greatest conflagration our world has ever known and, pray God, will ever know, came to a merciful end. As we stand here today, we feel acutely, and with the living, breathing spirit of history around us, that range of emotions coming to us through these lengthening years: the depth of treachery by some to the human spirit; the magnitude of suffering; the breadth of bravery and sacrifice; the exhilaration of triumph and victory; the sorrow of loss; and the faith and abiding promise of democracy and freedom.

I so regret that I cannot be with you personally for this moment, but I am with our troops in still another war on the other side of our world. But please know that I am here in spirit as we pause to remember all of this and to recommit ourselves that we shall forever heed the lessons of World War II.

Ms. BORDALLO. Mr. Speaker, World War II marked a great pivot point for our Nation and the world. The Allies' great victory against the forces of oppression endures today as a testament to the determination and will of freedom's progress over oppression. The end of the war in the Pacific was a triumph for liberty in the world, and though many lives were lost, the memories of their valiant sacrifice will never be forgotten.

As we mark the 60th anniversary of the end of the war in the Pacific, we must also remember the sacrifices and hardships faced by the only Americans to be occupied during the war, the Chamorro people of Guam.

For the island of Guam, the war in the Pacific was a dark time indeed. Thirty-two months of oppressive occupation caused hardship and suffering, necessitating sacrifice and perseverance by the Chamorro people. Today we honor those whose lives were lost during this period. Though the scars of the occupation remain today, the liberation of the island is remembered as a seminal moment in the history of the Chamorro people.

The brave men of the 3rd Marine Division, the 77th Army Infantry Division, and the 6th Marine Provisional Brigade on July 21, 1944, fought tirelessly to liberate the Chamorro people and end the occupation. The people of Guam would like to acknowledge the enduring memory of these men who risked their lives on our behalf. Those who perished in this noble effort are today memorialized in solemn remembrance and will be for generations to come.

Mr. CHANDLER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 360.

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. STEARNS. 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.

CALLING UPON THE PRESIDENT TO ISSUE A PROCLAMATION RECOGNIZING THE 30TH ANNIVERSARY OF THE HELSINKI FINAL ACT

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the Senate joint resolution (S.J. Res. 19) calling upon the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act, as amended.

The Clerk read as follows:

S.J. RES. 19

Whereas August 1, 2005, is the 30th anniversary of the Final Act of the Conference on Security and Cooperation in Europe (CSCE), renamed the Organization for Security and Cooperation in Europe (OSCE) in January 1995 (hereafter in this resolution referred to as the ''Helsinki Final Act'');

Whereas the Helsinki Final Act established a new framework for relations among countries in Europe and the North Atlantic region that recognized that respect for human rights is a fundamental principle in regulating international relations;

Whereas, during the Communist era, members of nongovernmental organizations, such as the Helsinki Monitoring Groups in Russia, Ukraine, Lithuania, Georgia, and Armenia and similar groups in Czechoslovakia and Poland, sacrificed their personal freedom and even their lives in their courageous and vocal support for the principles enshrined in the Helsinki Final Act;

Whereas Congress contributed to advancing the aims of the Helsinki Final Act by creating the Commission on Security and Cooperation in Europe to monitor and encourage compliance with provisions of the Helsinki Final Act;

Whereas, in the 1990 Charter of Paris for a New Europe, the participating States in the OSCE (hereafter in this resolution referred to as the ''participating States'') declared that ''[h]uman rights and fundamental freedoms are the birthright of all human beings, are inalienable and are guaranteed by law'' and that ''[t]heir protection and promotion is the first responsibility of government'';

Whereas, in the 1991 Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE, the participating States ''categorically and irrevocably declare[d] that the commitments undertaken in the field of the human dimension of the CSCE are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the State concerned'';

Whereas, in the 1990 Charter of Paris for a New Europe, the participating States committed themselves ''to build, consolidate and strengthen democracy as the only system of government of our nations'';

Whereas the pro-democracy revolution in Serbia in 2000, the Rose Revolution in Georgia in 2003, the Orange Revolution in Ukraine in 2004, and the popular revolution in Kyrgyzstan in 2005 demonstrate the primacy of popular sovereignty and the importance of OSCE commitments on free and fair elections;

Whereas the OSCE and the participating States have undertaken a series of measures aimed at combating anti-Semitism, racism, xenophobia, and discrimination and should report on related progress during the OSCE Conference on anti-Semitism and on Other Forms of Intolerance in Cordoba, Spain, in June 2005;

Whereas the 1999 Istanbul OSCE Charter for European Security and the November 19, 1999, Istanbul Summit Declaration note the particular challenges of ending violence against women and children as well as sexual exploitation and all forms of trafficking in human beings, and commit the participating States to strengthen efforts to combat corruption, eradicate torture, and end discrimination against Roma;

Whereas the main challenge facing the participating States remains the implementation of the principles and commitments contained in the Helsinki Final Act and other OSCE documents adopted on the basis of consensus;

Whereas the participating States have recognized that economic liberty, social justice, and environmental responsibility are indispensable to prosperity;

Whereas the participating States have committed themselves to promoting economic reforms through enhanced transparency for economic activity, with the aim of advancing the principles of market economies;

Whereas the participating States have stressed the importance of respect for the rule of law and vigorous efforts to fight organized crime and corruption, which constitute a great threat to economic reform and prosperity;

Whereas OSCE has expanded the scope and substance of its efforts, undertaking a variety of preventive diplomacy initiatives designed to prevent, manage, and resolve conflict within and among the participating States;

Whereas the politico-military aspects of security remain vital to the interests of the participating States and constitute a core element of OSCE's concept of comprehensive security;

Whereas the OSCE has played an increasingly active role in civilian police-related activities, including training, as an integral part of OSCE's efforts in conflict prevention, crisis management, and post-conflict rehabilitation; and

Whereas the participating States bear primary responsibility for raising awareness of violations of commitments contained in the Helsinki Final Act and other OSCE documents: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress calls upon the President—

(1) to issue a proclamation—

(A) recognizing the 30th anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe;

(B) reasserting the commitment of the United States to full implementation of the Helsinki Final Act;

(C) urging all participating States to abide by their obligations under the Helsinki Final Act; and

(D) encouraging the people of the United States to join the President and Congress in observance of this anniversary with appropriate programs, ceremonies, and activities; and

(2) to convey to all signatories of the Helsinki Final Act that respect for human rights and fundamental freedoms, democratic principles, economic liberty, and the implementation of related commitments continue to be vital elements in promoting a new era of democracy, peace, and unity in the region covered by the Organization for Security and Cooperation in Europe.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from Kentucky (Mr. CHANDLER) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of New Jersey. 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.J. Res. 19.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in very strong support of Senate Joint Resolution 19, as amended, calling on the President to issue a proclamation in recognition of the 30th anniversary of the signing of the Helsinki Final Act.

The resolution urges the 55 states of North America, Europe and Eurasia which comprise the Organization For Security and Cooperation in Europe to abide by their obligations under the Helsinki Final Act. The Congress further calls on the President to reiterate the United States' agreement that respect for human rights and fundamental freedoms, democratic principles and economic liberty are vital elements in promoting a new era of democracy, peace and unity in this region of the world.

For all of the history that we make here, Mr. Speaker, it is not too often that we in this body have the opportunity to celebrate and honor an event that has so conspicuously marked such a turning point in human affairs. Too often the history of international relations is one of false starts and missed opportunities. The victories, when they do happen, are more often ones of prevention, disasters averted or crises ended. Or if not that, then the results are realized too far into the future to be judged with any clarity. This is not the case with the Helsinki Final Act signed on August 1, 1975.

With that historic event, what we saw was a recognition not just by the United States or even the West, but

even in Eastern Europe and the Soviet Union, that human rights are the pivot, the linchpin of true security and peace in the world. What the Helsinki Final Act asserted and what subsequent history has taught beyond any reasonable doubt is this: The way governments treat their people is the concern not just of those governments but of all the nations and peoples of the world. In essence, security and human dignity and human rights are one and indivisible.

Indeed, it is in the fall of the Communist regimes in Europe that we have seen the principles of the Helsinki Final Act, and the process that the act inaugurated, unleashed forces of good and of hope. The document spoke truth to power and empowered millions to rise up and demand democracy and fundamental freedoms, especially religious freedom. Many became Helsinki monitors in dictatorships, in places like Czechoslovakia where members of Charter 77 risked their lives and often went to prison in demanding that their dictatorship allow them fundamental freedoms.

We saw it in places like Perm 35, a horrible gulag that the gentleman from Virginia (Mr. WOLF) and I visited back in the 1980s, where men were actively clamoring for their rights. For instance Mikhail Kazachkov, a physcist by training imprisoned for his dissident activites, took the Helsinki Final Act and, even at risk of cruel retribution, would speak up and demand his freedoms and those of his fellow inmates.

Recently, the United States Helsinki Commission of which I am the Co-chair hosted an event commemorating the 30th anniversary. We had Dr. Henry Kissinger as our principal speaker. Dr. Kissinger, as many will know and recall, was Secretary of State in that period, and he pointed out how rough the world was at the time, how close we were to superpower conflict between ourselves and the Soviet Union. The arsenals were brimming over with nuclear weapons that unfortunately seemed to be at the ready.

Dr. Kissinger pointed out that the Helsinki Final Act was not popular at the time. Many thought it was a concession to the Soviet Union, that somehow they would make propaganda, and they would reap tremendous benefits from it. People had serious misgivings about what the Helsinki Final Act would actually do. The United States signed onto the Final Act and, of the three baskets, we emphasized the human rights dimension and promoted it and promoted it and promoted it, much to the chagrin of leaders in the Kremlin, as well as those who were part of the Warsaw Pact.

In reality, Dr. Kissinger noted the Helsinki process served as a catalyst to ''promote change in the political situation and also to change the human rights situation.'' He said, ''I can think of nothing that the Soviet Union got out of this, except that their position in Eastern Europe and their position along the dividing line in Germany was undermined.''

Whenever we met with Soviet authorities or Polish leaders or any leaders of those occupied countries, we always had lists of political prisoners and of religious prisoners. We always based our inquiries on the fact that all of these nations were voluntary signatories to the Helsinki Final Act. This was a matter of international concern. These were not simply American values, these were universally recognized and agreed to values.

Mr. Speaker, let me also say that the Helsinki process continues. We need to continue fighting. We are now fighting to try to stem the rise of anti-Semitism, that ugly specter of hate toward Jews throughout the countries that make up the OSCE, including the United States. We are working to combat racism and xenophobic behavior. We are now working very hard, and have been since the 1990s, to combat this hideous form of slavery known as human trafficking, especially for prostitution where women are turned into chattel and into commodities and their lives destroyed.

We are also working on a number of other human rights issues within the Helsinki process, trying to get the Central Asian countries to realize that they have commitments that need to be abided by. Mr. Speaker, this is not a document that we only look back on. This is a living document that we work to implement as we go forward.

Mr. Speaker, one of the hallmarks of the Helsinki Final Act is our ability to use it to promote democracy and elections. No organization does a better job than the OSCE monitors when it comes to elections. When the commitments have been implemented, political parties have had the opportunity for free and fair elections. When emphasis is given to the conduct of free elections, we have witnessed some amazing changes, including Kyrgyzstan's Tulip Revolution, Ukraine's Orange Revolution, Georgia's Rose Revolution and Serbia's Democratic Revolution. These events in the last 5 years alone testify to the power of the principles inscribed in the Helsinki Final Act and the other OSCE documents that followed on.

Some participating States, however, most notably Belarus, Russia, Turkmenistan and Uzbekistan, seem determined to not live up to their commitments. These remain some of the areas of concern that our Helsinki Commission works on on a daily basis.

Finally, Mr. Speaker, having served as a member of the Helsinki Commission since my second term in 1983, I believe the U.S. must hold vigorously to the values that have inspired fundamental and democratic change in much of the OSCE region. As I said a moment ago, our work is not done. Much needs to be done going forward. I know we will do it. We will use this now famous document, the Helsinki Final Act, as our inspiration going forward.

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

Mr. CHANDLER. Mr. Speaker, I rise in strong support of this Senate Joint Resolution 19, as amended, and Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in 1975, in an effort to reduce the risks of war between the North Atlantic Alliance and the Warsaw Pact, the countries of the North Atlantic community and Eastern and Central Europe could agree on a common set of principles on peaceful relations and decent treatment of their citizens.

As the gentleman from New Jersey (Mr. SMITH) so passionately and so eloquently said, it was a true watershed in human history. At the time, I am sure that the leaders of the Soviet Union thought that they had achieved much, such as the de facto recognition of a divided Germany, and given little. What, after all, they thought, is the danger of a few words about freedom on a piece of paper? Thirty years later, it is clear what was wrought by these words.

The principles of human rights and fundamental freedoms empowered the dissidents of Russia, Ukraine, the Baltic States, Czechoslovakia, Poland and others to establish Helsinki monitoring or similar groups to try to push their governments to live up to the commitments of the Helsinki Final Act.

Indeed, many of those dissidents lost their personal freedom and sometimes even their lives in their courageous and vocal support for these principles. And the Helsinki Final Act is not merely an artifact of history, not merely an artifact of history. The Organization for Security and Cooperation in Europe, the successor to the conference that drafted the act, continues to promote freedom and human rights throughout Europe, including the newly independent States of the former Soviet Union.

Just in the last year, the OSCE through its Offices for Democratic Institutions and Human Rights has supported civil society in Belarus; sent election observers to Kyrgyzstan as it makes efforts to transition to an authoritarian regime; provided training on human rights monitoring to groups in the Caucasus; and assisted countries throughout the region in stopping the scourge of modern day slavery, the trafficking in persons.

Later this year, OSCE will make efforts to have a successful free and fair parliamentary election in Azerbaijan, a critical country to our efforts in Afghanistan and a country that is seeking to throw off the communist bonds of its past.

The Organization for Security and Cooperation in Europe does not stop in Europe.

□ 1500

It is helping the countries of Africa and other regions in their efforts at democratization.

Indeed, many have talked about a Helsinki Final Act for the Middle East to bring the value of the accords to the

people of those countries. Some have argued for a democracy charter for the countries of the Arab League, similar to the charter adopted by the Organization of American States.

Mr. Speaker, I hope the administration is seriously taking the lessons of the Helsinki process to heart as it moves forward with its efforts to promote democracy and pluralism through the broader Middle East and North Africa Initiative.

I strongly support this legislation, and may we strike more blows for basic human rights in the world.

Mr. CARDIN. Mr. Speaker, I rise in strong support of S.J. Res. 19, which recognizes the 30th anniversary of the Helsinki Final Act. The President issued a proclamation on August 1, 2005 which celebrated this important anniversary.

I am privileged to serve as the Ranking Member of the Helsinki Commission, formally known as the U.S. Commission on Security and Cooperation in Europe. The Commission encourages compliance with the Helsinki Final Act by the 55 nations of the Organization for Security and Cooperation in Europe (OSCE), which is the largest regional security organization in the world.

The United States has actively participated in the Helsinki process since its inception 30 years ago. Today we acknowledge and celebrate that participation. This resolution recalls the importance of the Helsinki process in promoting human rights, democracy, and the rule of law within the OSCE. The Helsinki process consists of three ''baskets'' of rights which are essential to security: political, economic, and human rights.

Our Commission is unusual in that it is an independent Federal agency which has both the legislative and executive branches working together side by side. I have greatly appreciated this opportunity to work as equal partners in the Helsinki process, which I think has frankly increased our effectiveness on a number of issues within the OSCE region.

I have enjoyed working with our colleagues on the International Relations Committee, Mr. HYDE and Mr. LANTOS, as well as with my Helsinki Commission Co-Chairman CHRIS SMITH and Chairman SAM BROWNBACK from the Senate.

Our work on the Helsinki Commission is bipartisan, and I do not think I can ever recall a moment in my entire service on this Commission where we have had a partisan difference. Our bipartisan record has led to numerous accomplishments on critical issues in the OSCE. The OSCE is perhaps best known for leading election monitoring missions to insure free and fair elections in emerging democracies in Europe and Eurasia.

The Helsinki process allowed many Jews to leave the former Soviet Union. Today the Helsinki process has taken the lead in fighting the growing scourge of anti-Semitism in Europe, culminating in an unprecedented conference on anti-Semitism and the issuance of the Berlin Declaration, which adopts a number of concrete commitments for States to fight anti-Semitism.

I am also privileged to serve as the Chairman of the economic committee of the Parliamentary Assembly (PA) of the OSCE, which has focused on anti-corruption measures and the promotion of small businesses, particularly those owned by women and minorities. I commend the gentleman from Florida, Mr. HASTINGS, for his excellent leadership of the OSCE PA as the first American to serve as President of this organization.

Earlier this year Chairman SMITH and I visited Ukraine to meet with the new democratic government. Many of the former Soviet republics are still struggling today with their transition to a democratic form of government, and the OSCE plays an integral role in assisting these governments in establishing the rule of law.

Many challenges remain for the Helsinki process, but today we celebrate its rich legacy and record of accomplishments. I look forward to using the Helsinki process as we confront the new political, economic, and human rights challenges of the 21st century.

Mr. ADERHOLT. Mr. Speaker, I rise today in support of S.J. Res. 19, a joint resolution calling upon the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act. As a Commissioner of the Organization for Security and Cooperation in Europe (OSCE), I am pleased to continue to work with my fellow commissioners in Congress, the Administration and our counterparts in the other 54 member nations.

The Organization for Security and Cooperation in Europe (OSCE) had its origin in the early 1950s when the Soviet Union first proposed the creation of an all-European security conference. However it wasn't until November 1972 when representatives from the original 35 nations met for nearly three years to work out the arrangements. On August 1, 1975, the leaders of the original 35 participating States gathered in Helsinki and signed the Final Act of the Conference on Security and Cooperation in Europe.

Also known as the Helsinki Accords, the Final Act is a binding agreement consisting of three main sections, known as Baskets, regarding political, economic and human rights.

Since 1975, the number of countries signing the Helsinki Accords has expanded to 55, reflecting changes such as the breakup of the Soviet Union, Czechoslovakia and Yugoslavia. Institutionalization of the Conference in the early 1990s led to its transformation to the Organization for Security and Cooperation in Europe, effective January 1995.

The Helsinki Final Act and the process it began provided an important backdrop against which President Ronald Reagan, standing in front of Berlin's Brandenburg Gate, could boldly declare, ''Mr. Gorbachev, tear down this wall.'' This began the process of systemic change, eventually leading to the release of hundreds of cases of political prisoners and prisoners of conscience as well as the reunification of tens of thousands of families.

In a step designed to preserve the unity of the Helsinki process, each country that joined the OSCE after 1975 submitted a letter in which the accepted in their entirety all commitments and responsibilities contained in the Helsinki Final Act, and all subsequent documents adopted prior to their membership. To underscore this continuity, the leaders of each of these countries signed the actual original 1975 Final Act document.

I have been particularly interested in working with former Chairman SMITH and now with Chairman BROWNBACK on human rights and religious freedom. There remains a great deal of work to do on these matters throughout the OSCE member countries. I look forward to continuing to work with the OSCE members and their outstanding staff.

Mr. HOYER. Mr. Speaker, I strongly support this Joint Resolution calling on President Bush to issue a proclamation recognizing the 30th anniversary of the signing of the Final Act of the Conference on Security and Cooperation in Europe, commonly known as the Helsinki Agreement.

The Helsinki Final Act—which was signed on August 1, 1975—was the first international agreement to accord human rights the status of a fundamental principle in regulating international relations, and has been widely credited with helping to expose human rights violations in the former Soviet bloc.

In fact, I firmly believe that the political process set in motion by the signing of the Helsinki Final Act laid the groundwork for the forces that consumed the former Soviet empire.

In 1975, many of the Final Act signatory states viewed the language of the act dealing with human rights and the obligation that each state had toward its own citizens, as well as those of other states, as essentially meaningless window dressing. Their objective was to secure a framework in which their international political position and the then-existing map of Europe would be adjudged a fait accompli.

They were proved wrong. The Helsinki process, which provided a forum and international backing for Refuseniks and others fighting behind the Iron Curtain for fundamental freedoms and human rights—led inevitably to the collapse of Soviet communism.

Today, we celebrate the freedom yielded by our steadfast commitment to the Helsinki process and by our demand that the former Soviet bloc countries adhere to and implement the human rights standards enshrined by the accords.

The fall of the Berlin Wall transformed the world and demonstrated without reservation that respect for the dignity of all individuals is fundamental to democracy.

As we reflect on this 30th anniversary, we understand that the countries and peoples of the region are still in transition and will be for decades to come. Great strides have been made by many former communist countries in building democratic societies and market economies.

But in my view, Mr. Speaker, it is critical that the United States remain engaged with the peoples and governments of Europe and the countries that emerged from the former Soviet Union, especially Russia.

We must remain committed to a Europe whole, free, democratic and at peace. It is in our strategic and national interest to do so. And by doing so, we honor the memory of all those who sacrificed so much to hold high the banner of freedom.

Finally, let me note that this Joint Resolution reasserts the commitment of the United States to fully implement of the Helsinki Act; urges all participating states to abide by their obligations under the Act; and encourages Americans to join the President and Congress in observing this 30th anniversary.

I urge my colleagues to support this important Resolution.

Mr. CHANDLER. Mr. Speaker, I have no other requests for speaking time, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, we have no further requests

for time, and I yield back the balance of our time as well.

The SPEAKER pro tempore (Mr. BOOZMAN). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 19, 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. SMITH of New Jersey. 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.

RECESS

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

Accordingly (at 3 o'clock and 2 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1834

AFTER RECESS

The recess having expired, the House was called to order at 6 o'clock and 34 minutes p.m.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 52. Concurrent resolution providing for the use of the catafalque situated in the crypt beneath the Rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building for the late honorable William H. Rehnquist, Chief Justice of the United States.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK
HOUSE OF REPRESENTATIVES
Washington, DC August 30, 2005.

Hon. J. DENNIS HASTERT
The Speaker, House of Representatives
Washington, DC.

Dear MR. SPEAKER: I have the honor to transmit herewith a Certificate of Election received from the Honorable J. Kenneth Blackwell, Secretary of State, State of Ohio, indicating that, at the election held on August 2, 2005, the Honorable Jean Schmidt was duly elected Representative in Congress for the Second Congressional District, State of Ohio.

With best wishes, I am
Sincerely,

JEFF TRANDAHL,
Clerk.

Attachment.

SWEARING IN OF THE HONORABLE JEAN SCHMIDT, OF OHIO, AS A MEMBER OF THE HOUSE

The SPEAKER. Will the Representative-elect and the members of the Ohio delegation please present themselves in the well.

Mrs. SCHMIDT appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter. So help you God.

The SPEAKER. Congratulations, you are now a Member of the 109th Congress.

WELCOMING THE HONORABLE JEAN SCHMIDT TO THE HOUSE OF REPRESENTATIVES

(Mr. REGULA asked and was given permission to address the House for 1 minute.)

Mr. REGULA. Mr. Speaker, I am pleased to join my colleagues from Ohio, and particularly our Senator, Senator VOINOVICH, and my other colleagues. And as dean of the Ohio delegation, it is a great pleasure that I rise this afternoon to introduce the Honorable JEAN SCHMIDT of the Second District of Ohio.

She has been a lifelong resident of Clermont County, the first woman ever elected to represent southern Ohio in Congress. The diverse Second Congressional District includes seven counties, a lot of Lincoln Day dinners, stretches from downtown Cincinnati to the riverside town of Portsmouth in Scioto County.

Throughout her career, Congresswoman SCHMIDT has held various roles in public office and has been actively involved in civic and community groups. That is a great background for serving here. She served for two terms in the Ohio statehouse, and according to the Cincinnati Enquirer, she '' . . . proved effective in passing legislation to address her district's concerns.'' While serving in the State legislature, SCHMIDT enacted legislation to create jobs, protect Ohio's children, and ensure access to quality health care.

Prior to her election to Ohio's statehouse, Mrs. SCHMIDT served 10 years as a Miami Township trustee. In this leadership role, she helped Miami Township to become a world-class community by initiating a variety of projects and improvements, including creating a 300-acre first-class park system, securing funds for critical road repairs, and attracting 2,000 high-paying jobs for the township. My township could use some of her advice. She also established a 5K run and located a branch of the Clermont County Library in Miami Township.

Congresswoman SCHMIDT resides in Miami Township with her husband, Peter, and their daughter Emily. She holds degrees in political science and secondary education from the University of Cincinnati. Her interests include auto racing and long-distance running. She has completed 56 marathons and still counting.

Mr. Speaker, I want to say she is tonight embarking on the greatest marathon of her career.

Mr. Speaker, I am pleased to welcome Congresswoman SCHMIDT to the House.

MAIDEN SPEECH BY THE HONORABLE JEAN SCHMIDT

(Mrs. SCHMIDT asked and was given permission to address the House for 1 minute.)

Mrs. SCHMIDT. Mr. Speaker, I stand here today in the same shoes, though with a slightly higher heel, as thousands of Members who have taken the same oath before me. I am mindful of what is expected of me both by this hallowed institution and the hundreds of thousands of Americans I am blessed to represent. I am the lowest-ranking Member of this body, the very bottom rung of the ladder; and I am privileged to hold that title.

This House has much work to do. On that we can all agree. We will not always agree on the details of that work. Honorable people can certainly agree to disagree. However, here today I accept a second oath. I pledge to walk in the shoes of my colleagues and refrain from name-calling or the questioning of character. It is easy to quickly sink to the lowest form of political debate. Harsh words often lead to headlines, but walking this path is not a victimless crime. This great House pays the price.

So at this moment, I begin my tenure in this Chamber, uncertain of what history will say of my tenure here. I come here green with only a desire to make our great country even greater. We have much work to do. In that spirit, I pledge to each of you that any disagreements we may have are just that and no more. Walking in each other's shoes takes effort and pause; however, it is my sincere hope that I never lose the patience to view each of you as human beings first, God's creatures, and foremost. I deeply appreciate this opportunity to serve with each of you. I very much look forward to getting to know you better, and I humbly thank you, Mr. Speaker, for allowing me to address this humble body.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentlewoman from Ohio (Mrs. SCHMIDT), the whole number of the House is 434.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Resolution 360, by the yeas and nays;

Senate Joint Resolution 19, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

COMMEMORATING THE 60TH ANNIVERSARY OF V-J DAY AND THE END OF WORLD WAR II IN THE PACIFIC

The SPEAKER. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 360.

The Clerk read the title of the resolution.

The SPEAKER. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 360, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 394, nays 0, not voting 39, as follows:

[Roll No. 454]

YEAS—394

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carson
Carter
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conyers
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hyde
Inglis (SC)
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—39

Berkley
Bilirakis
Boucher
Brady (PA)
Brady (TX)
Buyer
Cardin
Case
Conaway
Costello
Delahunt
Dicks
Emerson
Engel
Fattah
Gallegly
Hefley
Hunter
Inslee
Latham
Maloney
McCrery
McDermott
Melancon
Mollohan
Moore (KS)
Murtha
Olver
Pickering
Rush
Sanchez, Loretta
Sessions
Stark
Strickland
Tancredo
Taylor (MS)
Waters
Weiner
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1902

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BILIRAKIS. Mr. Speaker, I missed the recorded vote for H. Res. 360, which commemorates the 60th anniversary of V–J Day and the end of World War II in the Pacific. Had I been present, I would have voted "yea" on rollcall vote 454.

MOMENT OF SILENCE IN MEMORY OF VICTIMS OF HURRICANE KATRINA

The SPEAKER. The Chair would ask all Members to stand and observe a moment of silence in memory of the victims of Hurricane Katrina.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Without objection, proceedings will continue with a 5-minute vote.

There was no objection.

CALLING UPON THE PRESIDENT TO ISSUE A PROCLAMATION RECOGNIZING THE 30TH ANNIVERSARY OF THE HELSINKI FINAL ACT

The SPEAKER. The pending business is the question of suspending the rules and passing the Senate joint resolution, S.J. Res. 19, as amended.

The Clerk read the title of the Senate joint resolution.

The SPEAKER. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 19, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 393, nays 1, not voting 39, as follows:

[Roll No. 455]

YEAS—393

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus

Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conyers
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hyde
Inglis (SC)
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—1

Paul

NOT VOTING—39

Berkley
Bilirakis
Boucher
Brady (PA)
Brady (TX)
Buyer
Cardin
Conaway
Costello
Delahunt
Dicks
Emerson
Engel
Fattah
Gallegly
Hefley
Hunter
Inslee
Jefferson
Latham
Maloney
McCrery
McDermott
Melancon
Mollohan
Moore (KS)
Murtha
Olver
Pickering
Rush
Sanchez, Loretta
Sessions
Stark
Strickland
Tancredo
Taylor (MS)
Waters
Weiner
Young (AK)

□ 1918

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate joint resolution, 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. BILIRAKIS. Mr. Speaker, I missed the recorded vote for S.J. Res. 19, which calls upon the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act. Had I been present, I would have voted "yea" on rollcall vote 455.

COMMUNICATION FROM ASSOCIATE JUSTICE OF SUPREME COURT

The SPEAKER pro tempore (Mrs. BIGGERT) laid before the House the following communication from Antonin Scalia, Associate Justice of the Supreme Court of the United States:

SUPREME COURT OF THE UNITED STATES,
Washington, DC, September 6, 2005.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify the House of Representatives, through you, that the Chief Justice of the United States died in Arlington, Virginia on Saturday, September 3, 2005.

Very truly yours,

ANTONIN SCALIA,
Associate Justice.

EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE WILLIAM H. REHNQUIST, CHIEF JUSTICE OF THE UNITED STATES

Mr. DELAY. Madam Speaker, I offer a privileged resolution (H. Res. 422) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 422

Resolved, That the House has heard with profound sorrow of the death of the Honorable William H. Rehnquist; Chief Justice of the United States.

Resolved, That the House tenders its deep sympathy to the members of the family of the late Chief Justice in their bereavement.

Resolved, That the Clerk communicate these resolutions to the Senate and to the Supreme Court and transmit a copy of the same to the family of the late Chief Justice.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the late Chief Justice.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR USE OF CATAFALQUE IN CRYPT BENEATH ROTUNDA OF CAPITOL IN CONNECTION WITH MEMORIAL SERVICES FOR THE LATE HONORABLE WILLIAM H. REHNQUIST, CHIEF JUSTICE OF THE UNITED STATES

Mr. DELAY. Madam Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 52) providing for the use of the catafalque situated in the crypt beneath the Rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building for the late honorable William H. Rehnquist, Chief Justice of the United States, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

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

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 52

Resolved by the Senate (the House of Representatives concurring), That the Architect of the Capitol is authorized and directed to transfer to the custody of the Supreme Court of the United States the catafalque which is situated in the crypt beneath the Rotunda of the Capitol so that such catafalque may be used in the Supreme Court Building in connection with services to be conducted there for the late honorable William H. Rehnquist, Chief Justice of the United States.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2290

Mr. JONES of North Carolina. Madam Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2290.

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

There was no objection.

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 7 o'clock and 23 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2241

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. REICHERT) at 10 o'clock and 41 minutes p.m.)

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

(Mr. GUTKNECHT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

(Mrs. MCCARTHY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent to take the time of the gentlewoman from New York (Mrs. MCCARTHY).

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

There was no objection.

CONCERNS REGARDING RESPONSE TO HURRICANE KATRINA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, we here in the Congress have just returned to conduct the Nation's business, and our hearts are with the families and individuals who have lost loved ones and are scattered across this country as a result of the terrible, terrible devastation of Hurricane Katrina.

The House of Representatives this evening met with the President's Cabinet for nearly 3 hours, and this evening I would like to address concerns regarding how the institutions of this Nation failed the American people and what can be done about it as we try to heal as a Nation and thank those who are extending their compassion and assistance and to try to give strength to those who have suffered so much. There is not a single American who does not feel just horrible about what has happened, and we in the Congress bear responsibility, as does this administration, for the response and its shortcomings.

There is a story today in the Wall Street Journal entitled: ''Behind Poor Katrina Response, a Long Chain of Weak Links.'' I would like to enter that into the RECORD and read from a key section of that article that talks about what went wrong.

□ 2245

Number one, the absorption of the Federal Emergency Management Agency into the gargantuan and terrorism-focused Department of Homeland Security, which I voted against as a Member of this Congress over 2 years ago; I served on the Committee on Appropriations where FEMA came before us. We had an agency that finally worked after 10 years of reform in the Clinton administration, and James Lee Witt, the director of that agency, did such a terrific job. All of that changed as FEMA was subsumed under this gargantuan Department of Homeland Security, which in essence had a very different kind of mission.

Just 2 weeks ago, as the Wall Street Journal article recounts, five State emergency managers brought a tough message here to Washington, this was before Katrina, and met with Michael Chertoff, the Homeland Security Secretary. And these emergency directors told them straight out that the administration was weakening emergency management with potentially dangerous consequences. In fact, Dave Liebersback, the Director of Alaska's Division of Homeland Security and Emergency Management, said that the Department's focus on terrorism was undermining its readiness here at home.

The article goes on to say that there were not firm procedures in place, for example, for directing people and materials when a national emergency such as Katrina would strike. And this article, along with other information that I choose to enter into the record this evening, shows that the appropriations for the funding of FEMA, as part of this major new department, were actually cut by over $600 million in the area of regional operations. These are bad decisions that need to be reversed. The American people and we here in this Congress must do this.

A few years ago, when the Department of Homeland Security was being debated here in the Congress, I stated, and reread for the record tonight, ''I do not want FEMA put in the Department of Homeland Security. Why? Because FEMA worked. It took us 10 years to fix FEMA back during the decades of the 1990s, so why do we want to stick FEMA into this big new department that will have 170,000 people in it, and we cannot even get direct communications up to the top? The United States fought World War II, and we did not need a Department of Homeland Security. We defeated the Communists during the Cold War, and we didn't need a 170,000-person Department of Homeland Security. We fought the Persian Gulf War, and we did not need it.''

But our words were not successful here in the Congress. And we ended up with a majority of Members of Congress passing a Department of Homeland Security that buried FEMA far underneath this mammoth administrative structure. I hate to call it a management structure because it became a mismanagement structure. And then funding for local responses was cut by over $600 million.

Interestingly, the Web site of the current Committee on Homeland Security here in the U.S. House of Representatives indicates a vacancy in the chairmanship, with the movement of Mr. Cox of California to the Securities and Exchange Commission. So even one of the key committees here in the House lacks the key chair as we move into this difficult period.

But the point is that there has been very bad decision making here in the Congress that relegated FEMA in terms of domestic affairs, and also, those put in charge over the last 5 years have had absolutely no hands-on experience with emergency management.

Mr. Speaker, as I mentioned previously, the articles I referred to earlier are submitted hereafter for inclusion in the RECORD.

WHAT WENT WRONG?

Some reasons why the U.S. didn't adequately protect and rescue its citizens from a natural disaster.

The absorption of the Federal Emergency Management Agency into the gargantuan—and terrorism-focused—Department of Homeland Security.

A military stretched by wars in Iraq and Afghanistan, which made commanders reluctant to commit some active-duty units nearby.

A total breakdown of communications systems.

Missteps at the local level, including a rudimentary plan to deal with hurricanes.

A failure to plan for the possibility that New Orleans's levee system would fail.

[From the Wall Street Journal, Sept. 6, 2005]

POWER FAILURE: BEHIND POOR KATRINA RESPONSE, A LONG CHAIN OF WEAK LINKS—CHANGING STRUCTURE OF FEMA, EMPHASIS ON TERRORISM CONTRIBUTED TO PROBLEMS—A SHORTAGE OF HELICOPTERS

(By Robert Block, Amy Schatz, Gary Fields and Christopher Cooper)

Just two weeks ago, five state emergency managers brought a tough message to a meeting in Washington with Homeland Security Secretary Michael Chertoff and his top deputies.

''We told them straight out that they were weakening emergency management with potentially disastrous consequences,'' says Dave Liebersbach, the director of Alaska's Division of Homeland Security and Emergency Management. The department's focus on terrorism was undermining its readiness for other catastrophes, said the visiting officials, who included emergency managers from Mississippi and Alabama.

Now that Hurricane Katrina has left the Gulf Coast flooded and New Orleans in ruins, the question ricocheting around the nation and the world is this: How could the world's biggest superpower fail so badly in protecting and rescuing its residents from a natural disaster so frequently foretold?

The answer is sure to receive intense scrutiny this fall in Congress and around the nation, especially given revived fears that the U.S. is ill-prepared for a terrorist attack. ''We are going to take a hard, hard look at our disaster-response procedures,'' said Republican Majority Leader Bill Frist of Tennessee this weekend as he assisted patients at the New Orleans airport.

Yesterday, the government moved aggressively to show it has the situation in hand. President Bush paid his second visit to the region in four days, visiting Baton Rouge, La., and Poplarville, Miss. He asserted that federal, state and local governments are ''doing the best we can.'' The major levee breach in New Orleans, at the 17th Street Canal, was closed, allowing the city to begin pumping out floodwaters, a process expected to take about 30 days.

Meanwhile, thousands of federal troops appeared to be firmly in control of the city, with most residents evacuated and searches for survivors well underway. A Customs and Border Protection aircraft operating as a flying communication link gave first responders in New Orleans the ability to communicate for the first time since Katrina struck more than a week ago. In suburban Jefferson Parish, thousands of residents were allowed to check their homes under tight restrictions to evaluate what was left.

But the weekend's progress hasn't erased the troubling questions left by the government's delayed understanding of the scope of the damage last week and its initial slowness in mounting rescues and bringing food and water to stricken citizens. The problems include:

The decision to transform the Federal Emergency Management Agency from a cabinet-level agency reporting directly to the president to just one piece of a new, gargantuan Department of Homeland Security, which altered FEMA's mission and watered down its powers.

Too few helicopters stationed in the Gulf Coast area ahead of the storm.

A military stretched by wars in Iraq and Afghanistan, which left commanders near New Orleans reluctant to commit some active-duty units at nearby Fort Polk, La., because they were in the midst of preparing for an Afghan deployment this winter.

A total breakdown of communications systems, an echo of the problems that faced New York officials dealing with the 2001 terrorist attacks and a system the government has been trying to fix for four years.

Poor coordination among federal, state and local officials in the days immediately before and after the hurricane.

Failure at all levels of government to take seriously many studies and reports over many years warning of the potential disaster.

Indeed, despite many warnings of the dangers, Mr. Chertoff and other administration officials have explained their poor initial response by saying government planners didn't expect both a serious hurricane and a breach in levees. ''This is really one which I think was breathtaking in its surprise,'' Mr. Chertoff told reporters on Saturday.

Planners, he said, ''were confronted with a second wave that they did not have built into the plan, but using the tools they had, we have to move forward and adapt.''

Plenty of missteps at the local level contributed to last week's disaster too, from a failure to take basic steps to protect the telecom infrastructure to inadequate food and water at the Superdome. New Orleans may be able to stage events such as Mardi Gras and Jazzfest and provide parking, crowd control and adequate toilets for millions of visitors, but its hurricane plan was more rudimentary. ''Get people to higher ground and have the feds and the state airlift supplies to them—that was the plan, man,'' Mayor Ray Nagin said in an interview yesterday.

But so far, the federal government is bearing the brunt of criticism, given its vast resources and unique role in responding to major disasters. Critics say the response shows that the nation's disaster-response system, rebuilt in the wake of the 2001 terrorist attacks, is woefully inadequate. In a Washington Post-ABC News poll taken on Friday, the public said by a 67% to 31 % margin that the federal government wasn't adequately prepared for Katrina.

''What the events of the last week have shown is that over the last few years since 9/11 we have slowly disassembled our national emergency response system and put in its place something far inferior,'' says Bill Waugh, an academic expert on emergency management at Georgia State University. ''We reinvented the wheel when we didn't need to and now have something that doesn't roll very well at all.''

Many of last week's problems are rooted in January 2003, when the Bush administration, urged on by some members of Congress, created the Homeland Security Department. It amalgamated 22 agencies, from the Coast Guard to the Secret Service, creating the largest government bureaucracy since the Pentagon was formed in 1947.

From the start, emergency experts and even the Government Accountability Office, the investigative arm of Congress, warned that a special effort was needed to be sure FEMA's traditional mission of providing disaster relief wasn't lost in the shuffle.

But it was. FEMA's clout had long depended on its ability to help states plan for natural disasters by providing emergency preparedness grants and other resources. Under Homeland Security, grant-making decisions were transferred to a new, department-wide office in an attempt to consolidate funding. As a result, FEMA lost control of more than $800 million in preparedeness grants since 2003, congressional figures show. State emergency managers and congressional investigators say the overwhelming focus for grants is now on fighting terrorism. More money goes to local police and fire departments for that mission than responding to and recover from disasters.

Officials from Shelby County, Ala., for instance, last year said they could get federal money for chemical suits. But they were unable to get money for an emergency operations center that could link computers, phones and televisions to respond to tornadoes. Between 1957 and 2003, the county had 20 tornadoes that it said killed 11 people and caused more than $32 million in damages.

Meanwhile, morale at FEMA has dropped since it was subsumed by Homeland Security. Several key jobs are unfilled and its executives are overtaxed. Its acting chief operating officer in Washington, for instance, is also the director of FEMA's Atlanta region; his seat there is being held by another acting director. That area includes much of the hurricane-prone Southeast.

In July, Mr. Chertoff unveiled a departmental restructuring that would cement FEMA's reduced role. Among other moves, the plan restricted FEMA's purview to disaster response, stripping away longstanding functions such as helping communities build houses outside flood zones.

The plan, he told Congress, was ''to take out of FEMA a couple of elements that were really not related to its core missions, that were generally focused on the issue of preparedness in a way that I think was frankly more of a distraction to FEMA than an enhancement to FEMA.''

On July 27, Alaska's Mr. Liebersbach, in his role as the head of the National Emergency Management Association, an association of state emergency management directors, warned in a letter to Congress that Mr. Chertoff's plan was nothing short of disastrous. It would have ''an extremely negative impact on the people of this nation,'' he wrote.

''The proposed reorganization increases the separation between preparedness, response and recovery functions,'' the letter said. ''Any unnecessary separation of these functions will result in disjointed response and adversely impact the effectiveness of departmental operations.'' It was the letter that prompted the meetings with Homeland Security officials in late August.

Last week's response certainly revealed cracks in the current system. Though President Bush declared a state of emergency before Katrina made landfall on Monday, officials appear to have underestimated the severity of the damage caused by the storm. By Tuesday it became clear that the response was not meeting needs and that FEMA and Louisiana emergency teams were overwhelmed. Then the flood waters hit in New Orleans. It still took several more hours for Mr. Chertoff to declare the disaster an ''incident of national significance.''

Even then, some requirements hampered speed. Because of worries that terrorists could take advantage of such chaos, FEMA now must abide by post-9/11 security procedures, such as putting air marshals on flights. That meant stranded residents couldn't be evacuated from the New Orleans airport until FEMA had rounded up dozens of Transportation Security Administration screeners and more than 50 federal air marshals. Inadequate power prevented officials from firing up X-ray machines and metal detectors until the government decided evacuees could be searched manually.

In the hours before and after Katrina struck, there weren't firm procedures in place for directing people and materials. Dan Wessel, owner of Cool Express Inc., a Blue River, Wis., transportation company that contracts with FEMA to move supplies, said he didn't get a green light to send trucks to a staging area in Dallas until about 4 p.m. Monday, hours after Katrina made landfall. That was too late to meet a deadline of getting trucks to Dallas by noon Tuesday, he said.

Once the trucks arrived, drivers often found no National Guard troops, FEMA

workers or other personnel on hand to help unload the water and ice, Mr. Wessel said. ''I almost told the guys to leave, but people are wanting the water,'' he said. ''The drivers distributed it.''

Inside New Orleans, said Dr. Joseph Guarisco, chief of the emergency department of Ochsner Clinic Foundation, a 580-bed hospital in New Orleans above the water line, said there was confusion about where to direct evacuees seeking shelter.

For a couple of days, Dr. Guarisco said, he directed a stream of patients to what he understood was a FEMA mass-casualty tent at the intersection of Interstate 10 and Causeway Boulevard. ''A number came back and said, 'there's no one there.'" Dr. Guarisco said.

Some critics have blamed the war in Iraq, and the deployment of thousands of troops, including National Guard members, to that effort. President Bush has vehemently denied that charge. The administration has said problems on the ground were due to an unexpectedly severe storm and unanticipated flooding.

Four weeks before the hurricane, Lt. Colonel Pete Schneider, of the Louisiana National Guard, told WGNO, a local ABC affiliate, that when guard members left for Iraq last October, they took a lot of needed equipment with them, including dozens of high-water vehicles, Humvees, refueling tankers and generators that would be needed in the event a major natural disaster hit the state.

''You've got combatant commanders over there who need it, they say they need it, they don't want to lose what they have and we certainly understand that,'' he said. ''It's a matter of us educating that combatant commander [that] we need it back here as well.''

Col. Schneider also said the state had enough equipment to get by, and that if Louisiana were to get hit by a major hurricane, the neighboring states of Mississippi, Alabama and Florida had all agreed to help. In the end, those states were hit by Katrina as well.

The U.S. Army has a large facility, Fort Polk, in Leesville, La., about 270 miles northwest of New Orleans. Officials at Fort Polk, which has nearly 8,000 active duty soldiers, said their contribution so far has consisted of a few dozen soldiers from the 10th Mountain Division manning purification equipment and driving half-ton trucks filled with supplies and equipment. The first contingent of soldiers didn't receive orders until Saturday afternoon.

A spokeswoman at Fort Polk said she did not know why the base received its deployment orders so late in the game. ''You'd have to ask the Pentagon,'' she said. A senior Army official said the service was reluctant to commit the 4th brigade of the 10th Mountain Division from Fort Polk, because the unit, which numbers several thousand soldiers, is in the midst of preparing for an Afghanistan deployment in January.

Instead, the Pentagon chose to send upwards of 7,500 soldiers from the 1st Cavalry Division at Fort Hood, Texas and the 82nd Airborne Division from Fort Bragg, N.C., along with Marines from California and North Carolina. Soldiers from the 82nd Airborne Division are able to deploy anywhere in the world in 18 hours. It took several days for them to arrive on the ground in Louisiana.

There, no piece of equipment was more necessary than helicopters. But in the first 48 hours after the levees were breached, the shortage of helicopters became acute. FEMA wanted choppers to save stranded residents, while the Army Corps of Engineers needed the aircraft, known as ''rotary wing'' in military jargon, to repair the breaches. The Coast Guard, the primary agency responding to the disaster in New Orleans, had a total of 20 aircraft in the area, mostly helicopters, which focused solely on rescue operations.

''We have very limited aviation assets and rotary wing is what we need to put materials into those breaches, and that's the very asset we need to do search and rescue and save victims, so our efforts became something of a second priority and our initial plan was delayed a bit because of that,'' says Lt. Gen. Carl Strock, commander of the Army Corps of Engineers.

A FEMA spokesman said the Coast Guard and National Guard had adequate numbers of helicopters on hand, but that rescue and supply operations were hampered by other factors, including limited airspace around New Orleans, which is geographically small. ''You put in 30 helicopters in that area and you create a dangerous situation,'' said the spokesman, Marty Bahamonde.

On the supply front, helicopters flew food to the Superdome, he said, but the helipad there could only accommodate small aircraft, wnich couldn't hold many supplies.

Communications systems also broke down, as they did at the World Trade Center in 2001, preventing emergency officials from communicating with each other and the military. That led to the odd juxtaposition of top federal officials praising the rescue effort and denying problems at New Orleans' overcrowded convention center while TV cameras showed people there crying for help.

Flooding and power shortages appear to be behind most of the serious communications problems, but incompatible radio systems didn't help. Emergency responders in New Orleans and three nearby parishes all use different radio systems. New Orleans and nearby Jefferson Parish both use radios that operate on the 800 Mhz band, according to a Louisiana State Police interoperability report, but they were manufactured by different vendors. That means officials there had up to five channels on which to talk to one another.

''Communication is always difficult in emergency situations because of increased traffic,'' says William Vincent of the Lafayette Office of Homeland Security and Emergency Preparedness, about 135 miles from New Orleans. Emergency 911 dispatchers in Lafayette fielded calls from New Orleans residents who still had working cellphones but couldn't reach local police.

New Orleans officials had equipment at the fire department's communication center that could link otherwise incompatible local and federal systems. It was reportedly knocked out by flooding.

Another problem: Even after 9/11, local officials and federal emergency responders don't typically use the same radio frequencies, which can make communication difficult until agreements are reached on sharing channels.

As handheld radios began losing power in New Orleans, police officers and other emergency responders had no way of recharging them. Unlike radios used by firefighters combating wild fires, which can be powered by disposable batteries found in any grocery store, a typical handheld police emergency radio uses rechargeable batteries similar to those powering cell phones, according to Ron Haraseth, director of automated frequency coordination at the Association of Public-Safety Communications Officers.

FEMA itself seemed to frequently have bad information. At a Tuesday press conference Bill Lokey, federal coordinating officer for FEMA and the agency representative on site, downplayed the severity of the flooding caused by the breaches in New Orleans, saying the water wasn't rising in most areas. ''I don't want to alarm everybody that, you know, New Orleans is filling up like a bowl,'' he said. ''That's just not happening.''

Within hours, much of the city was under water, and Mr. Lokey was calling Katrina the most significant natural disaster to hit the United States.''

The possible problems had long been trumpeted. In June 2004, FEMA spent more than half a million dollars to commission a ''catastrophic hurricane disaster plan'' from IEM Inc., a Baton Rouge-based emergency-management and homeland security consulting firm. A report analyzing results of a mock hurricane hitting New Orleans, dubbed ''Hurricane Pam,'' was envisioned and a response and recovery plan was to be drawn up.

During a five-day mock exercise in July 2004, emergency-management responders huddled in Baton Rouge to plan a response to ''Hurricane Pam,'' a Category 3 storm which featured 120 miles per hour winds and a storm surge that topped New Orleans's levees. For reasons that aren't clear, the mock exercise never anticipated the levees giving way, despite such warnings. Even-so, the mock hurricane—destroyed 500,000 buildings in New Orleans and displaced one million residents.

The group developed a plan to get stranded residents out of the way and construction of a ''command structure'' with enough space for upwards of 800 rescue workers. A report, dated Jan. 5 of this year, detailed recommendations from the exercise and was provided to FEMA, an IEM spokeswoman said. FEMA has not released the report.

TITLE III: PREPAREDNESS AND RECOVERY

The DHS Emergency Preparedness and Recovery functions are intended to improve the nation's capability to reduce losses from all disasters, including terrorist attacks. Table 6 includes funds expended during FY2OO3 for these functions, and compares them to amounts requested for FY2OO4, recommended by each House, and approved by conferees in the final version ultimately enacted.

TABLE 6. PREPAREDNESS AND RECOVERY

($ in millions)

Operational component	FY2003 Enacted	FY2004 Request	FY2004 House	FY2004 Senate	FY2004 Conf.
Title III: Preparedness and Recovery					
Office of Domestic Preparedness	3,236	3,558	3,513	3,638	4,037
Basic formula grants (state and local)	1,006	—	1,900	1,250	1,700
Emerg. Wartime Supplement. (P.L. 108–11)	1,330	—	—	—	—
St. & loc. law enforce., terrorism prevent.	—	500	500	500	500
Firefighter assistance grants	—	500	—	750	750
Hi-threat, hi-density urban areas	700	—	500	750	725
Other assistance; national programs	200	2,558	613	388	362

TABLE 6. PREPAREDNESS AND RECOVERY—Continued

($ in millions)

Operational component	FY2003 Enacted	FY2004 Request	FY2004 House	FY2004 Senate	FY2004 Conf.
Counter-terrorism fund	160	40	20	20	10
Emergency Preparedness and Response	3,373	4,352	5,110	3,603	4,402
Admin; regional operations	798	165	169	—	171
Operating expenses	—	—	—	827	—
Prepare., mitigation, response & recovery	—	163	363	150	225
Public health programs	498	434	484	—	484
Biodefense countermeasure (current year)	—	890	890	—	890
(advance appropriations)	—	(4,703)	(4,703)	—	(4,703)
Biodefense countermeas. (10–year total)	—	(5,593)	(5,593)	—	(5,593)
Grant programs	169	300	200	165	180
Emergency food and shelter	152	153	153	153	153
Firefighter assistance grants	745	—	760	—	—
Disaster relief	776	1,956	1,800	1,956	1,800
National pre-disaster mitigation fund	—	—	—	—	150
Flood map modernization fund	149	200	200	200	200
National flood insurance fund	89	90	91	110	110
Disaster assistance direct loan program	1	1	1	1	1
Cerro Grande Fire claims	—	—	—	38	38
Misc. adj.; rescissions; transfers; rounding	-4	—	—	3	—
Subtotal: Title III (current year, net)	6,769	7,950	8,643	7,261	8,449

Note: Rounding may affect totals. Amounts for FY2004 do not include a 0.59% across-the-board reduction called for by conferees on H.R. 2673 (Consolidated Appropriations for FY2004), to which the House has agreed, and which awaits Senate action (see page 10).

Source: H. Rept. 108–169; S. Rept. 108–86; H. Rept. 108–280 (Conference report).

The SPEAKER pro tempore (Mr. REICHERT). Under a previous order of the House, the gentleman from Nebraska (Mr. OSBORNE) is recognized for 5 minutes.

(Mr. OSBORNE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Ms. MCKINNEY. Mr. Speaker, I ask unanimous consent to take the time of the gentleman from Oregon (Mr. DEFAZIO).

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

There was no objection.

KATRINA DISASTER

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Georgia (Ms. MCKINNEY) is recognized for 5 minutes.

Ms. MCKINNEY. Mr. Speaker, I would like to take this opportunity to join in the remarks of my colleague about the intensity of feeling that we have for the people of Louisiana and Mississippi and Alabama and, of course, Florida on the first stop of Hurricane Katrina and the situation that has unfolded literally before our very eyes.

I should also take a moment to commend the journalists who have facilitated us being able to see what has unfolded. Part of what has unfolded is sheer incompetence on the part of this administration, and the feelings that the people are experiencing result from the fact that we have an administration who let the American people down, who let the people in Louisiana, Mississippi, Alabama and Florida down, and just will not say We let you down. We made a mistake. They, instead, try to defend the indefensible.

Part of the late response comes from the fact that 40 percent of the Mississippi National Guard are in Iraq; 35 percent for those of Louisiana are in Iraq; 26 percent of the Florida National Guard are in Iraq; and 23 percent of the Alabama National Guard are in Iraq.

I have seen the interviews that have been done by Aaron Broussard of Jefferson Parish and Malik Rahim in New Orleans proper. Aaron Broussard said, ''We have been abandoned by our own country.'' Investigative journalists sent information to me that Customs' Blackhawk helicopter pilots were livid because they were not allowed to rescue people.

And then in the matter of attitude, and of course, I will be speaking more at length on this on Thursday in a 1-hour special order, but in attitude, FEMA Chief Michael Brown had the nerve to say, No one was clairvoyant enough to foresee this happening. But there have been studies, there have been articles, and this is his job to foresee this happening. I have got articles from National Geographic and Scientific American all saying exactly what happened and what we witnessed unfolding. And then he had the unmitigated gall to say that people must take some responsibility.

Well, Mr. Brown, you need to take responsibility.

And, Mr. Bush, you need to take responsibility.

The Times-Picayune has called for Mr. Brown's firing, and I have to say that they are absolutely correct. And I would just like to ask this administration to just admit that they messed up instead of appearing before the American people with all kinds of excuses about what they did and what they did not do, and we are not going to revisit the past, we are going to make sure we move forward or we look forward. There are a million people who have been affected by this, dispersed all over our country. The State of Georgia has received and is receiving thousands of them. The Fourth Congressional District is receiving as many of them as we can. The City of Atlanta has opened its arms to the victims of this administration.

With interest, I note, on the State Department Web site, that they provide us a clue as to when we are seeing misinformation, and what they tell us is that we are being misinformed when we are being told something that is clearly not true. What the administration has said to us tonight, in many instances, is clearly untrue.

And let me just say that it is unconscionable that the Secretary of Energy could stand before us tonight and say that he does not know how to bring down gas prices, which was the original reason that I asked for this 5 minutes tonight.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind all Members to address their remarks to the Chair.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DANIEL E. LUNGREN) is recognized for 5 minutes.

(Mr. DANIEL E. LUNGREN of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I ask unanimous consent to take the time of the gentlewoman from California (Ms. WOOLSEY).

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

There was no objection.

HURRICANE KATRINA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) is recognized for 5 minutes.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, first let me say that my thoughts and prayers go out to those who have lost loved ones and those who have suffered as a result of the destruction of this devastating natural disaster. I represent South Florida, an area that is far too often in the cone of error of just about every hurricane that approaches the United States and also home to the last time a Category 5 storm hit a United States territory.

As I speak here tonight, it is unclear how many people have been killed or will ultimately die as a result of this storm. What is clear is that America has received a wake-up call, and it came in the form of Hurricane Katrina. Hurricane Katrina calls into question our preparedness as a Nation to deal with any kind of major disaster, whether it is a natural disaster or a disaster resulting from a terrorist attack.

This month marks the fourth anniversary of the September 11 attack on our Nation. Our country saw the devastation that could be caused by a terrorist attack, recognized our vulnerabilities and supposedly set about the task of protecting Americans as best we could from disaster. The administration knew about the vulnerabilities of the levees in New Orleans. They knew about the level of poverty that exists in the Gulf States that would hamper evacuation plans, and they should have known at a minimum the day before the hurricane hit that they would need more law enforcement, rescue, medical and evacuation personnel.

And herein lies the problem: They knew about these problems as we know about many problems and vulnerabilities that exist throughout other cities nationwide, yet we have been slow to act to improve the situation. I represent a city, the City of Miami, which is the third poorest in the Nation. In prior years, local officials in New Orleans recommended a plan that would have cost $14 billion to reinforce the levee and pump system that keeps New Orleans safe. The State of Louisiana sent out a call for help that the project was too big, and they needed Federal assistance to even begin the project. And the pleas for help from State and local officials fell on deaf ears in the White House and Congress.

Let us put the New Orleans levee construction into perspective. We spend over $1 billion a week on operations in Iraq and Afghanistan, and we just handed out $14 billion to oil companies in President Bush's energy bill we passed this summer. What is the ultimate lesson of Katrina? The lesson is that the officials that were supposed to provide support, safety and security to the people in the Gulf States failed. The result was a situation where every emergency coordinator knew that disaster was imminent. However, the existing emergency infrastructure was not there to remove people from harm's way, and by doing so, it could have saved their lives.

We cannot as local, State and Federal officials draw up plans, have a 1-day mock disaster drill, and then pat ourselves on the back and say our job is done here. The government is here to provide the infrastructure that is necessary to prevent deaths from imminent disaster and step in immediately afterwards to ensure that deaths do not result from the destruction caused by that disaster. I think that the response from the Federal Government fell far short of that standard.

The lesson that Hurricane Katrina needs to have taught our government officials is that the current emergency management infrastructure could not handle a disaster the size of Katrina, and that we must streamline and reform our disaster preparedness and response. And we have to do it today. Our Nation's first priority should be to provide security, safety and infrastructure here at home. It is a disgrace that it took a disaster of such magnitude to bring light to the weaknesses of our system, and we must take the lessons learned to ensure that such catastrophes do not occur again.

At the very least, we need not have our leaders respond in the fashion that the President and the Speaker of the House and a number of other leaders have in the last 10 days, indicating that perhaps they did not think New Orleans should be rebuilt and perhaps the people who did not get out of New Orleans made a bad decision.

□ 2300

We need to think about the wherewithal that people in these communities had prior to the storm, and we need to give them that wherewithal to move forward and go on so we can rebuild New Orleans and make sure that we never have to stare down a hurricane the magnitude of Katrina and not be prepared as we were in this storm.

The SPEAKER pro tempore (Mr. WESTMORELAND). Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

(Mr. EMANUEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

(Mr. BURGESS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. WELDON) is recognized for 5 minutes.

(Mr. WELDON of Pennsylvania addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks).

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GENE GREEN) is recognized for 5 minutes.

(Mr. GENE GREEN of Texas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. BLUMENAUER) is recognized for 5 minutes.

(Mr. BLUMENAUER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LEE) is recognized for 5 minutes.

(Ms. LEE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. DOGGETT) is recognized for 5 minutes.

(Mr. DOGGETT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. CORRINE BROWN) is recognized for 5 minutes.

(Ms. CORRINE BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from South Carolina (Mr. CLYBURN) is recognized for 5 minutes.

(Mr. CLYBURN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Indiana (Ms. CARSON) is recognized for 5 minutes.

(Ms. CARSON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

HURRICANE KATRINA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from New Mexico (Mr. PEARCE) is recognized for 30 minutes as the designee of the majority leader.

Mr. PEARCE. Mr. Speaker, we have seen unprecedented suffering in this Nation in the last weeks. No one in this country has been able to comprehend the size and scope of the destruction. To put it into perspective, one of my colleagues pointed out that the size of the area affected is the size of Wyoming. Another pointed out that the size of the area affected was equal to the nation of Great Britain. So as we talk about our failures and our successes, I think it is important that we really discuss Katrina in an overall view.

I know that from my perspective there are going to be three major challenges. We have to deal with the human suffering that is felt by every one of the families who have lost loved ones but also by those people who are displaced. So the human suffering in terms of jobs lost and regaining jobs of any sort, regaining an income in order to pay for current expenses, some way to access the safety nets that this Nation is providing, that is one challenge of the problem.

The second challenge is rebuilding the entire gulf coast region, and that is going to be a long and arduous task and one that is going to require the dedication and commitment of the entire Nation.

But the third thing that I think we must be aware of as leaders and as the House of Representatives is the effect on our economy.

So tonight I am joined by the gentleman from Kentucky (Mr. DAVIS). We would like to discuss the effects of Katrina that we see and the things that we think the Nation should be aware of as we move into the days ahead. I would like to discuss some of the responses that we have seen and some that we have not seen.

But at this point, I yield to the gentleman from Kentucky (Mr. DAVIS) to talk about his perceptions of the disaster and the destruction that we have seen.

Mr. DAVIS of Kentucky. Mr. Speaker, I thank the gentleman for yielding to me.

This tragedy is of grave proportions, as evidenced by the unprecedented meeting of the President's Cabinet here tonight, Mr. Speaker, who spent 3 hours with us discussing a wide range of responses from government agencies, of agencies of the State as well as the local level, but particularly looking at the response that was engendered by this.

I think the one thing that we can clearly say, looking at history, looking at this response and looking at others is there is no substitute for leadership and initiative, particularly on the front lines and in the local level; and there are countless stories of individuals and communities who rose to the occasion, ranging from mayors of small cities, pastors of churches, small business owners who all gave of themselves to make a tremendous difference, as the military and national response was able to come into an area that was devastated and largely inaccessible. I would point out that the response has been actually unprecedented in scale.

When we think about this, I would like to bring some perspective to my colleagues. No disaster, no natural disaster, has struck this Nation of the proportions that Hurricane Katrina has in terms of its devastation and its impact. Nearly 90,000 square miles were affected by this. That is an area approximately the size of Great Britain, approximately the size of the State of Wyoming. When we begin to look at that, I do not believe that there is any agency that had fully prepared or built the infrastructure for that level and certainly the city of New Orleans did not have the wherewithal, just the simple hydraulics and physics of it.

But the one thing that I want to point out is that people in neighborhoods rose to the occasion, individual citizens rose to the occasion. And many of my colleagues have risen to the occasion, abandoning the legislative role during that last week of the recess, working in everything from relief positions to the gentleman from Louisiana (Mr. BOUSTANY), one of my colleagues, a physician, who helped in the start-up of hospitals, coordinating rescue operations from his district in Lafayette. I look at communities in the surrounding States and throughout the country who have responded with an incredible amount of magnanimity, of charity, of compassion, of love and outreach to see these people have a hope and an opportunity and a future.

In some ways, Mr. Speaker, I have to share candidly, as a former military professional, I was somewhat disappointed with some of the media coverage. I felt that it neglected many of the great works that were being performed by people in hidden places throughout the communities that were affected. Just as an aside, the Coast Guard rescued more people in the last week than four times what it would do in a typical year. That is simply remarkable, the ability to stage those resources in there and begin that response. When I look at the amount of rescues that have had to be performed for nearly 60,000 people who were trapped on rooftops and structures, public safety professionals, military professionals, National Guard resources from all over the United States are pouring in. Even before the storm hit, resources were being mustered around the United States, even from our own fourth district.

The day after the storm, I ran into early Tuesday morning a convoy of vehicles from our own Owen Electric Cooperative that had been on two prior hurricane responses and were on their way to lower Mississippi to the central staging area. There was a concerted response of private groups, of public groups coming together to deal with the tragedy whose magnitude no one could have imagined.

For a week now, we have watched the heartbreaking scenes of death and destruction in Mississippi, Alabama, and Louisiana. So many people left homeless, left without anything except the clothes they were wearing and one or two precious items that they could grab as the flood waters deluged their homes. As we grieve over this unimaginable horror, we have also watched in unmistakable awe ordinary people who have opened their hearts, their homes, their pocketbooks to these storm victims. Families who have little to spare themselves are taking in entire families of strangers simply because someone else is in need. This is the American way of selflessness and generosity. There is no ulterior motive, no agenda; and there is nothing but the simple desire to help, to lend a hand, to reinforce the dignity of every individual who is affected by this great tragedy.

The city of Houston, Texas, has done something unprecedented. And I point out that in the tsunami and in other disasters in other parts of the world no country, no people have ever responded with the level of outpouring of response of individuals to local, State

and Federal Government agencies as we have seen in the last 7 days. I think that is an important point of perspective that we keep in mind. The level of this tragedy was equal in magnitude to any of the countries that were hit by the tsunami, and when we look at the response of our people here, it has been simply phenomenal from a perspective of infrastructure.

In that outpouring in Houston alone, 225,000 people have been received into that city. The people of Texas have set an example of compassion and leadership. Other States around the country are receiving people, colleges, universities, communities, homeless shelters even. And I look at that, and I see in virtually every State, all of our States along the Ohio Valley, where I live, are seeing the same level of compassion. It has been simply overwhelming. They have responded to a grave situation by giving hope, by giving opportunity, and helping communities to ultimately reestablish while the water is being removed, while an infrastructure that no longer exists is being put back in place.

Things that are important to remember from a standpoint affecting the entire country as we are dealing with the human tragedies, we are dealing with the health care issues, as we are providing refuge for those who are affected by this storm, crews from industry, from the private sector, from our national security organizations have responded. By the end of this week, our national refineries in the gulf will be back at 95 percent of production. That is a tremendous statement.

□ 2310

Our pipelines are going to be open again to make sure that that critical infrastructure is working. The on-water transit capability is going to be back in operation very shortly, and hopefully, we will see that port open up. Why that is so important is restoring normalcy and restoring employment, vocation, jobs and restarting that market economy and rebuilding the foundations of those communities over time.

I think it is also important to remember what the national response is. During Operation Iraqi Freedom, it took nearly 6 months to stage the 250,000 troops into Iraq, including the infrastructure that they needed, only crossing one major water obstacle, a river with most of the bridges intact. As of tomorrow, there will be nearly 50,000 soldiers in the disaster area, mobilized in less than 1 week. That, again, is a testimony to the resourcefulness of the response and capability of our military, of our National Guard, and I think they need to be commended for what they are doing. Our first responders have done an outstanding job. Many are overwhelmed, out of resources, are taking the initiative to do the things that are necessary to make sure that lives can be saved, that people can be kept healthy.

In my district, Kentucky's Fourth, the largest medical center, St. Elizabeth's Hospital in Florence, recently sent about 15 medical personnel, including a dozen nurses and two pallets of medical supplies to a staging center in Louisiana. St. Luke's Hospital, also in Florence, also sent medical personnel to the Gulf Coast. And my church, Grace Evangelical Free Church, is sending its third truckload of supplies to the region this weekend.

Last Tuesday morning, as I mentioned, the utilities crews that were heading south, not to mention truckloads of equipment that passed through my district on I–75 headed toward the disaster areas. We have seen vehicles coming from as far away as Canada, but from all over the United States, that are converging to provide the resources to help stabilize that situation and rebuild it. This is a beacon of outstanding response. There is no perfect response to any unpredictable situation, but I want to look at and commend the adaptability of our people who have responded on the scene and those who have opened their pocketbooks, opened their resources and lent their hands from around the United States.

The city of Covington, Kentucky, sent a truck loaded with water, sports drinks and other provisions to its unofficial sister city of Covington, Louisiana. There was a report of a woman who arrived in Covington in a beat-up car and who was described in a newspaper report as not looking ''like she had a penny to spend,'' but she brought $100 worth of supplies because she simply cared. Covington City officials were also waiting to learn how many people would be traveling to their area of northern Kentucky for temporary housing. Northern Kentucky University is reaching out to take in as many students as it possibly can. Communities around our district, as with many, many congressional districts around this country, are responding with an openness and a charity that I think sets an example of brotherly love and compassion that honors the spirit of our founders in this country.

Then, there is Mike Detzel and Dave Yeazell who loaded up a van with 3,900 bottles of water and drove south from Florence, Kentucky, to Slidell, Louisiana. Prior to making this trip, Mr. Yeazell gave money to the Red Cross and Mr. Detzel and his wife offered spare rooms in their homes to the evacuees. But like so many others, they wanted to do more.

One of the things I have always admired most about our country is our willingness to give and to want to help. We respond to international tragedies with such an outpouring of generosity that we are left breathless by the momentum. And now that we have been hit here at home by a tragedy of almost biblical proportions, it seems there are no boundaries to the generosity of our people and the response from around the United States.

As difficult as this time is for the storm's victims, we must approach this carefully and orderly to be sure that the supplies reach the people who need them the most. People in the disaster areas need to know they are cared about; there is concern and outpouring from around this Nation; and this country will not let up until every person is found; and no one will be left behind.

We also have to give thought to the Housing issues in the long term to those who have lost their homes in the wake of this deadly storm. So many cities throughout this nation are taking in evacuees on what is being called a temporary basis. Mobile home manufacturers in our area are responding with upgraded production and, in many cases, donated mobile homes to be sent into the disaster areas, as is happening around the country. There is a long-term need for housing, for schools, that needs to be addressed, and it will be addressed by this body as well as local governments, and it must be addressed sooner rather than later.

I think those of us who are in a decision-making position who have not been directly impacted by this tragedy have overcome our initial shock. We are past denying that it is not going to turn out as badly as we think. The harsh reality is it turned out much worse than anyone could have imagined or frankly could have planned for. Now we need to focus on long-term solutions for the evacuees, the survivors and rebuilding the region and the economy and the communities that these people have spent their lives building prior to this impact.

I think, in the long term, the ultimate benefit of this is going to be a great demonstration of the American spirit, Mr. Speaker, but also along those same lines, in this new world that we live in today, the silver lining in this is going to be a response to potential great disasters that could befall this country. God forbid they ever happen, but the lessons that we should learn out of this will provide the wisdom, the knowledge, the planning infrastructure to respond to far greater threats that may emerge in the future.

I thank the gentleman for the opportunity to share. I appreciate his leadership on this issue and his ability to put this together on such short notice.

Mr. PEARCE. Mr. Speaker, I thank the gentleman from Kentucky for his comments and for his heartfelt expressions of what this Nation is about.

I wanted to discuss briefly the fact that there is great concern about the responses of our Nation, and we were treated tonight to an unprecedented, unprecedented in my tenure here in this Congress, 3 hours from administrative Cabinet-level Secretaries being here to address this House of Representatives and answer questions and be accountable. The information shared was extremely timely and was poignant.

I would point out that one of the most impressive things to me was the responses of our military, and again, as

we talk about the numbers of military, keep in mind that they may sound like a lot, but spread over 90,000 square miles, spread over the entire region of Great Britain, then we begin to understand just the proportions of responses that were actually required.

Before the hurricane ever struck, a state of emergency was declared by the President. So we had a couple of days of lead time before Katrina actually begins to hit and move. This is a time line from August 26, 27, 28 and on, so we have Katrina hitting Florida about this point. We have already at that point activated troops in both Louisiana, listed in blue, and then Mississippi, listed in green. So we have activated troops prior to the hurricane actually moving into the Gulf.

As it moved closer and closer into New Orleans and actually strikes New Orleans at this point, we can see that the troop level is now at 5,000, most of those troops in Mississippi; about half in Mississippi and about 40 percent in Louisiana. Then, the next day, we have an increase then to almost 8,000. Within 24 hours, now we are up to 10,000 troops, and we can see that the increase of troops has gone to where we have now 60,000 troops mobilized and on scene in this 90,000-square-mile region. Tomorrow, there will be an additional 10,000 troops. We will have at that point about 70,000 uniform personnel. About 43,000 of those are National Guard members, and about 17,000 of the ones on duty today are active duty military.

But we also have to understand that the Coast Guard was able to be activated, and the Coast Guard rescued more people, about three times more people in this 1-week period than they normally rescue in about a 1-year period. About 60 percent of the helicopters available to the Coast Guard were actually activated and being used.

□ 2320

And one of the problems that we faced is that communications throughout the region were just almost nonexistent; and especially as you went deeper into the highly populated area of New Orleans, the flood waters obliterated most of the communications systems. The wireless communications were not available. Cell phone communications were not available. The regular telephone communications were not available. So even if we had people there and on-site, they could not necessarily be directed right to the points where the problems were.

But the responses that many are finding inadequate, and we have to admit as a Nation, the President, I think, said it best, that he appreciated the strength of responses, but they did not result in the kind of results we would have wanted to have.

But once we get past that, we must evaluate what we should do in the future, not just try to point fingers in the current circumstance. I would point out that there is still much work to be done. So as we in this city begin to concentrate on recriminations and asking for resignations, what we are actually doing is distracting from those people who are actually on-site and trying to go through their jobs.

There will be plenty of time to give consideration to the problems and the flaws that we did face. But at the current point I think that our administration is focused correctly on what we should be doing currently to ease the suffering of those people who have been displaced, to regain the control of the city's infrastructure, to re-establish the infrastructure in the city and in the rural areas that surround New Orleans, but also dealing with the misery of lost lives.

The one thing that I think is extremely important for us to address with respect to New Orleans is the economic impact that we are going to face just from the loss of refining capacity.

I have had good questions that are raised by constituents and friends of mine about why the price of gasoline would be jumping as it relates to this emergency, and so I would like to go through just a brief discussion about the components of production and the price of gasoline.

We, first of all, need to be aware that gasoline is the end product, that we actually get it as a refined product of crude oil. To get crude oil, the first thing that we must do is to drill wells. And so, as I just put up here the basic sequence of getting refined gasoline, the first thing that we have to do as a Nation is drill oil wells or gas wells. And be aware when we are talking gas we are talking natural gas, not gasoline. But we drill. And when we drill successfully, we have oil that then must go through pipelines, and so we have got a transportation question here.

Once the pipelines conduct the oil, usually it is carried to refineries, and so we have got the refinery then accepts the oil, and from the refinery then we get to usually a series of products. But the ones that most of us would be familiar with would be that we get either gasoline, which we get at the pump, or we get diesel which, again, many of our trucks going across the highways would use.

Finally, then jobbers, these are independent, usually, operators who would go to the refinery and pick up gasoline in 10 or 12,000 lots and deliver it to service stations. So we then have the trucking from the refinery and finally to the service station.

Now, that entire process is very complex. Just the drilling of the oil well might take 30 to 50 days, even for shallow oil wells. For the deep ones like you see offshore from New Orleans, we are talking billions of dollars and years to literally put these facilities into place.

But then the conducting of the oil through the pipelines. Again, we put it in the refinery. It is at that point we begin to extract the oil or the gasoline or the diesel from the basic crude oil that comes from the oil well, and then the trucking to local service stations; and at that point, then you, as consumers, would drive up to the service station and access the fuel.

And what we see over here as a price, generally, the average price across the country has dropped a couple of cents in the last couple of days. But basically right now the retail price average for the Nation is about $3.04.

If we consider the source of that $3.04, where does that number come from, we have got a couple of charts that are extremely instructive. And the first one would show that when we have $3.04 of gasoline at the pump, that a $1.70 of that is created from the cost of crude oil itself. Refining creates $0.79 of the $3.04, and then the taxes that we add on top of that are the equivalent of $0.55.

Now, you can see that the cost of crude oil is the dominant component. About 55 percent of the price that you pay at the pump is going to come from the price of oil. So as we talk about the price of oil nationwide, it is in the high $60 range, and then has recently peaked up almost into the 70 or maybe into the $70 range, and then has decreased back down. And you would ask what effect is Katrina going to have on the price of gasoline at the pump, and why would it have the effect.

The chart that I have got here shows the track of Katrina coming in. It came across Florida, swung down into the gulf. Actually as it cleared through Florida, it decreased to about a Category 1 storm, and the speculation was early that it would simply bring rain across the southern gulf coast. But what it actually did was circulate out south into the gulf, pick up energy from the systems that were already in the gulf, and then it swung back toward the gulf coast here.

And what is depicted right here in the dark zones are the oil platforms off the coast of southern U.S. there and the Gulf of Mexico. Also, we have got refineries that are listed here.

So two things happened that are going to affect the price of gasoline as far as this storm is concerned. One is we lost some production from these platforms off in the Gulf of Mexico. But then secondly, we lost almost all of the refining capacity here in this region around Mississippi, Alabama, and Louisiana. Now, that represents about 25 percent of our Nation's refining capacity.

We heard testimony tonight from the Secretary of Energy that much of that refining capacity is shut down simply temporarily. We have got about four of the 13 refineries that are going to suffer long-term damage, and it is still unknown. But let us say that we lose about 20 percent of our refining capacity. Then we can see that what we are doing is we are going to limit the amount of gasoline that is produced, and it is going to drive the price higher.

We have got several things that are driving the price of gasoline higher right now worldwide. One of the factors that we tend not to think of, we understand as a Nation we have increased population and we have increased the amount of driving, and so we know that we, as a Nation, are demanding more petroleum products, more gasoline.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WESTMORELAND). The gentleman from New Mexico (Mr. PEARCE) is recognized for the remaining 30 minutes.

Mr. PEARCE. The thing that we do not often think about that drives this price higher is the fact that the emerging nations, China and India and the other emerging nations, are demanding tremendous high quantities of fossil fuels because that is the fuel of emerging economies. It is the fuel of our economy.

□ 2330

So worldwide, the demand for oil and gas is spiraling up, and yet we have limited supplies. Now, we as a Nation have made decisions that limit, first of all, the supplies of gasoline because we have not permitted new refineries in the past 30 years. It has been almost 30 years since we have built a new refinery. And only this year, earlier this year, did we even permit a new refinery, and it has not yet been built.

So one of things that is escalating the price of gasoline is that we have reached our capacity in refining. Not only is the price of crude oil going up, it has gone from $25, 3 or 4 years ago now, to $67, so that you can see the dominant cost of a price of gasoline coming from crude oil about 55 percent, we would expect that that would drive the price of gasoline higher. But then we have arbitrarily as a Nation chosen to limit our productive capacities because of the unnecessarily complex regulatory procedures that affect the permitting of new refineries.

Now, those are choices that we have made, and we are at the absolute capacity of our Nation to produce gasoline so that, for the first time in our Nation's history, we began to get gasoline in through imports, and that is not a good sign for the future of our economy because our economy, again, is built on affordable energy. We, now, then, again with Katrina coming in to the Gulf Coast region, we have lost somewhere between 5 and 20 percent of our refining capacity. That is going to then drive down the supply of gasoline available at the pump which is going to drive this price up. Now, the effect on our offshore platforms will not be such a large effect.

This Nation uses approximately 21 million barrels a day. The Gulf Coast region produces about 1.5 million barrels of crude oil a day, and so you can see that less than 5 percent of our productive capacity comes from this region. So even though we suffered some damage as a percent of our overall supply of crude oil, it is not going to be that large of an effect. Again, the largest effect coming from the restrictions to our refining capacity that we are going to find.

Now, as a side note, we as a Nation have chosen to limit the amount of crude oil that we produce so that we import more crude oil today than ever before in our Nation's history. We import about 13 million barrels a day, most of it coming from the Middle East, from Saudi Arabia, Kuwait and those nations. We also get oil from Mexico. We also get oil from Venezuela.

Now, another factor that is going to very much affect the price of gasoline that we pay at the pump will be that Venezuela is currently talking to the nation of China, and China is trying to talk them into a 100-year contract with all of the production from Venezuela going to China for the next 100 years.

Now, we as a Nation get 15 percent of our imported oil from Venezuela. So you can imagine that, if that contract goes through with China, taking away the production that we currently get from Venezuela, sending it to China, that we are going to see possibly a 10 or 15 percent jump in prices.

Now, we have made choices to limit the amount of drilling that we do in this Nation so that we will be more immune to price manipulation from overseas from those countries that would import or export into us, and some of those choices are, for instance, in ANWR. Back in 1995, this Congress, both House and Senate, voted to drill in ANWR. That is an oil preserve, a wildlife preserve in Alaska. And there was a piece set aside strictly to do this drilling which has been stalled out by extremists. And so we as a Congress, both House and Senate, passed a bill which would allow drilling in ANWR, and President Clinton then vetoed that. If we had passed that bill and had it signed at that point, we would be experiencing about a million and a half barrels a day of production which would come down to this area.

Now, again, that is about the amount that we have gone in the past, and when we would get price spikes, we would go to the Saudi Arabians and ask them if they would increase production by a million and a half barrels a day to help us lower the price of gasoline at the pump and keep our economy on sound footing. But we instead did not pass that bill that would allow the drilling in ANWR, and we as a Nation now are facing these $3.04 averages. That is an average price. Actually, some places are paying a much higher price, but we are experiencing these prices of gasoline because of past decisions that we have made to limit drilling. This is ourselves. We as a Nation are limiting our drilling, but we also have limited our refining capacity.

Now, the energy bill that we passed recently, people would ask exactly what effect is that going to have on the price of gasoline at the pump. I would tell you that mostly what we did are things that would, long term, begin to limit our need for mostly natural gas. Natural gas is used to produce electricity, and we had great stimulation in the bill which would affect nuclear. We have also had great stimulation for many other renewables, both solar, wind, bio-mass and other forms of renewables energy. But those are long term.

The only thing that really would affect the price of gasoline today is to increase the amount of crude oil production; that is drilling for more wells or to increase our refining capacity. Either one of those could have an effect on the price of gasoline today. But again, we, as a Nation, politically have decided in the past not to do that. And those are questions that we need to be asking ourselves right now.

How high is the price of gasoline going to go before we think that we as a Nation should permit more refineries to be built? I think that we have passed that point.

Now, my office, I am going to introduce in the coming week, we are proposing legislation that would in response to Katrina take the Federal excise tax off of gasoline. Currently, again, referring back to our chart, the price of gasoline is about $3.04; 55 cents of that $3.04 is made up of taxes. About 18.4 cents is a Federal tax. And our suggestion is that we as a Nation consider limiting that tax for a period of 6 months, so that the price of gasoline would fall immediately by 18.4 cents. And so you can see that we would be back under $2 a gallon for gasoline. But that is merely a short-term solution.

In the long term, if we want to affect the price of gasoline, we must increase refining capacity or we must increase drilling. In the past, we have implemented different methods of or different measures which would restrict our capabilities or voluntarily restrict our use, but what we found is, as we got more mileage in cars, then people simply drove more because they are going to spend a certain amount of their budget for mobility. That is the way we as Americans are. Now we can agree or disagree with it, but we found that those measures that were designed solely to increase the mileage of our cars in the past actually did not lower the demands for gasoline, but simply we drove more miles demanding more gasoline.

Now, one of the effects that I would like to visit about briefly before we finish is this trucking. Now, in my chart here, again we have got drilling, pipelines, refining, trucking to our local community and then the service station. But if we think of trucking in addition to not only trucking the gasoline from the refinery to a service station, then putting it in tanks at the service station, if we think about the trucking of all the goods and services along the highways; when you are driving along and you see the motorcades of hundreds of thousands of 18 wheelers

moving along, those are taking goods that have been produced across this Nation and delivering them to the points of use or marketing and that those truckers are experiencing extremely high cost increases because they demand a lot of energy.

□ 2340

They demand a lot of diesel, and the price of diesel is extraordinarily high right now.

So we have tremendous downward pressure on our economy. It is one of the reasons that we are suggesting that the Federal taxes could be deleted for a period of 6 months to give us a chance to evaluate just what the effect of this storm Katrina is going to be, but in addition, it allows us to begin to have this debate on how complex do we have to make it for ourselves to build new refineries.

I think we know the elements of refining that would create difficulties in our environment. No one is going to watch as our environment is spoiled, but right now, we are limiting ourselves arbitrarily, even though we know the safety standards that we need to implement. I, for one, feel like we can do both. We can have safety and create new refineries at the same point. Likewise, we have limited drilling for the same purpose. I think that we can drill in an environmentally safe manner, and we are going to either have to do that or watch as the price of our energy increases. Katrina has simply accentuated the pressures that already existed inside our economy, and it is time for us, as a Nation, to look at the effects of our decisions in the past.

I would like to conclude my statements this evening by saying that, again, our hearts and our prayers go out to the people who have been suffering tremendously from this storm. We have seen the hearts of the Nation open up and accept these people who have been dislocated and have been taken in all across the Nation, into homes and into churches and into the Astrodome in Texas. I think that speaks so well of the compassion of this Nation and of our willingness to give of ourselves at a point where someone else is suffering.

I think that in the days ahead we are going to see this Nation pool its resources, to pool its ingenuity together. We are going to see people really begin to buckle down to approach the problems that we, as a Nation, are facing right now, and in a unified fashion, I think that we will see New Orleans cleaned up. I think that we will see a rebuilding effort across the entire Gulf Coast region. I think that we will see those economies come back into those States and communities that have been devastated by these current situations.

Again, we, as a Nation, owe it to ourselves to understand the full ramifications of what we face, and we owe it to ourselves to reinvest in those areas that have been so prolific and are so important to this Nation's economy. New Orleans not only has the refining capacity, they not only have the offshore platforms through Louisiana, offshore from Mississippi and Texas, but they process many, many of our grain crops on the way outbound as we export them. Many of the imports coming in come through New Orleans. It is an extremely vital and important part of this Nation, and I join with the rest of my colleagues on both sides of the aisle saying that we feel like that the days ahead will see the most magnificent responses to some of the most deeply felt problems this Nation has ever seen, from either a natural or unnatural disaster.

Mr. Speaker, I thank the Chair for allowing me to address the situations that have occurred in the Gulf Coast.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. BERKLEY (at the request of Ms. PELOSI) for today and the balance of the week on account of medical reasons.

Mr. CARDIN (at the request of Ms. PELOSI) for today.

Mrs. MALONEY (at the request of Ms. PELOSI) for today and the balance of the week on account of illness in the family.

Mr. MELANCON (at the request of Ms. PELOSI) for today and the balance of the week on account of district business relating to Hurricane Katrina.

Mr. TAYLOR of Mississippi (at the request of Ms. PELOSI) for today and the balance of the week on account of district business relating to Hurricane Katrina.

Mr. CONAWAY (at the request of Mr. DELAY) for today and the balance of the week on account of a death in the family.

Mr. PICKERING (at the request of Mr. DELAY) for today on account of Hurricane Katrina.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. MCKINNEY) to revise and extend their remarks and include extraneous material:)

Mrs. MCCARTHY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Ms. MCKINNEY, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. GENE GREEN of Texas, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

Ms. LEE, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DOGGETT, for 5 minutes, today.

Ms. CORRINE BROWN of Florida, for 5 minutes, today.

Mr. CLYBURN, for 5 minutes, today.

Ms. CARSON, for 5 minutes, today.

Mr. SCOTT of Georgia, for 5 minutes, today.

Ms. WASSERMAN SCHULTZ, for 5 minutes, today.

(The following Members (at the request of Mr. DAVIS of Kentucky) to revise and extend their remarks and include extraneous material:)

Mr. GUTKNECHT, for 5 minutes, today.

Mr. OSBORNE, for 5 minutes, today and September 7.

Mr. DANIEL E. LUNGREN of California, for 5 minutes, today.

Mr. POE, for 5 minutes, today and September 7 and 8.

Mr. BURGESS, for 5 minutes, today and September 7.

Mr. BURTON of Indiana, for 5 minutes, today and September 7 and 8.

Mr. NORWOOD, for 5 minutes, September 8.

Mr. GINGREY, for 5 minutes, September 7.

Mr. WELDON of Pennsylvania, for 5 minutes, today.

Mr. PETERSON of Pennsylvania, for 5 minutes, September 7.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 172. An act to amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of all contact lenses as medical devices, and for other purposes; to the Committee on Energy and Commerce.

S. 501. An act to provide a site for the National Women's History Museum in the district of Columbia; to the Committee on Transportation and Infrastructure.

ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3645. An act making emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on September 2, 2005 he presented to the President of the United States, for his approval, the following bill.

H.R. 3645. Emergency Supplemental Appropriations Act to Meet Immediate Needs Arising From the Consequences of Hurricane Katrina, 2005.

ADJOURNMENT

Mr. PEARCE. Mr. Speaker, pursuant to House Resolution 422, I move that

the House do now adjourn in memory of the late Hon. William H. Rehnquist, Chief Justice of the United States.

The motion was agreed to; accordingly (at 11 o'clock and 44 minutes p.m.), pursuant to House Resolution 422, the House adjourned until tomorrow, Wednesday, September 7, 2005, at 10 a.m. in memory of the late Hon. William H. Rehnquist, Chief Justice of the United States.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the Act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> ''I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.''

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 109th Congress, pursuant to the provisions of 2 U.S.C. 25:

JEAN SCHMIDT, Ohio Second.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3633. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Topramezone; Pesticide Tolerences [OPP-2005-0156; FRL-7726-9] received August 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3634. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Inert ingredients; Revocation of Pesticide Tolerance Exemptions for Three CFC Chemicals [OPP-2005-0068; FRL-7728-5] received August 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3635. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Alachlor, Carbaryl, Diazinon, Disulfoton, Pirimiphos-methyl, and Vinclozolin; Tolerance Revocations [OPP-2005-0183; FRL-7725-6] received August 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3636. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — 2-amino-4, 5-dihydro-6-methyl-4-propyl s-triazolo (1,5-alpha) pyrimidin-5-one (PP796); Exemption from the Requirement of a Tolerance [OPP-2005-0141; FRL-7728-1] received August 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3637. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Lieutenant General Robert Magnus, United States Marine Corps, to wear the insignia of the grade of general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

3638. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Major General William E. Mortensen, United States Army, to wear the insignia of the grade of lieutenant general in accordance with title 10 United States Code, section 777; to the Committee on Armed Services.

3639. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Rear Admiral Ann E. Rondeau, United States Navy, to wear the insignia of the grade of vice admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

3640. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Major General John F. Goodman, United States Marine Corps, to wear the insignia of the grade of lieutenant general in accordance with title 10 United States Code, section 777; to the Committee on Armed Services.

3641. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Major General Donald J. Hoffman, United States Air Force, to wear the insignia of the grade of lieutenant general in accordance with title 10 United States Code, section 777; to the Committee on Armed Services.

3642. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Lieutenant General John D.W. Corley, United States Air Force, to wear the insignia of the grade of general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

3643. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Major General John G. Castellaw, United States Marine Corps, to wear the insignia of the grade of lieutenant general in accordance with title 10 United States Code, section 777; to the Committee on Armed Services.

3644. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Major General David A. Deptula, United States Air Force, to wear the insignia of the grade of lieutenant general in accordance with title 10 United States Code, section 777; to the Committee on Armed Services.

3645. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Major General Emerson N. Gardner, Jr., United States Marine Corps, to wear the insignia of the grade of lieutenant general in accordance with title 10 United States Code, section 777; to the Committee on Armed Services.

3646. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Major General Richard S. Kramlich, United States Marine Corps, to wear the insignia of the grade of lieutenant general in accordance with title 10 United States Code, section 777; to the Committee on Armed Services.

3647. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Major General John L. Hudson, United States Air Force, to wear the insignia of the grade of lieutenant general in accordance with title 10 United States Code, section 777; to the Committee on Armed Services.

3648. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Major General Joseph F. Weber, United States Marine Corps, to wear the insignia of the grade of lieutenant general in accordance with title 10 United States Code, section 777; to the Committee on Armed Services.

3649. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Lieutenant General William E. Ward, United States Army, to wear the insignia of the grade of general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

3650. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Lieutenant General Norton A. Schwartz, United States Air Force, to wear the insignia of the grade of general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

3651. A letter from the Principal Deputy Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Major General Kevin P. Chilton, United States Air Force, to wear the insignia of the grade of lieutenant general in accordance with title 10 United States Code, section 777; to the Committee on Armed Services.

3652. A letter from the Principal Deputy Associate Administrator, Environmenal Protection Agency, transmitting the Agency's final rule — Interim Final Determination to Stay and/or Defer Sanctions, San Joaquin Valley Unified Air Pollution Control District [CA-316-0484c, FRL-7949-2] received August 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3653. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants: Cellulose Products Manufacturing [OAR-2003-0193; FRL-7948-5] (RIN: 2060-AL91) received August 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3654. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Clean Air Act Approval and Promulgation of Air Quality Implementation Plan Revision for North Dakota; Revisions to the Air Pollution Control Rules [RME Docket Number R08-OAR-2005-ND-0001; FRL-7942-4] received August 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3655. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Washington [R10-OAR-2005-0004,; FRL-7944-4] received August

3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3656. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implemenation Plans; Texas; Vehicle Inspection and Maintenance Program for Travis and Williamson Counties [R06-OAR-2005-TX-0011; FRL-7948-7] received August 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3657. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Oregon; Correcting Amendment [R10-OAR-2005-OR-0005; FRL-7944-1] received August 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3658. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District and Monterey Bay Unified Air Pollution Control District [CA-316-0484a; FRL-7949-1] received August 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3659. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revision to the California State Implementation Plan, Ventura County Air Pollution Control District [R09-OAR-2005-CA-0022; FRL-7945-2] received August 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3660. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants, Maryland; Control of Emissions from Small Municipal Waste Combustor (SMWC) Units; Delegation of Authority [RO3-OAR-2005-MD-0007; FRL-7951-3] received August 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3661. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 B2 and B4 Series Airplanes; Model A300 B4-600, B4-600R Series Airplanes, and Model A300 C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes); and Model A310-200 and -300 Series Airplanes [Docket No. FAA-2004-19534; Directorate Identifier 2004-NM-99-AD; Amendment 39-14198; AD 2005-15-09] (RIN: 2120-AA64) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3662. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, DC-10-30F (KC-10A and KDC-10), DC-10-40, DC-10-40F, MD-10-10F, MD-10-30F, MD-11, and MD-11F Airplanes [Docket No. FAA-2005-20882; Directorate Identifier 2004-NM-241-AD; Amendment 39-14192; AD 2005-15-03] (RIN: 2120-AA64) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3663. A letter from the Regulations Coordinator, CMM, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program; Inpatient Rehabilitation Facility Prospective Payment System for FY 2006 [CMS-1290-F] (RIN: 0938-AN43) received August 2, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3664. A letter from the Regulations Coordinator, CMM, Department of Health and Human Services, transmitting the Department's ''Major'' final rule — Medicare Program; Changes to the Hospital Inpatient Prospective Payment Systems and Fiscal Year 2006 Rates [CMS-1500-F] (RIN: 0938-AN57) received August 2, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SENSENBRENNER:

H.R. 3647. A bill to render nationals of Denmark eligible to enter the United States as nonimmigrant traders and investors; to the Committee on the Judiciary.

By Mr. SENSENBRENNER:

H.R. 3648. A bill to impose additional fees with respect to immigration services for intracompany transferees; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska (for himself and Mr. OBERSTAR):

H.R. 3649. A bill to ensure funding for sportfishing and boating safety programs funded out of the Highway Trust Fund through the end of fiscal year 2005, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER (for himself, Mr. CONYERS, Mr. SMITH of Texas, Mr. BERMAN, and Mr. GOHMERT):

H.R. 3650. A bill to allow United States courts to conduct business during emergency conditions, and for other purposes; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 3651. A bill to amend title 9, United States Code, to allow employees the right to accept or reject the use of arbitration to resolve an employment controversy; to the Committee on the Judiciary.

By Mr. ANDREWS:

H.R. 3652. A bill to provide workers with certain impairments employment protection; to the Committee on Transportation and Infrastructure.

By Mr. ANDREWS:

H.R. 3653. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax to C corporations which have substantial employee ownership and to encourage stock ownership by employees by excluding from gross income stock paid as compensation for services, and for other purposes; to the Committee on Ways and Means.

By Mr. ANDREWS:

H.R. 3654. A bill to amend title XVIII of the Social Security Act to provide certain Medicare beneficiaries living abroad a special Medicare part B enrollment period during which the late enrollment penalty is waived and a special Medigap open enrollment period during which no underwriting is permitted; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA:

H.R. 3655. A bill to require the Secretary of Education to review and revise the guidelines relating to the ''Principles of Effectiveness'' criteria developed pursuant to the Safe and Drug-Free Schools and Communities Act to improve State and local prevention programs and activities carried out under such Act, and for other purposes; to the Committee on Education and the Workforce.

By Mr. DINGELL (for himself, Mr. STUPAK, Mr. HASTINGS of Florida, Mr. BOREN, Ms. LEE, Mr. MOORE of Kansas, Mr. SHERMAN, Ms. DEGETTE, Mr. BOUCHER, Mr. TOWNS, Mr. ROTHMAN, Mr. ANDREWS, Mr. ROSS, Mr. RUPPERSBERGER, Mr. BROWN of Ohio, Ms. DELAURO, Mr. ENGEL, Mr. GRIJALVA, Mr. LEVIN, Mr. HINCHEY, Ms. LINDA T. SÁNCHEZ of California, Ms. KAPTUR, Mr. KUCINICH, Mr. RYAN of Ohio, Mr. KILDEE, Mr. BACA, Mr. VISCLOSKY, Mr. THOMPSON of California, Mr. DAVIS of Florida, Ms. MCCOLLUM of Minnesota, Mr. WEINER, Mr. CARDOZA, Mr. MEEHAN, Mr. WU, Mr. BERMAN, Ms. KILPATRICK of Michigan, Mrs. MALONEY, Mr. CROWLEY, Mr. INSLEE, Ms. BORDALLO, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. HOLT, Mr. KANJORSKI, Mr. MCDERMOTT, Mr. NADLER, Mr. GONZALEZ, Mrs. LOWEY, and Mr. MORAN of Virginia):

H.R. 3656. A bill to reestablish the Federal Emergency Management Agency as an independent establishment in the executive branch, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSEN of Washington (for himself and Mr. WOLF):

H.R. 3657. A bill to regulate international marriage broker activity in the United States, to provide for certain protections for individuals who utilize the services of international marriage brokers, and for other purposes; to the Committee on the Judiciary.

By Mr. MEEK of Florida:

H.R. 3658. A bill to amend the Haitian Refugee Immigration Fairness Act of 1998; to the Committee on the Judiciary.

By Mr. OBERSTAR (for himself and Ms. NORTON):

H.R. 3659. A bill to reestablish the Federal Emergency Management Agency as an independent establishment in the executive branch that is responsible for the Nation's preparedness and response to disasters, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAUL:

H.R. 3660. A bill to amend the Farm Security and Rural Investment Act of 2002 to require, as a condition on the receipt of direct payments or counter-cyclical payments under such Act for rice produced by tenants and sharecroppers in Texas, that the producers on the farm agree to retain the rice cropland in production for the next crop year; to the Committee on Agriculture.

By Mr. PAUL:

H.R. 3661. A bill to amend title II of the Social Security Act to replace the 60-month period of employment requirement for application of the Government pension offset exemption with the rule that last applied before section 418 of the Social Security Protection Act of 2004 was enacted; to the Committee on Ways and Means.

By Ms. SLAUGHTER:

H.R. 3662. A bill to delay for 2 years the general effective date of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005; to the Committee on the Judiciary, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WU:

H.R. 3663. A bill to amend part A of title IV of the Social Security Act to provide a State option to extend current waivers and create additional waiver authority under the temporary assistance for needy families program; to the Committee on Ways and Means.

By Ms. LEE:

H. Con. Res. 233. Concurrent resolution affirming the obligation and leadership of the United States to improve the lives of the 35,900,000 Americans living in poverty and an additional 15,300,000 Americans living in extreme poverty; to the Committee on Government Reform.

By Mr. DELAY:

H. Res. 422. A resolution expressing the profound sorrow of the House of Representatives on the death of the Honorable William H. Rehnquist, Chief Justice of the United States; considered and agreed to.

By Mr. SENSENBRENNER (for himself, Mr. CONYERS, Mr. COBLE, Mr. JENKINS, Mr. BACHUS, Mr. FRANKS of Arizona, Mr. GREEN of Wisconsin, Mr. PENCE, Mr. KING of Iowa, Mr. SMITH of Texas, Mr. CANNON, Mr. CHABOT, Mr. INGLIS of South Carolina, Mr. DANIEL E. LUNGREN of California, Mr. HOSTETTLER, Mr. KELLER, Mr. BOUCHER, Mr. SCHIFF, Mr. FEENEY, Mr. BERMAN, Mr. GOHMERT, Ms. ZOE LOFGREN of California, Mr. ISSA, and Mr. SCOTT of Virginia):

H. Res. 423. A resolution honoring and recognizing the distinguished service, career, and achievements of Chief Justice William Hubbs Rehnquist upon his death, and for other purposes; to the Committee on the Judiciary.

By Mr. CALVERT:

H. Res. 424. A resolution to congratulate the National Aeronautics and Space Administration and the Discovery crew of Commander Eileen Collins, Pilot Jim Kelly, Mission Specialist Charlie Camarda, Mission Specialist Wendy Lawrence, Mission Specialist Soichi Noguchi, Mission Specialist Steve Robinson, and Mission Specialist Andy Thomas on the successful completion of their 14 day test flight to the International Space Station for the first step of the Vision for Space Exploration, begun from the Kennedy Space Center, Florida, on July 26, 2005, and completed at Edwards Air Force Base, California, on August 9, 2005. This historical mission represented a great step forward into the new beginning of the Second Space Age; to the Committee on Science.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 65: Mrs. DRAKE and Mr. FEENEY.

H.R. 144: Mr. HUNTER.

H.R. 146: Mr. HUNTER.

H.R. 297: Mr. ANDREWS.

H.R. 312: Mr. OTTER.

H.R. 314: Mr. SCHWARZ of Michigan and Mr. CHANDLER.

H.R. 528: Mr. ROTHMAN.

H.R. 550: Mr. RAMSTAD, Mr. ISSA, Mr. MEEHAN, Ms. MOORE of Wisconsin, and Mr. BARROW.

H.R. 558: Mr. PRICE of North Carolina, Mr. EMANUEL, and Mr. CALVERT.

H.R. 633: Mr. ROTHMAN.

H.R. 698: Mr. HERGER, Mrs. MYRICK, and Mr. BROWN of South Carolina.

H.R. 735: Mr. FRANK of Massachusetts.

H.R. 759: Mr. BRADY of Pennsylvania and Mr. PAYNE.

H.R. 813: Mr. DEFAZIO.

H.R. 865: Mr. FITZPATRICK of Pennsylvania.

H.R. 871: Mr. PASTOR.

H.R. 923: Mr. CONYERS, Mr. MCGOVERN, and Mr. LEVIN.

H.R. 998: Mr. ANDREWS, Mr. COOPER, Mr. FOLEY, Mr. CHOCOLA, Mr. GIBBONS, and Mr. PENCE.

H.R. 1002: Mr. MICHAUD, Mr. AL GREEN of Texas, and Mr. NADLER.

H.R. 1246: Mr. HINCHEY, Mr. COSTELLO, Ms. DEGETTE, Ms. LEE, Mr. TANCREDO, Mr. RUPPERSBERGER, Mr. MCDERMOTT, and Ms. KAPTUR.

H.R. 1297: Mr. WEXLER.

H.R. 1322: Mr. GENE GREEN of Texas and Mr. ROTHMAN.

H.R. 1358: Mr. LINCOLN DIAZ-BALART of Florida, Mr. ALEXANDER, Mr. KENNEDY of Rhode Island, Mr. KUHL of New York, and Mr. SCHWARZ of Michigan.

H.R. 1413: Mr. MCGOVERN and Ms. MCCOLLUM of Minnesota.

H.R. 1431: Mr. MILLER of Florida.

H.R. 1554: Mr. LUCAS, Mr. INSLEE, and Mr. MANZULLO.

H.R. 1561: Mr. GORDON, Mr. BROWN of Ohio, Mr. PAUL, Mr. FILNER, Mr. MCCOTTER, Mr. AKIN, Mr. LEACH, Mr. ETHERIDGE, and Mr. FRANK of Massachusetts.

H.R. 1566: Mr. FORD and Mr. GORDON.

H.R. 1582: Mr. FARR and Mrs. CAPPS.

H.R. 1591: Mr. RYAN of Ohio, Ms. ESHOO, Ms. SLAUGHTER, Mr. GREEN of Wisconsin, Mr. HIGGINS, and Mr. ANDREWS.

H.R. 1620: Mr. GRIJALVA.

H.R. 1636: Mr. FRANK of Massachusetts and Ms. MILLENDER-MCDONALD.

H.R. 1671: Mr. OSBORNE, Mr. MILLER of North Carolina, Mr. SHAYS, Mr. DAVIS of Kentucky, Mr. PALLONE, Mr. TERRY, and Mr. GOHMERT.

H.R. 1688: Mr. OLVER and Mr. ANDREWS.

H.R. 1689: Mr. LINCOLN DIAZ-BALART of Florida.

H.R. 1696: Mr. RUSH.

H.R. 1823: Mr. STARK.

H.R. 1871: Mr. MOORE of Kansas and Mr. TIBERI.

H.R. 1953: Mr. DOGGETT, Mr. MCKEON, Mr. HERGER, Mr. DOOLITTLE, Mr. GALLEGLY, and Mr. GARY G. MILLER of California.

H.R. 1973: Mr. BASS, Mr. FILNER, and Mr. GORDON.

H.R. 1986: Mr. CALVERT.

H.R. 2011: Mr. MILLER of North Carolina.

H.R. 2017: Mr. LYNCH.

H.R. 2061: Mr. WAMP, Mr. WILSON of South Carolina, Mr. GINGREY, Mr. DENT, and Mr. STEARNS.

H.R. 2074: Mr. CUMMINGS.

H.R. 2106: Mr. CANNON.

H.R. 2193: Mr. ANDREWS and Mr. FARR.

H.R. 2230: Mr. ENGEL.

H.R. 2231: Mr. ISRAEL, Mr. RYAN of Ohio, Mr. ACKERMAN, Mr. WALSH, Mr. SWEENEY, Mr. NEAL of Massachusetts, Mr. REYNOLDS, and Ms. MCCOLLUM of Minnesota.

H.R. 2389: Mr. PORTER.

H.R. 2429: Mr. ROSS, Mrs. DAVIS of California, Ms. CARSON, and Ms. MOORE of Wisconsin.

H.R. 2519: Mr. REYES.

H.R. 2533: Mr. PRICE of North Carolina, Mr. MICHAUD, Mr. HOLDEN, and Ms. HERSETH.

H.R. 2562: Mr. ABERCROMBIE, Mr. STARK, and Mr. FILNER.

H.R. 2646: Ms. ZOE LOFGREN of California, Mr. RUPPERSBERGER, Mr. FILNER, Mr. GRIJALVA, Mr. GONZALEZ, and Mr. SHERMAN.

H.R. 2682: Mr. FILNER, Mr. WELDON of Florida, Ms. ZOE LOFGREN of California, Mr. SULLIVAN, Mr. PLATTS, and Mr. REYES.

H.R. 2925: Mr. HASTINGS of Washington.

H.R. 2926: Mr. WOLF.

H.R. 2933: Mr. JONES of North Carolina.

H.R. 2963: Mrs. JONES of Ohio, Mr. REYES, Mr. EMANUEL, Mr. PASTOR, and Ms. HERSETH.

H.R. 2987: Mr. LOBIONDO and Ms. ZOE LOFGREN of California.

H.R. 3003: Mr. BAIRD and Mr. MILLER of North Carolina.

H.R. 3049: Mr. MCHUGH.

H.R. 3132: Mr. BOOZMAN, Mr. MCHUGH, Mrs. MILLER of Michigan, Mr. DANIEL E. LUNGREN of California, Mr. BOEHLERT, Ms. SCHAKOWSKY, Mr. PUTNAM, Mr. BARROW, Mr. GIBBONS, Mr. WALDEN of Oregon, Mr. MOORE of Kansas, Mr. NORWOOD, Mr. FOSSELLA, Mr. MCINTYRE, Mr. RYAN of Wisconsin, and Mr. MCCAUL of Texas.

H.R. 3135: Mr. ROGERS of Kentucky.

H.R. 3147: Mr. AL GREEN of Texas and Mr. BASS.

H.R. 3163: Mr. FITZPATRICK of Pennsylvania.

H.R. 3195: Mr. AL GREEN of Texas, Mr. KOLBE, and Mr. EMANUEL.

H.R. 3312: Mr. KUCINICH and Mr. STRICKLAND.

H.R. 3333: Mr. SAM JOHNSON of Texas.

H.R. 3334: Mr. ALEXANDER, Mr. BOEHLERT, Mr. HINOJOSA, Mr. WAXMAN, Mr. PRICE of North Carolina, Mr. STRICKLAND, Mr. OWENS, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. REYES, and Mr. NADLER.

H.R. 3352: Mr. BEAUPREZ, Mr. TANCREDO, and Mr. CALVERT.

H.R. 3361: Mr. COSTELLO, Mr. CROWLEY, Mr. MENENDEZ, Mr. ROYCE, Mr. BACA, Mr. ANDREWS, and Mr. WEINER.

H.R. 3369: Mr. CUMMINGS.

H.R. 3385: Mr. MCCOTTER, Mr. FRANK of Massachusetts, and Mrs. MALONEY.

H.R. 3405: Mr. CONAWAY, Mr. ROSS, Mr. KIND, Mr. MCINTYRE, Mr. PETERSON of Minnesota, Mr. LEACH, Mr. WILSON of South Carolina, and Mr. LEWIS of Kentucky.

H.R. 3442: Mr. CONYERS.

H.R. 3504: Mr. MICHAUD, Mr. SHERMAN, and Mr. DOYLE.

H.R. 3540: Mr. SHERMAN.

H.R. 3546: Mrs. MCCARTHY.

H.R. 3554: Mr. ETHERIDGE.

H.R. 3569: Mrs. NAPOLITANO, Mrs. JONES of Ohio, Mr. KILDEE, and Ms. BERKLEY.

H.R. 3603: Mr. SAXTON.

H.R. 3617: Mr. BROWN of Ohio, Mr. BUYER, Mr. GOODE, Mrs. NORTHUP, Mr. MCHUGH, Mr. LEACH, Mr. KENNEDY of Rhode Island, and Mr. PLATTS.

H.J. Res. 61: Mr. DELAHUNT, Mr. FEENEY, Mrs. EMERSON, Mr. BARROW, Ms. GINNY BROWN-WAITE of Florida, Mr. BRADLEY of New Hampshire, Mr. EDWARDS, Mr. ROHRABACHER, Mr. BURTON of Indiana, Mr. SCOTT of Georgia, Mr. ROGERS of Alabama, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FITZPATRICK of Pennsylvania, Ms. HARRIS, Mr. FORD, Mr. RAHALL, Mr. LAHOOD, Mr. MCCOTTER, Mr. GARY G. MILLER of California, Mr. TURNER, Mrs. MCCARTHY, Mr. DANIEL E. LUNGREN of California, Mr. KIND, Ms. JACKSON-LEE of Texas, Mr. BERRY, Mr. CARTER, Ms. KILPATRICK of Michigan, Mr. RUPPERSBERGER, Mrs. TAUSCHER, Ms. MILLENDER-MCDONALD, Mr. SIMMONS, Mr. BACHUS, Ms. WATSON, Mr. SESSIONS, Mr. MEEK of Florida, Mr. EMANUEL, Mr. POE, Ms. BORDALLO, Mr. ORTIZ, Mr. HUNTER, Mr.

EVANS, Ms. CORRINE BROWN of Florida, Mr. TANNER, and Ms. HERSETH.

H. Con. Res. 24: Mr. STARK and Mr. SHERMAN.

H. Con. Res. 154: Ms. WASSERMAN SCHULTZ.

H. Con. Res. 162: Mr. BARROW.

H. Con. Res. 172: Mr. FILNER and Mr. BACHUS.

H. Con. Res. 174: Ms. KAPTUR, Mr. GOODE, Mr. GENE GREEN of Texas, Mr. WICKER, Mr. CASTLE, Mr. SHAW, Ms. HARRIS, Mr. WOLF, and Mr. JEFFERSON.

H. Con. Res. 179: Mr. TIERNEY, Mr. WAXMAN, Mr. VAN HOLLEN, Mr. MARSHALL, Mr. HINCHEY, Mr. GORDON, Mr. GOODE, Mr. PLATTS, Mr. ROTHMAN, Mr. WOLF, Mr. DEFAZIO, Ms. SCHAKOWSKY, and Mr. WEXLER.

H. Con. Res. 219: Mr. AL GREEN of Texas.

H. Con. Res. 222: Mr. MOORE of Kansas, Mr. HUNTER, Mr. AKIN, Mr. LEACH, Mr. KING of Iowa, and Mr. FRANK of Massachusetts.

H. Res. 15: Mr. MOORE of Kansas, Mr. HOLDEN, and Ms. BALDWIN.

H. Res. 123: Mr. RYAN of Ohio, Mrs. EMERSON, and Ms. MCCOLLUM of Minnesota.

H. Res. 222: Mr. EMANUEL and Mr. OTTER.

H. Res. 299: Mrs. MCCARTHY, Mr. NEAL of Massachusetts, Mr. RYAN of Ohio, and Mr. LIPINSKI.

H. Res. 305: Mr. FOSSELLA.

H. Res. 325: Mr. REYNOLDS.

H. Res. 360: Mr. ENGEL.

H. Res. 388: Mr. DAVIS of Kentucky, Mr. PITTS, Mr. ROHRABACHER, Mr. SMITH of New Jersey, Mr. KELLER, and Mr. BAKER.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2290: Mr. JONES of North Carolina.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151 WASHINGTON, TUESDAY, SEPTEMBER 6, 2005 No. 109

Senate

The Senate met at 12 p.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Immortal, invisible, God only wise, You rule the Earth, sea, and sky. As we deal with Hurricane Katrina's wake-up call and the death of our 16th Supreme Court Chief Justice, steady this great land. Make us grateful for the acts of generosity and altruism we have seen in this Nation and around the world.

Help us to remember Your sovereignty as You lead us away from the dead-end streets of pointing fingers to the productive paths of self-examination.

Like the canary in the mine, may these difficult days warn us of the dangers of ignoring extreme disparities in economic and social conditions. Forgive us when we cry pathology in order to justify our own indifference. Help us to build on this opportunity to work toward liberty and justice for all.

Use our Senators as agents of Your will. Give them wisdom to know what is right and the courage to do it. As we labor to strengthen freedom in other nations, open our eyes to the invisible people on life's margins in America. Hasten the day when justice will roll down like waters and righteousness like a mighty stream.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business until 12:30 p.m., with Senators permitted to speak therein up to 5 minutes each.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, I have a few housekeeping matters as we begin today.

I have talked to the Democratic leader and a number of our colleagues about changes we have made in our current schedule. As all Members are aware, on July 29 we filed cloture motions on two items that were scheduled for consideration today. In light of Hurricane Katrina, we will be shifting our focus this week, and I am prepared to make those changes by unanimous consent.

ORDER OF PROCEDURE

First, I ask unanimous consent that the two cloture votes scheduled for 5:30 this afternoon be vitiated.

The PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. FRIST. Mr. President, I also ask unanimous consent that the order be modified so that at 2:15 today, the Senate begin a period for morning business with Senators permitted to speak for up to 10 minutes each, with the time until 5:30 equally divided between the two leaders or their designees.

I further ask consent that at 5:30 today, the Senate proceed to a vote on adoption of a resolution related to Hurricane Katrina.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. FRIST. Mr. President, Senators should be aware that now the vote at 5:30 today will occur on the resolution expressing condolences to the victims of Katrina. I expect that a number of our colleagues will want to speak today on that resolution, and we have provided time to do so between 2:15 and 5:30 today.

In addition, following that vote, at 6 p.m. this evening there will be an all-Senators briefing related to our Gulf States. At that briefing will be a number of the Cabinet Secretaries who will be available. That briefing will be in S–407 in the Capitol.

As I have been stating, it is our intention to move very quickly, responsibly, and aggressively to Hurricane Katrina and her aftermath. This relief is underway. We need to make sure that we are maximally supportive and responsive in a timely fashion. I believe we demonstrated that last Thursday when we came in in an urgent session to approve $10.5 billion which subsequently became law and was signed by the President.

Later today—again another manifestation of being able and appropriately responding to the changing events—we will clear a bill known as the Federal Judiciary Emergency Special Sessions Authority which will allow the affected U.S. courts to conduct business under these emergency conditions.

Tomorrow, we will pay tribute to the Chief Justice of the United States, William Rehnquist. I will say more later today on the schedule as it relates to the funeral and a Senate resolution relating to Chief Justice Rehnquist.

Finally, we will be turning to the Commerce, Justice and Science appropriations bill later this week. That appropriations measure does fund a number of hurricane-related activities.

Earlier today, the Democratic leader and I, Chairman SPECTER, and Ranking Member LEAHY from the Judiciary Committee outlined the schedule with

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

regard to Judge Roberts' hearings and the nomination process over the next month. Those hearings will begin Monday, September 12, at noon. The committee will report out Judge Roberts no later than Thursday, September 22. We will begin Senate floor consideration the week of September 26, and we will complete action no later than Friday, September 30.

I believe that is relatively complete in terms of the changes we have made in response to two very sad and unfortunate events: Hurricane Katrina, a natural disaster which is ongoing, as we all know, and the death of Chief Justice Rehnquist. We will remain flexible in terms of our scheduling in this body to address that natural catastrophe along the Gulf States. We will be acting in a bipartisan and bicameral way, as has been seen to date, in these matters in order to facilitate an immediate response initially to the victims and then ultimately to the recovery and rebuilding of those gulf regions, with the goal of greater prosperity than they have ever seen in the past.

KATRINA AFTERMATH AND RECOVERY EFFORTS

Mr. FRIST. I did have the opportunity to travel to the gulf coast and participate, not as a Senator but as a volunteer physician, and to see firsthand the tremendous response on the ground among our medical personnel, our health personnel, and our volunteers, but also to witness firsthand that scope of human suffering and need that was caused by last week's catastrophe, which affected those three Gulf States and indirectly affected the entire region—indeed, the entire country. What I saw was staggering. Hurricane Katrina now stands as the largest natural disaster in American history. Ninety thousand square miles, an area larger than the United Kingdom, have been utterly devastated.

Many of my colleagues have had the chance to fly over that region. As we all know, many of our colleagues and their families have been directly and personally impacted. The cities are flooded, the entire coast along southern Mississippi destroyed, towns demolished, farmlands turned to swamp, transportation, distribution channels totally wiped out, and local communication destroyed, slowly coming back but totally destroyed. Hundreds of thousands of residents affected across these three States are now displaced.

In our leadership meeting a little while ago, we went around the table. Everybody has received the displaced persons in numbers of thousands and thousands.

Many of these people have health problems, short-term and long-term problems, that must be addressed. It is going to take all of us pulling together to do this.

Secretary Leavitt, Health and Human Services Secretary, estimates that thousands of innocent people have died in the hurricane's wake. As the floodwaters recede, more and more bodies, unfortunately, will be found—people who were unable to escape the torrential flooding that took place shortly after the hurricane struck. The loss is so profound that none of us will be able to express what we have seen or what we feel in words.

I have had a chance to be in other areas, in Sri Lanka after the tsunami and in the Darfur region in Sudan. Everybody says, Is this worse? How do you compare it? You can't compare it; all were tremendous tragedies. But I will say that what I had the chance to see there, in terms of the mass of humanity in that convention center and in the New Orleans airport, I can't compare it to anything I have seen, even having seen such tragedies elsewhere in the world.

One of the other things I need to mention early on is that human connection you do see when you are in the middle of a response such as this—the compassion, the concern. You saw patients lying together on scores and scores of stretchers, hundreds of stretchers that were on the floor, and you have one patient leaning over, taking care of another patient even though they didn't know each other. Patients were taking care of themselves, especially early on when there was a clear shortage of personnel to respond to that initial disaster, as people came flowing into the airport.

You had rescue workers from all walks of life, volunteers from college campuses, health personnel from what are called DMAT or disaster medical assistance teams from around the country, all enduring crushing heat and exhaustion to pour out their hearts and use those skills they had, whatever those skills, so we could maximize that response to those people being evacuated from this place.

Volunteer workers were from the State of the distinguished President pro tempore, the State of Alaska. I had the opportunity to work side by side with them, and with volunteers from Hawaii and from Tennessee. I saw a number of my colleagues from medical college, from Vanderbilt in Nashville, and Boston, MA, where I worked in the past. They were contributing in such a positive way.

Many people were so moved by the stories they read they got on the road and went to that Gulf State region to volunteer their services. They didn't ask; they didn't pay attention to the redtape or people who said stay away, and went in. They were all very useful as they poured out their hearts to those who were suffering from this catastrophe.

I have to also mention the Knox County Volunteers, because the sheriff's department there sent down several helicopters early on, again before even being asked, and they were very instrumental in dropping food and dropping supplies and helping people trying to evacuate their homes. I had the opportunity to spend a lot of time with them for both days, both at the convention center where we spent time, as well as at the New Orleans airport and, indeed, over in Mobile, AL. They were there and all along the Mississippi coast, as we touched down there.

I will have more to say about what I have been able to observe in those experiences because I think it does reflect both the misery but also the great compassion and the pulling together, the great spirit of the American people that we are going to absolutely have to call upon as we continue to address this tragedy.

We in the Senate are acting. We are acting aggressively and responsively and early. We are going to continue to do so. This has become our major priority, even though there are a lot of other issues we are addressing. We have the skyrocketing energy prices, gasoline prices, and oil prices. We have the ongoing war in Iraq. We have the judicial nomination which is underway. And we have the response to Katrina. The response to Katrina right now, because it is an ongoing catastrophe, an ongoing natural disaster, needs to be first and foremost. We are acting and we are going to continue to act aggressively.

Last Thursday night we came in and the Democratic leader and I helped usher through, in a highly unusual emergency session, the $10.5 billion aid bill. As we said then, that was only the beginning. We have so many urgent responsibilities now that we will be working together in a bipartisan way to address these issues.

Last Tuesday we sent out a note to all committee chairmen to begin bringing their legislative proposals to us. Over the next 48 hours we will be talking to each of the chairmen and ranking members, to pull together their ideas both for the immediate response and the midterm response and the long-term response. There are a lot of human, practical needs that have to be addressed right now. The Federal Government has a major role as we look at health and we look at social services and we look at housing and we look at food and we look at shelter, and then, in the longer term, solutions to putting the Gulf Coast back on a fast track to recovery and to rebuild, and rebuild with a goal of even greater prosperity in the future.

The Energy Committee is conducting hearings today and will be addressing the supply/demand issues. There will be many more hearings addressing these issues. I have encouraged our Members to look at some of these real warning flags that have arisen, things such as the price gouging and excessive profit taking by energy companies and by oil companies. These are issues we have to be aggressive with, especially in this time of need.

Even before the hurricane hit, having spent about 2 weeks traveling across

Tennessee, listening, we heard again and again the price of gasoline and diesel at the pump was wiping out any margins of even survival for many farmers and people who rely on our transportation industry.

I do want to call upon the energy industry and the energy sector to be a responsible corporate actor. If not, there is going to be a real focus placed by this Congress because they absolutely must respond appropriately. I mention that because of the reports, people calling in about price gouging and excessive profit taking. If that is occurring anywhere, it absolutely must be reported immediately to the Department of Energy and must be prosecuted to the full extent of the law.

We have asked the Homeland Security and Governmental Affairs Committee to conduct vigorous oversight hearings on what went wrong during those initial days and hours, and what lessons we can learn from this awful tragedy. Most of our response and energy needs to be focused on the victims right now, both their evacuation and responding to their needs, but at the same time that committee will begin their vigorous oversight hearings in an orderly way to collect the appropriate information. Emergency response was unacceptable early on and in many ways I saw it firsthand as a medical volunteer. We have to fix it. Those sorts of things should not happen in America today.

Every issue before us we will be addressing. Again, we are just coming back in. I look forward to doing that. One of the biggest problems on the ground will be the issues surrounding communications, command and control structures, and we will be addressing the longer term issues of housing long term but also temporary housing, and issues such as health coverage and unemployment insurance, getting power back, restoring the ports back to activity, dredging channels for those displaced, and making sure their insurance coverage—if they were so lucky to have insurance—is actually provided to them in a timely way.

Let me close by simply saying I am humbled and inspired by the tremendous generosity of all Americans who have given so much of themselves and their time and their energy over the last several days—and their money—and the resources of compassion. I thank you and I know America thanks you.

We are going to have to continue to invest. We are going to have to continue to pull together. The Senate is rolling up its sleeves. It has done so. We are at work and will work aggressively to respond appropriately.

I am confident that America will be able to meet the challenges that lay ahead. Through all of this, we will be made stronger and better and more unified and more hopeful as we pull together as a government and as a people in this time of crisis. The American people are leading the way, and together we will all be able to overcome these challenges.

THE SUPREME COURT

Tomorrow, I will have more to say about Chief Justice Rehnquist and the nomination of Judge Roberts for Chief Justice.

Today, let me briefly say the Senate and the Nation mourn the loss of the Chief, as he was affectionately known by so many of us and known on the Supreme Court. We will all miss Chief Justice Rehnquist—from his brilliant legal mind to his efficient and effective administration of the Supreme Court.

We look forward with confidence as the President's new nominee for Chief Justice, Judge Roberts, is considered. Judge Roberts learned from the best. He was, in fact, a clerk, as we all know, for then-Associate Justice Rehnquist. There is no doubt in my mind that Judge Roberts has the temperament, has the skill, and has the mind to lead the Supreme Court for decades to come.

With that, we have a lot to do. I know the Democratic leader has a statement. Then we will have time this afternoon after our lunches for people to come back and make statements as well.

Mr. REID. Mr. President, it is my understanding the Senate, under the standing order, is to go out of session at 12:30 today. Is that right?

The PRESIDENT pro tempore. That is correct.

Mr. REID. Mr. President, I ask unanimous consent, if my remarks take a little bit longer, that we wait until after my remarks to put the recess.

The PRESIDENT pro tempore. Without objection, it is so ordered.

EXPRESSION OF APPRECIATION

Mr. REID. Mr. President, the August recess was memorable for me for several reasons, not the least of which was my first visit to a hospital on my own behalf since I was 8 years old. I am grateful to the physicians who cared and consulted with me. Admiral Eisold, the Physician of the Capitol, is really a national treasure. The Congress is fortunate to have his curative hand over all we do.

While speaking of admirals, I would be remiss not to mention the Senate Chaplain, ADM Barry Black. After my brief hospital visit, my first public appearance in Nevada was at a faith-based summit I had been planning since January. The event turned out extremely well. The highlight of the summit was a presentation of Dr. Black, our Chaplain. I only wish all Americans—Christian, Jewish, Protestant, Mormon, Hindu, and Muslim—could have heard his presentation on faith and on virtue and why America must be a virtuous nation. His remarks were inspiring not only for me but for everyone within the sound of his voice.

I am happy to report that I am well. I feel fine. I have been advised medically that I have no restrictions on my activities. I am so fortunate to now return to work in a place that I love—the U.S. Senate.

Words cannot adequately express my appreciation for the thoughts and prayers and good wishes that I received from my Senate colleagues and the rest of the Senate family—some of whom are in the Chamber as I speak—and, of course, my friends in Nevada and around the country. I will long remember the cards, letters, phone calls, e-mails, and other expressions of concern. So even though these words are insufficient, I thank you all for your concern for me.

SUPREME COURT NOMINATIONS

Mr. REID. Mr. President, much has happened in the weeks since we adjourned for the August recess. In just the last few days, we have seen tragedy strike the gulf coast and learned that our friend, William Rehnquist, Chief Justice of the United States, had passed. Our thoughts and our prayers are with those struggling to pick up the pieces on the gulf coast following the hurricane. And, of course, our thoughts and prayers are with the Chief Justice's family.

I had the good fortune of working with the Chief on several occasions, the first when I was head of the Democratic Policy Committee. I told my Democratic Senators I was going to ask the Chief Justice to come and talk to us. They said he would never do that. I called him, and he was happy to come. At that lunch, he displayed a great command of the law, of course, a strong commitment to judicial independence, and something that we didn't know existed—a sharp sense of humor. Just a short time later, I got to know him better when he presided over the impeachment trial here in the Senate.

I am grateful to have worked with him, and in addition to have spoken to him on the telephone on several occasions at his office and at his home.

As I have indicated, my condolences are with his family. He will be missed.

Now that the President has said he will nominate Judge Roberts to replace Chief Justice Rehnquist, the Senate's advice and consent responsibility is even more important. If confirmed to this lifetime job, Judge Roberts will be the leader of the third branch of the Federal Government and most prominent judge in our Nation. The Senate must be vigilant in considering this nomination.

I, of course, look forward to consulting with the President on the O'Connor seat which at some time will become vacant when the replacement is chosen. Justice O'Connor, we have heard from this floor and around the country, has been a voice of moderation and reason on the Court, and should be replaced by someone who, like her, embodies fundamental American values of fairness, liberty, and equality.

HURRICANE KATRINA

Mr. REID. Mr. President, the work that we have to complete in the waning days of this session is significant and difficult, and nothing we do in the days ahead can be more important than helping the victims of Hurricane Katrina get back on their feet. They are counting on us. It is their time of need. We owe it to them to give them everything we are capable of giving them.

The most terrible tragedies routinely bring out the best in America and Americans. We have seen that again in the aftermath of Katrina, one of the most horrible natural disasters in the history of this Nation.

Americans are coming together and giving their time and money to the millions of victims. They are putting their personal concerns aside so they can put Americans in need first. Now they expect America's Government to do the same.

There are dozens of steps the Senate can take in order to get immediate relief to the victims of the gulf coast—steps we can take to make sure Medicaid is easily and readily available to those who need it, to get families the housing assistance they badly need, and to get resources to the school districts all over the country so displaced children do not lose a precious day of this school year. These items must be our top priority.

I commend the majority leader for clearing the Senate Calendar of the estate tax so we can focus on Katrina. We can do better. Families in Louisiana, Mississippi, Alabama, and Florida are counting on us to do that. They are suffering, and they have nowhere else to turn. We owe it to them to make their safety and survival our top priority, and we should give them nothing less.

RECESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate stand in recess prior to the hour that was chosen, just a couple of minutes early.

There being no objection, the Senate, at 12:28 p.m., recessed until 2:15 p.m. and reconvened when called to order by the Presiding Officer (Mr. VOINOVICH).

Mr. LEAHY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HURRICANE KATRINA

Mr. HARKIN. Mr. President, the entire Nation continues to be focused on the millions of Americans who have been devastated and displaced by hurricane Katrina. My heart and prayers go out to the individuals and the families who have had to endure so much over the last 8 days; first, the natural disaster of Katrina and then the unnatural disaster of the delayed and deeply flawed relief effort.

Last week, as this tragedy was unfolding, I was on a congressional delegation in Afghanistan and Pakistan, among other things, meeting with members of the Iowa National Guard who are training units of the new Afghan Army. I will have more to report about that trip in coming days. While this tragedy was unfolding, most of the time I was in Pakistan watching. No matter where we went, it was on television, whether we were going to meet the President of Pakistan or whether we were going out to a small village to visit some schools we have helped to fund in the past in poor villages. Everyone had a television focused on it.

As I was there watching it unfold, I had this terrible feeling of helplessness; also, I must add, a feeling of embarrassment and being ashamed that our Government was not responding more forcefully to this disaster.

I will take advantage of this first opportunity to be back in the Senate to speak publicly about the events surrounding Hurricane Katrina. There is no question FEMA has failed and, more broadly, the Federal Government has failed the people of the gulf coast. In other parts of the country that are vulnerable to similar natural disasters or terrorist attacks, Americans are saying: There, but for the grace of God, go I, go me or my city. It is important those responsible for this systematic failure be held accountable and plans and procedures be put in place to avoid any recurrence of this failure.

I know I will not be the only Senator demanding hearings and rigorous oversight by Congress in the weeks ahead, but that is in the weeks ahead. That is down the road. Today, we must focus on the immediate and longer term human needs of the people of the gulf coast. As ranking member of the Agriculture Committee and of the subcommittee on Labor and Health and Human Services of the Committee on Appropriations I will do my part, again with my distinguished chairman, Senator CHAMBLISS of the Committee on Agriculture, and Senator SPECTER, who is chairman of the subcommittee on Labor, Health, and Human Services, along with Senator COCHRAN, the full chairman of the Committee on Appropriations, to see we provide maximum resources for relief and recovery efforts across the gulf coast region.

For instance, we need to make sure USDA, the Department of Agriculture, is able to meet the food needs of the victims and to assist hard-hit agricultural producers. We will also need to extend emergency Medicaid benefits to hundreds of thousands of victims. I will work closely with Senators and officials from Louisiana, Mississippi, and Alabama, to ensure that their needs are fully and effectively met.

Indeed, in recent days, my staff has been meeting with Senator LANDRIEU's staff to share the experience and the expertise we gained in the wake of our widespread flooding in Iowa back in 1993. Some of the visual images, especially of New Orleans and some of the other towns along the gulf coast totally flooded with water, brought back memories of the flood of 1993 in Iowa, when whole towns were wiped out, some never to be rebuilt. People lost their homes, life savings, and mementos, such as pictures and family albums, the things that mean so much in our lives.

I remember 1993 and those floods in Iowa. At that time, I cochaired a task force, along with Senator KIT BOND of Missouri, whose State was also devastated by the same flooding, to identify the types of assistance that would be needed, as well as the best way to secure that assistance in Congress as well as in the executive branch. I am hopeful our past experience can provide a roadmap for officials responding to this latest disaster.

Some of the needed assistance is obvious, beginning, of course, with food. Me must make sure these people who have been displaced to other States get adequate food and nutrition, and shelter, of course. It is so wonderful to see so many people opening their homes, their communities, their facilities, to take care of people who have been displaced from their own homes and communities. But we need to provide shelter in the longer term. Where is that going to come from? People cannot live for 6 months, 9 months, 2 years, in the Astrodome or in any other public facility which is housing these people now. We have to find adequate shelter.

Many of the people who have been displaced—let's face it, the vast majority are very poor people, and I will have more to say about that later—need health care assistance. Many of the communities are already at the breaking point, in terms of providing health care to the poorest of their citizens.

We need to be doing something about at least those three things—food, shelter and health care—right now. In the weeks and months ahead, more will be needed, including grants to individuals. Grants to individuals helped immeasurably in my State of Iowa after the flood of 1993, to help them move back, to get a start, to buy simple things like a bed, a stove, a refrigerator.

Loans will be needed to small businesses to get them back on their feet. Think of all the small Main Street businesses wiped out. They are going to need help to get back on their feet.

We need buyouts of homes in frequently flooded areas. Senator BOND and I also worked together after the flood of 1993 on hazard mitigation. Sometimes individuals located in an area constantly under flood threats or which has been flooded numerous times need to be relocated. We did that very effectively in both Iowa and in Missouri.

We need funding for community redevelopment. Much more will have to be done down the pike.

This Congress must step up to the plate and do it. If we can spend between $5 billion and $6 billion a month in Iraq, surely we cannot shirk our responsibility to our own citizens in this country.

As we learned back in 1993 in the Iowa floods, there are other less obvious forms of assistance that are also critically important. I add here, psychological counseling, psychological help for people who have lost loved ones or were traumatized by the disaster, especially young people and kids.

I salute Governor Tom Vilsack, of my State of Iowa, for leading a robust response to this disaster. He has ordered our State Government to prepare for the potential relocation of up to 5,000 people from the gulf coast region. They will be given shelter and assistance in communities all across our State. Again, I am so proud of my fellow Iowans. The phone calls have been coming in. They have room to take in one, two, or three people. They are opening their homes. The churches across our State are saying they will do whatever they can to help find housing and accommodations for people. Governor Vilsack has also directed the Iowa Department of Public Health to deploy a 30-member team of doctors, nurses, and other health officials to southeast Louisiana.

I say to my fellow Iowans and to all my fellow Americans, our prayers for the victims are important, but as President Kennedy once reminded us, here on Earth, God's work must truly be our own. Each and every one of us can make a difference to the victims of this disaster. There are dozens of organizations, including the Red Cross and Salvation Army, in urgent need of donations and assistance.

So it is at times like this we are reminded we truly are one American family. Families look out for one another. I have no doubt people all across this country will continue to open their hearts and be as generous as possible in the days and weeks and months ahead.

Likewise, I am hopeful this Congress and this White House will also be generous. We will do whatever it takes to help the people of New Orleans and the gulf coast put their lives and communities back together.

Mr. President, with that I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, I, too, rise in an expression of sympathy to the victims of Hurricane Katrina and to convey my deep gratitude to the many people who are working in ongoing relief efforts.

As we gather here today, thousands of people throughout the South are struggling to recover from one of this Nation's greatest natural disasters. Really, if you think about it, it is a disaster that continues to unfold. With the public health issues, the sustenance-of-human-life issues, the needs that need to be met on a daily basis, this disaster, the full extent of it, is not yet even known.

As we all know, Hurricane Katrina hit the gulf coast on Monday, August 29, leaving in its wake destruction and devastation. The loss of life is incalculable at this time. The city of New Orleans lies in ruin, and residents of Louisiana, Mississippi, Alabama, and Florida are struggling today to meet their most basic needs—shelter, food, clean water, and medical care.

This Congress has appropriated, on an emergency basis, more than $10 billion to help meet the most immediate needs of these victims of this disaster. But, obviously, there is more that needs to be done.

Thousands of Americans now face the daunting task of rebuilding their lives. I am proud to report the people of my State of Texas are doing their part, welcoming literally almost a quarter of a million people with open arms. While some Texans are providing resources to meet evacuees' immediate needs, others are facilitating longer term needs for this large and displaced population. State and local government agencies are coordinating efforts on the ground and countless volunteers—from churches, synagogues, mosques, other faith-based organizations, and just good hearted people—are providing all of the help they can on a round-the-clock basis to ensure our neighbors' needs are being met.

On the ground, nearly 2,000 soldiers and airmen from the Texas Air National Guard are continuing to provide assistance with Hurricane Katrina relief and security efforts. An additional 350 members of the Texas State Guard have also joined them. Texas National Guard aviation has moved more than 6,650 people, distributed 20,000 meals, and almost 40,000 bottles of water, and supplied more than a million pounds of material to help repair the breach in New Orleans' levees.

Even as Texas leaders have notified FEMA and Louisiana officials that we are nearing capacity, people across the State continue to open their homes to their neighbors in need and to reach out to help them in any way they can.

In the shelters, one of the most important ongoing efforts is to locate a place for displaced residents to actually live on a temporary basis. The Red Cross in Dallas is doing everything it can to register evacuees or those who have been victimized by Katrina. This will help facilitate the reuniting of these victims with their families and loved ones. This effort is being duplicated at all other shelters.

The city of Fort Worth and Tarrant County have partnered to provide the best possible care for victims. The local government has taken full responsibility for this situation and is managing these shelters in an efficient and professional manner.

In Houston, 20,000 people are being housed and cared for at the Astrodome. Another 4,000 are being sheltered at the Reliant Center. And 3,000 more are being housed at the George R. Brown Convention Center. It is estimated that up to 100,000 more are in hotels and shelters throughout the greater Houston area, with around 200,000 to 250,000 victims of Katrina in Texas.

Mr. President, 20,000 volunteers in Houston alone have been working to accommodate the enormous manpower requirements to put all of these efforts in place.

A lot of credit is due not only at the highest levels of State government, to Governor Perry and his team, but also to local leaders such as Harris County Judge Robert Eckels and Mayor Bill White of Houston who have done an excellent job working to mobilize the major county and city efforts to offer immediate shelter to these victims. Both the judge and the mayor have been going to Fortune 500 companies in the greater Houston area to ask for immediate help and have been met with generous offers of assistance. Shelter volunteers are working, also, to make sure the medical needs of these evacuees are being met. Dallas County Health and Human Services has stated that physicians are taking extra precautions to prevent the outbreak of communicable diseases at the shelters. The Mental Health and Mental Retardation Department has deployed social workers and psychiatrists to shelters to help deal with the mental trauma associated with this disaster.

But in addition to the immediate needs for food, clothing, water, and medical care, there are long-term needs that need to be addressed as well. We must also ensure that these long-term needs are met by this same team effort of Federal, State, and local officials, as well as nongovernmental and faith-based organizations. Federal agencies have stepped up and have given information to evacuees on how to receive Social Security and other Government benefits while they are temporarily displaced.

The Post Office has stopped mail according to ZIP Codes so mail will not be lost and can ultimately be delivered. Local district clerks have given information regarding how to apply for child support payments. And I recently was in communication with district clerk Charles Bacarisse of Harris County, who is working with attorney general Gregg Abbott to make sure child support payments are delivered on time to those who are entitled to them.

Congress is also considering waivers so the Department of Housing and Urban Development can give out vouchers for housing.

My office has joined with the rest of the congressional delegation to facilitate the Federal Emergency Management Agency's ability to provide services and assisting HUD to provide housing as quickly as possible to such an enormous number of people. Likewise,

communities have joined together, and many good people are personally even housing in their home those who have nowhere else to turn.

So I am gratified, but not surprised, by the big heart of the people in the State of Texas toward those who are in need. We know there are stories that are heartwarming on a personal level as well as on a larger level as to the way people are responding, which is in a way that we would all hope that if the shoe were on the other foot we would respond.

While we have heard there have been episodes of lawlessness, looting, and other acts of desperation, it is important to remember there have been innumerable acts of kindness from those expressing charity and goodwill which I believe truly embodies the American spirit and the Texas spirit. These are some of the stories on which I would like to close.

I was told an expectant couple from Louisiana was so appreciative of the warm welcome they received when they arrived in Dallas that they named their newest arrival, their baby girl, ''Dallas,'' after our fine city.

After a 23-hour drive to Texas, one woman gave birth to her new son and named him after the hospital where he was born in gratitude for the money, gift certificates, clothes, and other necessities that the hospital staff collected for her.

Louisiana resident Bernell Royal was rescued from his rooftop with nothing more than a bag of clothes—no identification, no wallet, no personal documents or effects. He is now being housed at a shelter in Austin, TX. Although he believes everything he owned is now gone, he told one reporter:

> I feel like in Austin I've found a new sense of respect, dignity and honor. I would love to stay in Austin, get a job, and start a new life.

We hope he will.

In Duncanville, Darwin German II and his family wanted to help hurricane victims, so they decided to give away what they had—free apartments at the Candlelight Park Apartments. Move-in costs will be covered, as well as 4 months of free rent.

Dallas school officials over the weekend prepared to enroll approximately 500 student evacuees who were expected to start school today. The Dallas Morning News reports that Melissa Farria said when her children were registered for school:

> These people are amazing. . . .When they were saying they were registering students, I couldn't believe it.

And the University of Texas is likewise opening its doors to Texas students who were on their way to Louisiana universities. It has been reported that 134 undergraduates and 60 law students have now been enrolled at the University of Texas and will be able to continue their programs of study.

The Dallas Morning News is offering free classified advertisements for businesses and individuals offering free goods or services to evacuees from areas struck by Hurricane Katrina.

These are just some of the stories of goodwill and charity and big hearts that we found in response to this terrible disaster. I know the temptation is perhaps almost irresistible, particularly here in Congress, to point the finger of blame at mistakes made, plans that were not executed the way we hoped they might have been. Believe me, there will be plenty of time for that. But I believe right now it represents a distraction from the job we ought to be about, as exemplified by these wonderful Good Samaritans I have described this afternoon.

We ought to be about making sure people have food, shelter, and clean water; that they have medical care; that their children are allowed to go to school; and that we help them get on with their lives and leave the blame game and the finger-pointing for later on. I know Congress and the Senate will undertake a series of hearings—and, in fact, this afternoon—looking at gasoline prices. We should and we will deal with that issue appropriately. We also ought to look at the mistakes that were made and things that could be done better. I am confident the Homeland Security and Governmental Affairs Committee will, in due course, have hearings and make sure we learn from those mistakes and we do better next time.

But I think more than anything else this is a time for Americans to pull together. I wanted to take a few minutes to express my gratitude to the big-hearted people of Texas for taking in these nearly quarter of a million evacuees from Hurricane Katrina who had nowhere else to turn and who were looking for the milk of human kindness, which they found in the great State of Texas.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, millions of Americans on the Gulf Coast have endured an almost unspeakable tragedy over the past 10 days. Thousands are likely dead. Hundreds of thousands had their lives upended and wondered so rightly why their Government seemed to have abandoned them. Millions of Americans across the country are asking themselves when the suffering will end.

We cannot undo what has happened, but there is one thing we can do to redeem ourselves and to live up to our greatest American ideals.

We can commit that we will not stop, that we will not rest, until these communities are back and stronger than before, until families have been reunited, and until the survivors of this catastrophe are restored into the full measure of American life.

If 6 months from now we are still referring to American citizens as refugees, if we are content that American families are holed up without jobs, without homes, without security, then we will have failed and failed miserably.

Our response to date has not been worthy of our Nation, and we will have to examine why it wasn't until last Friday that our brave and committed National Guard forces were deployed to deliver supplies to the starving, suffering Americans stranded at the New Orleans Convention Center.

The time will also come to determine why the mandatory evacuation order wasn't implemented effectively and why the Army Corps of Engineers wasn't given the resources long ago to prevent the collapse of the levees that caused most of the loss of life, especially when FEMA had called such a hurricane one of the ''likeliest, most catastrophic disasters facing the country.''

Clearly, mistakes were made that cost lives, displaced thousands, and left one of America's most unique and treasured cities under water and abandoned. There will come a time to hold accountable the responsible officials who allowed this disaster to become even more disastrous.

But our first priority now is to do everything we can to meet the needs of our fellow citizens and to provide a helping hand to the countless generous Americans throughout the Nation who have opened their homes, their schools, and their communities to our displaced fellow citizens. Today our job is to meet the great, daunting, and unprecedented challenge of rebuilding the entire region.

Our obligation is to guarantee that the Americans thrust into the darkness of despair and homelessness last week emerge with a restored faith in their fellow citizens and a renewed belief that this is a land of opportunity.

This is a challenge for all of us—as individuals, as public officials, and as members of religious and charitable organizations.

But above all it is the job of our national Government, which alone has the resources, the manpower, and the authority to lead this enormous effort. The eyes of the world are upon us—watching to see how we take care of our own.

The $10.5 billion Congress passed last week was an initial gesture, but it's just a small fraction of the amount needed to address the unprecedented challenges this entire region faces. It's only the beginning, and we need to recognize that.

We should move quickly, for example, to address the health needs of these citizens. The disaster area is a public health hazard as well. The floodwaters are potentially disease-ridden. Countless people have been injured or taken ill as a result of the disaster. The physical and mental health needs of thousands must be met as they try to cope with the horror that they've endured.

We also need to ensure that the elderly and disabled who rely on supplemental assistance to live continue to

get it, even though they've been dislocated.

We must do all we can to see that school children and college students don't miss a year of their education.

There are approximately 70,000 children in the New Orleans school system, some 7,000 to 8,000 schoolteachers. That school system has effectively been completely destroyed—all of the books lost, all of the records completely lost. We don't know where those schoolchildren have moved to, which children have gone where. The payrolls for all of the school administrators have effectively been lost. We know that what I just mentioned for New Orleans has been replicated in school district after school district throughout the whole gulf area.

School districts across the country are taking in children from the disaster area. Thirty-five cities as far north as Detroit have come forward to date, we understand, with Houston working to serve 6,000 students, Dallas-Fort Worth making room for 5,000. These school districts are doing our Nation a great service. We need to make sure they have the support they need as they step forward.

In my own State of Massachusetts, a number of colleges have offered to take the graduate students that were studying at law schools such as Tulane and other students who were studying at the great universities in Louisiana and along the gulf area. This is something we should follow up on, the challenges, to make sure that the students, whether it is K–12, whether it is in college, or whether it is in graduate schools, we reach out to try to assist students in the educational area.

Colleges are volunteering to admit displaced students from the region. We must offer them additional aid for generously admitting these students and must assure that adequate student aid is available to those who temporarily attend a new college.

The hundreds of thousands of workers who now have no jobs need an income to help them overcome the delay in finding new employment. We must amend our disaster unemployment assistance laws to enable these men and women to qualify for help. For example, under the emergency unemployment provisions, you to have wait 30 days in order to be eligible to be a recipient. That is obviously a rule that has to be addressed if we are going to use that particular mechanism to get income to these needy families.

We need to rebuild the public health infrastructure which is under increasing strain as the number of uninsured continues to climb. Sadly, Hurricane Katrina has only made this crisis worse.

These are but a few of the actions we must take—and take now—to deal with the immediate needs of those displaced by Katrina and of the communities that have so generously taken them in.

In the longer term, I believe we should establish a New Orleans and Gulf Coast Redevelopment Authority, with cabinet rank, to coordinate planning and funding needed to restore the infrastructure of that battered region—the electricity, water, gas, roads, railroads, and bridges, and, especially, the levees and flood control facilities. These actions are beyond the ability of any single community, city, and State to handle on their own. It is a national responsibility, and we need a capable authority to work with State and local officials and local citizens to rebuild the future.

The scope of this national crisis exceeds anything since the Great Depression. It's the first time a major U.S. city has been leveled since the San Francisco earthquake of 1906. It will likely exceed the cost in human lives of the Galveston Hurricane of 1900, where more than 8,000 persons are thought to have perished.

It's the kind of disaster we no longer thought possible in an age of instantaneous global communications, rapid transportation, highly accurate weather forecasts, and advanced engineering. It was most certainly the kind of suffering that should not be tolerated by a modern society with so many tools at its disposal.

In the weeks, months, and even years ahead, the recovery from this disaster—the complete, total, and unambiguous recovery—must become a primary focus of our national government.

As elected officials we cannot allow this work to be sidetracked by lesser priorities. If we don't get this right for our fellow Americans, little else can matter.

For our political leadership in Washington, in the White House and here on Capitol Hill, this is a test of wills, a test of leadership, a test of vision and compassion.

It will require singular focus and an unyielding commitment.

The most immediate task is still to save lives. Over 1.5 million have been evacuated from the devastated area, but many still remain, particularly in outlying rural areas cut off the most from the outside world.

Local authorities, the National Guard, and the Coast Guard are still trying to reach and rescue men, women, and children from the ravaged areas. It's a race against time before waterborne disease, dehydration, and neglect take their toll. They are working around the clock, and they deserve all the resources they need.

For the hundreds of thousands of Americans thrust into homeless shelters as a result of the tragedy, we need to make sure they are getting the care, nutrition, and counseling they so desperately need.

But the urgency is not limited to these immediate and enormous humanitarian tasks. It extends to the rebuilding efforts too, because the more rapidly we can revitalize the great city of New Orleans, and so many other communities, the sooner we can help people rebuild their lives.

These cities and towns are not just bricks and mortar. They are communities and economies of countless families, neighbors, and business owners, desperate for a return to normalcy.

It's said that nearly 80,000 jobs in New Orleans alone are provided by the tourism industry. How many more of those jobs can we save—how many more families can have stability again—if we get the city back on its feet in 6 months as opposed to 1 year? Two years? Three years? How much human misery and suffering can we still prevent?

I'm impressed with the way the Army Corps of Engineers is working to rebuild the levees and begin to drain away the water. It's such a critical step in locating the missing and beginning the process of recovery.

The Army Corps now estimates that perhaps within 30 days, New Orleans and the surrounding areas will finally be dry.

The question for Congress and the administration is will we be ready on Day 31? Will we be ready to start cleaning the streets and homes and removing the ghastly evidence of this most unbearable tragedy.

We owe it to the living to be ready. We owe it to the charitable organizations that are filling in the gaps and helping the displaced to get back on their feet. We owe it to the first responders who are giving so much of themselves to ease the suffering.

We owe it to the millions of Americans who are opening their hearts and checkbooks to their fellow citizens.

History is watching us now, and it will judge our actions. We can't undo the failures in planning over many years or the failures in the immediate response over the past 10 days.

But we can resolve to dedicate all of our energies and resources, and our resolve from this point forward to resources to bring about a complete and total recovery for the entire Gulf Coast area, and the men and women and children who've endured more than any of us can possibly imagine in this massive tragedy.

To the Gulf Coast region we need to be like Aaron and Hur who held up Moses' tired arms in battle.

Today, we need to be just as dedicated to the Gulf Coast region if we are going to lead our fellow Americans out of this time of darkness to a better and stronger future.

The Katrina disaster also shines a bright light on another challenge facing our country—the glaring economic disparities facing our citizens. Those with means were able to escape the disaster. Those without could not.

Those with means can slowly and painfully rebuild their lives.

Those without means have nothing to let them rebuild.

As a nation, we must be sensitive to this inequality—sensitive as we respond to Katrina, and sensitive, too, as we select new Justices for the Supreme Court. That's a critical question for

Judge Roberts. Can he unite America for the future?

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I know we have been alternating between the Democrats and Republicans. I note that there is no Republican on the Senate floor, and I will therefore now proceed in the interest of economy of time.

The PRESIDING OFFICER. The Senator is recognized.

Ms. MIKULSKI. I note Senator LOTT has come to the floor of the Senate. I didn't know if the Senator wished to speak, as someone who has lost his home in his State. I am happy to return to my time. Would the Senator like to talk now?

Mr. LOTT. Mr. President, I thank the Senator, my good friend and my partner, for allowing me to have this opportunity. But to tell the truth, I just arrived a few minutes ago, and I am still a bit emotional right this minute. If she would continue to give me just a few minutes to get my papers in order, I would appreciate it.

Ms. MIKULSKI. Certainly. We welcome you back. And to the people of Mississippi, know that we extend our concern and want to put our good intentions into operation.

I come to the floor of the Senate to speak about what has happened to our country and ideas on how we can move forward and make sure this never happens again. I note that the Presiding Officer himself has been a mayor and a Governor, so he knows what these kind of challenges are.

Last week on the Senate break, when I saw what was happening in Louisiana, in Mississippi, and in Alabama, I couldn't believe it. I could not believe the devastation that occurred in these communities where entire neighborhoods were wiped out, that a wonderful city we have all loved and admired and enjoyed, New Orleans, was now under 10 feet of water, that the people of Mississippi all along their coast lost their homes, where with the flyovers all you saw was wreckage, people on a beach and an American flag and a sheet saying: Please help us. And then also this going on in Alabama. We in Maryland know what it is like for a hurricane to hit. Just a few years ago, we survived Hurricane Isabel where we had communities that looked like Baghdad on the bay. So we were very concerned.

One thing we had was confidence that hope and help would be on the way.

Well, my gosh, this did not happen. I could not believe the slowness and the sluggishness of the response to these communities; that it was the private sector that was on response a lot faster than our own Government.

Mr. President, this is just unacceptable. This failure of Government to be able to respond more quickly and more effectively shows that the people in these States have been doubly victimized. They were victimized by the natural disaster, Hurricane Katrina, and now by the response of their own Government.

It did not have to be this way. It did not have to be this way. In 2000, a tiptop FEMA was turned to the Bush administration. President Bush appointed Joe Allbaugh to be head of FEMA. We kept the legacy of reform that had begun under President Bush 1 and had started with Andrew Card and myself working on a reform of FEMA. This reform left FEMA in tiptop condition to respond to a crisis of a natural disaster in an American community.

I want to recall this to my colleagues. Back in the 1990s, I chaired an appropriations subcommittee called VA–HUD and Independent Agencies. One of the independent agencies was FEMA. We saw its lackluster performance in Hugo. But when Andrew hit Florida it was a disaster. It was a disaster of proportions from the hurricane and then again the ineptness of FEMA.

Well, we went to work, hands on. President Bush 1 sent Andy Card to Florida and he began to work and we on appropriations began to work, and we worked across the aisle on a bipartisan basis to help not only Florida but to take a longer look at the need to reform FEMA. And again, working on a bipartisan basis, reform FEMA we did. We took it from an agency that was focused on the Cold War, was riddled with cronyism both at the National and State Governments. There was a tradition that because FEMA was only organized in the case of a nuclear attack that you did not have to put in professionals because it would not matter; we would all be dead anyway. So there was cronyism, it was unfocused, it was of the Cold war, but again, working on a bipartisan basis, we in appropriations worked with the White House to change it.

President Clinton came in, and we kept the reform momentum going. And what did we do? We said, No. 1, that FEMA, first of all, should say goodbye to the Cold War and hello to being a risk-based agency, to take a look at what most American communities would be threatened by. In those days, it was a hurricane, it was a tornado, it was an earthquake. And then for it to go to an all-hazards agency, whether it was a train that got stuck in a Baltimore tunnel with toxic fumes that we worried about or whether it was an earthquake in California or a tornado in one of our Midwest States.

The other thing we focused on was that FEMA had to be run by professionals. It had to be run by someone who had dealt with management situations. And that was either a civilian involved in emergency management or possibly someone from retired military, and we asked each Governor to also reform themselves at the State level. We literally upgraded FEMA from the State and local level to the national level. We have had James Lee Witt. We had Joe Allbaugh, things were improving.

The other thing we did was we made sure that we practiced the three Rs for FEMA. What were the three Rs? Readiness, response, and recovery. It took time, it took money, and it took cooperation. But again, working on a bipartisan basis, we had it accomplished. We worked, as I said, with President Bush 1, then with President Clinton, and then, even though I chaired FEMA appropriations and was the prime mover in 1994, Senator KIT BOND became the chairman of that wonderful subcommittee, and for a decade, he too, working hand in hand, kept the momentum of reform going concentrating on a professionalized FEMA that could work on readiness, recovery, and response.

The States were ready, we were ready, and I think everyone agreed during that time it worked well.

Well, now something terrible has happened since 2000, since 9/11, and I will tell you what happened.

First of all, somehow or another, FEMA has lost its way. Since it has moved into Homeland Security, it has become unfocused, it has become unclear, it has lost its direction of being an all-hazards independent agency. Therefore, today, I am proposing a couple of things. I am proposing that, No. 1, we restore FEMA to being an independent agency responsible to the President the way it was before 9/11; No. 2, that we also make sure that, as an independent agency, it is an all-hazards agency run by a professional. I think it is time that Michael Brown leave FEMA. I think he either should leave voluntarily or involuntarily, but we need a professional in charge of FEMA; No. 3, there should be a commission to look at what happened. But we can't wait. There is much to be done. There is much rebuilding that needs to be done. We need to make sure that we are helping our own communities.

First of all, we want to congratulate the people at the local level for their tremendous resiliency, the people of Mississippi, Alabama, and, of course, Louisiana. No. 2, we need to congratulate the nonprofit sector—the Red Cross, the Salvation Army, Catholic Charities, also universities that are taking in students. We need to thank people from around the world who not only have sent condolences but have sent resources, and we appreciate their help. But we need to make sure that we have a FEMA that the American people can count on. We need to restore it to an independent level, make it an all-hazards agency, make it one that focuses on readiness, response, and recovery.

What we can do now with new leadership is focus on the recovery part. We want to say to the people of these States we know that when the TV cameras leave, your Government cannot leave you, we cannot forsake you, we cannot abandon you. To the Governors of the States that have welcomed these people, from Texas to Georgia to Arkansas, each struggling, we say that we

need to be there to help you. For all those other States that have sent help, including my own State of Maryland, we need to back those States and back those communities.

I say to all those people who have no home and living in temporary shelters, we need to help you find a way. For all of you who are living in motel rooms because you could evacuate, running out of time, running out of money, we need to identify who you are, see where you are, to make sure you are connected with your family and begin to see if we can't connect you with a home and with a job. We need to be able to do that. But in order to do that, No. 1, we need new leadership at FEMA. No. 2, we need to reform FEMA. And No. 3, we need to look ahead.

There are those who say: Well, Senator MIKULSKI, FEMA went under Homeland Security because of a global war against terrorism. We know that, and I was one who voted to put it there. Well, I will tell you, would you trust FEMA now if a dirty bomb hit a city? Would you trust FEMA now to be able to respond to a chemical or biological weapon? The answer is no, no, no.

Much needs to be done. First of all, we need to support those communities that are helping other communities. We need to also salute that which is working. Three cheers for the Coast Guard that was one of the first on the job doing rescue; support the private sector, America's corporations that are both paying their employees and sending in incredible donations. We need to support the nonprofits that are also helping. But most of all we need to support each other.

I want to, once again, as I did at the time of Hurricane Andrew, reach across the aisle to an American President to say let's stop using the term ''refugee.'' Let's start using the term ''Americans.'' Let's start using the term ''citizens.'' Let's start acknowledging that we are all one people under God, indivisible. Let's work to reform FEMA. Let's get in the right leadership. And then let's work with the right resources, and let's do it in a spirit of cooperation. We had that spirit after 9/11. That is what somebody did to us. Now, we had a hurricane do something terrible to us. We should not do unto ourselves by not responding to the needs of our own people. Somebody once said it takes a village to raise a child. Right now it takes a country to raise these villages and all of those towns. My heart goes out to them. As I said, we in Maryland know what it is like to be on the coast and be hurt. I say to my colleague who has lost his beloved home that has been in his family for years, looking at him as a Senator, he has some power, and we are going to help him, but we think about all the little people, all the little people, and we think about how we can help them. If we work together as a country and make sure we work with America's corporations, we will get the resources in the United States of America. And then for the long haul, let's make FEMA an independent agency—an all-hazards, professionally run independent, responsible only to the call of the Commander in Chief.

Mr. President, I once again say, God bless America and the people of its communities. I look forward to working, on a bipartisan basis, to resolve this issue. I thank the Chair.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. I thank the Chair.

Mr. President, I say to the distinguished Senator from Maryland, Ms. MIKULSKI, I appreciate her kind remarks, and I know how she feels, on a human and an individual basis, and I know she will be working with us to make sure that the full force of the Government is used and that where we need changes and where we need help, we will work together to put those in place.

I have learned, once again, that Mother Nature is a great equalizer. When you experience what we have experienced, which is an attack of monumental proportions, politics and partisanship, national origin and economic status, religion, all of that is put aside so that you can work together to help people who are struggling for their lives, literally.

I want to take a few minutes to talk about what is the situation there. I came back because I wanted to express my feelings in a number of areas and talk about the devastation and not try to complain—in fact, I will not complain—but tell people how they can help. We need solutions, and we need actions. After a couple days here, where I can maybe meet with Cabinet Secretaries and meet with others who make decisions, we will go back, and we will continue the effort. We are not at real cleanup yet, certainly not reconstruction. We are still dealing with devastation, search and rescue, and health and safety. And it is desperate. I want to begin by thanking my colleagues. So many of my colleagues have sent messages, have called my offices, have gotten through to me and made huge efforts to try to express their concerns. I don't want to belabor this point, but one of the calls was from Senator KERRY from Massachusetts. He said that he and Teresa had been worried about my wife Trisha and me and could they help. I said: You bet. He said: What can we do? What do you need? Where do you need it? I told him: Don't worry about distribution. You let us know when you are going to land. We will have people for pickup and distribution.

That story can be told hundreds of times over from friends or people you do not even know, Republicans, Democrats, people from Michigan, Illinois. It makes no difference. I could tell you an anecdote about every State. A lady from Illinois, pastor of a church, wanted to do something. She loaded up her own van, did not even have enough fuel to get there, but somehow or another she begged, borrowed, wound up in the disaster area handing out materials, supplies. Nobody paid for it. Nobody asked for it. She loaded up and went to the sound of the cannon, and she made a difference.

Yesterday, when I flew in a Black Hawk helicopter to Poplarville, MS, one of the areas off the Gulf Coast that one does not hear a lot about, to make sure people in rural and small towns know that help is on the way there, too, I was escorted by our delegation. We had a Mississippi Black Hawk and three New York National Guard Black Hawk helicopters. Some of the first National Guardsmen who arrived were from Michigan. You name it, I can tell a story about every State.

On Wednesday, when I was digging through the rubble of my own neighborhood, some guys walked up from Bert, FL, and said: We know a little bit about hurricanes. We know you are hurting and you need help. We have six men, a bobcat, and a front-end loader. How can we help? I said: Can you clear that road, where we could get through there because the traffic in that area is getting to be a problem. And there is a little retired schoolteacher living back over here. We have not been able to get into her house. The debris was 6 or 8 feet up against her doors. We were afraid she was in there, but she showed up later in the afternoon, and we got her into her house. I do not know those guys. They were from Bert, FL. If they are listening, if they ever hear this, I want to thank them for loading up and coming to help.

Now, I have been dealing with disasters in Mississippi and in our region for 37 years, going back when I was a staff member for a Democratic Member in the House. So I have dealt with hurricanes. I was there for Camille, and I promised the Good Lord, if he would let me live through that one, I would not stay for another one. I have not stayed for any more. I leave, and then when the wind slows down, I go back and I take down the boards and I pull the debris, with my neighbors and my friends and my family. This time we could not even pull the debris. There was too much of it. But I have seen hurricanes of all kinds, and I have seen tornadoes and the devastation from ice storms and floods. We have had everything in Mississippi but locusts, and I expect them to show up real soon. This is a disaster of biblical proportions. I want the people to understand that.

My house is irrelevant, in the bigger picture of what happened, except for one thing. This house was 150 years old. It was 12 feet above sea level. It was 8 feet off the ground. Senator MCCONNELL slept in that house. It was nothing special, but everything in there was special. The point though is, for 150 years, this house had been able to withstand everything Mother Nature could deal her. Yes, we had the porch torn off and we had the roof replaced several times and we had other damages, but

basically it stood right there similar to a rock, and that is my hometown, Pascagoula, MS. As you go west, the damage gets worse and worse and worse: Biloxi, MS, Gulfport, MS, Pass Christian, Long Beach, Bay Saint Louis. Waveland, MS, no longer exists. You might say, well, the buildings are still standing. They were gutted. No, there is not a building standing—this little community of 7,000 people. And then there is New Orleans. A lot of people have been so emotionally touched and upset by what they have seen there, but one of the things they need to know is the hurricane hit us Monday. Their biggest disaster was Friday because the levees broke, the pumps had salt in them, and they did not work. I flew over Jefferson Parish on Friday with the President. They had water up to the roof lines of the houses standing there, and it had been rising ever since about Tuesday or Wednesday. So their worst disaster was not the hurricane; it was the aftermath.

I flew over and saw three big fires going on in New Orleans. Nobody was trying to put them out. You know why? You could not get there. Finally, the National Guard came in with helicopters and buckets and helped a little bit.

So the proportions of this are enormous. And for that reason, our response has not been perfect. A lot of criticism has been pointed at this place or that place, why was the military not there earlier, or this person or that group? It took the National Guard in my home State, going from Camp Shelby, 70 miles, to Gulfport, MS, 7 hours because they had to cut their way through a major highway. Highway 49 was covered with pine trees. They were still falling the next night when I went through there because they were kind of standing there and eventually fell right on down.

When you got on the ground, we did not know exactly where it was going to hit, and then the proportions of it exceeded what anybody expected. And even when you got there, you could not communicate with anybody, no hard lines, no cell phones operating, no blackberry messages were coming and going. It took us 2 days to get to where people were. We are still looking for people we have not been able to find. A lot of the bad things that I have tried to deal with turned out to be rumors. I had two good friends who were identified basically as missing or dead Tuesday. Well, they were there Friday. I was told I could not get to my house; the roads were closed. I advised what I was going to do to anybody who tried to stop me. When I got there, there were no blockades. I went right through there like lightening, and so did everybody else. So there are rumors about things.

Now, have mistakes been made? Is it bad? Is it still horrible? Has it not been fast enough, good enough? Yes, yes, yes, yes, yes. What good does that do? I met yesterday with elected officials from 33 counties in my State, mayors, supervisors, clerks, sheriffs, police chiefs. And by the way, I cannot give enough accolades for what they have done. I told them: Look, I do not want to hear about the problems of yesterday. I want to hear what your problem is today. Tell me what the solution is, and we will fix it before the sun goes down.

I want to give some idea of what is happening. The loss of life is just, one cannot even comprehend what people are dealing with. Of course, similar to everything else in life, when you have a disaster such as this, it is bad on everybody. The poor people and the people in low-lying areas, they are hit harder than anybody, and we have to make sure we help them.

I want to specifically thank a few people. It is not a long list and I am going to miss some and I will be back to get to the rest of them. The first responders saved a lot of lives, even saved property, which became irrelevant. National Guard, Coast Guard, military in general, they are working now, the Seabees, the Corps of Engineers, the Navy. For the first time in history, we are moving Navy flat-bottomed troop carriers in to house people so that emergency workers will have a place to sleep at night and get a warm meal. Once again, we saw that the military is not only for Iraq. We need the military for here.

You know when they got order in New Orleans? When the 82nd Airborne pulled in, the shooting stopped. They brought in a tough general that came off the plane cussing. Within 6 hours, things were under control. So I want to thank them all. Policemen, firemen, stories I have heard, people I have seen, emergency rescuers, ambulance, all of those first responders. Local and State officials do not get enough credit.

In my State of Mississippi, one reason why I think we are doing a little better than we have in the past or than some other areas is we have the best quality of elected officials, men and women, mayors, supervisors. Our Governor, Haley Barbour, and our Lieutenant Governor, Amy Tuck, they have all been pulling together, and they deserve a lot of credit. Federal officials, there are so many things that have happened I cannot list them all. Cabinet Secretaries and agency people, individuals, FEMA is there on the job. They are getting hammered the most, and we will have to think about whether they are set up in the right way, but there will be time for that.

Right now we want to know what can we do to help them do a better job. In my own State of Mississippi, the Mississippi Emergency Management Administration has been criticized. I was about ready to express myself in a very profound way yesterday about the fact that we do not have emergency housing arriving yet. I was told that the Mississippi Emergency Management Administration had not requested the trailers. So I got to where a MEMA official was and asked: Did you request the trailers?

Yes, 20,000, 2 or 3 days ago.

What is the problem?

He said: I do not know. I have made the request. So then the word from FEMA was: Well, we have not been told where to put them. Excuse me? The whole area is slick. Park them anywhere. There are no parking limits. We are a parking lot. That is ridiculous. So there is bureaucratic nonsense going on, but we are getting there. We have that problem resolved. We have FEMA talking to MEMA, talking to the people who have the trailers. Three hundred arrived this morning; 20,000 more are coming. We will get through that.

I want to thank the Red Cross, the Salvation Army, all the other charities, individuals, and churches. My wife, yesterday, worked all afternoon loading an 18 wheeler at Christ United Methodist Church, Jackson, MS, where Baptists, Methodists, Catholics, and Jews were all working together, all kinds of backgrounds, loading those 18 wheelers. Nobody asked to pay for it. Nobody told them where to send it. They said: We are loading them, and we are sending them to the First Baptist Church, Pascagoula, the First Presbyterian Church, Pascagoula, and to the Episcopal Church at Ocean Springs, MS. They are there this morning with things such as Clorox—never stop to think you need that—cleaning materials.

I saw the Red Cross riding around. They did not wait for people to come to them because people could not get there. The Red Cross people went into the communities and said: Here is a Styrofoam plate of warm food. Some people had not seen warm food for days. Some people had not eaten for days. And they are out there handing out water on the frontline. The Salvation Army never asks questions; they provide help. So all of those are doing a great job.

I want to do something else too. Well, before I get to that, volunteers, boy, they have been great—people showing up saying: Where do I go? That is one thing we do need is leaders. You have to have somebody who will be willing to take charge and get people coordinated. That takes a little time.

I also want to put a list in the record. It is a long list. I ask unanimous consent that this list be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DONATIONS AND ASSISTANCE

RETAIL AND BUSINESS

Wal-Mart

Donated $1,000,000 each to the Salvation Army and Red Cross.

Donating $15,000,000 to jump start the national relief effort. As part of this donation, mini Wal-Marts are being established to give free food, water, diapers, toothbrushes and clothes to victims.

Using stores as staging areas for disaster assistance and distribution centers are

stocked with flashlights and blankets for disbursement.

Have several truckloads of supplies heading to the area.

Giving funds to displaced employees for housing, food and basic needs.

Home Depot

On phone with Governor's office to see where the below is needed most.

Have more than 800 trucks staged in the area for deployment.

Directing generators, flashlights, batteries, tarps, plywood, etc. to areas hit by Katrina.

Partnering with Super Value to deliver non-perishable food items like beef jerky, peanut butter, bottled water, diapers, etc, Planning six sites for ''tent stores'' that will be staffed and supplied in the following days.

Have generators on the way to Northrop Grumman for their use, per Pickering's request according to Beth.

FedEx

Flying a plane of relief supplies into New Orleans.

Donating $500,000 to the Red Cross plus $500,000 for shipping costs in addition to the $250,000 annual donation and annual $850,000 shipping.

Giving logistical support to the Emergency Command Center established in Louisiana.

A chartered flight today from Newark will carry 90,000 pounds of cots and hygiene kits to evacuees located in the Houston Astrodome.

Ashley Furniture

Donating $500,000 to the Red Cross plus employee and individual store donations.

Willing to sell furniture to FEMA below showroom costs for storm victims.

SmartSynch

Accepting donations of clothing and other items to be taken and distributed to evacuees in Jackson area shelters.

FOOD RETAILERS

Altria (Kraft)

Sending 4 truckloads of Fruit20 and 2 truckloads of snacks, cookies and Capri Sun to the Red Cross.

Sending 1 truckload of Fruit20 and 1 truckload of Planter's Nuts to Americares.

Quizno's

Trying to coordinate food shipments from their Jackson store to the Coast.

Mar's

Working on getting truckloads of snack food into the Gulf Coast.

TRANSPORTATION INDUSTRY

Nissan

Donating $500,000 to the Red Cross and matching employee contributions up to $250,000.

Leased 50 trucks and SUVs to the Mississippi Emergency Management Agency.

Ford

Organizing blood, clothing and monetary drives to benefit the Red Cross and Salvation Army.

Donated approximately 165 SUVs, heavy-duty trucks and vans for relief efforts.

Deferring car payments for 90 days to those in the affected areas.

Toyota

Donating $5,000,000 to the American Red Cross and other hurricane-related relief efforts.

Northwest Airlines

Making planes available to fly relief into the affected areas.

BNSF

Donating $1,000,000 to the Red Cross.

Offering rail transportation to aid in the relief effort to the Governor's of Mississippi, Louisiana and Alabama.

Honeywell

Donated planes and crews to help transport relief related cargo.

ASTAR Air Cargo & ATA

Helping with air lift operations.

Koch Industries

Donating $1,000,000 to the Red Cross and $250,000 to the Salvation Army.

Matching employee donations to either or organization up to $1,000,000.

General Electric

Gave $6,000,000 to the Red Cross and employees have given an additional $1,000,000 that GE matched—making a total of $7,000,000 from GE and an additional $1,000,000 from their employees.

Sending at least $10 million in medical devices, power generation equipment, water purification and other goods and services as identified by Federal relief authorities.

BANKS & FINANCIAL INSTITUTIONS

Citigroup

Making a direct donation of $1,000,000 to the Red Cross and employee matching for up to $2,000,000—possibly more if contributions exceed this amount.

Suspending credit card payments, fees and interest charges for customers in the disaster areas. Also working on a case-by-case basis to help with house mortgage payments for those customers.

JP Morgan Chase

Donating $1,000,000 to the Red Cross and matching employee donations up to $1,000,000.

Working with their 1.5 million customers in Mississippi to quickly process checks and loans.

BankPlus

Established an account for donations to the Red Cross. They are matching donations up to $250,000.

PHONE COMPANIES, MEDIA & COMMUNICATIONS

Bell South

Have two ''tent cities'' set up in Gulfport and Lyman with supplies for employees and retirees. Another tent is being set up in Hattiesburg.

Cingular

Sending trailers of meals, ice and other personal items to Ocean Springs.

Sending text messages to customers asking them to donate to the Red Cross.

Setting up a tent city for their employees and working to ensure those employees affected get paychecks.

Moving ATMs and health clinics in these tent cities by this weekend.

Verizon

Encouraging customers to donate by sending text messages to a central number (2HELP or 24357). Their donation to the Red Cross will be added onto their bill. The first message will add $5.00 and a second will add $25.

Nextel

Have 11 satellite trucks in the area and giving out free phones to victims of the hurricane.

ABC/Disney/ESPN

Running free PSAs for the Salvation Army.

Donated $2,500,000 divided into the following categories: $1,000,000 to the Red Cross, $1,000,000 to various children's charities and $500,000 to help supply volunteer shelters.

Given toys and videos to the Red Cross for children.

Trying to get portable TVs in the affected areas.

DirecTV

Dedicated a channel to FEMA alerts, Red Cross announcements, press conferences and local shelter information. This channel will also be available for public officials to communicate with the shelters. They are working with the Red Cross to provide this service to approximately 250 shelters across the area.

Established a Hurricane Katrina text message and e-mail message line for people trying to connect with loved ones. They leave a message with their name, location, who they're trying to reach and the message. Messages are then transcribed and scrolled on Hurricane Channel mentioned above.

New Skies Satellite

Donating satellite capacity to the FCC and FEMA to help facilitate communication via satellite phones and Internet access.

Offering the service of their engineers to area communications companies to help them get back operational.

OIL COMPANIES

Chevron

Donated $5,000,000 to the Red Cross.

Erected a ''tent city'' near the Pascagoula refinery for their 1,500 employees and their families. The site will include water, first aid, food, bedding and toiletries.

ExxonMobil

Committed $7,000,000 to the Red Cross and other national or local charities.

Working with FEMA and other local emergency management organizations to provide fuel and lubricants.

Shell

Donating $2,000,000 to the Red Cross and matching employee donations up to $1,000,000.

GOVERNMENT DEPARTMENTS

Health and Human Services

Sending 10,000 beds and supplies to local hospitals.

Department of Education

Examining ways to redirect existing funds toward relief efforts.

Student loan borrowers living in affected areas may delay payments on their loans without penalty.

On a case-specific basis the Department will relax certain reporting provisions of the No Child Left Behind Act for affected states.

Department of Justice

Donated $5,000,000 to help fund emergency law enforcement. Mississippi will receive $879,056 of that.

Housing and Urban Development

Established a toll-free number (866–641–8102) for the public to get information on housing needs.

Identifying vacant multi-family housing, public housing units and HUD-owned homes in a 500–mile radius of the affected areas that could be used as temporary housing.

Disaster voucher assistance for any family rendered homeless—$200 million available with authority from Congress.

Vouchers for replacement units for displaced public housing families or displaced residents living in other HUD multifamily projects—$50 million available.

Indian Community Development Block Grant funding—up to $300,000 per grantee—for disaster relief for Indian housing and Tribal areas.

ASSOCIATIONS & CHARITIES

American Trucking Association

Making a $10,000 donation to the Red Cross.

The Gulf Coast Relief 5K Run

James Carville and Mary Matalin, Pacers Running Stores, Mizuno USA and Great Harvest Bread Company are hosting a 5K on

September 17th in Old Town Alexandria. Entry fees will go to help those affected by the storm.

John Grisham/Rebuild the Coast Fund Organization

Grisham has established an account at BancorpSouth with a $5,000,000 donation. The bank is handling the money. The account is open for other individuals to contribute.

Contributions can be made at any BancorpSouth branch; or by sending a check or money order to BancorpSouth, c/o Rebuild the Coast Fund Inc., P.O. Box 789, Tupelo, MS 38802 or Rebuild the Coast Fund, P.O. Box 4500, Tupelo MS 38803. Make checks payable to: Rebuild the Coast Fund Inc.

Knights of Columbus

They have pledged $2,500,000 to charities broken into the following groups: $250,000 for Catholic Charities, $1,250,000 to assist evacuees and those left homeless, and the final $1,000,000 will be dedicated to rebuilding Catholic churches and schools.

Retail Industry Leader's Association

Creating a DHS ''Wish-List'' to be distributed to member stores.

National Air Transportation Association

Coordinating members volunteering to fly food, supplies, generators, etc. to the area.

PHARMACEUTICALS

Accenture

Donated $100,000 to the Red Cross in relief supplies and are matching employee contributions up to $100,000.

Abbott

Pledged $2,000,000 in cash donations.

Working to provide $2,000,000 in nutritional and medical supplies.

Amgen

Cash donation of $2,500,000 million and matching employee donations.

Amylin

Donated $100,000 to the Red Cross and will match employee donations to an additional $100,000.

Donated $50,000 to the Pennington Medical Center at LSD to establish an emergency diabetes clinic.

Astellas

Donating $50,000 to the Red Cross and matching employee contributions up to $50,000.

Working to send needed antibiotics to the area.

Astrazeneca

Initial cash donation of $1,000,000 to the Red Cross and matching employee donations dollar-for-dollar.

Working with local disaster relief organizations to provide direct aid and medication.

Bayer

Donated $2,000,000 to the Red Cross And will match employee donations dollar-for-dollar.

BMS

Initial donation of $1,000,000 to the Red Cross and are matching employee donations.

Shipping infant formula to the federal government and is working with the Red Cross to coordinate the shipment.

Boehringer Ingelheim

Donating $600,000.

Cephalon

Matching employee donations.

Eli Lilly

Donating $1,000,000 to the Red Cross and matching employee donations to the Red Cross

Donation $1,000,000 worth of insulin products.

Genzyme

Matching employee donations.

Making product donations.

GlaxcoSmithKline

Giving a $1,000,000 cash donation to be divided among the Red Cross, Mississippi Hurricane Fund and Louisiana Disaster Recovery Foundation

Giving $2,000,000 in products and consumer goods.

Matching employee contributions.

Donating medicines and health products as needed.

Johnson & Johnson

Working with disaster relief organization to provide needed medicine products.

Donated $250,000 in disaster relief products.

Matching employee and retirees' donations.

Merck

Donated $1,000,000 to the Red Cross and matching employee donations.

Working with states to provide needed medicines and vaccines.

Replacement prescription medicines for victims, hospitals and clinics in flooded areas.

Millennium

Allowing employees make donations to AmeriCares and the Red Cross via direct payroll deductions.

Medical Planning Resources

Waiting for HHS to approve a proposal for up to 40 fully-equipped 150 bed medical facilities, more than 1,000 medical providers, two 747s for patient transport and addition medical equipment and supplies.

Novartis

Matching employee contributions to the Novartis Hurricane Katrina Relief Gift Program.

Working with local officials to ship supplies to shelters, AmeriCares, and the Red Cross.

Organon

Working on making a cash donation and matching employee donations in addition to independently raising money for relief efforts.

Otsuka

Donating $3,000,000 to the Red Cross and making additional donations to area victims.

Pfizer

Donating $1,000,000 to help rebuild hospitals and healthcare center.

Donating $1,000,000 divided among Red Cross, Salvation Army and the United Way.

Donation medicines, consumer and animal health products.

Procter & Gamble

Initially donating $700,000 in cash and products.

Working with the Red Cross to assess additional needs.

Purdue Pharma

Matching employee donations to the Red Cross and AmeriCares up to $50,000.

Working with AmeriCares to provide medication.

Roche

Matching employee donations to the Red Cross.

Evaluating needs for products and supplies.

Sanofi-Aventis

Matching employee donations.

Helping employees affected by the storm.

Donating needed medication to relief efforts.

Schering-Plough

Product donation of $2,000,000.

Donating $500,000 cash with an employee matching program.

Sepracor

Offering a matching gift program.

Solvay

Already shipped 75,000 respirators.

Sending $1,000,000 in safety, medical and cleaning products.

Matching employee donations up to $500,000.

Valeant

Match employee donations.

Donate appropriate medicines to relief efforts.

Providing support for any affected employees.

Allowing time off for employee who are assisting with the relief efforts.

Wyeth

Donating $1,000,000 to be distributed to the Red Cross and the Children's Health Fund as well as matching employee donations to the Red Cross.

Donating needed pharmaceutical products to relief efforts

PhRMA

Matching employee donations.

FOREIGN AID

Australia has given a $10,000,000 to the Red Cross.

Israel is sending search and rescue units specialized in extraction from collapsed buildings.

Taiwan gave $2,000,000 to the federal government to help with recovery efforts.

Mr. LOTT. These are donations and assistance from private companies. I am not going to list them all now because I will exclude somebody, but Wal-Mart has been unbelievable. They donated $15 million to jump start the national relief effort. They gave $1 million to the Red Cross. Home Depot, 800 trucks staged in the area of deployment. They took food, water, flashlights, batteries, and tarps; FedEx; food retailers have been out there; automobile dealers, Nissan, Ford, Toyota; Northwest Airlines, making planes available to fly relief in; railroads, major companies, Honeywell, financial institutions, Citigroup, JPMorgan, Cingular, Verizon; oil companies, Chevron gave $5 million to the Red Cross; ExxonMobil committed $7 million to the Red Cross; American Trucking Association made a contribution and helped us resolve a technical problem we had.

Even writers such as John Grisham, the writer of the great books from Mississippi, personally donated $5 million to the effort. Pharmaceutical companies have helped us get pharmaceuticals pre-positioned, ready for the health crisis. We know it is coming. Procter & Gamble has given cash and supplies. Foreign aid, Sri Lanka has offered us money, $25,000. Well, it might as well as be $25 billion. Australia, Taiwan, countries all over the world. This is an incredible list and it is just a short list of people who are doing their part and I wanted that to be in the RECORD.

Most of all, I want to thank the people of my State. I cannot speak for people in other States, but I know the people in my State. I have been there with

them in Pascagoula and Biloxi, Ocean Springs, Poplarville, Jackson and points south. What an incredible spirit. We have been hammered, and they are on their knees. This very morning, as my staff called and tried to talk to county supervisors and mayors, two counties said: Look, we need MREs—that is food—and we could always use more fuel and we have some problems, but do not waste your time on us. Go help somebody else that needs it worse.

When I stood with Gene Gaezo in Biloxi, MS, which is an international city, a city of Slovenians, French, German, Greeks, Italians, Vietnamese, and Hispanics, behind him was where his house was. He had lost everything, cars, boats, trash piled up way over your head, lost his job in the gaming industry. And he said: Trent, what do I do? I said: Well, take care of yourself, feed your family, make sure everybody is safe, and then begin working on this trash. Help is on the way, do not worry. And he said: Well, you go take care of somebody who has been hurt worse than me.

Unless you have lost loved ones, you were not hurting worse than that guy was. The spirit has been indomitable. They are not blaming anybody. They are asking for help. I am proud of them. Our attitude is, hey, we have been hit before, we may feel similar to a punching bag, but we will come back. We are going to rebuild, and we will be bigger and better and stronger for it all. So I want to make sure that the American people know the spirit of the people in my area.

I know there are going to be hearings. There are a lot of questions. But, please, please, my colleagues, let's not try to fix blame right now. There will be time for that. Let's fix the problems we have to deal with now.

Do I have some ideas of what we need to do? Oh, yes. I agree with the Senator from Maryland, we should not have ever put FEMA in Homeland Security. We thought about it. Heck, we did it. Who are we going to blame for that? We did that. Maybe it was recommended, I don't know. But you make mistakes. Last time I checked, we are still human beings.

I found out something else last week: Disasters bring out the worst in bad people but the best in good people. But let's focus on the good.

We are going to need legislative help. We are going to need appropriations. I know already, for instance, we have to allow in local communities for cleanup contractors to go on private property. The law doesn't allow that except for the immediate aftermath for health and safety. There are no lines. In Biloxi, MS, and Gulfport, MS, you can't tell where the private property was and public property was. It is nothing but a mound of debris. If you lost everything you had, it will be months. You can't get the infrastructure back if you can't clean it. So we have to change that. I have lots of ideas how we can improve it for us now, but, more important, for the future, too.

What do we need? I want the American people to know. People from all over America are calling and crying, saying: How can I help? You can help. What we need right now are still basics. Food is still a problem, getting it there, getting it distributed. We have now got to the point where we need clothes. People lost everything they had. We had doctors Saturday, in my hometown, wearing the same clothes they wore Sunday the week before, because they didn't have any and they didn't have a place to get a shower or any of that.

So we need food, clothes, gas. If you can get there with some fuel, in some of those red containers, we need that. Baby supplies—I have been amazed how quickly you need diapers and baby wipes and baby formula. We could use that. Cleaning supplies. Plywood, if you have some plywood laying around, load it and bring it down. Equipment of all types—chain saws, brooms, the basic stuff.

I believe there are people in Missouri and people in Georgia, when they know that, who will load up and they will bring it to us and they will distribute it on their own.

Yes, we need money. We don't need cash, but we need you to contribute to the Red Cross and Salvation Army so they can pay the expenses. Now we are beginning to have a problem with the need for oxygen tanks. We have to find a way to get those and get them where people need them.

We need manpower. If you are in Oklahoma and you are retired at 65 and you want to help, get in your truck and drive on down. Don't ask where to go and don't worry about what to do when you get there. When you get there, look around. You will see plenty you can do. Anybody in America who wants to go there and help us, come on down. We aren't blocking anybody.

We have to be careful because we may have an impending health problem. I fear people are going to begin to have heart attacks and mental depression and emotional problems. If you cut your foot in Gulfport, MS, you could be exposed to some bad infections and bad diseases, so we have to be careful.

We do need more action. We get back down to what Senator MIKULSKI was saying. We need leaders, men and women in the Government and everywhere else, who can make a fast decision, be flexible when they make that decision, think innovatively when they make a decision, and use a very difficult thing—common sense. Use common sense.

Some of the people have been denied access to fuel or told you can't do that. It is insane. I am getting ready to leave my hometown on Wednesday night and I want to turn left, and the policeman says you can't turn left. I said, Why not? and the policeman says, Well, I'm not from here but I am told you can't turn left. So I went down to the next interchange, made a left turn and turned right. It didn't make any sense. No common sense. We have to do that.

I also have already reached out to some of what I think are some of the best thinkers in America and some of the people who dealt with this, and I said tell us what we can do so we can do it better, quicker, and when we build back we will be more secure and we will be able to survive maybe because of the way we build. I wanted to know how did California get Interstate 10 bridges and overpasses back in operation in 2 months when it ordinarily would take 2 years. What was it they had?

I found out the Governor had the authority to waive everything. He waived hearings, he waived environmental considerations. They awarded a contract under expedited procedure. They gave the contractor huge incentives to finish ahead of schedule and under the money and great penalties if they didn't. And guess what, a 2-year project was completed in 2 months and 2 days and the contractor made more off the incentive payment than he did off the basic price. OK. We need to replicate that.

I also think the Federal Government needs to think innovatively. If you look at the situation in Bay St. Louis, MS, or New Orleans, LA, what do we want to do to avoid this sort of problem in the future, and how can we do whatever we do better than we have done it?

We need a very aggressive, entrepreneurial proposal for the dramatic, bold rebuilding of the Gulf Coast. We want to rebuild, but we don't want to build it the way it was. We want to build it bigger and stronger, maybe a little further back, maybe with the help of some incentives we haven't had before, like tax credits. We need to help people rebuild now. They don't need a refund next year, they need money and assistance now.

These are the times that try men's souls, the worst I have ever seen. But I do believe we will persevere and, with God's help and with the help of my colleagues in this great body, and with our President—who has been there, has cried with us and sweated with us, and I have looked at him and I have watched him show his compassion, and I have seen him give orders to do a better job—we will get through this.

I thank everybody. I am going to do something unusual, too. There are exceptions, but even the news media have been helpful. The news media in my home State don't just tell the bad stories. We had a wedding for some evacuees. This young couple had to get married, so the people in Jackson, MS, gave the lady a wedding dress and a wedding cake, and they gave them a wedding.

They told us good stories and they told us many times where we needed to be and where the problems are. Yes, there is some criticism and negativism to go around, but there is a lot of positive out there, too, and I am making

sure we build on that side of this equation.

The PRESIDING OFFICER (Mr. COLEMAN). The majority whip.

Mr. MCCONNELL. Mr. President, first let me say I know on behalf of everyone in the Senate how relieved we are that our colleague TRENT LOTT and his wife are safe. We all thank him for his inspiring observations about the experiences of the past week, the reactions of the people, the response of people around America to this great crisis. I say to our friend from Mississippi how grateful we are he is safe and sound and back among us. We will be working with him to make sure we deal with the immediate needs and make whatever adjustments we can for the future, to try to make sure the next time, God forbid something like this happens to our country, we will be even better organized to respond.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I rise to join with my colleagues today to talk about the devastation in Louisiana, Mississippi, and Alabama as a result of Hurricane Katrina. While Senator LOTT is on the floor, I want to give my personal condolences to him and his family and all those who have suffered in Mississippi as well as the other States involved.

My personal deepest sympathies, and those from the people of Michigan as well as our prayers, go out to the families grieving the loss of their loved ones and to the survivors who are struggling to cope and to find shelter, food, and medical care in the wake of this horrendous, this terrible disaster.

My heart goes out to all of our colleagues—Senator LANDRIEU, Senator VITTER, Senator LOTT, Senator COCHRAN, Senator SHELBY, and Senator SESSIONS. Their constituents are suffering. So are they, and particularly Senator LANDRIEU and Senator LOTT, who have lost their family homes to this vicious storm. All of America is hurting with the victims and their families. We are finding ways to help and reach out and make a difference in these critical times following the hurricane.

Americans are donating record amounts of money, time, and supplies to help those who are displaced by the hurricane. The most important thing right now is to make sure we are saving lives and that we are providing food and shelter and medical care for the people affected by this tragedy.

As has happened with many other States, two jetliners arrived in Michigan yesterday with the first group of 289 hurricane evacuees. Troops and volunteers at our Battle Creek Air National Guard base will provide clean shelter and food and clothing to them. They are the first of many evacuees we plan to take in Michigan, and I know this is happening in the States of my colleagues all over the country as people open their hearts, open their homes, and open their pocketbooks to share with those who have been affected. Michigan's Department of Natural Resources has loaded 25 boats and trailers with supplies and sent them to the Gulf Coast. We also have several Michigan State Police teams moving south to assist with the emergency response.

Michigan's Department of Transportation has fuel trucks headed south and is making arrangements for alternative flight operators to pick up evacuees, if necessary.

There are so many individual stories of heroism and generosity rising from the depths of this catastrophe, both in the States affected by the hurricane and in communities all across our country. I have heard stories about individuals in New Orleans who stayed after helping their families escape to safety. They stayed to help rescue their neighbors. Two men from Simmesport took their airboat through New Orleans and transported by themselves more than 1,000 people to safety in the first day after the hurricane. When a news crew from North Carolina tried to interview them about their heroic efforts, they declined, saying they had too much work to do and no time to stop and talk.

We have all heard the heartbreaking stories of sacrifice—of the wife who let go of her husband's hand as he clung to the wreckage of their home, giving her own life so her husband would be able to be alive to raise their children. We salute each and every one of those heroes, these people who put others before themselves, who made sacrifices so others could be brought to safety.

There are stories about people all across our great Nation who are answering the call to help fellow Americans. In Michigan, families and businesses are working together to help victims and families. My alma mater, Michigan State University, and the University of Michigan, are collecting donations for the Red Cross at their football games. On Saturday, the University of Michigan fans put $40,000 into buckets as they entered the stadium. One anonymous donor put in a wad of five $100 bills. Some donations are big, some are small, but they all count and the donations are coming in from all kinds of venues. Nine-year-old Rochester Hills resident Megan and her five-year-old sister Lauren set up a booth to sell lemonade, chocolate chips, and their toys to raise money to send to the Red Cross. The girls raised $80, and their parents promised to match it.

These are the stories that matter right now, both in the States affected and all across the country: saving lives, finding shelter, food, medical care, and raising funds to help the hurricane victims.

But there is also another story to tell. It is about the Federal Government and our responsibility to all Americans to be prepared—to be prepared not only for this kind of disaster but for a coordinated response to help save lives and prevent chaos. We must find answers to basic questions that the American people are asking right now as they watch the aftermath on TV, minute by minute, hour by hour, and they say over and over again to themselves: How could this have happened in the United States of America, the greatest country on Earth? How could our country allow people to die without getting them water, food, and medical care?

In this time immediately following the disaster, we have an obligation to correct the mistakes in crisis response and we have questions to answer to everyone—certainly to those who have been affected.

Are we investing enough in homeland security? I say no, and I have said no since 9/11. Why has the Senate basically ignored the Rudman report from 3 years ago that showed our Nation's first responders need additional funding in the amount of $20 billion a year? Senator DODD and I offered that amendment to fully respond to that report now for 3 different years. I hope we are going to be able to get that done.

How much are we to invest to maintain the flood control projects of our Corps of Engineers? Clearly, the current level is not enough, and people have said that it wasn't enough. In 2002, Mike Parker, former Assistant Secretary for the Army for Civil Works, testified before the Senate Budget Committee, of which I am a member, that funding cuts to the Corps' budget would have a negative impact on the national interest.

Are we stretching our National Guard troops too thin? Thirty-five percent of Louisiana's National Guard troops—3,000 soldiers—are in Baghdad. Is that too many? Spokesman LT Andy Thaggard of the Mississippi National Guard, which has a brigade of more than 4,000 troops in central Iraq, said this about the hurricane response: ''We need our people.''

Are we heeding the scientific advice that overwhelmingly points to global warming as a possible cause for increased hurricanes?

We have important questions to answer—serious questions for which we all need to work together to take responsibility—about how the Federal Government could have better handled the events that unfolded as a result of this catastrophe called Hurricane Katrina. We need to make sure that we are responding quickly, not only to help those in need today but, Heaven forbid, that something happens tomorrow. We have to be ready. We have to learn from this catastrophe, from the mistakes and the lack of adequate response, and quickly fix it. That is our job.

It is absolutely critical that local communities have the tools they need to communicate, to coordinate, and to respond effectively when disasters hit. They didn't have that in New Orleans—where the police department and three

nearby parishes are on different radio systems. They didn't have enough satellite phones. They had ground and cell phone lines that were taken out with the storm. And the communications systems they did have—like most local communities across the Nation—were not interoperable. They do not work together.

Police officers called Senator LANDRIEU's office because they couldn't reach commanders on the ground in New Orleans because they were sharing satellite phones that were in short supply. The result of this lack of interoperability was nothing short of chaos.

FEMA Director Michael Brown has said that emergency assistance delivery problems were caused by ''the total lack of communications—the inability to hear and have good intelligence on the ground.''

The distinguished Senator from Louisiana, Mr. VITTER, has said that FEMA's efforts to deal with the hurricane have been completely ineffective, and he called the Federal Government's response a failure. These are his words:

> I think FEMA has been completely dysfunctional and is completely overwhelmed, and I don't know why. This situation was utterly predictable.

And he is right. We knew before Katrina hit that too many of our police, fire, and emergency medical services and transportation officials could not communicate and still cannot communicate with each other. Our local departments are not able to link their communications with State and Federal emergency response agencies.

A June 2004 U.S. Conference of Mayors survey found that 94 percent of cities do not have interoperable capability between police and fire and emergency medical services. Sixty percent said they do not have interoperable capability with the State emergency operations center. As we saw with the hurricane, that puts our communities and every single American in danger.

This lack of communications interoperability is a crisis, and we must deal with it. We must deal with it now. It is one of the lessons that has been painfully—painfully—learned from this hurricane. We need to learn it, and we need to learn it quickly.

That is why as soon as possible I will offer, again, my amendment that provides $5 billion for interoperable communications grants for America's first responders to provide a strong commitment to this problem. We know what it costs. CBO outlined what it would cost. We need to get this done.

When we debated this amendment in this year's 2006 debate on homeland security appropriations, many of my colleagues across the aisle opposed it because they felt it was a local responsibility.

Communications is not a local responsibility when the FEMA Director admits that he learned about the 25,000 people trapped at the New Orleans Convention Center from news reports. This is not acceptable, and the American people expect us to act now. There is no more time to waste. I am for fixing the problem.

I believe our Government failed the people of the gulf coast. Members of the administration and the Congress must admit that we need more resources to deal with potential disasters, whether they are natural disasters or stem from a terror attack.

The shock and the horror of the aftermath of Hurricane Katrina will live with us forever.

We salute the heroes in this disaster, and our prayers are with the victims. The American people, as they always do, are rising to the challenge and helping our communities across the Nation. We thank every single person for making that contribution, saying that prayer, donating their clothes, donating food, getting in their cars and driving down to help, or getting a bus or getting a caravan from their church. But I believe from the bottom of my heart that we in Government, this Senate and the House and the administration, have got to step up and do our part. We have got to step up. We know what needs to be done. We know what needs to be done to make sure our communities have the communications equipment they need. We know what needs to be done to make sure these disasters don't happen again—by providing the Army Corps of Engineers with what they need to keep communities safe. We know what needs to be done.

While we are joining on the floor—and we will join together to reach out to help the victims and address issues that relate to health care, housing, education, and other issues that need to be addressed—I hope we are not going to leave this floor after working on those things without having said we fixed it for the next hurricane, for the next terrorist attack, for the next bioterrorist attack, or for the next natural disaster. We have a responsibility to step up and solve the problems that added to the chaos and the hurt and the loss of life because the right priorities were not put in place by the Congress and this administration.

We can fix it, and it is on our shoulders to make sure that we do.

I yield the floor.

The PRESIDING OFFICER. The minority whip.

Mr. DURBIN. Mr. President, I thank you.

A few moments ago, Senator TRENT LOTT of Mississippi spoke on the floor of the Senate about the pastor from my State of Illinois who just got into her truck and drove to Mississippi to see what she could do to help. There are people like her all over my State and all over this Nation.

Illinois so far has received 500 Hurricane Katrina evacuees. Another 250 will arrive at the Rockford Airport today. The number could rise into the thousands.

Thirty families so far have asked to enroll their children in Illinois schools, and more are on their way.

America's Second Harvest, based in Chicago, and the American Red Cross, filled a United Airlines flight with 25,000 pounds of critically needed relief supplies and sent it—in just a few days from Chicago to New Orleans.

I got a call while I was traveling the State last week from a Pepsi Cola distributor in Quincy, IL. He said:

> Senator, I want to send 33,000 cases of water to Louisiana. How can I do it?

We have been working with them ever since.

Six-hundred Illinois firefighters traveled to Baton Rogue. Personnel from the Scott Air Force base near Belleville, IL, have been busy flying airlift missions to the disaster area.

Mr. President, 328 members of the Illinois National Guard are providing some of the big trucks they desperately need to transport people and material to the areas hard hit by Katrina. Another 500 members of the Illinois National Guard are expected to ship out to the gulf coast by tomorrow. By the end of the week, nearly one-tenth of the entire Illinois National Guard could be serving on the gulf coast.

Mr. President, 400 doctors and nurses from the Rush University Medical Center, the University of Illinois, and Cook County Hospital are ready to be deployed as soon as they get the call.

What does this say? It says that when we have pain and distress in the American family, we come together. And that is the way it should be.

Twelve years ago, there was a flood on the Mississippi, Illinois and Missouri Rivers. As a Congressman from the flood-affected area, I really felt the pain of the people living in the small communities. I reflected on that for a moment and the heroic efforts made by some to respond to their needs. Then I tried to put it into perspective of what was happening on the gulf coast in Alabama and Mississippi and certainly in the State of Louisiana. What we went through just absolutely pales in comparison.

Thousands of our fellow Americans may have lost their lives in Hurricane Katrina. Hundreds of thousands of people in Alabama, Mississippi, and Louisiana have been displaced from their homes maybe never ever to return.

Hurricane Katrina may be one of the worst economic disasters in our Nation's history.

Put in perspective, 48 hours after 9/11 we came up with the estimate that we would need $250 billion to deal with the devastation of that terrible act of terrorism; that is about the high level mark for the cost of a disaster. Preliminary estimates now from Hurricane Katrina surpass $100 billion, and some say as high as $150 billion, to give you some idea of the devastation and the challenge that we face.

How do we estimate how many jobs have been lost on the gulf coast? Some say a half million.

The economic aftershocks are being felt across the country. Just ask anybody who is filling up a gas tank anywhere in America.

In Illinois, our farmers, who have had a tough year with the drought and a short corn crop, now worry about getting their products down the Mississippi and down the Illinois to market with the Port of New Orleans damaged.

Let us put it into some perspective for a moment.

President John Kennedy said:

To those whom much is given, much is required.

Sadly, the agenda of the Senate in the past has not reflected what I consider to be the core value and truth of President Kennedy's remarks.

Last week, while the mayor of New Orleans was issuing a desperate SOS for help to rescue tens of thousands of people who were trapped in the city and in danger of dying without food, water, medical care, or shelter, the leader of the Republic National Committee sent out his own SOS. It said: Call your Senators and tell them to vote this week to give a $1 trillion tax break—to the wealthiest people in America.

It is hard to understand how that could be happening in the midst of this national disaster. At a time when thousands are dispossessed, homeless, hungry, and desperate to know what their futures will be, how can we focus on tax breaks and tax cuts for the wealthiest people in America?

Majority leader BILL FRIST did the right thing. He pulled the estate tax issue from the agenda. A trillion-dollar tax break for millionaires should be the last thing on our minds. We have Americans in distress. Let us not worry about making it more comfortable for those who live in the lap of luxury already.

Never in our history have we cut taxes for the wealthy during a war—which we are engaged in now in Iraq and Afghanistan—and never should we cut taxes on those in America who are well enough during a national crisis such as Hurricane Katrina. We need to put first things first.

At a time when the American family is in pain, when our neighbors are homeless in Katrina's wake, when we are losing our children in Iraq, when our hard-working friends can't afford health insurance and gasoline for their cars and the basics for their kids, when the blessings of prosperity reach a few and not the many, Members of Congress on both sides of the aisle must feel the hurt and understand the heart of America.

Americans will always rise to a call for shared sacrifice and unity. During World War II, President Franklin Roosevelt made a speech. This is what he said.

Not all of us can have the privilege of fighting our enemies in distant parts of the world. Not all of us can have the privilege of working in a munitions factory or a shipyard, or on the farms or in oil fields or mines, producing the weapons or the raw materials that are needed by our Armed Forces.

But there is one front, and one battle, where everyone in the United States—every man, woman, and child—is in action, and will be privileged to remain in action throughout this war. That front is right here at home, in our daily lives, in our daily tasks. . . .

FDR said:

Here at home everyone will have the privilege of making whatever self-denial is necessary, not only to supply our fighting men, but to keep the economic structure of our country fortified and secure during the war and after the war. . . . This will require, of course, the abandonment not only of luxuries, but of many other creature comforts.

Franklin Roosevelt was appealing to the best in America, a sense of unity and a sense of sacrifice in a time of great national need. Can anyone recall a time recently, other than September 11, when we have felt that same sense of need in this country?

President Roosevelt went on to say:

Every loyal American is aware of his individual responsibility. Whenever I hear anyone saying, ''The American people are complacent—they need to be aroused,'' I feel like asking them to come to Washington to read the mail that floods into the White House and into all departments of this government. The one question that recurs throughout all these thousands of letters and messages is, ''What more can I do to help my country in winning this war?''

Those are the words of Franklin Roosevelt, appealing to a core American value, appealing to the American family to stand together.

After September 11, a new generation of Americans asked the same question: What can we do to help this country win this war on terrorism? Many of them, the best of them, are serving today in Iraq and Afghanistan. Nearly 2,000 members of our military, including 77 from my home State of Illinois, have paid the ultimate price, have given up their lives in Iraq and Afghanistan. Four Illinoisans died in Iraq during August. More National Guard and Reserve members died in Iraq during the first 10 days in August than in any full month during the entire war. Many thousands more have suffered serious injuries. I have met some of them at Walter Reed Hospital and other veterans facilities. They are making enormous sacrifices.

After September 11, Americans answered the call for shared sacrifice at home, too. What an enormous outpouring of sympathy and generosity, including the blood banks with people standing in line, the charities with people making their contributions, the outpouring of sentiment and hope and prayers for the victims of September 11. Even people living on small fixed incomes in America asked: How can I help? They each gave what they could.

Some of the same units that served in the Persian Gulf, those who served in Iraq and Afghanistan, are now helping others right here at home. That is the spirit of America.

This week, as we prepare to mark the fourth anniversary of the September 11 attacks, we see the same spirit on the rise in America. The extraordinary way our country reaches out with its wallets, its hearts, opening its home to the victims of Hurricane Katrina shows us once again that the spirit of shared sacrifice is strong. That spirit must not only guide us in our conversation with America, it should guide us with our agenda in Congress.

We are all in this together, in times of war and in times of national catastrophe. It is not tax cuts for the wealthy that protect America and make us strong. What sees us through hard times has always been our belief in America, our shared commitment to one another, and our willingness to accept our fair share of sacrifice.

We have all learned a lot in the last few weeks. Sadly, many believed our homeland security was up to the challenge and the task. It did not work in many parts of the gulf coast. It certainly did not work in New Orleans. This hurricane, leading to a breach of a levee, has resulted in the loss of thousands of innocent lives.

Many felt if we faced that kind of catastrophe, whether from a natural disaster or from some terrorist attack involving biological or chemical weapons, we were ready to evacuate innocent people, to move folks out of hospitals so they could be taken care of in other places. But we know now from what happened just a few days ago that we are not prepared. We are not ready. We are not as safe and secure as we should be in this time of danger in the world, danger from terrorist attack, danger from natural disaster.

We need to do more. We need to focus on making America safe. We need to focus on thanking those who are giving so much every minute of every day to help those in need. And we need to focus on our prayers and thoughts directed to the victims of this terrible tragedy.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MARTINEZ). Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I rise to speak, as my colleagues have before me, about the terrible tragedy in the Gulf Coast. As the rescue and recovery in the Gulf Coast continues, as we pray for each life, my thoughts, for instance, always go back to 9/11, the tragedy that befell my city and State.

It is sort of a horrible thing to say, in a certain sense, about the number of people who died, but people thought the number of deaths in our State and our city would be much greater than it was. I think about a week after the planes hit the Twin Towers, most people were talking about over 10,000 people dying. As I said, I feel awkward

saying this, but it is a true thought we all have, that only 3,000 were found to have passed. Still, it is an awful number, and the families miss those people every single day. I knew some of them myself. I miss them and think of them. But we hope and pray this happens in Louisiana, that the horrible numbers we have heard about—the possible number of deaths—are significantly lower.

One other thought I want to mention about New York, before getting into the substance of my remarks, is that this morning I was privileged to attend a groundbreaking for the new New York/New Jersey rail station to be built at Ground Zero. It will be a beautiful and sweeping station. The architect, the world-famous Mr. Calatrava, got the idea of a child releasing a dove at the station. At least by the designs and pictures I have seen, it will be a soaring and sweeping station.

At that memorial I thought about the victims and the people of the Gulf. I said to them that a week after the planes hit the Twin Towers, we were filled with despair, anguish, anger, and thought there would never be any hope after something that horrible happened. But the human condition is a remarkable one. And, of course, hope is always with us, as the Greek mythological story of Pandora's box shows.

The groundbreaking that Senators CLINTON and LAUTENBERG and CORZINE and I attended this morning with the Governors of New York and New Jersey shows us there is always hope. This station—a beautiful, sweeping, soaring station—will rise like a phoenix out of the ashes of 9/11.

I say to my colleagues who represent the Gulf States, as well as to all the people in the Gulf States: Hope will return. It is hard to see now, with so much devastation and so much anguish and so much sadness, but it will return. Just as in New York we are rebuilding ourselves, hopefully to be bigger and better and stronger than we were before 9/11, I know that, too, will happen with the people in the gulf region. So my thoughts are with them. All of our thoughts are with them.

Because of the devastation of Katrina, we confront one of the most extraordinary challenges this Nation has ever faced: To feed, to clothe, to house, to help an estimated 1 million Americans who were displaced and who now have to rebuild their lives.

The disaster area is some 90,000 square miles. That is almost double the entire State of New York. It is an area nearly as large as the United Kingdom. The amount of damage to the homes, the businesses, the schools, the infrastructure, the roads, the bridges is in the tens of billions of dollars, most certainly. It is already estimated, for instance, that Louisiana alone has lost at least 110,000 businesses. And that number is likely to climb as we calculate the full extent of the damage.

The images on TV are devastating. They are of hungry, weeping children, of families returning to the destroyed remains of their neighborhoods, discovering they have lost everything they have owned, from precious family keepsakes to their houses and cars and livelihoods. The pictures of angry, frightened people, with nowhere to go, unsure of what will happen to themselves and their loved ones rings a deep chord in every one of our hearts. And there are the deaths of so many. The psychological toll of this tragedy will be heavy indeed, especially, of course, on the children. Another thing we learned after 9/11 is to pay particular attention to the children. Sometimes it took them, in New York, over a year to speak about what they had seen.

When my city faced a devastating attack, America stood with us in our time of need. I want to assure the people of the gulf region that New Yorkers—I think I can say probably just about every one of the 19 million New Yorkers—will stand with you, the people of the gulf region, as you stood with us in the dark days immediately following 9/11.

The love and support New Yorkers received from the rest of the country after 9/11 meant so much in the wake of those attacks and the long, difficult road to recovery. I want the people of New Orleans and the rest of the Gulf Coast to know we will support them, too, no matter how long, no matter how difficult their recovery may be. We will do whatever it takes to help now, tomorrow, next week, next month, next year, and on into the future.

We took the first step last week when Congress provided $10.5 billion in desperately needed disaster relief funds to the devastated region. But as I learned in the aftermath of 9/11, money is only the first step. The next step is to ensure that bureaucratic rules and regulations do not prevent the money from being spent quickly and where it is most needed. We discovered after 9/11 that the rules governing how Federal dollars can be spent and benefits accessed—from HUD to the Department of Transportation to the IRS—became insurmountable obstacles for so many of our citizens in need. And many of the problems faced after 9/11 will be faced a thousandfold for Hurricane Katrina because there are so many more people and businesses that were hurt.

It is essential that Congress take action as quickly as possible on as many fronts as possible. Every day makes a difference for those seeking a place to live, a way to get their children back to school, to get health care, to get a job. So many jobs are gone. Furthermore, after 9/11, Congress tackled many of the problems facing Hurricane Katrina victims and has a template to work with. And Senator REID, working with our committee leaders, has already compiled a list of action items Congress should address this week.

Before I get into those action items, I want to say one other thing. We do need the most competent people running the agencies that are in charge of this recovery effort. And I heard, an hour or so ago on the floor, our colleague, my friend, Senator MIKULSKI, speak on that issue. We all know Senator MIKULSKI is somebody who knows FEMA and the agencies involved with recovery extremely well because as chairperson and as ranking Democrat on the relevant appropriations subcommittee with jurisdiction over FEMA, she knows them. We also know she is a temperate person in the sense that she does not regularly get up and demand that people step down. But when she spoke on the floor an hour ago and said that the FEMA head, Brown, should either step down or be forced to step down, I think all of us should listen to her. These are serious times, and fingers of blame should not be pointed at any one place. But to make sure we have the most competent people in charge as the rescue effort proceeds is very important. So again I want to urge my colleagues to listen to what Senator MIKULSKI had to say because I think it is extremely important to us.

Now, getting back to the list that Senator REID, working with some of our committee leaders, has compiled, it is a list of action items, and I hope Congress will address it this week. The list includes providing Medicaid, housing vouchers, and emergency cash for all displaced victims, waiving deadlines, and expediting applications where necessary, and waiving the requirements to prove residency or asset levels or to provide other paperwork which, of course, so many of those who have lost everything in their lives no longer have. The Reid package also proposes tax incentives for families who take in victims, and identifying Federal facilities that can house them.

The proposal also focuses on helping the tens of thousands of children who need to get enrolled quickly into schools around the country by providing those schools with financial assistance and waiving the usual bureaucratic requirements for enrollment. I believe this must be one of our highest priorities. Since the hurricane occurred right at the beginning of the school year, there is not a day to waste. We cannot let our children simply hang out there without providing for their education, which, Katrina or not, means their future.

My heart grieves at the sight of so many of these children sitting around the Astrodome and other shelters with no place to go. It is September. Let us pledge to get all those children, who have faced so much trauma already, into school by the end of the month. We must provide the Federal dollars needed to bolster those schools that are opening their hearts and doors to these children, from Houston to San Francisco to Vermont. We must also provide these children with all they will need—food and shelter and school supplies—to keep their education on track.

We must also make sure our brave National Guard personnel, who are on the front lines abroad in Iraq and now here at home, receive all the assistance they need, from debt and student loan relief to allowing them to qualify for Federal health care and retirement benefits. Our Nation owes these American heroes nothing less.

Finally, the Reid proposal addresses what may ultimately be our most pressing challenge—finding employment for the victims of Katrina, by making employers eligible to claim the Work Opportunity Tax Credit of up to $2,400 per worker they hire. We need to do this and much more. With so many businesses and so much infrastructure destroyed, we will need both the Federal Government and the private sector to step to the plate and get people back to work.

Congress can and should tackle right away in these few weeks the problems that have been mentioned above. We should learn lessons from what we were able to do after 9/11 for New York. With a million people in need of assistance, it is inexcusable that we would delay. Let us move this package this week, not next week or the week after.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, my colleagues today have spoken about the almost unbelievable disaster that has occurred in the Gulf region. Only now are we fully beginning to understand the lives lost and the complete devastation of the region. I know there will be a lot of time, perhaps, to evaluate what kind of emergency preparedness existed or why proper preparedness did not exist. This is the moment and the time for all of us to concentrate on finding the survivors.

There are so many victims. We know that many of those who have died in this disaster have not yet been found. We know there are survivors who have not yet been found. We are nearly certain of that. This is an important time to marshal the resources of this country, to effectively organize the resources to search for survivors, and then to help those who have been made victims by this devastating hurricane.

Many of us have suffered disasters. In North Dakota, in 1997, there were the Red River Valley floods, when the entire city of Grand Forks was evacuated. It was an enormous evacuation of people. Thank God at that point we did not lose lives. We lost a great deal of property and people suffered and had very tough times, but there was not loss of life with respect to those floods. But an entire city of over 50,000 people was evacuated from those floods. I recall President Clinton flying into Grand Forks on Air Force One and meeting with a large number of people who had crowded into a hangar at the Air Force base. I remember what President Clinton said to them that day. He said very simply: You are not alone.

That is the message that our country must give to all of those who are victims of Hurricane Katrina: You are not alone. This country doesn't move ahead by leaving some behind. This country knows your plight, knows the despair of having lost what you have lost, joins you in sympathy for the loss of lives, and extends a hand to say we want to help you during these difficult times.

There are so many needs and so many things that have to be done: housing, basic needs such as food and shelter, jobs, education, short-term spending money to get on your feet if you have lost everything. Those are the things that, in a package of assistance by the Congress, need to be addressed quickly.

I know there are some who tend to believe that Government ought not exist. They think Government is the problem. But when something like this happens, we together, through our Government, work to extend a helping hand. This Congress cannot be reticent about arriving at that point to extend a helping hand to provide for the needs of people who have been displaced, who have suffered and are victims of this devastating hurricane.

My thoughts and prayers are with all of the victims of this devastating hurricane that has displaced, some say, 1 million people and caused massive loss of life. While there are public policy issues that we should discuss and will discuss in the coming days and months, all of us, as a country, will pray for those poor people who have suffered immensely in recent days. We hope the searches to find survivors continue to move forward and that we find additional survivors. And we hope in every possible way those who have been the victims of this hurricane understand this is a great country and this country extends its hand to say to them: You are not alone. Actions by this Congress will manifest that. We ought to do that quickly and urgently.

GASOLINE PRICES AND WINDFALL PROFITS

Mr. DORGAN. Mr. President, I also wish to speak about a subject that has some relationship but an issue that the American people were facing before the hurricane hit. Prior to the devastating Hurricane Katrina, the Senate Energy Committee had scheduled a hearing on gasoline and oil prices. That hearing is now going on. I spent the last 2 hours attending it. It was scheduled before this hurricane. Obviously, when the hurricane hit, a number of oil refineries and a couple of major pipelines shut down. It has had an impact beyond that which was occurring prior to the hurricane.

Prior to the hurricane hitting, oil prices had already risen $30 a barrel above that which existed a year and a half to 2 years ago. The major integrated oil companies that have become larger through mergers and concentration in recent years were already earning record profits.

Last evening, a friend of mine went to a gas station and pumped gasoline into his car and his son's car, about 15 gallons in each car. The bill was $103 dollars. Every American citizen understands that sticker shock when they pull up to the gas pump. We are told by some: It is the free market.

Here is what has happened to the profits of U.S. major oil and gas companies in billions of dollars from 2002, at which point they were $20 billion, to this year, when they are going to be over $100 billion. This is not a free market; this is a market with clogged arteries. It is OPEC pricing. It is a few countries that live on top of sand that is undergirded by substantial deposits of oil sitting around and deciding how much they are going to produce and what price they want to extract. So it is OPEC pricing. It is a concentrated domestic industry through mergers. It is rampant speculation. And it is also substantial windfall profits for some very profitable oil companies.

The question is, Where is the gain and where is the pain? Here is the gain.

We use 21 million barrels of oil a day. Sixty percent comes from outside of our country, which means we now have revenuesharing going on between the American drivers and consumers and the OPEC countries, including the Saudis, the Kuwaitis, and the Iraqis and others. It is forced revenuesharing. We pull up to the pump, we pay an inflated price for gasoline, and we send the money to the Middle East. Forty percent of that which we use is produced domestically by larger and larger oil companies, grown larger by mergers in recent years. That 40 percent has increased by $30 a barrel. That means the profits have increased by $7 billion a month for the domestic producers.

The integrated domestic producers in many cases have control of oil from the discovery in the ground to the gasoline pump. Eighty billion dollars a year in extra profits will exist in the coming year if the price of oil stays where it is now. That profit doesn't emerge out of thin air. It comes from extracting it from the consumers who drive up to the gas pump and take out their credit card or their currency and pay for a tank of gasoline.

Something needs to be done. Tomorrow, I intend to introduce windfall profits rebate legislation. The bill will establish a price point for a barrel of oil. A portion of the windfall profits above that amount would be captured and sent back to the consumers who are paying the excess or windfall profits to the companies. I would exempt from that windfall profits recapture that amount of additional money that is being used by the companies for domestic exploration or for increasing refinery capacity. If it is being used for that, I say fine. At least we are trying to search for a better future with a greater energy supply. But some of the

major oil companies are now buying back their stock with that profit. That doesn't benefit this country.

These are windfall profits at the expense of consumers to enrich the larger integrated oil companies. I believe part of it ought to be recaptured and sent back as a rebate to the American consumer. I will introduce that legislation tomorrow.

I know it is controversial. I know some people may think the best way to address all of this is to sit around with your hands in your pocket and wipe your brow and wring your hands and fret about it and essentially do nothing. These represent the windfall profits on 40 percent of that which we use. Twenty-one million barrels a day. Forty percent of that comes from domestic producers. That has increased over $30 a barrel with no additional cost incurred by the major oil companies. It amounts to $7 billion windfall profits a month or $80 billion windfall profits a year. I believe some of that ought to be collected and sent back to consumers as rebates.

Again, I know that is controversial. I know some won't want to do that. The plain fact is, if we do nothing, you have a massive transfer of income from people who can't afford it to people who shouldn't get it to interests that shouldn't get it. I believe Congress should take action. I understand that this is a shorter term issue, but John Kenneth Galbraith said: In the long run, we are all dead. So let's deal with the short term.

Yes, I want to shed our addiction of running gasoline through carburetors and fuel injectors. I wrote the provision in the Energy bill, signed by the President, that has a $3.7 billion title dealing with hydrogen and fuel cells. That ought to be our future, hydrogen and fuel cells. If you run on hydrogen—and hydrogen is ubiquitous, it is everywhere—you get water vapor out the tailpipe, and you have twice the efficiency of power to the wheel. That is wonderful. Put up a wind turbine and collect energy from the wind and use the electricity collected from the wind to separate hydrogen from water with electricity—something called electrolysis—and then put that hydrogen in a hydrogen fuel cell vehicle. The Energy bill has a pretty good title on that. I wrote that title.

We need to shed our addiction to this oil. We need to shed our dependence on Middle East oil. In the meantime, in the short term, when you drive up to a gas pump with 2 cars and pump 15 gallons in each and pay $103, the question is, Who is pocketing that money and why? There is no justification for that kind of windfall profit.

If the oil industry wants to have substantial profits to invest back into the ground or to build additional refineries, that is fine. That wouldn't be captured by a windfall profit. But when the oil industry is getting windfall profits to the tune of $7 billion a month, which they are doing right now, and some are busy buying back their stock, the American consumers deserve a break. They have had a bellyful of this. We have seen it all over this country where the big interests get bigger. They extract more from the rest, and nobody seems to care much.

One final point, there is also a provision in the final Energy bill that requires the Federal Trade Commission to launch an investigation of oil and gas prices within 90 days. I wrote that provision as well. But frankly, I have minimum hope that the Federal Trade Commission is going to be an ambitious referee with respect to pricing. This Congress should take action.

Here is what we face from now to Halloween to Thanksgiving to Christmas with respect to $226 million a day of windfall profits. That is $30 a barrel above that which existed when you already had record profits in the domestic industry. I believe some of it ought to be recaptured and given back to American consumers.

I saw an old car with an old bumper hanging down. That car had seen a better day—rust in the fenders and the bumper hanging halfway on the right. I saw it at a stop sign near Mohall, ND, one day. The bumper sticker had a plaintive message. It said: We fought the gas war and gas won.

The fact is, American consumers ought to be given an even break. That is why I am introducing this legislation tomorrow.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Before the Senator from North Dakota leaves the floor, I commend him for his comments. I am prepared to share some thoughts as well about the events in our country over the last week or so, but the Senator's comments about the energy crisis are tremendously timely in light of what has occurred in prices over the last number of days all across our country. And I join him in introducing legislation at least by tomorrow I hope in a bipartisan effort.

Again, he makes a very significant point that any of these resources, additional dollars that are pouring into the coffers of the industries that would go for exploration, research, refining capacity, are not included. In fact, we wish they would do more in developing new sources of energy. But if they are pocketing these resources at the expense of our economy, then I think it is incumbent upon us in this institution to respond and to not allow this gouging to occur at a time when the country is suffering. As someone who has paid a lot of attention over the years to the fuel cell industry, I do not think I am exaggerating when I say the capital of the fuel cell industry has been the State of Connecticut over the last number of years. United Technologies, to their great credit—aside from being a large defense contractor—has worked aggressively in the fuel cell area. The Senator from North Dakota is absolutely correct that fuel cells offer tremendous opportunity. It is not like inventing some new technology. It is out there. If we would put the resources behind it, make it a bit more efficient than it is today, which is not a great deal, not a very difficult thing to do, then we could make some giant steps forward in reducing our dependency on foreign countries and our dependency on nonrenewable sources of energy.

I commend the Senator for his comments and his ideas.

Mr. DORGAN. I wonder if the Senator will yield for a moment.

Mr. DODD. I am happy to yield.

Mr. DORGAN. There are many companies involved in hydrogen fuel cell technology, including United Technologies, that are very active in this area. The Senator is absolutely right with respect to activities in Connecticut. I also want to point out my point on the floor of the Senate is not to tarnish the oil industry. I have been a supporter of it in areas where I felt we should support it. We produce oil in North Dakota. My point is that as the major integrated companies become bigger and more concentrated, they in some cases work oil from the ground to the gas pumps with tremendous pricing capabilities. They are beneficiaries from the enormous amount of excess profit. If they pump those back into the ground or to increase refinery capacity, that is fine. But when they are buying back their stock, I believe they ought to give that windfall, ill-gained profit back to the consumers from where it came.

Mr. DODD. I commend my colleague from North Dakota. I know my colleague from Connecticut, Congresswoman ROSA DELAURO, has offered the legislation in the other body. I think it was a bipartisan proposal that she made over there on this issue. So again my compliments to Senator DORGAN.

HURRICANE KATRINA

Mr. DODD. Mr. President, I wanted to spend a few minutes this afternoon if I could and express my sympathy and the sympathy of my family, I know the sympathy of all of us in this Chamber, to the victims of Hurricane Katrina and the subsequent flooding that occurred particularly in Louisiana. I thank the leadership for giving us an opportunity today to express ourselves as a national body about this devastation that has occurred. There will be a lot of discussion about what happened, what did not happen, the shortcomings of our Government in responding in a timely fashion to this situation. But today is a time to offer our prayers and our sincere and deep sympathies to those who have suffered as much as they have.

There will be hearings next week. The President, I gather, has announced an investigation at the executive branch level. I think an independent investigation is probably the best way to proceed. Having the Government investigate itself is interesting but not

always the best way to get to the bottom of the information we ought to have about what happened. Because we will have events like this—hopefully nothing of this magnitude—again. There will be other events that require our Nation to respond far more expeditiously, far more thoughtfully, far more humanely than we did in this situation.

First, it obviously goes without saying that the thoughts and prayers of all of us and the entire country are with the people of the Gulf region at this hour. This is a disaster of unspeakable and unprecedented proportions, and we are still struggling to comprehend the magnitude of this event. Certainly the attacks of September 11, 2001 come to mind in terms of the damage done to life and property.

At the same time the devastation wrought by this act of nature is quantitatively and qualitatively different. As we speak here this afternoon, an entire American city, between a half a million and a million people, is uninhabitable. Its mayor tells us it will remain in that state for many months to come. Hundreds are believed to be dead and he predicts that the number will soar in the days to come—possibly into the thousands.

In Mississippi over 100 are known dead. According to that State's Governor, the destruction of the Gulf communities such as Biloxi, Gulfport, and Bay St. Louis is nearly total. Let me be clear and repeat what I said. I said destruction, not damage. Thousands of homes and places of business are a total loss and will have to be completely rebuilt in the coming months. I know that our colleague, Senator LOTT of Mississippi, lost his own home. Nearly a million homes in his State have been without power for days.

In Alabama more than 400,000 homes and businesses have lost power. Mobile and the surrounding environs suffered severe flooding. In western Florida the situation is similar. The Presiding Officer certainly knows of what I speak. Hundreds of thousands were without power and with scant access to the basic necessities of life—clean water, sanitary facilities, food, and shelter.

The upshot of all this destruction and damage is that millions of our fellow American citizens are now literally refugees in their own country.

We don't like to use the word refugee and I certainly have stayed away from it. But as you watch pictures of people walking along railroad tracks, along highways, of people perched on rooftops waiting patiently for aid, and enduring deprivation that we have never seen in this country on such an immediate and immense scale as we have in this event, then certainly the word refugee is appropriate in these circumstances.

We are receiving reports of looting, shooting, and chaos that has interfered with rescue and relief efforts. We all struggle to remember a comparable amount of destitution and destruction in our Nation. And so far we struggle in vain in that effort. We cannot believe what we are seeing is taking place in our own Nation, our beloved America. Nothing like this has ever happened in the United States.

And we are reminded as well that America is not a loose collection of States or regions. We are a single indivisible nation. What happens in one State or region is felt all across our country in the concerns of loved ones, the charitable contributions, and the secondary deprivations that all Americans will experience as a result of this catastrophe.

The Gulf region is a principal source of domestic and foreign goods that are consumed by all of us—natural gas, oil, lumber, poultry, coffee, and bananas. It is the departure point for the export of billions of dollars worth of goods made in our own Nation—corn, soybeans, wheat, and other commodities.

The Army Corps of Engineers tells us it could take as long as 6 months to drain the water from the basin in which the city of New Orleans lies. It will take months if not years before that city and other areas damaged by this hurricane and flood return to some semblance of normalcy. The aid package we considered last Thursday evening is the first installment of emergency aid for the national Government but by no means will it be the last. This Senator pledges his support for delivering all appropriate aid as expeditiously as possible to those in need in the gulf region. This is a time requiring unity and urgent action.

There will be a time, as I said earlier, in the days and weeks to come to examine what went wrong. And a lot went wrong before as well as after this hurricane and flood.

Our citizens are already asking the tough questions about what we could have done to prevent the full extent of this tragedy. They are outraged, not just in the Gulf area. I spent yesterday in my home State of Connecticut. I went to the State armory in that city to help organize food assistance packages that were being shipped to the Gulf region. I can tell you people in the city of Hartford, as well as people throughout my State are outraged and appalled by what they saw as incompetence and indifference at the very highest levels of our national Government. And I think they are right to be incensed and to demand better action and answers to what occurred.

They want to know why there has been a 44-percent cut in funds for flood prevention in New Orleans since 2001, even though a 2001 FEMA report told us that a hurricane flooding New Orleans was one of the three most likely major disasters facing the United States, along with a terrorist attack in the city of New York.

Citizens want to know why the administration, despite promising there would be no net loss of wetlands, has allowed their development, including those in the Gulf region, which are better flood prevention mechanisms than any dam or levy built by man.

Citizens all across this country want to know why, despite knowing for days before the hurricane that it could cause major devastation, it took so long for the Federal agencies to mobilize relief, rescue, and law and order operations.

Citizens want to know all across our Nation whether nationwide spikes in the price of gasoline are normal under these circumstances or the result of price gouging by unscrupulous profiteers who always stand ready to take advantage of tragedy. And they want to know that our President and Attorney General are doing everything possible to prevent price gouging.

These are very important issues—not the only ones—but they are some of the ones being asked by our fellow citizens at this very hour.

As I said a moment ago, now is the time for us to pull together as a nation to support one another, to do what we can to help the people of the Gulf region get their lives back to some semblance of normalcy.

Eight days after the hurricane first hit the gulf region and 9 days after it became a storm stronger than the New Orleans levees could hold, there are still critical needs that must be addressed immediately.

Right now as we speak here today in this Chamber, New Orleans is coated with a layer of toxic sewage that endangers the health of both those left stranded and the relief workers themselves. It has been estimated that there are thousands of bodies that have yet to be recovered on the streets and bayous of Jefferson Parish. There are public safety concerns. There is not enough food and water. And the city remains without power.

They need our help now, and they need more than the direct assistance we have just begun to deliver. Last week, as I mentioned earlier, this body approved over $10 billion in emergency aid. That is a fraction of what will be required in the coming months and years to rebuild the lives and communities affected by this tragedy.

Our first concern must, of course, be the health of those who still remain.

We need to guarantee all displaced victims access to comprehensive health care coverage, to Medicaid, including waiving residency, assets, and copayments requirements. Those who survive remain at great risk for illness and disease. They need and deserve medical care.

We need to provide resources to help the Centers for Disease Control and Prevention and local public health authorities monitor and respond to disease outbreaks and to help treat victims. We need to work closely with the pharmaceutical industry to get badly needed medication to these affected areas.

We need to make sure that this is a long-term effort. We must provide funding for continued monitoring of

those in the region, as exposure to environmental hazards could have lifelong consequences.

We should invest in the public safety net and support mental health providers to help victims cope emotionally with the disaster. We need to offer Federal support for communities and tax incentives for individuals to incorporate displaced victims.

We also must provide basic services and support for those who now literally live as refugees in other States.

The New Orleans school district has been decimated. Only 2,500 of the 7,000 employees have been accounted for. The central office has been destroyed, and all of the school records in New Orleans are gone.

Thankfully, there are over 30 cities that have stepped forward to take in the 20,000 children who have so far been identified as in need.

We have to get direct financial assistance to the school districts absorbing these students so they can adequately care for them in addition to the students they already serve.

We also must provide financial assistance for college students as they relocate to other universities and provide incentives for those universities that have already offered students a new home.

And we must make sure that victims are not penalized by rules, regulations, and responsibilities that may work well under normal circumstances but can be debilitating in times of an emergency.

We should waive income requirements for Head Start displaced children. We should give States that have offered childcare to refugees flexibility on their subsidy payments. And we should waive TANF work requirements for victims of the hurricane and flood.

We should also offer tax relief to victims so they can begin rebuilding their lives and expand and extend unemployment assistance so they can get back on their feet more quickly.

We should mobilize volunteers through AmeriCorps and other organizations in a unified rebuilding effort. And we should encourage private industry to participate with their own resources and expertise.

We also need to guarantee that the brave military personnel who continue to carry out operations in the gulf region with characteristic precision and professionalism will have all the resources that they need.

Last week, the U.S. Coast Guard crews rescued over 22,000 people in Louisiana, Mississippi, and Alabama, but we are not properly supporting them, in my view. Their costs in both operations and reconstruction are estimated in the hundreds of millions of dollars, and they are being forced to divert funds from their already strapped 2005 accounts. This should be simply unacceptable to all of us.

We also must start discussing long-term solutions. We must be prepared as a nation to prevent or mitigate the effects of tragedies of this magnitude. We must invest in viable and sufficient flood control projects. We must examine building codes to consider if they can be strengthened to limit damage in the future. Perhaps most importantly, we must develop disaster relief plans throughout our Nation so that we will not again be caught off guard as we were this time.

We must restore the ability of the Federal Government to respond to a disaster of this magnitude whether manmade or natural.

During the 1990s, FEMA evolved to fulfill this role and demonstrated through several disasters its ability and confidence, I might add, to quickly mobilize resources and other aspects of relief efforts. By all accounts, that is no longer the case. We should consider whether FEMA should be made a Cabinet level agency and whether there are other steps that the national Government can take so that in the future we can fully mobilize our resources to respond to national catastrophes.

I am also going to revisit shortly, when the appropriations bills come up, what I have recommended on three different occasions, along with my colleague from Michigan, Senator STABENOW, to fully fund the first responders. It was strongly recommended by our former colleague, Warren Rudman, who, along with a very distinguished commission financed and supported by the Council on Foreign Relations, reported that we should be spending some $20 billion every year for 5 years to see to it that we have the adequate resources in place to respond.

Now, they were talking about a terrorist attack when they talked about first responders. They did not have in mind natural disasters of this magnitude. But clearly we need to anticipate both. We have narrowly lost that amendment on three different occasions. But I would hope in light of what has occurred in the Gulf region of our own Nation over the last week and a half that we would be able to find the necessary support to see to it that our first responders in this country have the tools, the equipment, and the preparation so that we never ever again find ourselves in this situation, ill prepared to respond to a crisis of this kind.

Lastly, I want to pay a little special tribute to my own constituency. As I mentioned a few moments ago, I spent a good part late yesterday morning at the armory in Hartford, CT, where people in my office were gathering these supplies to send down to the gulf region. It was Labor Day, and I went over half expecting there might be a handful of people there to process and handle the contributions. There were hundreds of people there. It was really rather an emotional moment to drive up and see literally hundreds of people, volunteers from various churches and organizations in my State, gathering the materials. There was a line of automobiles that went around the block several times. People with their families in the car, with young children, arrived, opened up their trunks and the backs of their cars, and pulled out food, clothing, supplies of all kinds to be delivered to the victims of Katrina in the Gulf region. And then to watch volunteers sorting it out, packaging it up again. This was at one armory. Today they are opened up across the State, and again we are seeing the same reaction today—literally thousands of people pouring out in our small State of Connecticut to provide assistance. What I know is that it is occurring all across the country.

While we are talking about the failures of Government to respond well, how proud all of us ought to be in this Chamber of our fellow citizens because they are not sitting down. They are reacting. They are involved in telethons and charitable giving, doing everything they can to assist the people of the Gulf region. It is a great picture of America. It is what all of us believe about our country. In moments like this I did not hear a person in Connecticut talk about the South or southerners or differences in red States and blue States. I watched good people in the city of Hartford, CT, doing everything they can to help out people in Louisiana, Alabama, and Mississippi. That is our America. That is the country we represent, and we are all deeply proud of our fellow citizens. We will get through this. We will put these people back on their feet again, but we need to be better prepared so we can minimize the kind of hardship that these communities have suffered through in the last 10 days.

I yield the floor.

The PRESIDING OFFICER (Mr. ALEXANDER). The Senator from Washington.

Mrs. MURRAY. Mr. President, I rise this afternoon to join my colleagues in offering my support and sympathy and certainly everything we can do from my home State of Washington to so many of our fellow Americans who are suffering so tragically from the outfall of Hurricane Katrina. I want them to know we will do everything we can to make sure we are there for them.

I have to say that over the past week, citizens from this end of the country to my end of the country on the west coast have been glued to their television screens and really overwhelmed by the tremendous devastation and the unfathomable suffering of so many of our fellow Americans. The images have become almost too much to bear, watching families without food and water, people who have been trapped on their roofs, people searching for their loved ones. People have come up to me everywhere when I have gone through my State over the last week. My office has been inundated by calls from my fellow citizens in Washington State who are really horrified at the conditions they have seen on TV. They are asking, rightfully, what can we do to help and how can we be there for our

citizens? They are reaching into their own pockets and doing everything they can, and that truly has been heartwarming to see.

They are also asking, How could this have happened? I have to say that people in my home State are upset and, really, with good reason. Our Government failed in its initial response. We now have to see that we succeed in this ongoing recovery. That certainly is my focus right now.

There is going to be a lot of time for hard questions and accountability, but I think today we need to focus on meeting the tremendous needs that rescue workers and our guard and police forces are meeting on the ground. We also need to recognize that the recovery area is now no longer just limited to the gulf coast. As Americans have opened their hearts and their homes and they have opened up their communities and their stadiums and their hospitals and their homes in towns and cities from coast to coast, that need has spread across the country.

Shortly, in my home State of Washington, we are expecting to welcome 2,000 evacuees. Nearly 200 of them are going to arrive by this Thursday, and we need to make sure we are doing everything and being prepared to meet their needs as they come to our States. Right now we have to ensure that the evacuees have the bare essentials, that they have food, clothing, and shelter. We also have to make sure we are preparing for the long term.

For most children in this country, as we all know, this week marks a very exciting time, the beginning of the school year, a time that they head off to meet their new teachers and reconnect with old friends and make new ones. For all of the children who have been displaced from their homes and their school districts by the effects of Hurricane Katrina, the beginning of the school year is really the least of their worries. But we will need to come together as a country to help these schools across the Nation that are taking in these students from the gulf coast.

I just heard on the television before I came here that there will be probably 200,000 or more of these young students, and we have to do everything we can to absorb the costs and help the transition for these children and families, to make it as smooth as possible.

We also need to make sure we pay special attention to funding for support for homeless and foster children and ensure that the most vulnerable among us have the support they need to succeed and to build brighter futures again.

In the aftermath of Hurricane Katrina, many different sectors of our transportation system have also stepped up to the plate to deliver critical service, and because this region's infrastructure is so devastated we need to immediately explore alternatives to moving people and freight throughout the region. I think we all know it is going to take time to get our transportation infrastructure back to where it was, but we need to start concentrating on that and getting systems put in place now as well.

Rest assured, I will be asking very hard questions in the days to come about what went wrong and what we need to do to ensure that Americans never endure such preventable suffering again. All of those questions will be explored in detail, but right now I am going to continue to make sure that we are providing the immediate support that our families and our communities again need. Once again, I just want to say my thoughts and my prayers go out to everyone who has been touched by this disaster.

I see my colleague from Illinois who has been down in the region is on the floor with us. I look forward to hearing about his firsthand experience as well.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. OBAMA. Mr. President, I rise to address what has been a heartbreaking week for all of us. As was mentioned by my distinguished colleague from Washington, I just returned from a trip from Houston with former Presidents Clinton and Bush as part of a fund-raising effort to deal with the aftermath of Hurricane Katrina. As we wandered through the crowd, we heard in very intimate terms some of the heartwrenching stories that all of us have witnessed on television over the past several days: Mothers separated from their babies; adults mourning the loss of elderly parents; descriptions of the heat, filth, and fear of the Superdome and of the convention center in New Orleans.

There was an overriding sense of relief in Houston, and the officials in Houston and in the entire State of Texas deserve great credit for the outstanding job they have done in creating a clean and stable place for the tens of thousands of families who have been displaced.

A conversation I had with one woman captured the realities that are settling into the families as they face the future. She said to me: We had nothing before the hurricane, and now we have less than nothing. We had nothing before the hurricane, now we have less than nothing.

In the coming weeks, as the images of the immediate crisis fade and this Chamber becomes consumed with other matters, we will be hearing a lot about lessons learned and steps to be taken. I will be among those voices who will be calling for action. In the most immediate term, we will have to assure that the efforts at evacuating families from the affected States proceed—they are not finished yet—that these Americans who are having to flee their homes, their cities, their counties, and their towns are fed, clothed, housed, and provided with the medical care and medicine they need.

We are also going to have to make sure we cut through the redtape that has inexcusably prevented so much help from getting to the places where it is needed. I can say from personal experience over the last week how frustrating it has been, how unconscionable it has been to be unable to find somebody in charge so that we can get medical supplies, doctors, nurses, and other supplies down to the affected areas quickly enough.

We are going to have to make sure in this Chamber that any impediments that may continue to exist in preventing relief efforts from moving forward rapidly are eliminated.

Once we stabilize the situation, this country is going to face the enormous challenge in providing stability for displaced families over the months and years that it is going to take to rebuild. Already the State of Illinois has committed to accepting 10,000 displaced families. There are stories in Illinois, as there are all across the country, of churches, mosques, synagogues, and individual families welcoming people with open arms and no strings attached.

Indeed, if there is any bright light that has come out of this disaster, it is the degree to which ordinary Americans have responded with speed and determination, even as their Government has responded with what I consider to be unconscionable ineptitude, which brings me to the next point. Once the situation is stable, once families are settled for at least the short term, once children are reunited with their parents and enrolled in school and the wounds both on the outside and on the inside have healed, we are going to have to do some hard thinking about how we could have failed our fellow citizens so badly and how we will prevent such failures from ever occurring again.

It is not politics to insist that we have an independent commission to examine these issues. It is not politics. Indeed, one of the heartening things about this crisis has been the degree of outrage that has come from across the political spectrum—from across races, across incomes; the degree to which the American people sense that we can and we must do better, and a recognition that if we can't cope with a crisis that has been predicted for decades, a crisis in which we were given 4 to 5 days' notice, then how can we ever hope to respond to a serious terrorist attack in a major American city in which there is no notice and in which the death toll and the panic and the fear may be far greater?

That brings me to my final point. There has been a lot of attention in the media about the fact that those who were left behind in New Orleans were disproportionately poor and disproportionately African American. I have said publicly that I do not subscribe to the notion that the painfully slow response of FEMA and the Department of Homeland Security was somehow racially based. I do not agree with that. I think the ineptitude was colorblind.

But what must be said is that whoever was in charge of planning and preparing for the worst-case scenario seemed to assume that every American has the capacity to load up the family in a SUV, fill it up with $100 worth of gasoline, stick some bottled water in the trunk, and use a credit card to check into a hotel on safe ground. I see no evidence of active malice, but I see a continuation of passive indifference on the part of our Government toward the least of us.

So I hope that out of this crisis we all begin to reflect—Democrats and Republicans, Black and White, young and old, poor and wealthy. I hope we all begin to reflect, not only on our individual responsibilities to our families and ourselves but on our mutual responsibilities to our fellow Americans, mutual responsibilities that reflect themselves in church and community organizations and block clubs but also express themselves through our Government.

I hope we realize the people of New Orleans were not just abandoned during the hurricane, they were abandoned long ago—to murder and mayhem in their streets, to substandard schools, to dilapidated housing, to inadequate health care, to a pervasive sense of hopelessness.

That is the deeper shame of this past week, that it has taken a crisis such as this to awaken in us the understanding of the great divide that continues to fester in our midst. That is what all Americans are truly ashamed about. That is what I am ashamed about. And the fact that we are ashamed about it is a good sign. The fact that all of us don't like to see such a reflection of this country that we love tells me that the American people have better instincts and a broader heart than our current politics would indicate. ''We had nothing before the hurricane,'' the woman told me. ''Now we have even less.'' I hope we all take the time to ponder the truth of that message.

Ms. SNOWE. Mr. President, I rise to extend my deepest sympathies and strongest possible support for the people of America's Gulf Coast region, which was devastated by the terrible forces of Hurricane Katrina.

In the aftermath of the worst natural disaster in the history of the United States, we continue our attempt to comprehend the magnitude of the losses that have occurred—most especially all those who have lost their lives, lost livelihoods, and virtually all their physical possessions. The scale of the destruction is most horrifically reflected in the faces of those we have seen over the past week—faces etched with an indelible and almost unimaginable sorrow, suffering, and burden, and their images have reverberated throughout a country in solidarity with their terrible plight. Indeed, there are colleagues in this very body who have endured horrendous loss, and my thoughts and prayers go out to them as well.

In Louisiana, Mississippi, Alabama, and Florida lives have been forever transformed along with the landscape, as we have witnessed untold scenes of homes that no longer exist; floods that ravage entire neighborhoods and cities; fires that consume what remains of buildings, men, women, children, and the elderly seeking food, water, and medicine—as well as missing loved ones.

The cities of New Orleans, Biloxi, Gulf Port, Pascagula, and so many others have sustained injuries almost beyond belief. America and the world have been stunned by the cruelty of the tragic effects of this storm. At the same time, we are also hearing the stories of those who have rushed to the aid of our fellow Americans in need—men and women of the National Guard and the U.S. Armed Services, paramedics, doctors, police men and women, volunteers from all walks of life. And as chair of the Senate Commerce Subcommittee on Fisheries and Coast Guard, I especially thank the selfless commitment of the people of the Coast Guard, who have rescued at least 32,000 thousand individuals find have served with the greatest heroism and honor.

To the people of the Gulf region: You do not stand alone in your pain and frustration. Congress has a responsibility to ensure that essential items, medical care, and shelter are provided in a timely fashion, wherever and whenever they are needed. I am pleased the Congress passed a $10.5 billion emergency spending bill to move the Gulf region toward recovery, and there should be no question that as additional resources are required, they will be provided. It is only with the full weight of the Federal Government that the entire region will not only endure, but recover. And as chair of the Senate Small Business Committee, I will leave no stone unturned in identifying resources and services that can help bring such a recovery to fruition.

I also believe that, looking forward, it is critical to examine and assess what steps might have been taken not only to diminish the impact of the hurricane, but also to respond appropriately in its aftermath. We must determine how we, as a nation, could have been better prepared. We owe that not only to those who will face potential catastrophes in the future, but also to all those who have died and those suffering today from Katrina's swathe of devastation.

In the end, no human or natural act can deprive Americans of their unyielding and singularly determined spirit, and that truth has once again demonstrated itself in the hearts of the people of the Gulf Coast as well as the millions of acts of kindness and compassion that have manifested themselves throughout America in Katrina's wake. We also appreciate the outpouring of sympathy and support expressed by many nations and their people throughout the world. Grief and humanity, hope and caring truly know no political boundaries. This is a tragedy for all of humankind, a wound to our world, but it is one from which we will, in time, recover to the fullest extent possible.

All of our will and our resources as one of the wealthiest nations on earth must and will be brought to bear over what will be a long but ultimately triumphant process of reclaiming our Gulf Coast towns and cities for the future. As we all work toward that common goal, we do so hand-in-hand with all those for whom we are praying and keeping in our thoughts.

While the hurricane's winds and rain have long since dissipated, the collective concern and strength of this Nation continues ever onward—unbroken, undaunted, unflagging. Our message to the people of the Gulf Coast is both simple and solemn: Your country will be with you every step of the way, and that is our promise to you in this most difficult and desperate of times and forever forward from this day.

I yield the floor.

Mr. FEINGOLD. Mr. President, I want to again express my deepest sympathies to all those who have suffered so much because of Hurricane Katrina and its aftereffects. This past week has seen destruction and misery on a scale perhaps not witnessed before in the United States. Words simply cannot describe it.

Americans have responded to this tragedy in typical fashion with untold acts of kindness and selflessness. Many who have lost everything themselves have worked without sleep and in terrible conditions to help those who cannot help themselves. The Coast Guard and military saved thousands stranded on rooftops. People have volunteered their services and their homes and have donated generously. Companies both large and small have also stepped up to help, as has the international community. In my own State of Wisconsin, we have mobilized and deployed almost 500 members of the National Guard. First responders and rescue workers have traveled to the stricken areas to help, people are preparing shelters for those who have been displaced, and people are opening their pocketbooks. I deeply admire and respect all of these acts of heroism and generosity. And as a member of the Senate Foreign Relations Committee, I want to express my sincere thanks to the many in the international community who have come forward with their own offers of help, and their words of support and solidarity.

Unfortunately, these acts of heroism and compassion starkly contrast with the inadequacy of the response to this major national disaster. Thousands desperate for help were left stranded as the relief effort slowly sputtered into action. Empty assurances and high-level excuses were no comfort to those stuck in overcrowded and unsafe shelters or to those who were desperate for medicine. It is shocking and disappointing, to say the least, that 4

years of efforts to supposedly improve our emergency response capabilities fell so short. We have devoted countless hours, and tens of billions of taxpayer dollars, to Homeland Security since 9/11. But the American people have not gotten an adequate return for this massive investment.

We must do all we can to help the residents of Louisiana, Mississippi, and Alabama get back on their feet and rebuild their homes and their lives. These Americans will need our resolve and our partnership long after the headlines fade.

In addition it is of the utmost importance that there be a thorough and independent review of the response to Hurricane Katrina in order to identify failures and improve our emergency response system and capabilities. I pledge to work with my colleagues on both sides of the aisle to ensure that those responsible for costly failures are held accountable, and to ensure that we learn from this tragedy. We must face up to the searing and shameful images of American families being left to fend for themselves in increasingly desperate circumstances, and we must ensure that we never see such images again.

The PRESIDING OFFICER. The majority leader.

PROVIDING FOR THE USE OF THE CATAFALQUE IN CONNECTION WITH MEMORIAL SERVICES FOR THE LATE HONORABLE WILLIAM H. REHNQUIST, CHIEF JUSTICE OF THE UNITED STATES

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Con. Res 52, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislate clerk read as follows:

A concurrent resolution (S. Con. Res. 52) providing for the use of the catafalque situated in the crypt beneath the Rotunda of the Capitol in connection with the memorial services to be conducted in the Supreme Court Building for the late honorable William H. Rehnquist, Chief Justice of the United States.

There being no objection, the Senate proceeded to consideration of the concurrent resolution.

Mr. FRIST. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 52) was agreed to, as follows:

S. CON. RES. 52

Resolved by the Senate (the House of Representatives concurring), That the Architect of the Capitol is authorized and directed to transfer to the custody of the Supreme Court of the United States the catafalque which is situated in the crypt beneath the Rotunda of the Capitol so that such catafalque may be used in the Supreme Court Building in connection with services to be conducted there for the late honorable William H. Rehnquist, Chief Justice of the United States.

ORDERS FOR WEDNESDAY, SEPTEMBER 7, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that following the rollcall vote on the Hurricane Katrina resolution, the Senate adjourn until 10:30 a.m. on Wednesday, September 7. I further ask that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then proceed to a period of morning business until 12 noon, with the time equally divided and Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, tomorrow the Senate will pay its respects to the late Chief Justice William Rehnquist. Senators will be able and are encouraged to make statements tomorrow morning relating to the passing of Justice Rehnquist.

We will be voting at noon tomorrow on a resolution which expresses the sense of the Senate. The Senate will recess during the funeral ceremonies as a further mark of respect. As I mentioned earlier, we will begin consideration of the Commerce, Justice and Science appropriations bill on Thursday this week.

EXPRESSING THE CONDOLENCES OF THE NATION TO THE VICTIMS OF HURRICANE KATRINA

Mr. FRIST. Mr. President, in a few minutes, we will be voting on a resolution expressing our deep and heartfelt sympathy for the victims of Hurricane Katrina. I know I speak for all when I say that the Senate and the American people stand by the good people of Alabama, Louisiana, and Mississippi who have suffered so deeply and who have lost so much. We are committed to helping them recover and rebuild. Last Thursday night, we passed $10.5 billion in aid, but this is just the downpayment. There is still much hard work ahead.

One of our most important and pressing duties is to conduct a thorough investigation from top to bottom of the initial emergency response. There is no question that in many places the early emergency response was simply unacceptable. No one who saw the news and the mounting discomfort and despair at the Superdome and the convention center could say otherwise. We need to find out what went wrong and what went right, and we will. We need to find out what we need to do so we are never, ever caught unprepared again.

As I mentioned this morning, I traveled to the gulf coast this weekend, not as a Senator but as a volunteer physician. A major problem I saw firsthand was a very basic one, one of communications. It is so ironic, and this is why it is so important that we provide the oversight, because Congress has appropriated funds for communications and for the interoperability of communications, but I didn't see any of that on the ground. People worked without functioning radios when I arrived, and literally within that large terminal and one of the large main rooms there, people could not communicate from one side of that room to the other. Doctors and nurses had to use runners to shuttle through the airport. It simply did not make sense. It does not make sense in America.

Many other challenges I saw we will be addressing on the floor of the Senate in the appropriate oversight mechanism. Our full attention at this juncture needs to be directed to saving lives. The President has stated this again and again. Literally as we speak here today, there are people in those second and third floors of homes who have not yet been rescued. Every major city houses the poor and the elderly and the infirm, and every American city is a potential target of a disaster or an attack, either natural or otherwise. There can be no excuses for inaction.

Senator SUSAN COLLINS and Senator JOE LIEBERMAN, the chairman and ranking member of the Homeland Security and Governmental Affairs Committee, have announced their oversight hearings. Again, our attention needs to be on saving and sustaining those people who are suffering as we speak, but at the same time we have a mechanism that is underway to begin our very serious, very important responsibility of oversight as to what did not go well and what needs to go much better in the future.

I do want to assure the American people that the Senate is hard at work. We have rolled up our sleeves. We began with the passage of the $10.5 billion the other night. It is very likely that in very short order, we will have a much larger supplemental come through, maybe within the next several days, on the Senate floor, and it will require yet another supplemental funding bill in the future. We are determined that New Orleans, where I was Saturday and Sunday; or Biloxi, where I was on Sunday; or Mobile, also on Sunday—really that entire coast—will recover and that we will rebuild in a way that is bigger and better and stronger. That is the future to which we are committed.

We have many hurdles to face in the meantime, and we will address those aggressively. We faced urban disasters in our history. As former Speaker Gingrich said in the last couple of days: A large chunk of Chicago was burned all the way to the ground, and it came back stronger than ever. He also mentioned San Francisco, leveled by an earthquake only to reemerge a

much more beautiful and more prosperous city. America has never shied from a challenge. We are a nation of people who have come to these shores to work hard and to dream big. It is in our national DNA. It is what makes us great.

This weekend, I saw the incredible generosity and caring and compassion and outpouring among volunteers and military personnel and Guard personnel and medical and health professionals from all over the country—citizens helping one another, patients in adjacent gurneys helping one another, pouring out their hearts and their time and their resources. It was humbling and it was inspiring.

I am confident that together we will meet the challenges that lie ahead and emerge more prosperous and more united than ever.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will report the resolution.

The legislative clerk read as follows:

A resolution (S. Res. 233) expressing the condolences of the Nation to the victims of Hurricane Katrina, commending the resiliency of the people of the States of Louisiana, Mississippi, and Alabama, and committing to stand by them in the relief and recovery efforts.

The PRESIDING OFFICER. The question is on agreeing to the resolution. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. INOUYE), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

I further announce that, if present and voting, the Senator from Hawaii (Mr. INOUYE) would vote ''yea.''

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Colorado (Mr. ALLARD), the Senator from Pennsylvania (Mr. SPECTER), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Louisiana (Mr. VITTER) would have voted ''yea.''

The PRESIDING OFFICER (Mr. CHAMBLISS). Is there any Senator in the Chamber wishing to vote?

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 221 Leg.]

YEAS—94

Akaka	Burns	Conrad
Alexander	Burr	Cornyn
Allen	Byrd	Corzine
Baucus	Cantwell	Craig
Bayh	Carper	Crapo
Bennett	Chafee	Dayton
Biden	Chambliss	DeMint
Bingaman	Clinton	DeWine
Bond	Coburn	Dodd
Boxer	Cochran	Dole
Brownback	Coleman	Domenici
Bunning	Collins	Dorgan
Durbin	Kyl	Roberts
Ensign	Lautenberg	Salazar
Enzi	Leahy	Santorum
Feingold	Levin	Sarbanes
Feinstein	Lieberman	Schumer
Frist	Lincoln	Sessions
Graham	Lott	Shelby
Grassley	Lugar	Smith
Gregg	Martinez	Snowe
Hagel	McCain	Stabenow
Harkin	McConnell	Stevens
Hatch	Mikulski	Sununu
Hutchison	Murkowski	Talent
Inhofe	Murray	Thomas
Isakson	Nelson (FL)	Thune
Jeffords	Nelson (NE)	Voinovich
Johnson	Obama	Warner
Kennedy	Pryor	Wyden
Kerry	Reed	
Kohl	Reid	

NOT VOTING—6

Allard	Landrieu	Specter
Inouye	Rockefeller	Vitter

The resolution (S. Res. 233) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 233

Whereas, on August 28, 2005, Hurricane Katrina reached landfall devastating the Gulf Coast states;

Whereas there has yet to be a full accounting for all our citizens whose lives were tragically lost;

Whereas the cost in human suffering is ongoing for hundreds of thousands of people who have lost loved ones, homes, and livelihoods;

Whereas immediate humanitarian aid is still critically needed in many of the devastated regions;

Whereas the devastation on the Gulf Coast of Mississippi, Louisiana, and Alabama is catastrophic;

Whereas the City of New Orleans is tragically flooded and the surrounding communities of St. Bernard and Plaquemines parishes are devastated;

Whereas every city on the Mississippi Gulf Coast is severely damaged or destroyed, including Waveland, Bay St. Louis, Pass Christian, Long Beach, Gulfport, Biloxi, Ocean Springs, Moss Point, and Pascagoula;

Whereas the States of Florida, Texas, and Georgia also sustained damage;

Whereas Coast Guard search and rescue teams, police, firefighters, the National Guard and many ordinary citizens have risked their lives to save others;

Whereas doctors, nurses, and medical personnel worked expeditiously to ensure that hospitals, medical centers, and triage units provided needed care;

Whereas the American Red Cross, the Salvation Army, and other volunteer organizations and charities are supplying hurricane victims with food, water, and shelter;

Whereas the State of Texas and numerous other states have welcomed tens of thousands of victims from Louisiana and provided them with aid and comfort;

Whereas the Army Corps of Engineers has worked to reinforce levees in Louisiana; and

Whereas thousands of volunteers and government employees from across the Nation have committed time and resources to help with recovery efforts: Now, therefore, be it

Resolved, That the Senate—

(1) expresses the condolences of the Nation to the victims of Hurricane Katrina;

(2) commends the resiliency and courage of the people of the States of Louisiana, Mississippi, and Alabama; and

(3) commits to provide the necessary resources and to stand by the people of the States of Louisiana, Mississippi, and Alabama in the relief, recovery, and rebuilding efforts.

HONORING CHIEF JUSTICE WILLIAM H. REHNQUIST

Mr. CORZINE. Mr. President, I rise today to offer my sincere condolences to the family of Chief Justice William H. Rehnquist and to recognize his achievements during a lifetime of public service.

Throughout his life, William H. Rehnquist served this Nation with dignity and integrity, first in the Army Air Corps during World War II and later as an Associate and then Chief Justice on the United States Supreme Court. For 33 years, Justice Rehnquist was a fixture on the Court, and he demonstrated both a love and a respect for the institution. He led the Judicial Conference of the United States with distinction, advocating for judicial independence during this 18-year tenure as Chief Justice. And even as his health declined in recent years, Judge Rehnquist continued to lead the Court, a testament to his tenacity and character.

Although I did not always agree with his legal decisions, I have deep respect for Chief Justice Rehnquist's service to our Nation, and I join my colleagues in honoring him today.

ARMY STAFF SERGEANT JEREMY DOYLE

Mr. BAYH. Mr. President, I rise today with a heavy heart and deep sense of gratitude to honor the life of a brave soldier who attended high school in Indianapolis and whose family resides in Martinsville. Jeremy Doyle, 24 years old, died on August 18 when his vehicle was struck by a roadside bomb in Samarra, Iraq. With so much of his life left before him, Jeremy risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

Although he did not call Martinsville home, Jeremy's impact on the town was demonstrated by the hundreds of families who lined the town's streets for 3½ miles as his funeral procession wound through downtown. At the funeral, family members remembered Jeremy as a jokester and a soldier who deeply loved his family and the U.S. military. A commander of an armored humvee, Jeremy was on his second tour of duty in Iraq having returned to Iraq after being slightly wounded last spring while he tried to deactivate an explosive. His uncle told the crowd gathered at Jeremy's funeral service: [Jeremy] will forever be my hero. I stand here today to express the same feelings of pride and gratitude for this young man's sacrifices and those made by his family on behalf of our country.

Jeremy was killed while serving his country in Operation Iraqi Freedom. He was assigned to the 3rd Infantry Division, stationed at Fort Wayne, GA. This brave young soldier leaves behind his wife, Leah McGinnis Doyle.

Today, I join Jeremy's family and friends in mourning his death. While

we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Jeremy, a memory that will burn brightly during these continuing days of conflict and grief.

Jeremy was known for his dedication to his family and his love of country. Today and always, Jeremy will be remembered by family members, friends and fellow Hoosiers as a true American hero, and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Jeremy's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg: We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here. This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Jeremy's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of Jeremy Doyle in the official record of the U.S. Senate for his service to this country and for his profound commitment to freedom, democracy and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Jeremy's can find comfort in the words of the prophet Isaiah who said: He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Jeremy.

ARMY SERGEANT MICHAEL SCHAFER

Mr. President, with a heavy heart and deep sense of gratitude I wish to honor the life of a brave soldier from Crown Point. Michael Schafer, 25 years old, died on July 25 from enemy gunfire on a quick reaction force mission in Oruzgan, Afghanistan. With so much of his life left before him, Michael risked everything to fight for the values Americans hold close to our hearts, in a land halfway around the world.

A generous and humorous man, Michael enlisted in the military following high school and re-enlisted 2 years ago. In joining the military, Michael continued a family tradition, as his father, Mark, served in the Navy. He was among the paratroopers who jumped into northern Iraq in March 2003 at the start of the war. Upon the completion of his time in the Army, Michael dreamed of becoming a police officer. A true believer in the cause of freedom, Michael often told his family that he loved what he was doing. His family recounted to a local newspaper their pride in Michael and his habit of putting others before himself. I stand here today to express the same feelings of pride and gratitude for this young Hoosier's sacrifices and those made by his family on behalf of our country.

Michael was killed while serving his country in Operation Enduring Freedom. He was assigned to the 2nd Battalion, 503rd Infantry Regiment, Vicenza, Italy. This brave young soldier leaves behind his wife, Danielle, and their adopted son.

Today, I join Michael's family and friends in mourning his death. While we struggle to bear our sorrow over this loss, we can also take pride in the example he set, bravely fighting to make the world a safer place. It is his courage and strength of character that people will remember when they think of Michael, a memory that will burn brightly during these continuing days of conflict and grief.

Michael was known for his dedication to his family and his love of country. Today and always, Michael will be remembered by family members, friends and fellow Hoosiers as a true American hero and we honor the sacrifice he made while dutifully serving his country.

As I search for words to do justice in honoring Michael's sacrifice, I am reminded of President Lincoln's remarks as he addressed the families of the fallen soldiers in Gettysburg:

> We cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note nor long remember what we say here, but it can never forget what they did here.

This statement is just as true today as it was nearly 150 years ago, as I am certain that the impact of Michael's actions will live on far longer than any record of these words.

It is my sad duty to enter the name of Michael Schafer in the official record of the United States Senate for his service to this country and for his profound commitment to freedom, democracy and peace. When I think about this just cause in which we are engaged, and the unfortunate pain that comes with the loss of our heroes, I hope that families like Michael's can find comfort in the words of the prophet Isaiah who said, ''He will swallow up death in victory; and the Lord God will wipe away tears from off all faces.''

May God grant strength and peace to those who mourn, and may God be with all of you, as I know He is with Michael.

IN REMEMBRANCE OF LAURA ESGUERRA ADAMS

Mrs. BOXER. Mr. President, today I pay tribute to Laura Esguerra Adams, a member of my staff who died last week after a valiant struggle against cancer. I want the Senate and the American people to know about this extraordinary young woman who served us all so well.

Laura was my Web designer, in charge of my Senate Web site. Over the past several years, she transformed ''boxer.senate.gov'' from a simple, nondescript Web page to a modern, cutting-edge site that has won awards for its clean look, comprehensive content, and accessibility.

Today thousands of Californians visit this site every week to get up-to-date information, express their opinions, and obtain help from my office and Government agencies. Laura's many additions to the site included video updates from California and the Senate floor, contests for kids on Earth Day and the Fourth of July, and dozens of links to other sites providing news, information, and assistance.

Laura was not only a tremendous asset to my staff; she was also a joy to work with. She was smart, funny, and most of all big hearted. She was both tech wise and user friendly, always willing to share her knowledge and expertise. In our Los Angeles office, she organized great potluck lunches where she cooked well, ate prodigiously, and shared her eclectic taste in music of all kinds—good, bad, and strange.

A truly urban Angeleno, Laura lived in a downtown LA loft and recently led her new husband James and their wedding party on a candlelight procession through the center city.

Laura was a highly skilled and devoted public servant who believed that technology can and should add to our understanding of Government and give more people the opportunity to participate in our democracy. I deeply appreciate her service to the Senate and the people of California.

I know Members will join me in honoring the memory of Laura Esguerra Adams and sending our thoughts and prayers to her husband, family, and many dear friends.

ADDITIONAL STATEMENTS

TRIBUTE TO THOMAS A. GRAU

• Mr. BURNS. Mr. President, I congratulate Thomas A. Grau, CPCU, who is near the end of his term as the 100th president of the Nation's largest insurance association, the Independent Insurance Agents & Brokers of America, IIABA. He was elected to IIABA's executive committee in September 1999, and was installed as the organization's president last October. Tom is an executive with the Cogswell Agency in Great Falls, MT.

During Tom's year as president, IIABA accomplished a number of milestone achievements. It sought—and earned—the honor of a major policy address to its members by President Bush in April. The association met its goal of having 5,000 agencies on board as members of its Trusted Choice® branding initiative, and did so 6 months

ahead of schedule. It continued its momentum in the area of agency technology and paid off the mortgage on its headquarters in Alexandria, VA.

Tom has been active on all levels of the insurance industry throughout his career. From his service as the Independent Insurance Agents of Montana representative, to the chairman of the national IIABA finance committee, Tom has exhibited great vision and direction for this organization. On the local level, he twice served as president of the Independent Insurance Agents of Great Falls.

Tom's experience has not been limited to leadership roles alone. He also has proven instrumental in various insurance industry education efforts throughout his career, and taught many professional accreditation classes. I also value Tom's commitment to his community. He is active in church and professional organizations, from Optimist International, to the Muscular Dystrophy Association and the Boy Scouts.

I sincerely thank Tom for his efforts on behalf of IIABA and the positive impact his efforts have had on this organization and his community back home in Great Falls, MT. I wish him and his wife Cheryl all the best in their future endeavors.●

IN CELEBRATION OF ALAN BERGMAN

● Mrs. BOXER. Mr. President, I would like to take this opportunity to recognize a wonderful Californian, Alan Bergman, in honor of his 80th birthday. Few in the world today have brought so much pleasure, joy, and insight to so many as have Alan and his wife Marilyn.

Alan Bergman was born on September 11, 1925, in Brooklyn, NY. He had an ear for music at a young age—at age 10, he knew he wanted to be a songwriter. After studying at the University of North Carolina at Chapel Hill and the University of California at Los Angeles, Alan moved to Philadelphia. There, he worked as a director for children's television shows, and moonlighted as a songwriter. He soon moved back to Los Angeles at the urging of his mentor, Johnny Mercer, to work full time on his budding songwriting career.

In Los Angeles, Alan met Marilyn Keith. Alan and Marilyn hit it off right away, and Alan knew that in Marilyn he had a friend and a musical partner. Alan also knew that he wanted to spend the rest of his life with this remarkable woman. And in 1958, Alan and Marilyn were married. With Marilyn's musical background, she and Alan were a perfect match. They began to write lyrics together. It soon became evident that Alan and Marilyn Bergman were a powerful team, working on lyrics for television shows and movies. In 1968, their efforts won them their first Oscar for ''The Windmills of Your Mind,'' the theme song from the ''Thomas Crown Affair.''

There would be more recognition to come for the Bergmans, the only husband-and-wife team of lyricists. In 1968, Alan and Marilyn also won a Golden Globe Award for ''The Windmills of Your Mind.'' In 1973, Alan and Marilyn won two Emmys, an Oscar, a Grammy, and a Golden Globe Award for ''The Way We Were.'' In 1984, they won another Oscar for the score for ''Yentl,'' and won Emmys for ''Sybil,'' ''Queen of the Stardust Ballroom,'' ''Ordinary Miracles'' and ''A Ticket to Dream.'' And these are just a few of Alan and Marilyn's many awards.

In addition to these awards, Alan and Marilyn have received many accolades. Among others, they have been inducted into the Songwriters Hall of Fame, and have received the National Academy of Songwriters Lifetime Achievement Award, the Spanish Cultural Medal of Honor, and the Governors Award from the National Association of Recording Arts and Sciences. As president of the American Society of Composers, Authors and Publishers, Marilyn has worked with many in Congress, in a bipartisan way, to protect intellectual property rights.

Recently, Alan unveiled another one of his many talents—in addition to being a world-renowned songwriter, Alan is also a gifted singer. He has performed shows across the country, from the Algonquin Hotel in New York to the Jazz Bakery in Los Angeles, showcasing the songs that he has written with Marilyn.

When I met Alan and Marilyn in 1990, I knew that my life as a political leader would take on a new dimension. I was to learn that as a human being I had been enriched beyond measure.

Alan and Marilyn's musical achievements throughout their lifetimes show how exceedingly talented and gifted they are. Their success is a result of their hard work and dedication. It is no wonder that they are one of the most respected songwriting teams in music today.

I believe it is appropriate that Alan be recognized in the CONGRESSIONAL RECORD today not only on the occasion of his 80th birthday, but, along with Marilyn, for enriching the lives of so many Americans for so many years.●

125TH ANNIVERSARY OF COLMAN, SD

● Mr. THUNE. Mr. President, today I wish to recognize Colman, SD. The town of Colman will celebrate the 125th anniversary of its founding this year.

Located in Moody County, Colman was founded when the Milwaukee railroad extended its line reaching the town in 1880. It was originally known as Sankey and then Allentown. The city eventually changed its name to Colman in honor of the Colman Lumber Company, a local business.

I would like to offer my congratulations to Colman on their anniversary and I wish them continued prosperity in the years to come.●

HONORING INDIANAPOLIS LIFE

● Mr. BAYH. Mr. President, today I wish to recognize the centennial celebration of Indianapolis Life. I am honored to have the opportunity to offer my sincere congratulations on the company's 100 years of service and I want to express my gratitude and admiration for its many contributions to the State of Indiana. It is companies such as Indianapolis Life Insurance that make me proud to be a Hoosier.

I had the honor of serving briefly on the board of directors of Indianapolis Life, giving me the chance to see the workings of this company first-hand. Not only does Indianapolis Life provide high-quality insurance to hundreds of thousands of customers, but it is also a pillar of community support in Indianapolis, through its corporate philanthropy and the volunteer activities of its staff. The financial success of the company has created economic growth across the country and has been an important part of the State economy for a century now.

On behalf of the State of Indiana, I thank all the employees, staff and directors who have made Indianapolis Life into the company it is today.●

DAR IN MONROE, LA

● Mr. VITTER. Mr. President, I wish to acknowledge the Fort Miro Chapter of the Daughters of the American Revolution in Monroe, LA. Beginning September 17 and ending September 23, this great organization will observe its annual Constitution Week. Today, I would like to spend a few moments highlighting the importance of their efforts.

The Daughters of the American Revolution petitioned Congress in 1955 to set aside a week to celebrate the Constitution. Thanks to their petition, Congress, through a joint resolution on August 2, 1956, requested that the President proclaim that September 17 through 23 serve as Constitution Week.

This week sets out to emphasize citizens' responsibilities for protecting and defending the Constitution, inform people that the Constitution is the basis for America's great heritage, and encourage the study of the historical events surrounding its framing in September 1787.

I applaud the Daughters of the American Revolution for their continued dedication to celebrating the importance of the Constitution through education and activism. Moreover, I commend the Fort Miro Chapter of the Daughters of the American Revolution in Monroe, LA, for doing this fine work on behalf of the State of Louisiana.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE RECEIVED DURING THE ADJOURNMENT

Under authority of the order of September 1, 2005, a message from the House of Representatives, delivered by one of its clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3645. An act making emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 51. Concurrent resolution providing for a conditional adjournment or recess of the Senate, and a conditional adjournment or recess of the House of Representatives.

ENROLLED BILLS SIGNED

Under authority of the order of January 4, 2005, the Secretary of the Senate, on August 4, 2005, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bills:

H.R. 3. An act to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

H.R. 6. An act to ensure jobs for our future with secure, affordable, and reliable energy.

H.R. 1132. An act to provide for the establishment of a controlled substance monitoring program in each State.

Under authority of the order of January 4, 2005, the enrolled bills were signed on August 4, 2005, during the adjournment of the Senate, by the Acting President Pro Tempore (Mr. WARNER).

MESSAGE FROM THE HOUSE

A message from the House of Representatives, delivered by one of its clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3645. An act making emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, and for other purposes.

The enrolled bill was signed on September 6, 2005, during the adjournment of the Senate, by the Majority Leader (Mr. FRIST).

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–3320. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (beginning with tab A ''Document Table'' and ending with tab K ''Counsel Memoranda, Legal Opinions, Etc.'') relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3321. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (beginning with tab A ''Trust Indenture and Security Agreement'' and ending with tab C ''Omnibus Assignment, Assumption and Consent Agreement'') relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3322. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (2 subjects on 1 disc beginning with ''Inquiry Response Regarding Privatized Housing'') relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3323. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (10 subjects on 1 disc beginning with ''Inquiry Response Regarding Maritime Information Systems, San Diego and Undersea Sensor Systems, Newport, RI'') relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3324. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (7 subjects on 1 disc beginning with ''Inquiry Response Regarding Consolidation of B–1's at One Base'') relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3325. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (8 subjects on 1 disc beginning with ''Inquiry Response Regarding Current Data on Facilities for Storage and Maintenance of STAMP at McConnell AFB'') relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC–3326. A communication from the Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting, pursuant to law, an interim report entitled ''Implementation Plan for Accession of Persons with Specialized Skills''; to the Committee on Armed Services.

EC–3327. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of the discontinuation of service in the acting role of Assistant Secretary of Defense (Networks, Information and Integration), received on July 28, 2005; to the Committee on Armed Services.

EC–3328. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary of Defense (Legislative Affairs), July 28, 2005; to the Committee on Armed Services.

EC–3329. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary of Defense (Networks, Information and Integration), received on July 28, 2005; to the Committee on Armed Services.

EC–3330. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of the discontinuation of service in the acting role of Assistant Secretary of Defense (Public Affairs), July 28, 2005; to the Committee on Armed Services.

EC–3331. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of action on the nomination for the position of Assistant Secretary of the Army (Civil Works), received on July 28, 2005; to the Committee on Armed Services.

EC–3332. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary of the Air Force (Installations, Environment and Logistics), received on July 28, 2005; to the Committee on Armed Services.

EC–3333. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of action on the nomination for the position of Under Secretary of Defense (Acquisition, Technology and Logistics), received on July 28, 2005; to the Committee on Armed Services.

EC–3334. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a nomination for the position of Under Secretary of Defense (Policy), received on July 28, 2005; to the Committee on Armed Services.

EC–3335. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a change in previously submitted reported information for the position of Deputy Secretary of Defense, received on July 28, 2005; to the Committee on Armed Services.

EC–3336. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of a vacancy and the designation of an acting officer for the position of Deputy Secretary of Defense, received on July 28, 2005; to the Committee on Armed Services.

EC–3337. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, the report of the discontinuation of service in the acting role of General Counsel of the Department of the Army, received on July 28, 2005; to the Committee on Armed Services.

EC–3338. A communication from the Regulations Officer, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Update to Divided State Retirement Systems Coverage Group List and Technical Coverage Corrections Required by the Social Security Protection Act of 2004'' (RIN0960–AG18) received on July 28, 2005; to the Committee on Finance.

EC–3339. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Interaction of Sections 105 and 401 on Retiree Health Accounts in a Profit-Sharing Plan'' (Rev. Rul. 2005–55) received on July 28, 2005; to the Committee on Finance.

EC–3340. A communication from the Acting Chief, Publications and Regulations Branch,

Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Treatment of a Stapled Foreign Corporation under Sections 269B and 367(b)'' ((RIN1545–BD06)(TD 9216)) received on August 8, 2005; to the Committee on Finance.

EC–3341. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities for Fiscal Year 2006'' (RIN0938–AN65) received on July 28, 2005; to the Committee on Finance.

EC–3342. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Changes to the Hospital Inpatient Prospective Payment Systems and Fiscal Year 2006 Rates'' (RIN0938–AN57) received on August 8, 2005; to the Committee on Finance.

EC–3343. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Hospice Wage Index for Fiscal Year 2006'' (RIN0938–AN89) received on August 8, 2005; to the Committee on Finance.

EC–3344. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare Program; Inpatient Rehabilitation Facility Prospective Payment System for Fiscal Year 2006'' (RIN0938–AN43) received on August 8, 2005; to the Committee on Finance.

EC–3345. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''An Arrangement for Tool Allowance Payments is not an Accountable Plan and Payments Made to Employees under the Arrangement are Wages, Subject to Withholding and Payment of Employment Taxes'' (Rev. Rul. 2005–52) received on August 8, 2005; to the Committee on Finance.

EC–3346. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Section 1273—Determination of Amount of Original Issue Discount'' (Rev. Rul. 2005–47) received on August 8, 2005; to the Committee on Finance.

EC–3347. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Interaction between 83(b) and Securities Law'' (Rev. Rul. 2005–48) received on August 8, 2005; to the Committee on Finance.

EC–3348. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Revenue Ruling Regarding Simplified Service Cost Method and Simplified Production Method'' (Rev. Rul. 2005–53) received on August 8, 2005; to the Committee on Finance.

EC–3349. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Exclusions from Gross Income of Foreign Corporations'' (TD 9218) received on August 8, 2005; to the Committee on Finance.

EC–3350. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Automatic Consent for an Eligible Educational Institution to Change Reporting Methods'' (Rev. Proc. 2005–50) received on August 8, 2005; to the Committee on Finance.

EC–3351. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Section 601.204: Changes in Accounting Periods and in Methods of Accounting'' (Rev. Proc. 2005–47) received on August 8, 2005; to the Committee on Finance.

EC–3352. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice: Modification of Notice 2005–4'' (Notice 2005–62) received on August 8, 2005; to the Committee on Finance.

EC–3353. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Section 613A Marginal Production Rates'' (Notice 2005–55) received on August 8, 2005; to the Committee on Finance.

EC–3354. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Final and Temporary Regulations Regarding the Simplified Service Cost Method and the Simplified Production Method'' (T.D. 9217) received on August 8, 2005; to the Committee on Finance.

EC–3355. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Weighted Average Interest Rate Update—Pension Funding Equity Act of 2004'' (Notice 2005–63) received on August 8, 2005; to the Committee on Finance.

EC–3356. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Information is Being Provided About Additional Criteria that Will be Applied in Selecting Proposals for the Internal Revenue Service's Industry Issue Resolution Program Regarding Application of Accountable Plans in Specific Industries'' (Notice 2005–59) received on August 8, 2005; to the Committee on Finance.

EC–3357. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Section 43 Inflation Adjustment Factor'' (Notice 2005–56) received on August 8, 2005; to the Committee on Finance.

EC–3358. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Pacific Ocean Perch in the Central Regulatory Area of the Gulf of Alaska; Closure'' (I.D. No. 071305A) received July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3359. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Pacific Ocean Perch in the Central Aleutian District of the Bering Sea and Aleutian Islands Management Area; Closure'' (I.D. No. 071205A) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3360. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Pacific Ocean Perch in the Western Regulatory Area of the Gulf of Alaska; Closure'' (I.D. No. 071505D) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3361. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska'' (I.D. No. 071505B) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3362. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Pacific Ocean Perch in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area; Closure'' (I.D. No. 071805A) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3363. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Pacific Ocean Perch in the Eastern Aleutian District of the Bering Sea and Aleutian Islands Management Area'' (I.D. No. 070805A) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3364. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Temporary Rule: Closure of the Regular B Days-at-Sea (DAS) Pilot Program in the Georges Bank Cod Stock Area'' (I.D. No. 071305B) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3365. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Final Rule; Correcting Amendment to 50 CFR 300.65 Clarifying Regulations for the Subsistence Halibut Program in Alaska'' (RIN0648–AT44) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3366. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''16 CFR Part 460—Labeling and Advertising of Home Insulation [2005 Amendments]'' (RIN3084–0109) received on August 8 2005; to the Committee on Commerce, Science, and Transportation.

EC–3367. A communication from the Secretary of the Federal Trade Commission, transmitting, pursuant to law, a report entitled ''Annual Report 2005: Fair Debt Collection Practices Act''; to the Committee on Commerce, Science, and Transportation.

EC–3368. A communication from the Attorney Advisor, Research and Innovative Technology Administration, Department of Transportation, transmitting, pursuant to law, the report of action on a nomination for the position of Administrator, received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3369. A communication from the Legal Advisor, Wireless Telecommunications Bureau, Federal Communications Commission,

transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Amendment of Part I of the Competitive Rules—Competitive Procedures, WT Docket No. 97–82; FCC 04–295, Second Order on Reconsideration of the Fifth Report and Order'' received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3370. A communication from the Legal Advisor, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Amendment of Part I of the Commission's Rules—Competitive Bidding Procedures, WT Docket No. 97–82; FCC 03–98, Second Order on Reconsideration of the Third Report and Order and Order on Reconsideration of the Fifth Report and Order'' received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3371. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Islamorada, Marathon and Sugarloaf Key, Florida)'' (MB Docket No. 05–107) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3372. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Roby and Anson, Texas)'' (MB Docket No. 05–66) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3373. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Baudette, MN; Fernley, NV; Pittsburg, OK; and Paducah, TX)'' (MB Docket Nos. 04–403, 04–349, 04–351, 04–342) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3374. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Tipton, Oklahoma)'' (MB Docket No. 05–128) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3375. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Parker, Prescott Valley, Mayer, Miami, and Ajo, Arizona)'' (MB Docket No. 04–203) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3376. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Jackson and Madison, Mississippi)'' (MB Docket No. 05–135) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3377. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Americus and Oglethorpe, Georgia)'' (MB Docket No. 04–328) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3378. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Colfax, Louisiana and Moody, Texas)'' (MB Docket Nos. 05–117 and 05–119) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3379. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (St. Albans and Grand Isle, Vermont and Tupper Lake, New York)'' (MB Docket No. 05–3) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3380. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Pima, Arizona)'' (MB Docket No. 04–82) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3381. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Coosada, Livingston, and Rockford, Alabama)'' (MB Docket Nos. 05–82, 05–83, and 05–84) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3382. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Fruita and Hotchkiss, Colorado)'' (MB Docket No. 04–300) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3383. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Morganfield and Corydon, Kentucky)'' (MB Docket No. 04–420) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3384. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Guntown and Booneville, Mississippi)'' (MB Docket No. 05–80) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3385. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Strong, Arkansas; Silver Springs, Nevada; Covington, Oklahoma; Spur, Texas; and Poultney, Vermont)'' (MB Docket Nos. 05–141, 05–76, 05–77, 05–87, and 05–78) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3386. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Dallas, Oregon)'' (MB Docket No. 04–124) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3387. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Burlington and Cary, North Carolina)'' (MB Docket No. 04–429) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3388. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.622(b), Table of Allotments, DTV Broadcast Stations (Oklahoma City, OK)'' (MB Docket No. 00–104, RM–9812) received on July 28, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3389. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Tank Level or Pressure Monitoring Devices on Single-Hull Tank Ships and Single-Hull Tank Barges Carrying Oil or Oil Residue as Cargo'' (RIN1625–AA94) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3390. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone Regulations (including 4 regulations): [CGD01–05–012], [CGD08–05–015], [CGD08–05–012], and [CGD08–05–019]'' (RIN1625–AA00) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3391. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; High Capacity Passenger Vessels in the Seventeenth Coast Guard District'' (RIN1625–AA87) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3392. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulations; CSX Railroad, Hillsborough River, mile 0.7. Tampa, FL'' (RIN1625–AA09) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3393. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone Regulations (including 6 regulations): [CGD13–05–028], [COTP Jacksonville 05–092], [CGD01–05–072], [CGD13–05–030], [CGD09–05–101], and [CGD09–05–100]'' (RIN1625–AA00) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3394. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations for Marine Events; Mill Creek, Fort Monroe, Hampton, Virginia'' (RIN1625–AA08) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3395. A communication from the Chief, Regulations and Administrative Law, United States Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zones; Charleston Harbor, Cooper River, SC'' (RIN1625–AA87) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3396. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Aircraft Assembly Placard Requirements; Final Rule, Notice of OMB Approval for Information Collection and Addition of Amendment Numbers'' (RIN2120–ZZ75) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3397. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Use of Certain Portable Oxygen Concentrator Devices Onboard Aircraft'' (RIN2120–AI30) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3398. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Stage 4 Aircraft Noise Standards'' (RIN2120–AH99) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3399. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Reservation System for Unscheduled Arrivals at Chicago's O'Hare International Airport'' (RIN2120–AI47) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3400. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Implementing the Maintenance Provisions of Bilateral Agreements'' (RIN2120–AI19) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3401. A communication from the Attorney, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled, ''Applicability of the Hazardous Materials Regulations to a 'Person Who Offers' a Hazardous Material for Transportation in Commerce'' (RIN2137–AE04) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3402. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Final Rule: Fuel Tank Safety Compliance Extension and Aging Airplane Program Update (disposition of comments)'' ((RIN2120–AI20) (2005–0001)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3403. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC–10–10 and DC–10–10F Airplanes; Model DC–10–15 Airplanes; Model DC–10–30 and DC–10–30F (KC–10A and KDC–10) Airplanes; and Model DC–10–40 and DC–10–40F Airplanes'' ((RIN2120–AA64)(2005–0331)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3404. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Hartzell Propeller, Inc., McCauley Propeller Systems, and Sensenich Propeller Manufacturing Company, Inc. Propellers'' ((RIN2120–AA64)(2005–0332)) received on August 8 2005; to the Committee on Commerce, Science, and Transportation.

EC–3405. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Empresa Brasileira de Aeronautica S.A. Model EMB 135 and Model EMB 145, 145ER, 145MR, 145LR, 145XR, 145MP, and 145EP Airplanes'' ((RIN2120–AA64)(2005–0328)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3406. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Rockwell International Models AT 6 (SNJ 2), AT 6A (SNJ 3), AT 6B, AT 6C (SNJ 4), AT 6D (SNJ 5), AT 6F (SNJ 6), BC 1A (SNJ 7), and T 6G Airplanes; and Autair Ltd. Model Harvard (Army AT 16) Airplanes; CORRECTION'' ((RIN2120–AA64)(2005–0326)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3407. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Hartzell Propeller Inc. Models HC–B3TN–2, HC–B3TN–3, HC–B3TN–5, HC–B3MN–3, HC–B4TN–3, HC–B4TN–5, HC–B4MN–5, HC–B4MP–3, HC–B4MP–5, and HC–B5MP–3 Propellers'' ((RIN2120–AA64)(2005–0360)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3408. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A300 B2 and B4 Series Airplanes; Model A300 B4 600, B4 600R, and F4 600R Series Airplanes; and Model C4 605R Variant F Airplanes; and Model A310 200 and 300 Series Airplanes'' ((RIN2120–AA64)(2005–0358)) received on August 8, 2005; to the Committee on Commerce, Science and Transportation.

EC–3409. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Air Tractor Inc. Models AT 300, AT 301 AT 302, AT 400, AT 400A, AT 401, AT–402, AT 602, AT 802, and AT 802A Airplanes'' ((RIN2120–AA64)(2005–0339)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3410. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Honeywell International Inc. TFE731–2 and –3 Series Turbofan Engines'' ((RIN2120–AA64)(2005–0343)) received on August 8, 2005; to the Committee on Commerce, Science and Transportation.

EC–3411. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747–400F Series Airplanes'' ((RIN2120–AA64)(2005–0344)) received on August 8, 2005 to the Committee on Commerce, Science, and Transportation.

EC–3412. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model CL 600 2C10 Series Airplanes and Model CL 600 2D24 Series Airplanes'' ((RIN2120–AA64)(2005–0345)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3413. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: BAE Systems Limited BAe 146 and Avro 146–RJ Airplanes'' ((RIN2120–AA64)(2005–0346)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3414. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: AvCraft Dornier Model 328–100 and –300 Airplanes'' ((RIN2120–AA64)(2005–0347)) received on August 8, 2005 to the Committee on Commerce, Science, and Transportation.

EC–3415. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: AvCraft Dornier Model 328–100 and –300 Airplanes'' ((RIN2120–AA64)(2005–0348)) received on August 8, 2005 to the Committee on Commerce, Science, and Transportation.

EC–3416. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Short Brothers Model SD3–60 Airplanes'' ((RIN2120–AA64)(2005–0349)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3417. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 777–200 and –300 Series Airplanes'' ((RIN2120–AA64)(2005–0350)) received on August 8, 2005 to the Committee on Commerce, Science, and Transportation.

EC–3418. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: BAE Systems Limited Model BAe 146 and Avro 146–RJ Series Airplanes'' ((RIN2120–AA64)(2005–0351)) received on August 8, 2005; to the Committee on Commerce, Science and Transportation.

EC–3419. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model DC–9–10 Series Airplanes; Model DC–9–20 Series Airplanes; Model DC–9–30 Series Airplanes; Model DC–9–40 Series Airplanes; Model DC–9–50 Series Airplanes; Model DC–9–81, DC–9–82, DC–9–83, and DC–9–87 Airplanes and Model MD–88 Airplanes'' ((RIN2120–AA64)(2005–0352)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3420. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Fokker Model F.28 Mark 1000, 2000, 3000, and 4000 Airplanes'' ((RIN2120–AA64)(2005–0353)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3421. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 737–300, 400, and 500 Series Airplanes'' ((RIN2120–AA64)(2005–0354)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3422. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 777–200 and 300 Series Airplanes'' ((RIN2120–AA64)(2005–0355)) received on August 8, 2005 to the Committee on Commerce, Science, and Transportation.

EC–3423. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 777–200 and 300 Series Airplanes'' ((RIN2120–AA64)(2005–0356)) received on August 8, 2005 to the Committee on Commerce, Science, and Transportation.

EC–3424. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 737–100, 200, and 200C Series Airplanes'' ((RIN2120–AA64)(2005–0357)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3425. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A300 B2 and B4 Series Airplanes'' ((RIN2120–AA64)(2005–0359)) received on August 8, 2005 to the Committee on Commerce, Science, and Transportation.

EC–3426. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A321–100 and 200 Series Airplanes'' ((RIN2120–AA64)(2005–0361)) received on August 8, 2005 to the Committee on Commerce, Science, and Transportation.

EC–3427. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Learjet Model 23, 24, 24A, 24B, 24B–A, 24C, 24D, 24D–A, 24E, 24F, 24F–A, 25, 25A, 25B, 25C, 25D, 25F, 28 29, 31, 31A, 35, 35A, and 36 Airplanes'' ((RIN2120–AA64)(2005–0362)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3428. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bombardier Model DHC–8–100, DHC–8–200, and DHC–8–300 Series Airplanes'' ((RIN2120–AA64)(2005–0363)) received on August 8, 2005; to the Committee on Commerce, Science and Transportation.

EC–3429. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Fokker Model F.28 Mark 0070 and 0100 Airplanes'' ((RIN2120–AA64)(2005–0364)) received on August 8, 2005 to the Committee on Commerce, Science, and Transportation.

EC–3430. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 777–200 and 300 Series Airplanes'' ((RIN2120–AA64)(2005–0365)) received on August 8, 2005 to the Committee on Commerce, Science, and Transportation.

EC–3431. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A300 B2–203 and B4–203 Airplanes; Model A310–200 and 300 Series Airplanes; and Model A300 B4–600, B4–600R, and F4–600R Series Airplanes, and Model A300 C4–605R Variant F Airplanes'' ((RIN2120–AA64)(2005–0366)) received on August 8, 2005; to the Committee on Commerce, Science and Transportation.

EC–3432. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Empresa Brasileira de Aeronautica S.A. Model EMB 145 and EMB 135 Series Airplanes'' ((RIN2120–AA64)(2005–0367)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3433. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Rolls Royce plc Models RB211 Trent 768–60, Trent 772–60, and Trent 772B–60 Turbofan Engines'' ((RIN2120–AA64)(2005–0325)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3434. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747 Airplanes'' ((RIN2120–AA64)(2005–0327)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3435. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 777–200 and 300 Series Airplanes'' ((RIN2120–AA64)(2005–0329)) received on August 8, 2005 to the Committee on Commerce, Science, and Transportation.

EC–3436. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 707–300B, 300C, and 400 Series Airplanes'' ((RIN2120–AA64)(2005–0330)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3437. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: AvCraft Dornier Model 328–100 Airplanes'' ((RIN2120–AA64)(2005–0333)) received on August 8, 2005 to the Committee on Commerce, Science, and Transportation.

EC–3438. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 737–200, 200C, 300, 400, 500, 600, 700, 700C, 800, and 900 Series Airplanes'' ((RIN2120–AA64)(2005–0334)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3439. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: McDonnell Douglas Model MD 90–30 Airplanes'' ((RIN2120–AA64)(2005–0335)) received on August 8, 2005 to the Committee on Commerce, Science, and Transportation.

EC–3440. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A319, A320, and A321 Series Airplanes'' ((RIN2120–AA64)(2005–0336)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3441. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Cessna Model 650 Airplanes'' ((RIN2120–AA64)(2005–0338)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3442. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: The New Piper Aircraft, Inc. PA 34, Series Airplanes'' ((RIN2120-AA64)(2005-0340)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3443. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Cessna Aircraft Company Models 172R, 172S, 182T, T182T, 206H, and T206H Airplanes'' ((RIN2120-AA64)(2005-0341)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3444. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747-400, 400D, 400F; 767-200, 300, 300F; and 777-200 and 300 Series Airplanes'' ((RIN2120-AA64)(2005-0337)) received on August 8, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3445. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: BAE Systems Limited Model 4101 Airplanes'' ((RIN2120-AA64)(2005-0342)) received on August 8, 2005 to the Committee on Commerce, Science, and Transportation.

EC–3446. A communication from the Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting, the report of proposed legislation entitled ''Court Services and Offender Supervision Agency Volunteer Authority Act of 2005''; to the Committee on Homeland Security and Governmental Affairs.

EC–3447. A communication from the Assistant Chief Counsel for Regulations, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Ronald Reagan Washington National Airport: Enhanced Security Procedures for Certain Operations'' received on August 8, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC–3448. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16-151, ''Mechanic's Lien Amendment Act of 2005'' received on August 1, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC–3449. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report

on D.C. Act 16–152, ''Mayor's Youth Leadership Institute Act of 2005'' received on August 1, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC–3450. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–153, ''Exploratory Committee Disclosure Informational Report and Contribution Prohibition Temporary Amendment Act of 2005'' received on August 1, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC–3451. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 16–166, ''Fiscal Year 2006 Budget Support Act of 2005'' received on August 1, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC–3452. A communication from the Deputy Secretary, Department of Labor, transmitting, the report of a proposed bill entitled ''Child Labor Protection Act of 2005''; to the Committee on Health, Education, Labor, and Pensions.

EC–3453. A communication from the Human Resources Specialist, Office of the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a vacancy, the designation of an acting officer, and a nomination for the position of Assistant Secretary for Veterans Employment and Training, received on July 28, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–3454. A communication from the Human Resources Specialist, Office of the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of the discontinuation of service in the acting role for the position of Assistant Secretary for Mine Safety and Health, received on July 28, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–3455. A communication from the Assistant General Counsel for Regulations, Office of the General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Training of Interpreters for Individuals Who Are Deaf or Hard of Hearing and Individuals Who Are Deaf-Blind'' (RIN1820–ZA39) received on July 28, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–3456. A communication from the Deputy Executive Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Parts 4022 and 4044) received on July 28 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–3457. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Change of Address; Technical Amendment'' received on July 28, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–3458. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives Exempt from Certification; Mica-Based Pearlescent Pigments'' (Docket No. 1998C–0431) received on August 8, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–3459. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Office of the Secretary, Department of the Interior, transmitting, the report of a draft bill entitled ''Natural Resource Protection Cooperative Agreement Act'' received on August 8, 2005; to the Committee on Energy and Natural Resources.

EC–3460. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Office of the Secretary, Department of the Interior, transmitting, the report of a draft bill relative to clarifying the authorities for the use of certain National Park Service properties within Golden Gate National Recreation Area and San Francisco Maritime National Historic Park, and for other purposes, received on August 8, 2005 to the Committee on Energy and Natural Resources.

EC–3461. A communication from the Chief Human Capital Officer/Director, Office of Human Capital Management, Department of Energy, transmitting, pursuant to law, the report of a vacancy and the designation of an acting officer for the position of Assistant Secretary, Energy Efficiency and Renewable Energy, received on July 28, 2005; to the Committee on Energy and Natural Resources.

EC–3462. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Standardization of Small Generator Interconnection Agreements and Procedures'' (Docket No. RM02–12–000) received on July 28, 2005; to the Committee on Energy and Natural Resources.

EC–3463. A communication from the Assistant Secretary of the Army (Civil Works), Department of Defense, transmitting, pursuant to law, a report relative to the navigation study for Jacksonville Harbor; to the Committee on Environment and Public Works.

EC–3464. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clean Air Act Approval and Promulgation of Air Quality Implementation Plan Revision for Colorado; Long-Term Strategy of State Implementation Plan for Class I Visibility Protection'' (FRL No. 7937–1) received July 28, 2005; to the Committee on Environment and Public Works.

EC–3465. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Salt Lake City Revised Carbon Monoxide Maintenance Plan and Approval of Related Revisions'' (FRL No. 7939–8) received July 28, 2005; to the Committee on Environment and Public Works.

EC–3466. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Identification of Ozone Areas for Which the 1-Hour Standard Has Been Revoked and Technical Correction to Phase 1 Rule'' (FRL No. 7947–4) received July 28, 2005; to the Committee on Environment and Public Works.

EC–3467. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks'' (FRL No. 7847–3) received July 28, 2005; to the Committee on Environment and Public Works.

EC–3468. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the State of Hawaii State Implementation Plan, Update to Materials Incorporated by Reference'' (FRL No. 7946–7) received August 8, 2005; to the Committee on Environment and Public Works.

EC–3469. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Waste Management System; Modification of the Hazardous Waste Program; Mercury Containing Equipment'' (FRL No. 7948–1) received August 8, 2005; to the Committee on Environment and Public Works.

EC–3470. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Commonwealth of the Northern Mariana Islands State Implementation Plan, Update to Materials Incorporated by Reference'' (FRL No. 7938–6) received August 8, 2005; to the Committee on Environment and Public Works.

EC–3471. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants: Cellulose Products Manufacturing'' ((RIN2060–AL91) (FRL No. 7948–5)) received August 8, 2005; to the Committee on Environment and Public Works.

EC–3472. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Oregon; Correcting Amendment'' (FRL No. 7944–1) received August 8, 2005; to the Committee on Environment and Public Works.

EC–3473. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Texas; Vehicle Inspection and Maintenance Program for Travis and Williamson Counties'' (FRL No. 7948–7) received August 8, 2005; to the Committee on Environment and Public Works.

EC–3474. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Washington'' (FRL No. 7944–4) received August 8, 2005; to the Committee on Environment and Public Works.

EC–3475. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clean Air Act Approval and Promulgation of Air Quality Implementation Plan Revision for North Dakota; Revisions to the Air Pollution Control Rules'' (FRL No. 7942–2) received August 8, 2005; to the Committee on Environment and Public Works.

EC–3476. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled

''Alachlor, Carbaryl, Diazinon, Disulfoton, Pirimiphos-methyl, and Vinclozolin; Tolerance Revocations'' (FRL No. 7725–6) received August 8, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3477. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Topramezone; Pesticide Tolerances'' (FRL No. 7726–9) received August 8, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3478. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Inert Ingredients; Revocation of Pesticide Tolerance Exemptions for Three CFC Chemicals'' (FRL No. 7728–5) received August 8, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3479. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Tebuconazole; Pesticide Tolerances for Emergency Exemptions'' (FRL No. 7727–5) received August 8, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3480. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Acetic Acid; Exemption from the Requirement of a Tolerance'' (FRL No. 7717–2) received August 8, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3481. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tuberculosis in Cattle and Bison; State and Zone Designations; California'' (APHIS Docket No. 05–010–2) received on August 1, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3482. A communication from the Secretary, Department of Agriculture, transmitting, the report of draft legislation relative to establishing a program to revitalize rural multi-family housing; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3483. A communication from the Secretary, Department of Agriculture, transmitting, the report of draft legislation entitled ''Forest Service Partnership Enhancement Act''; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3484. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the quarterly report of obligations and outlays of fiscal years 2004 and 2005 funds under the Emergency Plan for AIDS Relief through March 31, 2005; to the Committee on Appropriations.

EC–3485. A communication from the Assistant Secretary, Policy Management and Budget, Office of Financial Management, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Administrative Wage Garnishment'' (RIN1090–AA93) received on July 28, 2005; to the Committee on the Judiciary.

EC–3486. A communication from the President of the United States of America, transmitting, pursuant to law, a report relative to the Export Administration Act of 1979, as amended; to the Committee on Banking, Housing, and Urban Affairs.

EC–3487. A communication from the Under Secretary, Emergency Preparedness and Response, Federal Emergency Management Agency, transmitting, pursuant to law, a report that funding for the State of Rhode Island as a result of the record snow on January 22–23, 2005, has exceeded $5,000,000; to the Committee on Banking, Housing, and Urban Affairs.

EC–3488. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Community Reinvestment Act Regulations (Part 25)'' (RIN1557–AB98) received on August 8, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–3489. A communication from the Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Multifamily Accelerated Processing (MAP): MAP Lender Quality Assurance Enforcement'' ((RIN2502–AI01) (FR–4836–F–02)) received on August 8, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–3490. A communication from the Assistant to the Board, Board of Governors, Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Joint Final Rule Amending Community Reinvestment Act Regulations'' (Docket No. 1225) received on August 1, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–3491. A communication from the Executive Secretary and Chief of Staff, U.S. Agency for International Development, transmitting, pursuant to law, the report of a nomination for the position of Assistant Administrator, Bureau for Global Health and a confirmation for the position of Assistant Administrator for the Bureau for Democracy, Conflict and Humanitarian Assistance, received on July 28, 2005; to the Committee on Foreign Relations.

EC–3492. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements other than treaties (List 05–168—05–186); to the Committee on Foreign Relations.

EC–3493. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense articles or defense services in the amount of $100,000,000 or more to the United Kingdom and Canada; to the Committee on Foreign Relations.

EC–3494. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, a certification regarding the proposed transfer of major defense equipment valued at $14,000,000 or more from Saudi Arabia to Mexico; to the Committee on Foreign Relations.

EC–3495. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad in the amount of $39,000,000 to Japan; to the Committee on Foreign Relations.

EC–3496. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under contract in the amount of $50,000,000 or more to Iraq; to the Committee on Foreign Relations.

EC–3497. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of major defense equipment and defense articles in the amount of $100,000,000 or more to Japan; to the Committee on Foreign Relations.

EC–3498. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under contract in the amount of $50,000,000 or more to Russia, Ukraine, and Norway (and Korea and France pertaining to Koreasat V); to the Committee on Foreign Relations.

EC–3499. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under contract in the amount of $50,000,000 or more to Russia and Kazakhstan; to the Committee on Foreign Relations.

EC–3500. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under contract in the amount of $100,000,000 or more to Sea Launch Company, LLC and the Boeing Company to the Committee on Foreign Relations.

EC–3501. A communication from the Assistant Administrator, Office of Administration and Resources Management, Environmental Protection Agency, transmitting, pursuant to law, the report of a nomination and a change in previously submitted reported information for the position of Assistant Administrator for Solid Waste and Emergency Response and the report of a nomination and a change in previously submitted reported information for the position of Assistant Administrator for Enforcement and Compliance Assurance, received on August 17, 2005; to the Committee on Environment and Public Works.

EC–3502. A communication from the Deputy Associate Administrator for Congressional Relations, Environmental Protection Agency, transmitting, the report of draft legislation entitled ''Amendment to Federal Insecticide, Fungicide and Rodenticide Act to Authorize Registration Fee Collection'' and ''Amendment to Toxic Substances Control Act''; to the Committee on Environment and Public Works.

EC–3503. A communication from the Director, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Final Rule to Remove Helianthus eggertii (Eggert's sunflower) from the Federal List of Endangered and Threatened Plants'' (RIN1018–AJ08) received on August 17, 2005; to the Committee on Environment and Public Works.

EC–3504. A communication from the Acting Assistant Secretary, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the California Tiger Salamander, Central Population; Final Rule'' (RIN1018–AT68) received on August 17, 2005; to the Committee on Environment and Public Works.

EC–3505. A communication from the Assistant Secretary, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Listing Roswell springsnail, Koster's springsnail, Noel's amphipod, and Pecos assiminea as Endangered with Critical Habitat'' (RIN1018–AI15) received on August 17, 2005; to the Committee on Environment and Public Works.

EC–3506. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''2-amino-4, 5-dihydro-6-methyl-4-propyl-s-traizolo(1,5-alpha)pyrimidin-5-one (PP796); Exemption from the Requirement of a Tolerance'' (FRL No. 7728–1) received August 17, 2005; to the Committee on Environment and Public Works.

EC–3507. A communication from the Assistant Secretary, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Final Designation of Critical Habitat for 15 Vernal Pool Species in California and Oregon'' (RIN1018–AU06) received on August 17, 2005; to the Committee on Environment and Public Works.

EC–3508. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants, Maryland; Control of Emissions from Small Municipal Waste Combustor (SMWC) Units; Delegation of Authority'' (FRL No. 7551–3) received August 17, 2005; to the Committee on Environment and Public Works.

EC–3509. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Interim Final Determination to Stay and/or Defer Sanctions, San Joaquin Valley Air Pollution Control District'' (FRL No. 7449–2) received August 17, 2005; to the Committee on Environment and Public Works.

EC–3510. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revision to the California State Implementation Plan, Ventura County Air Pollution Control District'' (FRL No. 7945–2) received August 17, 2005; to the Committee on Environment and Public Works.

EC–3511. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revision to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District and Monterey Bay Unified Air Pollution Control District'' (FRL No. 7949–1) received August 17, 2005; to the Committee on Environment and Public Works.

EC–3512. A communication from the Chairman, Naval Sea Cadet Corps, transmitting, pursuant to law, the 2004 Audit of the Naval Sea Cadet Corps (NSCC) and the 2004 Annual Report of the U.S. Naval Cadet Corps; to the Committee on the Judiciary.

EC–3513. A communication from the Chairman, Federal Trade Commission, transmitting, pursuant to law, the Commission's Annual Report for Fiscal Year 2004; to the Committee on the Judiciary.

EC–3514. A communication from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice transmitting, pursuant to law, the report of a rule entitled ''Definition and Registration of Reverse Distributors'' (RIN1117–AA19) received on August 17, 2005; to the Committee on the Judiciary.

EC–3515. A communication from the Secretary, Department of Housing and Urban Development, transmitting, pursuant to law, the Government National Mortgage Association (Ginnie Mae) management report for the fiscal year ended September 30, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC–3516. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC–3517. A communication from the Acting General Counsel, Export-Import Bank of the United States, transmitting, pursuant to law, the report of a vacancy in the position of First Vice President and the vacancy and designation of an acting officer for the position of President, received August 17, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–3518. A communication from the Assistant Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Ownership Reports and Trading by Officers, Directors and Principal Security Holders'' (RIN3235–AJ27) received on August 17, 2005; to the Committee on Banking, Housing, and Urban Affairs

EC–3519. A communication from the Acting Deputy Director, Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Mortgage Fraud Reporting'' (RIN2550–AA31) received on August 17, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–3520. A communication from the Chief Counsel, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Burmese Sanctions Regulations'' (31 CFR Part 537) received on August 17, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–3521. A communication from the Assistant to the Board, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Regulation Z (Truth in Lending)'' (Docket No. R–1231) received on August 17, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–3522. A communication from the Chief of Staff, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the Office of the Comptroller's Quarterly Journal (fourth quarter 2004); to the Committee on Banking, Housing, and Urban Affairs.

EC–3523. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Audit of Advisory Neighborhood Commission 2D for Fiscal Years 2003 and 2004''; to the Committee on Homeland Security and Governmental Affairs.

EC–3524. A communication from the Acting Inspector General, General Services Administration, transmitting, pursuant to law, the Administration's Office of Inspector General Report for the six-month period ending March 31, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC–3525. A communication from the Senior Procurement Executive, National Aeronautics and Space Administration, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–05'' (FAC 2005–05) received on August 17, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC–3526. A communication from the Director, Division for Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Law Enforcement Officer and Firefighter Retirement'' (RIN3206–AJ39) received on August 17, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC–3527. A communication from the Director, Division for Strategic Human Resources Policy, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Federal Employees' Group Life Insurance Federal Acquisition Regulation'' (RIN3206–AI65) received on August 17, 2005; to the Committee on Homeland Security and Governmental Affairs.

EC–3528. A communication from the Administrator, Risk Management Agency, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''General Administrative Regulations, Subpart V-Submission of Policies, Provisions of Policies, Rates of Premium, and Premium Reduction Plans'' (RIN0563–AB95) received on August 17, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3529. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Imported Fire Ant; Additions to Quarantined Areas in Arkansas and Tennessee'' (APHIS Docket No. 05–030–1) received on August 17, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3530. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Addition of Malaysia to List of Regions in Which Highly Pathogenic Avian Influenza Subtype H5N1 is Considered to Exist'' (APHIS Docket No. 04–091–2) received on August 17, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3531. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Asian Longhorned Beetle; Removal of Regulated Areas'' (APHIS Docket No. 05–011–2) received on August 17, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3532. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Brucellosis in Swine; Add Florida to List of Validated Brucellosis-Free States'' (APHIS Docket No. 05–009–2) received on August 17, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–3533. A communication from the Human Resources Specialist, Office of the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a vacancy and the discontinuation of service in the acting role for the position of Assistant Secretary for Occupational Safety and Health, received on August 17, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–3534. A communication from the General Counsel, Institute of Museum and Library Services, transmitting, pursuant to law, the report of a vacancy and the designation of an acting officer for the position of Director, received on August 17, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–3535. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives Exempt From Certification; Tomato Lycopene Extract and Tomato Lycopene Concentrate'' (Docket No. 2001C–0486) received on August 17, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–3536. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Change of Name and Address Technical Amendment'' (Docket No. 2005N–0201) received on August 17, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–3537. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Disability and Rehabilitation Research Projects and Centers Program — National Center for the Dissemination of Disability Research'' received on August 17, 2005 to the Committee on Health, Education, Labor, and Pensions.

EC–3538. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Rehabilitation Research and Training Centers Program — Promoting Access to Effective Consumer-Centered and Community-Based Practices and Supports for Adults with Serious Mental Illness'' received on August 17, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–3539. A communication from the Assistant General Counsel for Regulations, Office of Special Education and Rehabilitative Services, Department of Education, transmitting, pursuant to law, the report of a rule entitled ''Rehabilitation Research and Training Centers Program — Children with Special Health Care Needs'' received on August 17, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–3540. A communication from the Secretary of Health and Human Services, transmitting, the report of a draft bill entitled ''New Freedom Initiative Medicaid Demonstrations Act of 2005'' received on August 8, 2005; to the Committee on Finance.

EC–3541. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Bureau of Labor Statistics Price Indexes for Department Stores—June 2005'' (Rev. Rul. 2005–56) received on August 17, 2005; to the Committee on Finance.

EC–3542. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Exclusions from Gross Income of Foreign Corporations'' ((RIN1545–BE16)(TD 9218)) received on August 17, 2005; to the Committee on Finance.

EC–3543. A communication from the Administrator, Small Business Administration, transmitting, pursuant to law, the report of the designation of an acting officer for the position of Deputy Administrator, received on August 17, 2005; to the Committee on Small Business and Entrepreneurship.

EC–3544. A communication from the Deputy Secretary of Veterans Affairs and the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, the report for Fiscal Year 2004 regarding the activities and accomplishments of the Department of Veterans Affairs and Department of Defense Joint Executive Committee; to the Committee on Veterans' Affairs.

EC–3545. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, a report pursuant to Section 7120 of the Intelligence Reform and Terrorism Prevention Act of 2004; to the Committee on Foreign Relations.

EC–3546. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the International Traffic in Arms Regulations: Section 126.1(i)'' (RIN1400–ZA18) received on August 17, 2005; to the Committee on Foreign Relations.

EC–3547. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a joint Department of State/Department of Defense report on counter-drug efforts in Afghanistan; to the Committee on Foreign Relations.

EC–3548. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the Fiscal Year 2004 Annual Report on U.S. Government Assistance to Eastern Europe and the Fiscal Year 2004 Annual Report on U.S. Government Assistance to and Cooperative Activities with Eurasia; to the Committee on Foreign Relations.

EC–3549. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 05–187—05–199); to the Committee on Foreign Relations.

EC–3550. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Procedures for Participating in and Receiving Data from the National Driver Register Problem Driver Pointer System'' (RIN2127–AI45) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3551. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Low Speed Vehicles; Maximum GVWR'' (RIN2127–AJ12) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3552. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Bus Emergency Exits and Window Retention and Release'' (RIN2127–AJ47) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3553. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Transmission Shift Position Sequence, Starter Interlock, and Transmission Braking Effect'' (RIN2127–AI43) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3554. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Glazing Materials'' (RIN2127–AJ43) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3555. A communication from the Attorney-Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hydraulic and Electric Brake Systems'' (RIN2127–AI47) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3556. A communication from the Attorney Advisor, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''In the Matter of Section 68.4(a) of the Commission's Rules Governing Hearing Aid Compatible Telephones'' ((WT Docket No. 01–309) (FCC 05–122)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3557. A communication from the Associate Managing Director/PERM, Office of Managing Director (OMD/PERM), Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Assessment and Collection of Regulatory Fees for Fiscal Year 2005; Assessment and Collection of Regulatory Fees for Fiscal Year 2004'' ((MD Dockets 05–59 and 04–73) (FCC 05–137)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3558. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Implementation of the Understandings Reached at the April 2005 Australia Group (AG) Plenary Meeting'' (RIN0694–AD51) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3559. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Exports of Nuclear Grade Graphite: Change in Licensing Jurisdiction'' (RIN0694–AD28) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3560. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Georgetown, Mason, Oxford and West Union, Ohio, and Salt Lick, Kentucky)'' (MB Docket No. 04–411) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3561. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Opal and Reliance, Wyoming and Brigham City, Woodruff, Price and Fountain Green, Utah)'' (MB Docket No. 02–294) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3562. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Talladega and Munford, Alabama)'' (MB Docket No. 04–19) received on August 17, 2005;

to the Committee on Commerce, Science, and Transportation.

EC–3563. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Big Spring, Texas)'' (MB Docket No. 05–137) received on August 17 2005; to the Committee on Commerce, Science, and Transportation.

EC–3564. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Altheimer, Arkansas and Little Rock, Arkansas)'' (MB Docket No. 05–81) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3565. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Morgan, Georgia)'' (MB Docket No. 02–109) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3566. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Palacios, Texas)'' (MB Docket No. 04–330) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3567. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Jacksonville, Texas)'' (MB Docket No. 05–129) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3568. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (San Luis Obispo and Lost Hills, California and Maricopa, California)'' (MB Docket No. 05–88) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3569. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Knox City, Texas; Gunnison, Colorado; Red Oak, Oklahoma; Tignall Georgia; and Rosebud, South Dakota'' (MB Docket No. 01–199; MB Docket Nos. 02–171, 02–174; 02–288; and 04–170) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3570. A communication from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.606(b) and 73.622(b), Table of Allotments, TV and DTV Broadcast Stations (Columbia and Edenton, NC)'' ((MB Docket No. 04–289) (RM–10802)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3571. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Pacific Halibut Fisheries; Fisheries of the Exclusive Economic Zone Off Alaska; Individual Fishing Quota Program; Community Development Quota Program; Final Rule'' (RIN0648–AT03) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3572. A communication from the Acting Assistant Secretary, Division of Habitat and Resource Conservation, Fish and Wildlife Service, transmitting, pursuant to law, the report of a rule entitled ''Marine Mammals; Native Exemptions'' (RIN1018–AT48) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3573. A communication from the Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Gulf Grouper Recreational Management Measures'' (RIN0648–AT45) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3574. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery, Emergency Temporary Rule to Address Haddock Bycatch in 2005 Herring Fishery'' (RIN0648–AT36) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3575. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''2005 Final Specifications for the U.S./Canada Management Area Total Allowable Catches (TACs) for the Northeast (NE) Multispecies Fishery Management Plan'' (RIN0648–AS74) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3576. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Herring Fishery; 2005 Specifications; Final Rule'' (RIN0648–AS23) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3577. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Apportioning the Reserves of 'Other Flatfish' in the Bering Sea and Aleutian Islands Management Area'' (I.D. No. 062905B) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3578. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Prohibiting Directed Fishing for 'Other Flatfish' in the Bering Sea and Aleutian Islands Management Area'' (I.D. No. 062905A) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3579. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Pelagic Shelf Rockfish in the West Yakutat District of the Gulf of Alaska'' (I.D. No. 072005B) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3580. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Temporary Rule: Access and Gear Modifications for the Eastern U.S./Canada Area'' (I.D. No. 063005A) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3581. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Trip Limit Reduction for Gulf of Mexico Grouper Fishery'' (I.D. No. 071505C) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3582. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Notification of Scup Winter II Quota Adjustment and Possession Limit Adjustment'' (I.D. No. 071905B) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3583. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled '''Other Rockfish' in the Western Regulatory Area of the Gulf of Alaska'' (I.D. No. 072205A) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3584. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (I.D. No. 072205C) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3585. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Open Yellowfin Sole in the Bering Sea and Aleutian Islands'' (I.D. No. 072205B) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3586. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska; Closure'' (I.D. No. 071905A) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3587. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Inseason Action #3—Adjustment of the Commercial Salmon Fishery from the U.S./Canada Border to Cape Falcon, Oregon'' (I.D. No. 072205F) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3588. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West

Coast States and in the Western Pacific; West Coast Salmon Fisheries; Inseason Action #2—Adjustment of the Commercial Salmon Fishery from the U.S./Canada Border to Cape Falcon, Oregon'' (I.D. No. 072205E) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3589. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Inseason Action #4—Adjustment of the Commercial Salmon Fishery from the U.S./Canada Border to Cape Falcon, Oregon'' (I.D. No. 072205G) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3590. A communication from the Acting White House Liaison, Office of General Counsel, Department of Commerce, transmitting, pursuant to law, the report of action on a nomination and change in previously submitted reported information for the position of General Counsel, received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3591. A communication from the Acting White House Liaison, Office of Legislative and Intergovernmental Affairs, Department of Commerce, transmitting, pursuant to law, the report of a vacancy, designation of an acting officer, and change in previously submitted reported information for the position of Assistant Secretary for Legislative and Intergovernmental Affairs received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3592. A communication from the Acting White House Liaison, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of action on a nomination and change in previously submitted reported information for the position of Under Secretary for Export Administration, received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3593. A communication from the Acting White House Liaison, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of action on a nomination and change in previously submitted reported information for the position of Assistant Secretary for Export Enforcement, received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3594. A communication from the Acting White House Liaison, Office of the Secretary, Department of Commerce, transmitting, pursuant to law, the report of action on a nomination and change in previously submitted reported information for the position of Deputy Secretary, received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3595. A communication from the Acting White House Liaison, Technology Administration, Department of Commerce, transmitting, pursuant to law, the report of action on a nomination and change in previously submitted reported information for the position of Director, National Institute of Standards and Technology, received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3596. A communication from the Secretary, Federal Trade Commission, transmitting, pursuant to law, the Commission's Cigarette Report for 2003; to the Committee on Commerce, Science, and Transportation.

EC–3597. A communication from the Chairman, Federal Communications Commission, transmitting, pursuant to law, the Commission's Year 2004 Inventory of Commercial Activities; to the Committee on Commerce, Science, and Transportation.

EC–3598. A communication from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled ''NASA Grant and Cooperative Agreement Handbook—Intellectual Property Required Reports and Publications'' (RIN2700–AD14) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC–3599. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Public Information Regulations'' (Docket No. 2004N–0214) received on August 17, 2005; to the Committee on Health, Education, Labor, and Pensions.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, without amendment:

S. 1410. A bill to reauthorize the Neotropical Migratory Bird Conservation Act, and for other purposes (Rept. No. 109–132).

EXECUTIVE REPORTS OF COMMITTEES—JULY 29, 2005

The following executive reports of committees were submitted:

By Mr. WARNER for the Committee on Armed Services.

*Eric S. Edelman, of Virginia, to be Under Secretary of Defense for Policy.

*Gordon England, of Texas, to be Deputy Secretary of Defense.

*Ronald M. Sega, of Colorado, to be Under Secretary of the Air Force.

By Mr. GRASSLEY for the Committee on Finance.

*Sandra L. Pack, of Maryland, to be an Assistant Secretary of the Treasury.

*Timothy D. Adams, of Virginia, to be an Under Secretary of the Treasury.

*Randal Quarles, of Utah, to be an Under Secretary of the Treasury.

*Kevin I. Fromer, of Virginia, to be a Deputy Under Secretary of the Treasury.

*Robert M. Kimmitt, of Virginia, to be Deputy Secretary of the Treasury.

*Shara L. Aranoff, of Maryland, to be a Member of the United States International Trade Commission for a term expiring December 16, 2012.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

EXECUTIVE REPORT OF COMMITTEE—AUGUST 31, 2005

The following executive report of committee was submitted:

By Mr. LUGAR, from the Committee on Foreign Relations:

Treaty Doc. 108–16 U.N. Convention Against Transnational Organized Crime (Exec. Rept. No. 109–4)

THE TEXT OF THE RESOLUTION OF RATIFICATION AS REPORTED BY THE COMMITTEE ON FOREIGN RELATIONS *Resolved (two-thirds of the Senators present concurring therein)*,

SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS

The Senate advises and consents to the ratification of the United Nations Convention Against Transnational Organized Crime (hereinafter in this resolution referred to as the ''Convention'') and two supplementary protocols: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (hereinafter in this resolution referred to as the ''Trafficking Protocol'') and the Protocol Against Smuggling of Migrants by Land, Sea and Air (hereinafter in this resolution referred to as the ''Smuggling Protocol''), adopted by the United Nations General Assembly on November 15, 2000 and signed by the United States on December 13, 2000 at Palermo, Italy (T. Doc. 108–16), subject to the reservations, understandings, and declarations of sections 2, 3 and 4.

SECTION 2. RESERVATIONS AND DECLARATION RELATIVE TO THE CONVENTION

(a) RESERVATIONS.—The advice and consent of the Senate under section 1 is subject to the following reservations relative to the Convention, which shall be included in the United States instrument of ratification:

(1) The United States of America reserves the right to assume obligations under the Convention in a manner consistent with its fundamental principles of federalism, pursuant to which both federal and state criminal laws must be considered in relation to the conduct addressed in the Convention. U.S. federal criminal law, which regulates conduct based on its effect on interstate or foreign commerce, or another federal interest, serves as the principal legal regime within the United States for combating organized crime, and is broadly effective for this purpose. Federal criminal law does not apply in the rare case where such criminal conduct does not so involve interstate or foreign commerce, or another federal interest. There are a small number of conceivable situations involving such rare offenses of a purely local character where U.S. federal and state criminal law may not be entirely adequate to satisfy an obligation under the Convention. The United States of America therefore reserves to the obligations set forth in the Convention to the extent they address conduct which would fall within this narrow category of highly localized activity. This reservation does not affect in any respect the ability of the United States to provide international cooperation to other Parties as contemplated in the Convention.

(2) The United States of America reserves the right not to apply in part the obligation set forth in Article 15, paragraph 1(b) with respect to the offenses established in the Convention. The United States does not provide for plenary jurisdiction over offenses that are committed on board ships flying its flag or aircraft registered under its laws. However, in a number of circumstances, U.S. law provides for jurisdiction over such offenses committed on board U.S.-flagged ships or aircraft registered under U.S. law. Accordingly, the United States will implement paragraph 1(b) to the extent provided for under its federal law.

(3) In accordance with Article 35, paragraph 3, the United States of America declares that it does not consider itself bound by the obligation set forth in Article 35, paragraph 2.

(b) DECLARATION.—The advice and consent of the Senate under section 1 is subject to the following declaration relative to the Convention:

The United States of America declares that, in view of its federalism reservation, current United States law, including the laws of the States of the United States, fulfills the obligations of the Convention for the United States. Accordingly, the United States of America does not intend to enact new legislation to fulfill its obligations under the Convention.

SECTION 3. RESERVATIONS, UNDERSTANDING, AND DECLARATION RELATIVE TO THE TRAFFICKING PROTOCOL

(a) RESERVATIONS.—The advice and consent of the Senate under section 1 is subject to the following reservations relative to the Trafficking Protocol, which shall be included in the United States instrument of ratification:

(1) The United States of America reserves the right not to apply in part the obligation set forth in Article 15, paragraph 1(b), of the United Nations Convention Against Transnational Organized Crime with respect to the offenses established in the Trafficking Protocol. The United States does not provide for plenary jurisdiction over offenses that are committed on board ships flying its flag or aircraft registered under its laws. However, in a number of circumstances, U.S. law provides for jurisdiction over such offenses committed on board U.S.-flagged ships or aircraft registered under U.S. law. Accordingly, the United States will implement paragraph 1(b) of the Convention to the extent provided for under its federal law.

(2) The United States of America reserves the right to assume obligations under this Protocol in a manner consistent with its fundamental principles of federalism, pursuant to which both federal and state criminal laws must be considered in relation to conduct addressed in the Protocol. U.S. federal criminal law, which regulates conduct based on its effect on interstate or foreign commerce, or another federal interest, such as the Thirteenth Amendment's prohibition of ''slavery'' and ''involuntary servitude,'' serves as the principal legal regime within the United States for combating the conduct addressed in this Protocol, and is broadly effective for this purpose. Federal criminal law does not apply in the rare case where such criminal conduct does not so involve interstate or foreign commerce, or otherwise implicate another federal interest, such as the Thirteenth Amendment. There are a small number of conceivable situations involving such rare offenses of a purely local character where U.S. federal and state criminal law may not be entirely adequate to satisfy an obligation under the Protocol. The United States of America therefore reserves to the obligations set forth in the Protocol to the extent they address conduct which would fall within this narrow category of highly localized activity. This reservation does not affect in any respect the ability of the United States to provide international cooperation to other Parties as contemplated in the Protocol.

(3) In accordance with Article 15, paragraph 3, the United States of America declares that it does not consider itself bound by the obligation set forth in Article 15, paragraph 2.

(b) UNDERSTANDING.—The advice and consent of the Senate under section 1 is subject to the following understanding relative to the Trafficking Protocol, which shall be included in the United States instrument of ratification: The United States of America understands the obligation to establish the offenses in the Protocol as money laundering predicate offenses, in light of Article 6, paragraph 2(b) of the United Nations Convention Against Transnational Organized Crime, as requiring States Parties whose money laundering legislation sets forth a list of specific predicate offenses to include in such list a comprehensive range of offenses associated with trafficking in persons.

(c) DECLARATION.—The advice and consent of the Senate under section 1 is subject to the following declaration relative to the Trafficking Protocol: The United States of America declares that, in view of its reservations, current United States law, including the laws of the States of the United States, fulfills the obligations of the Protocol for the United States. Accordingly, the United States of America does not intend to enact new legislation to fulfill its obligations under the Protocol.

SECTION 4. RESERVATIONS AND UNDERSTANDING RELATIVE TO THE SMUGGLING PROTOCOL

(a) RESERVATIONS.—The advice and consent of the Senate under section 1 is subject to the following reservations relative to the Smuggling Protocol, which shall be included in the United States instrument of ratification:

(1) The United States of America criminalizes most but not all forms of attempts to commit the offenses established in accordance with Article 6, paragraph 1 of this Protocol. With respect to the obligation under Article 6, Paragraph 2(a), the United States of America reserves the right to criminalize attempts to commit the conduct described in Article 6, paragraph 1(b), to the extent that under its laws such conduct relates to false or fraudulent passports and other specified identity documents, constitutes fraud or the making of a false statement, or constitutes attempted use of a false or fraudulent visa.

(2) In accordance with Article 20, paragraph 3, the United States of America declares that it does not consider itself bound by the obligation set forth in Article 20, paragraph 2.

(b) UNDERSTANDING.—The advice and consent of the Senate under section 1 is subject to the following understanding relative to the Smuggling Protocol, which shall be included in the United States instrument of ratification: The United States of America understands the obligation to establish the offenses in the Protocol as money laundering predicate offenses, in light of Article 6, paragraph 2(b) of the United Nations Convention Against Transnational Organized Crime, as requiring States Parties whose money laundering legislation sets forth a list of specific predicate offenses to include in such list a comprehensive range of offenses associated with smuggling of migrants.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. NELSON of Nebraska:

S. 1610. A bill to require the Federal Trade Commission to conduct an inquiry into the retail price of gasoline; to the Committee on Commerce, Science, and Transportation.

By Mr. ALLARD:

S. 1611. A bill to amend title 40, United States Code, to authorize the Administrator of General Services to lease and redevelop certain Federal property on the Denver Federal Center in Lakewood, Colorado; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON of Florida:

S. 1612. A bill to amend the Homeland Security Act of 2002 to establish certain qualifications for the office of the Under Secretary for Emergency Preparedness and Response; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GRASSLEY (for himself and Mr. HARKIN):

S. 1613. A bill to amend the Livestock Mandatory Reporting Act of 1999 to extend the termination date for mandatory price reporting; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ENZI (for himself and Mr. KENNEDY):

S. 1614. A bill to extend the authorization of programs under the Higher Education Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. CLINTON (for herself, Ms. MIKULSKI, Mr. LAUTENBERG, and Mr. JEFFORDS):

S. 1615. A bill to establish the Federal Emergency Management Agency as an independent agency, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KENNEDY (for himself and Mr. KERRY):

S. 1616. A bill to modify the boundary of Lowell National Historical Park, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KENNEDY (for himself and Mr. KERRY):

S. 1617. A bill to suspend temporarily the duty on gemifloxacin, gemifloxacin mesylate, and gemifloxacin mesylate sesquihydrate; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FRIST (for himself, Mr. REID, Ms. LANDRIEU, Mr. VITTER, Mr. COCHRAN, Mr. LOTT, Mr. SHELBY, Mr. SESSIONS, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. BURR, Mr. BYRD, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORNYN, Mr. CORZINE, Mr. CRAIG, Mr. CRAPO, Mr. DAYTON, Mr. DEMINT, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. KYL, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mr. MCCONNELL, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TALENT, Mr. THOMAS, Mr. THUNE, Mr. VOINOVICH, Mr. WARNER, and Mr. WYDEN):

S. Res. 233. A resolution expressing the condolences of the Nation to the victims of

Hurricane Katrina, commending the resiliency of the people of the States of Louisiana, Mississippi, and Alabama, and committing to stand by them in the relief and recovery efforts; considered and agreed to.

By Mr. FRIST (for himself, Mr. REID, Mr. LOTT, and Mr. DODD):

S. Con. Res. 52. A concurrent resolution providing for the use of the catafalque situated in the crypt beneath the Rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building for the late honorable William H. Rehnquist, Chief Justice of the United States; considered and agreed to.

ADDITIONAL COSPONSORS

S. 4

At the request of Mr. FRIST, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 4, a bill to reduce healthcare costs, expand access to affordable healthcare coverage, and improve healthcare and strengthen the healthcare safety net, and for other purposes.

S. 25

At the request of Mr. CHAMBLISS, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 25, a bill to promote freedom, fairness, and economic opportunity by repealing the income tax and other taxes, abolishing the Internal Revenue Service, and enacting a national sales tax to be administered primarily by the States.

S. 103

At the request of Mrs. FEINSTEIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 103, a bill to respond to the illegal production, distribution, and use of methamphetamine in the United States, and for other purposes.

At the request of Mr. TALENT, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 103, supra.

S. 114

At the request of Mr. KERRY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 114, a bill to amend titles XIX and XXI of the Social Security Act to ensure that every uninsured child in America has health insurance coverage, and for other purposes.

S. 185

At the request of Mr. NELSON of Florida, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 185, a bill to amend title 10, United States Code, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan.

S. 372

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 372, a bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literacy, musical, artistic, or scholarly compositions created by the donor.

S. 392

At the request of Mr. LEVIN, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from New Hampshire (Mr. SUNUNU) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 392, a bill to authorize the President to award a gold medal on behalf of Congress, collectively, to the Tuskegee Airmen in recognition of their unique military record, which inspired revolutionary reform in the Armed Forces.

S. 398

At the request of Mr. SANTORUM, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 398, a bill to amend the Internal Revenue Code of 1986 to expand the expensing of environmental remediation costs.

S. 438

At the request of Mr. ENSIGN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 438, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 445

At the request of Ms. STABENOW, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 445, a resolution to amend part D of title XVIII of the Social Security Act, as added by the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, to provide for negotiation of fair prices for Medicare prescription drugs.

S. 548

At the request of Mr. CONRAD, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 548, a bill to amend the Food Security Act of 1985 to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make their land available for access by the public under programs administered by States and tribal governments.

S. 626

At the request of Mr. NELSON of Nebraska, the names of the Senator from North Dakota (Mr. DORGAN), the Senator from Montana (Mr. BURNS), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 626, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self management training by designating certified diabetes educators who are recognized by a nationally recognized certifying body and who meet the same quality standards set forth for other providers of diabetes self management training, as certified providers for purposes of outpatient diabetes self-management training services under part B of the medicare program.

S. 627

At the request of Mr. HATCH, the names of the Senator from Ohio (Mr. DEWINE), the Senator from Michigan (Mr. LEVIN), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 627, a bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit, to increase the rates of the alternative incremental credit, and to provide an alternative simplified credit for qualified research expenses.

S. 633

At the request of Mr. JOHNSON, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 633, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 635

At the request of Mr. SANTORUM, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Ohio (Mr. DEWINE) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 635, a bill to amend title XVIII of the Social Security Act to improve the benefits under the medicare program for beneficiaries with kidney disease, and for other purposes.

S. 662

At the request of Ms. COLLINS, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 662, a bill to reform the postal laws of the United States.

S. 695

At the request of Mr. BYRD, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 695, a bill to suspend temporarily new shipper bonding privileges.

At the request of Mr. COCHRAN, the names of the Senator from Montana (Mr. BURNS) and the Senator from North Carolina (Mr. BURR) were added as cosponsors of S. 695, supra.

S. 776

At the request of Mr. DURBIN, his name was withdrawn as a cosponsor of S. 776, a bill to designate certain functions performed at flight service stations of the Federal Aviation Administration as inherently governmental functions, and for other purposes.

S. 843

At the request of Mr. SANTORUM, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 843, a bill to amend the Public Health Service Act to combat autism through research, screening, intervention and education.

S. 852

At the request of Mr. SPECTER, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 852, a bill to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, and for other purposes.

S. 978

At the request of Mr. SANTORUM, the name of the Senator from Ohio (Mr.

DEWINE) was added as a cosponsor of S. 978, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the purchase of qualified health insurance, and for other purposes.

S. 1002

At the request of Mr. BAUCUS, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. 1002, a bill to amend title XVIII of the Social Security Act to make improvements in payments to hospitals under the medicare program, and for other purposes.

S. 1038

At the request of Mr. LUGAR, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1038, a bill to amend the Farm Security and Rural Investment Act of 2002 to enhance the ability to produce fruits and vegetables on covered commodity base acres.

S. 1060

At the request of Mr. COLEMAN, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 1060, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids.

S. 1062

At the request of Mr. KENNEDY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1062, a bill to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

S. 1081

At the request of Mr. KYL, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1081, a bill to amend title XVIII of the Social Security Act to provide for a minimum update for physicians' services for 2006 and 2007.

S. 1086

At the request of Mr. HATCH, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1086, a bill to improve the national program to register and monitor individuals who commit crimes against children or sex offenses.

S. 1112

At the request of Mr. BAUCUS, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1112, a bill to make permanent the enhanced educational savings provisions for qualified tuition programs enacted as part of the Economic Growth and Tax Relief Reconciliation Act of 2001.

S. 1168

At the request of Mr. NELSON of Florida, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1168, a bill to amend section 212 of the Immigration and Nationality Act to make inadmissible individuals who law enforcement knows, or has reasonable grounds to believe, seek entry into the United States to participate in illegal activities with criminal gangs located in the United States.

S. 1183

At the request of Mr. WARNER, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 1183, a bill to provide additional assistance to recipients of Federal Pell Grants who are pursuing programs of study in engineering, mathematics, science, or foreign languages.

S. 1196

At the request of Mr. CORZINE, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 1196, a bill to provide for disclosure of fire safety standards and measures with respect to campus buildings, and for other purposes.

S. 1272

At the request of Mr. NELSON of Nebraska, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 1272, a bill to amend title 46, United States Code, and title II of the Social Security Act to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 1287

At the request of Mr. COLEMAN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1287, a bill to amend the definition of independent student for purposes of the need analysis in the Higher Education Act of 1965 to include older adopted students.

S. 1317

At the request of Mr. HATCH, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1317, a bill to provide for the collection and maintenance of cord blood units for the treatment of patients and research, and to amend the Public Health Service Act to authorize the Bone Marrow and Cord Blood Cell Transplantation Program to increase the number of transplants for recipients suitable matched to donors of bone marrow and cord blood.

S. 1350

At the request of Mr. SPECTER, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1350, a bill to amend the Communications Act of 1934 to protect the privacy rights of subscribers to wireless communications services.

S. 1366

At the request of Mr. DORGAN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 1366, a bill to amend the Internal Revenue Code of 1986 to allow tax-free distributions from individual retirement accounts for charitable purposes.

S. 1386

At the request of Mr. MARTINEZ, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1386, a bill to exclude from consideration as income certain payments under the national flood insurance program.

S. 1405

At the request of Mr. NELSON of Nebraska, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from New York (Mrs. CLINTON), the Senator from Michigan (Ms. STABENOW), the Senator from Maine (Ms. COLLINS) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 1405, a bill to extend the 50 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility and to establish the National Advisory Council on Medical Rehabilitation.

S. 1417

At the request of Mr. CRAIG, the names of the Senator from Maine (Ms. SNOWE), the Senator from Vermont (Mr. JEFFORDS), the Senator from New York (Mr. SCHUMER) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. 1417, a bill to impose tariff-rate quotas on certain casein and milk protein concentrates.

S. 1488

At the request of Mr. VITTER, the names of the Senator from Idaho (Mr. CRAIG) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 1488, a bill to withhold funding from the United Nations if the United Nations abridges the rights provided by the Second Amendment to the Constitution, and for other purposes.

S. 1496

At the request of Mr. CRAPO, the names of the Senator from Illinois (Mr. OBAMA), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Florida (Mr. MARTINEZ) were added as cosponsors of S. 1496, a bill to direct the Secretary of the Interior to conduct a pilot program under which up to 15 States may issue electronic Federal migratory bird hunting stamps.

S. 1504

At the request of Mr. ENSIGN, the names of the Senator from Mississippi (Mr. LOTT) and the Senator from South Carolina (Mr. DEMINT) were added as cosponsors of S. 1504, a bill to establish a market driven telecommunications marketplace, to eliminate government managed competition of existing communication service, and to provide parity between functionally equivalent services.

S. 1508

At the request of Mr. FEINGOLD, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1508, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 1512

At the request of Mr. SARBANES, the names of the Senator from Missouri (Mr. TALENT) and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 1512, a bill to grant a

Federal charter to Korean War Veterans Association, Incorporated.

S. 1525

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1525, a bill to ensure that commercial insurers cannot engage in price fixing, bid rigging, or market allocations to the detriment of competition and consumers.

S. 1555

At the request of Ms. CANTWELL, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1555, a bill to amend the Farm Security and Rural Investment Act of 2002 to reform funding for the Seniors Farmers' Market Nutrition Program, and for other purposes.

S. 1558

At the request of Ms. COLLINS, the names of the Senator from Ohio (Mr. VOINOVICH) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 1558, a bill to amend the Ethics in Government Act of 1978 to protect family members of filers from disclosing sensitive information in a public filing and extend the public filing requirement for 5 years.

S. 1584

At the request of Mr. HATCH, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1584, a bill to amend the Internal Revenue Code of 1986 to provide for a nonrefundable tax credit against income tax for individuals who purchase a residential safe storage device for the safe storage of firearms.

S.J. RES. 7

At the request of Mr. KENNEDY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S.J. Res. 7, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S.J. RES. 22

At the request of Mr. DURBIN, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S.J. Res. 22, a joint resolution proclaiming Casimir Pulaski to be an honorary citizen of the United States posthumously.

S. RES. 182

At the request of Mr. COLEMAN, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Indiana (Mr. BAYH) were added as cosponsors of S. Res. 182, a resolution supporting efforts to increase childhood cancer awareness, treatment, and research.

S. RES. 184

At the request of Mr. SANTORUM, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. Res. 184, a resolution expressing the sense of the Senate regarding manifestations of anti-Semitism by United Nations member states and urging action against anti-Semitism by United Nations officials, United Nations member states, and the Government of the United States, and for other purposes.

S. RES. 219

At the request of Mrs. FEINSTEIN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. Res. 219, a resolution designating March 8, 2006, as ''Endangered Species Day'', and encouraging the people of the United States to become educated about, and aware of, threats to species, success stories in species recovery, and the opportunity to promote species conservation worldwide.

S. RES. 231

At the request of Ms. LANDRIEU, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. Res. 231, a resolution encouraging the Transitional National Assembly of Iraq to adopt a constitution that grants women equal rights under the law and to work to protect such rights.

S. RES. 232

At the request of Mr. KENNEDY, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of S. Res. 232, a resolution celebrating the 40th anniversary of the enactment of the Voting Rights Act of 1965 and reaffirming the commitment of the Senate to ensuring the continued effectiveness of the Act in protecting the voting rights of all citizens of the United States.

AMENDMENT NO. 762

At the request of Mr. NELSON of Florida, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of amendment No. 762 proposed to S. 1042, an original bill to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself and Mr. HARKIN):

S. 1613. A bill to amend the Livestock Mandatory Reporting Act of 1999 to extend the termination date for mandatory price reporting; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. GRASSLEY. Mr. President, I am pleased to be joined by my colleague Senator HARKIN to introduce legislation today that would extend the termination date for mandatory price reporting.

Due in large part to concerned Iowa livestock producers, Congress passed the Livestock Mandatory Reporting Act, LMPR, in 1999 to help improve market transparency.

Since Mandatory Price Reporting was implemented by USDA in 2001, I have heard from producers across Iowa who question the integrity and accountability of the reported prices under Mandatory Price Reporting under this law.

While there is a lack of ''believability'' regarding the information generated by Mandatory Price Reporting, nearly all producers across Iowa feel strongly that the information would be valuable if the program had more credibility and improved transparency.

Thanks to producer comments and dissatisfaction with the current program, Senator HARKIN and I offered to initiate a Government Accountability Office, GAO, examination of the Mandatory Price Reporting program.

I then conditioned my support of any multi-year extension or revision of Mandatory Price Reporting on the GAO study results.

Unfortunately, there is growing pressure from packers and ''packer lackeys'' to act before the GAO report is completed.

Under the auspice of ''consensus'' a number of groups serving packer interests are pushing agendas contrary to the interests of Iowa's pork producers and cattlemen.

The Iowa livestock community believes any congressional action before receipt and review of the GAO report would be premature and ill-advised.

The goal of re-authorization should be to improve the existing legislation to the best of our ability based upon the best available information and analysis.

If the non-partisan GAO is not allowed to complete its work before the law is re-authorized, Congress will be neglecting the opportunity to review and reflect upon an exhaustive study.

Let me be clear, livestock producers in Iowa do not think it is prudent to move forward without substantive review and potential improvement of the current program. Only those entities that fear transparency should be fighting for a 5 year extension with no consideration for the GAO's pending conclusions.

The House Agriculture Committee passed out a five year extension and I hope they will take into consideration the remarks made by me today. I look forward to protecting the interests of family farmers and believe this another way of providing that protection.

By Mr. ENZI (for himself and Mr. KENNEDY):

S. 1614. A bill to extend the authorization of programs under the Higher Education Act of 1965, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. ENZI. Mr. President, I rise today to introduce the Higher Education Amendments of 2005.

Education beyond high school and lifelong education opportunities are vital if we are to retain our competitive edge in the global economy and make every American a part of our Nation's success story. Our workforce needs education and training that will

meet the demands of tomorrow's workplace.

Technology, demographics and diversity have brought far-reaching changes to the U.S. economy and the workplace, including an increased demand for a well-educated and highly skilled workforce. Those changes will continue and the need for skilled workers will only increase in the years to come.

The reauthorization of the Higher Education Act is an important part of meeting these concerns. Today's students will become tomorrow's leaders, in the economy, in education, and in every other aspect of our society. A strong postsecondary education will be the key to their future success in those roles.

I am pleased to be introducing this legislation with my distinguished colleague and ranking member of the Committee, Senator KENNEDY. He and I both share a commitment to improving access and quality of postsecondary education for all students, and a strong interest in keeping America competitive in this global economy.

The legislation we are introducing today will improve postsecondary education by strengthening the accreditation process, improving access through the use of technology, supporting student financial aid programs, reducing the need for remedial education, helping more students complete high school, and supporting transitions for all students from high school to college.

Among the most important provisions of this bill is a program that would provide additional grant aid to those students with the greatest financial need. This legislation would also focus its resources on increasing the number of math and science graduates by providing additional grant aid for students in their third and fourth years of college.

This legislation would also increase access to Federally guaranteed student loans, which would help ensure that students are not forced to take out higher interest loans from other sources. It would also expand the role of institutions and guaranty agencies in providing financial literacy to students, so they will make better choices regarding their financial future.

In addition to these priorities, the bill would also help to address the Federal deficit in a meaningful way, by saving $7 billion over the next 5 years. Although we were forced to make some difficult choices in reaching this level of deficit reduction, I am pleased that we were also able to write good policy, provide increased support for students and put in place a program that will help strengthen America's place in the global marketplace our economy.

I ask unanimous consent that the text of the bill be printed in the RECORD.

S. 1614

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

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Higher Education Amendments of 2005''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.
Sec. 2. References.
Sec. 3. General effective date.

TITLE I—GENERAL PROVISIONS

Sec. 101. Additional definitions.
Sec. 102. General definition of institution of higher education.
Sec. 103. Definition of institution of higher education for purposes of title IV programs.
Sec. 104. Protection of student speech and association rights.
Sec. 105. National Advisory Committee on Institutional Quality and Integrity.
Sec. 106. Drug and alcohol abuse prevention.
Sec. 107. Prior rights and obligations.
Sec. 108. Cost of higher education.
Sec. 109. Performance-based organization for the delivery of Federal student financial assistance.
Sec. 110. Procurement flexibility.

TITLE II—TEACHER QUALITY ENHANCEMENT

Sec. 201. Teacher quality enhancement grants for States and partnerships.

TITLE III—INSTITUTIONAL AID

Sec. 301. Program purpose.
Sec. 302. Definitions; eligibility.
Sec. 303. American Indian tribally controlled colleges and universities.
Sec. 304. Alaska native and native Hawaiian-serving institutions.
Sec. 305. Native American-serving, nontribal institutions.
Sec. 306. Part B definitions.
Sec. 307. Grants to institutions.
Sec. 308. Allotments to institutions.
Sec. 309. Professional or graduate institutions.
Sec. 310. Authorization of appropriations.
Sec. 311. Technical corrections.

TITLE IV—STUDENT ASSISTANCE

PART A—GRANTS TO STUDENTS IN ATTENDANCE AT INSTITUTIONS OF HIGHER EDUCATION

Sec. 401. Federal Pell Grants.
Sec. 402. Federal trio programs.
Sec. 403. Gaining early awareness and readiness for undergraduate programs.
Sec. 404. Academic achievement incentive scholarships.
Sec. 405. Federal supplemental educational opportunity grants.
Sec. 406. Leveraging Educational Assistance Partnership Program.
Sec. 407. Special programs for students whose families are engaged in migrant and seasonal farmwork.
Sec. 408. Robert C. Byrd Honors Scholarship Program.
Sec. 409. Child care access means parents in school.
Sec. 410. Learning anytime anywhere partnerships.

PART B—FEDERAL FAMILY EDUCATION LOAN PROGRAM

Sec. 421. Extension of authorities.
Sec. 422. Federal payments to reduce student interest costs.
Sec. 423. Federal consolidation loans.
Sec. 424. Default Reduction Program.
Sec. 425. Reports to credit bureaus and institutions of higher education.
Sec. 426. Common forms and formats.
Sec. 427. Student loan information by eligible borrowers.
Sec. 428. Consumer education information.
Sec. 429. Definition of eligible lender.
Sec. 430. Repayment by the Secretary of loans of bankrupt, deceased, or disabled borrowers; treatment of borrowers attending schools that fail to provide a refund, attending closed schools, or falsely certified as eligible to borrow.

PART C—FEDERAL WORK-STUDY PROGRAMS

Sec. 441. Authorization of appropriations.
Sec. 442. Allowance for books and supplies.
Sec. 443. Grants for Federal work-study programs.
Sec. 444. Job location and development programs.
Sec. 445. Work colleges.

PART D—WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM

Sec. 451. Funds for administrative expenses.

PART E—FEDERAL PERKINS LOANS

Sec. 461. Program authority.
Sec. 462. Terms of loans.
Sec. 463. Cancellation of loans for certain public service.

PART F—NEED ANALYSIS

Sec. 471. Cost of attendance.
Sec. 472. Definitions.

PART G—GENERAL PROVISIONS RELATING TO STUDENT ASSISTANCE

Sec. 481. Definition of academic and award year.
Sec. 482. Compliance calendar.
Sec. 483. Forms and regulations.
Sec. 484. Student eligibility.
Sec. 485. Statute of limitations and state court judgments.
Sec. 486. Institutional refunds.
Sec. 487. Institutional and financial assistance for students.
Sec. 488. National student loan data system.
Sec. 489. Early awareness of financial aid eligibility and demonstration program to provide early estimates and early awards of financial aid.
Sec. 490. College Access Initiative.
Sec. 491. Program participation agreements.
Sec. 492. Regulatory relief and improvement.
Sec. 493. Transfer of allotments.
Sec. 494. Wage garnishment requirement.
Sec. 495. Purpose of administrative payments.
Sec. 496. Advisory Committee on Student Financial Assistance.
Sec. 497. Regional meetings.
Sec. 498. Year 2000 requirements at the Department.

PART H—PROGRAM INTEGRITY

Sec. 499. Recognition of accrediting agency or association.
Sec. 499A. Administrative capacity standard.
Sec. 499B. Program review and data.

TITLE V—DEVELOPING INSTITUTIONS

Sec. 501. Definitions.
Sec. 502. Authorized activities.
Sec. 503. Duration of grant.
Sec. 504. Postbaccalaureate opportunities for Hispanic Americans.
Sec. 505. Applications.
Sec. 506. Cooperative arrangements.
Sec. 507. Authorization of appropriations.

TITLE VI—INTERNATIONAL EDUCATION PROGRAMS

Sec. 601. Findings.
Sec. 602. Graduate and undergraduate language and area centers and programs.
Sec. 603. Undergraduate international studies and foreign language programs.

Sec. 604. Research; studies.
Sec. 605. Technological innovation and cooperation for foreign information access.
Sec. 606. Selection of certain grant recipients.
Sec. 607. American overseas research centers.
Sec. 608. Authorization of appropriations for international and foreign language studies.
Sec. 609. Centers for international business education.
Sec. 610. Education and training programs.
Sec. 611. Authorization of appropriations for business and international education programs.
Sec. 612. Minority foreign service professional development program.
Sec. 613. Institutional development.
Sec. 614. Study abroad program.
Sec. 615. Advanced degree in international relations.
Sec. 616. Internships.
Sec. 617. Financial assistance.
Sec. 618. Report.
Sec. 619. Gifts and donations.
Sec. 620. Authorization of appropriations for the Institute for International Public Policy.
Sec. 621. Definitions.
Sec. 622. Assessment and enforcement.

TITLE VII—GRADUATE AND POSTSECONDARY IMPROVEMENT PROGRAMS

Sec. 701. Purpose.
Sec. 702. Allocation of Jacob K. Javits Fellowships.
Sec. 703. Stipends.
Sec. 704. Authorization of appropriations for the Jacob K. Javits Fellowship Program.
Sec. 705. Institutional eligibility under the Graduate Assistance in Areas of National Need Program.
Sec. 706. Awards to graduate students.
Sec. 707. Additional assistance for cost of education.
Sec. 708. Authorization of appropriations for the Graduate Assistance in Areas of National Need Program.
Sec. 709. Authorization of appropriations for the Thurgood Marshall Legal Educational Opportunity Program.
Sec. 710. Fund for the improvement of postsecondary education.
Sec. 711. Special projects.
Sec. 712. Authorization of appropriations for the fund for the improvement of postsecondary education.
Sec. 713. Authorization of appropriations for the urban community service program.
Sec. 714. Grants authorized for demonstration projects to ensure students with disabilities receive a quality higher education.
Sec. 715. Applications for demonstration projects to ensure students with disabilities receive a quality higher education.
Sec. 716. Authorization of appropriations for the demonstration projects to ensure students with disabilities receive a quality higher education.

TITLE VIII—MISCELLANEOUS

Sec. 801. Mathematics and Science Scholars Program.

TITLE IX—AMENDMENTS TO OTHER LAWS

PART A—EDUCATION OF THE DEAF ACT OF 1986

Sec. 901. Laurent Clerc National Deaf Education Center.
Sec. 902. Agreement with Gallaudet University.
Sec. 903. Agreement for the National Technical Institute for the Deaf.
Sec. 904. Cultural experiences grants.
Sec. 905. Audit.
Sec. 906. Reports.
Sec. 907. Monitoring, evaluation, and reporting.
Sec. 908. Liaison for educational programs.
Sec. 909. Federal endowment programs for Gallaudet University and the National Technical Institute for the Deaf.
Sec. 910. Oversight and effect of agreements.
Sec. 911. International students.
Sec. 912. Research priorities.
Sec. 913. Authorization of appropriations.

PART B—UNITED STATES INSTITUTE OF PEACE ACT

Sec. 921. United States Institute of Peace Act.

PART C—THE HIGHER EDUCATION AMENDMENTS OF 1998

Sec. 931. Repeals.
Sec. 932. Grants to States for workplace and community transition training for incarcerated youth offenders.

PART D—INDIAN EDUCATION

SUBPART 1—TRIBAL COLLEGES AND UNIVERSITIES

Sec. 941. Tribally Controlled College and University Assistance.

SUBPART 2—NAVAJO HIGHER EDUCATION

Sec. 945. Short title.
Sec. 946. Reauthorization of the Navajo Community College Act.

TITLE X—RECONCILIATION

Sec. 1001. Provisional grant assistance program.
Sec. 1002. National SMART grants.
Sec. 1003. Loan limits.
Sec. 1004. PLUS loan interest rates and zero special allowance payment.
Sec. 1005. Reduction of lender insurance reimbursement rates.
Sec. 1006. Guaranty agency origination fee.
Sec. 1007. Deferment of student loans for military service.
Sec. 1008. Rehabilitation through consolidation.
Sec. 1009. Single holder rule.
Sec. 1010. Default reduction program.
Sec. 1011. Requirements for disbursements of student loans.
Sec. 1012. Special insurance and reinsurance rules.
Sec. 1013. School as lender moratorium.
Sec. 1014. Permanent reduction of special allowance payments for loans from the proceeds of tax exempt issues.
Sec. 1015. Loan fees from lenders.
Sec. 1016. Origination fee.
Sec. 1017. Income contingent repayment for public sector employees.
Sec. 1018. Income protection allowance for dependent students.
Sec. 1019. Simplified need test and automatic zero improvements.
Sec. 1020. Loan forgiveness for teachers.

SEC. 2. REFERENCES.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

SEC. 3. GENERAL EFFECTIVE DATE.

Except as otherwise provided in this Act or the amendments made by this Act, the amendments made by this Act shall take effect on July 1, 2006.

TITLE I—GENERAL PROVISIONS

SEC. 101. ADDITIONAL DEFINITIONS.

(a) AMENDMENT.—Section 103 (20 U.S.C. 1003) is amended—

(1) by redesignating paragraphs (1) through (16) as paragraphs (2) through (17), respectively; and

(2) by inserting before paragraph (2) (as redesignated by paragraph (1)) the following:

''(1) AUTHORIZING COMMITTEES.—The term 'authorizing committees' means the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.''.

(b) CONFORMING AMENDMENTS.—The Act (20 U.S.C. 1001 et seq.) is amended—

(1) in section 131(a)(3)(B) (20 U.S.C. 1015(a)(3)(B)), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees'';

(2) in section 141(d)(4)(B) (20 U.S.C. 1018(d)(4)(B)), by striking ''Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''authorizing committees'';

(3) in section 206 (20 U.S.C. 1026)—

(A) in the matter preceding paragraph (1) of subsection (a), by striking '', the Committee on Labor and Human Resources of the Senate, and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''and the authorizing committees''; and

(B) in subsection (d), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees'';

(4) in section 207(c)(1) (20 U.S.C. 1027(c)(1)), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees'';

(5) in section 401(f)(3) (20 U.S.C. 1070a(f)(3)), by striking ''to the Committee on Appropriations'' and all that follows through ''House of Representatives'' and inserting ''to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and the authorizing committees'';

(6) in section 428 (20 U.S.C. 1078)—

(A) in subsection (c)(9)(K), by striking ''House Committee on Education and the Workforce and the Senate Committee on Labor and Human Resources'' and inserting ''authorizing committees'';

(B) in the matter following paragraph (2) of subsection (g), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees''; and

(C) in subsection (n)(4), ''Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''authorizing committees'';

(7) in section 428A (20 U.S.C. 1078–1)—

(A) in the matter preceding subparagraph (A) of subsection (a)(4), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees''; and

(B) in subsection (c)—

(i) in the matter preceding subparagraph (A) of paragraph (2), by striking ''Chairperson'' and all that follows through ''House of Representatives'' and inserting ''Chairpersons and Ranking Members of the authorizing committees'';

(ii) in paragraph (3), by striking ''Chairperson'' and all that follows through ''House

of Representatives'' and inserting ''Chairpersons and Ranking Members of the authorizing committees''; and

(iii) in paragraph (5), by striking ''Chairperson'' and all that follows through ''House of Representatives'' and inserting ''Chairpersons and Ranking Members of the authorizing committees'';

(8) in the matter preceding paragraph (1) of section 428I(h) (20 U.S.C. 1078–9(h)), by striking ''Chairman'' and all that follows through ''Education and Labor'' and inserting ''Chairpersons of the authorizing committees'';

(9) in section 432 (20 U.S.C. 1082)—

(A) in subsection (f)(1)(C), by striking ''the Committee on Education and the Workforce of the House of Representatives or the Committee on Labor and Human Resources of the Senate'' and inserting ''either of the authorizing committees''; and

(B) in the matter following subparagraph (D) of subsection (n)(3), by striking ''Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''authorizing committees'';

(10) in section 437(c)(1) (20 U.S.C. 1087(c)(1)), by striking ''Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''authorizing committees'';

(11) in section 439 (20 U.S.C. 1087–2)—

(A) in subsection (d)(1)(E)(iii), by striking ''advise the Chairman'' and all that follows through ''House of Representatives'' and inserting ''advise the Chairpersons and Ranking Members of the authorizing committees'';

(B) in subsection (r)—

(i) in paragraph (3), by striking ''inform the Chairman'' and all that follows through ''House of Representatives,'' and inserting ''inform the Chairpersons and Ranking Members of the authorizing committees'';

(ii) in paragraph (5)(B), by striking ''plan, to the Chairman'' and all that follows through ''Education and Labor'' and inserting ''plan, to the Chairpersons and Ranking Members of the authorizing committees'';

(iii) in paragraph (6)(B)—

(I) by striking ''plan, to the Chairman'' and all that follows through ''House of Representatives'' and inserting ''plan, to the Chairpersons and Ranking Members of the authorizing committees''; and

(II) by striking ''Chairmen and ranking minority members of such Committees'' and inserting ''Chairpersons and Ranking Members of the authorizing committees'';

(iv) in paragraph (8)(C), by striking ''implemented to the Chairman'' and all that follows through ''House of Representatives, and'' and inserting ''implemented to the Chairpersons and Ranking Members of the authorizing committees, and to''; and

(v) in the matter preceding subparagraph (A) of paragraph (10), by striking ''days to the Chairman'' and all that follows through ''Education and Labor'' and inserting ''days to the Chairpersons and Ranking Members of the authorizing committees''; and

(C) in subsection (s)(2)—

(i) in the matter preceding clause (i) of subparagraph (A), by striking ''Treasury and to the Chairman'' and all that follows through ''House of Representatives'' and inserting ''Treasury and to the Chairpersons and Ranking Members of the authorizing committees''; and

(ii) in subparagraph (B), by striking ''Treasury and to the Chairman'' and all that follows through ''House of Representatives'' and inserting ''Treasury and to the Chairpersons and Ranking Members of the authorizing committees'';

(12) in section 455(b)(8)(B) (20 U.S.C. 1087e(b)(8)(B)), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees'';

(13) in section 482(d) (20 U.S.C. 1089(d)), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives'' and inserting ''authorizing committees'';

(14) in section 483(c) (20 U.S.C. 1090(c)), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees'';

(15) in section 485 (20 U.S.C. 1092)—

(A) in subsection (f)(5)(A), by striking ''Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''authorizing committees''; and

(B) in subsection (g)(4)(B), by striking ''Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''authorizing committees'';

(16) in section 486 (20 U.S.C. 1093)—

(A) in subsection (e), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees''; and

(B) in subsection (f)(3)—

(i) in the matter preceding clause (i) of subparagraph (A), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees''; and

(ii) in the matter preceding clause (i) of subparagraph (B), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees'';

(17) in section 487A (20 U.S.C. 1094a)—

(A) in subsection (a)(5), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees''; and

(B) in subsection (b)(3)(B), in the matter preceding clause (i)—

(i) by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees''; and

(ii) by striking ''such Committees'' and inserting ''the authorizing committees'';

(18) in section 493A(a)(5) (20 U.S.C. 1098c(a)(5)), by striking ''Chairperson of the Committee on Labor and Human Resources of the Senate and the Chairperson of the Committee on Education and the Workforce of the House of Representatives'' and inserting ''Chairpersons of the authorizing committees''; and

(19) in section 498B(d) (20 U.S.C. 1099c–2(d))—

(A) in paragraph (1), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees''; and

(B) in paragraph (2), by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees''.

SEC. 102. GENERAL DEFINITION OF INSTITUTION OF HIGHER EDUCATION.

Section 101 (20 U.S.C. 1001) is amended—

(1) in subsection (a)(3), by inserting '', or awards a degree that is acceptable for admission to a graduate or professional degree program, subject to the review and approval by the Secretary'' after ''such a degree''; and

(2) by striking subsection (b)(2) and inserting the following:

''(2) a public or nonprofit private educational institution in any State that, in lieu of the requirement in subsection (a)(1), admits as regular students persons—

''(A) who meet the requirements of section 484(d)(3);

''(B) who are beyond the age of compulsory school attendance in the State in which the institution is located; or

''(C) who will be dually or concurrently enrolled in such institution and a secondary school.''.

SEC. 103. DEFINITION OF INSTITUTION OF HIGHER EDUCATION FOR PURPOSES OF TITLE IV PROGRAMS.

Section 102 (20 U.S.C. 1002) is amended—

(1) in subsection (a)—

(A) by striking paragraph (2)(A)(i) and inserting the following:

''(i) in the case of a graduate medical school located outside the United States—

''(I) at least 60 percent of those enrolled in, and at least 60 percent of the graduates of, the graduate medical school outside the United States were not persons described in section 484(a)(5) in the year preceding the year for which a student is seeking a loan under part B of title IV; and

''(II) at least 60 percent of the individuals who were students or graduates of the graduate medical school outside the United States or Canada (both nationals of the United States and others) taking the examinations administered by the Educational Commission for Foreign Medical Graduates received a passing score in the year preceding the year for which a student is seeking a loan under part B of title IV; or'';

(B) by striking paragraph (3) and inserting the following:

''(3) LIMITATIONS BASED ON ENROLLMENT.—An institution shall not be considered to meet the definition of an institution of higher education in paragraph (1) if such institution—

''(A) has a student enrollment in which more than 25 percent of the students are incarcerated, except that the Secretary may waive the limitation contained in this subparagraph for a nonprofit institution that provides a 2- or 4-year program of instruction (or both) for which the institution awards a bachelor's degree, or an associate's degree or a postsecondary diploma, respectively; or

''(B) has a student enrollment in which more than 50 percent of the students do not have a secondary school diploma or its recognized equivalent, and does not provide a 2- or 4-year program of instruction (or both) for which the institution awards a bachelor's degree or an associate's degree, respectively, except that the Secretary may waive the limitation contained in this subparagraph if a nonprofit institution demonstrates to the satisfaction of the Secretary that the institution exceeds such limitation because the institution serves, through contracts with Federal, State, or local government agencies, significant numbers of students who do not have a secondary school diploma or its recognized equivalent.'';

(C) by redesignating paragraphs (4), (5), and (6), as paragraphs (5), (6), and (7), respectively; and

(D) by inserting after paragraph (3) the following:

''(4) LIMITATIONS BASED ON MODE OF DELIVERY.—

''(A) IN GENERAL.—An institution shall not be considered to meet the definition of an institution of higher education in paragraph (1) if such institution—

''(i) offers more than 50 percent of such institution's courses by correspondence, unless the institution is an institution that meets the definition in section 3(3)(C) of the Carl D. Perkins Vocational and Technical Education Act of 1998; or

''(ii) enrolls 50 percent or more of the institution's students in correspondence courses, unless the institution is an institution that meets the definition in such section 3(3)(C), except that the Secretary, at the request of such institution, may waive the applicability of this subparagraph to such institution for good cause, as determined by the Secretary in the case of an institution of higher education that provides a 2- or 4-year program of instruction (or both) for which the institution awards an associate or baccalaureate degree, respectively.

''(B) DISTANCE EDUCATION PROGRAM ELIGIBILITY.—Notwithstanding subparagraph (A), an institution of higher education, other than a foreign institution, that offers education or training programs principally through distance education shall be considered to meet the definition of an institution of higher education in paragraph (1) if such institution—

''(i) has been evaluated and determined (before or after the date of enactment of the Higher Education Amendments of 2005) to have capability to effectively deliver distance education programs by an accrediting agency or association that—

''(I) is recognized by the Secretary under title IV; and

''(II) has evaluation of distance education programs within the scope of its recognition, as described in section 496(n)(3);

''(ii) is otherwise eligible to participate in programs authorized under title IV;

''(iii) has not had its participation in programs under title IV suspended or terminated within the 5 years preceding the year for which the determination is made;

''(iv) has not had, or failed to resolve, an audit finding or program review finding under this Act during the 2 years preceding the year for which the determination is made that, following any appeal to the Secretary, resulted in the institution being required to repay an amount that is equal to or greater than 25 percent of the total funds the institution received under the programs authorized under title IV for the most recent award year; and

''(v) has met the requirements of section 487(d), if applicable.

''(C) DEFINITION.—

''(i) IN GENERAL.—In this Act, except as otherwise provided, the term 'distance education' means a course or program that uses 1 or more of the technologies described in clause (ii) to—

''(I) deliver instruction to students who are separated from the instructor; and

''(II) support regular and substantive interaction between the students and the instructor, either synchronously or asynchronously.

''(ii) INCLUSIONS.—For the purposes of clause (i), the technologies used may include—

''(I) the Internet;

''(II) one-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices;

''(III) audio conferencing; or

''(IV) video cassette, DVDs, and CD-ROMs, provided that they are used in a course in conjunction with the technologies listed in subclauses (I) through (III).''; and

(2) in subsection (b)(1)—

(A) in subparagraph (D), by inserting ''and'' after the semicolon;

(B) in subparagraph (E), by striking ''; and'' and inserting a period; and

(C) by striking subparagraph (F).

SEC. 104. PROTECTION OF STUDENT SPEECH AND ASSOCIATION RIGHTS.

Section 112 (20 U.S.C. 1011a) is amended—

(1) in subsection (a)—

(A) by inserting ''(1)'' before ''It is the sense''; and

(B) by adding at the end the following:

''(2) It is the sense of Congress that—

''(A) the diversity of institutions and educational missions is one of the key strengths of American higher education;

''(B) individual colleges and universities have different missions and each institution should design its academic program in accordance with its educational goals;

''(C) within the context of institutional mission, a college should facilitate the free and open exchange of ideas;

''(D) students should not be intimated, harassed, discouraged from speaking out, or discriminated against;

''(E) students should be treated equally and fairly; and

''(F) nothing in this paragraph shall be construed to modify, change, or infringe upon any constitutionally protected religious liberty, freedom, expression, or association.''; and

(2) in subsection (b)(1), by inserting '', provided that the imposition of such sanction is done objectively and fairly'' after ''higher education''.

SEC. 105. NATIONAL ADVISORY COMMITTEE ON INSTITUTIONAL QUALITY AND INTEGRITY.

Section 114(g) (20 U.S.C. 1011c(g)) is amended by striking ''September 30, 2004'' and inserting ''September 30, 2011''.

SEC. 106. DRUG AND ALCOHOL ABUSE PREVENTION.

Section 120 (20 U.S.C. 1011i) is amended by striking subsections (e) and (f) and inserting the following:

''(e) GRANTS DIRECTED AT REDUCING HIGHER EDUCATION DRUG AND ALCOHOL ABUSE.—

''(1) AUTHORIZATION OF PROGRAM.—The Secretary may award grants to eligible entities to enable the entities to reduce the rate of drug abuse, underage alcohol use, and binge drinking among students at institutions of higher education.

''(2) APPLICATIONS.—An eligible entity that desires to receive a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each application shall include—

''(A) a description of how the eligible entity will work to enhance an existing, or where none exists to build a, statewide coalition;

''(B) a description of how the eligible entity will target underage students in the State;

''(C) a description of how the eligible entity intends to ensure that the statewide coalition is actually implementing the purpose described in paragraph (1) and moving toward the achievement indicators described in paragraph (4);

''(D) a list of the members of the statewide coalition or interested parties involved in the work of the eligible entity;

''(E) a description of how the eligible entity intends to work with State agencies on substance abuse prevention and education;

''(F) the anticipated impact of funds provided under this subsection in reducing the rates of drug abuse and underage alcohol use;

''(G) outreach strategies, including ways in which the eligible entity proposes to—

''(i) reach out to students;

''(ii) promote the purpose described in paragraph (1);

''(iii) address the range of needs of the students and the surrounding communities; and

''(iv) address community norms for underage students regarding drug abuse and alcohol use; and

''(H) such additional information as required by the Secretary.

''(3) USES OF FUNDS.—Each eligible entity that receives a grant under this subsection shall use the grant funds to carry out the activities described in such entity's application submitted pursuant to paragraph (2).

''(4) ACCOUNTABILITY.—On the date on which the Secretary first publishes a notice in the Federal Register soliciting applications for grants under this subsection, the Secretary shall include in the notice achievement indicators for the program authorized under this subsection. The achievement indicators shall be designed—

''(A) to measure the impact that the statewide coalitions assisted under this subsection are having on the institutions of higher education and the surrounding communities, including changes in the number of alcohol and drug-related abuse incidents of any kind (including violations, physical assaults, sexual assaults, reports of intimidation, disruptions of school functions, disruptions of student studies, mental health referrals, illnesses, or deaths);

''(B) to measure the quality and accessibility of the programs or information offered by the statewide coalitions; and

''(C) to provide such other measures of program impact as the Secretary determines appropriate.

''(5) SUPPLEMENT NOT SUPPLANT.—Grant funds provided under this subsection shall be used to supplement, and not supplant, Federal and non-Federal funds available for carrying out the activities described in this subsection.

''(6) DEFINITIONS.—In this subsection:

''(A) ELIGIBLE ENTITY.—The term 'eligible entity' means a State, an institution of higher education, or a nonprofit entity.

''(B) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given the term in section 101(a).

''(C) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(D) STATEWIDE COALITION.—The term 'statewide coalition' means a coalition that—

''(i) includes—

''(I) institutions of higher education within a State; and

''(II) a nonprofit group, a community drug abuse or underage drinking prevention coalition, or another substance abuse prevention group within a State; and

''(ii) works toward lowering the alcohol abuse rate by targeting underage students at institutions of higher education throughout the State and in the surrounding communities.

''(E) SURROUNDING COMMUNITY.—The term 'surrounding community' means the community—

''(i) that surrounds an institution of higher education participating in a statewide coalition;

''(ii) where the students from the institution of higher education take part in the community; and

''(iii) where students from the institution of higher education live in off-campus housing.

''(7) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of a grant awarded under this subsection may be expended for administrative expenses.

''(8) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''.

SEC. 107. PRIOR RIGHTS AND OBLIGATIONS.

Section 121(a) (20 U.S.C. 1011j(a)) is amended—

(1) in paragraph (1), by striking ''1999'' and inserting ''2006''; and

(2) in paragraph (2), by striking ''1999'' and inserting ''2006''.

SEC. 108. COST OF HIGHER EDUCATION.

Section 131 (20 U.S.C. 1015) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) COLLEGE CONSUMER INFORMATION.—

''(1) IN GENERAL.—The Secretary shall make available to the public, on an annual basis, the information described in paragraph (2), in a form that enables the public to compare the information among institutions of higher education. Such information shall be made available for each of the categories described in paragraph (3) and updated regularly.

''(2) INFORMATION.—The information described in this paragraph is the following:

''(A) Tuition and fees for a full-time undergraduate student.

''(B) Cost of attendance for a full-time undergraduate student.

''(C) The average annual cost of attendance for a full-time undergraduate student for the 10 academic years preceding the year for which the information is made available under this subsection, or if data are not available for such 10 preceding academic years, data for as many of such 10 preceding academic years as are available.

''(D) The percentage of full-time undergraduate students receiving financial assistance, including—

''(i) Federal grants;

''(ii) State and local grants;

''(iii) institutional grants; and

''(iv) loans to students.

''(E) The percentage of students successfully transferring academic credit from another institution of higher education.

''(F) Information regarding students who have completed an undergraduate certificate or degree program and who are placed in employment.

''(G) Information regarding students who have completed an undergraduate degree and who enroll in graduate education.

''(H) A ranking of the dollar and percentage increases in tuition for all institutions of higher education for which data are available, disaggregated by quartiles.

''(3) CATEGORIES.—The categories described in this paragraph are as follows:

''(A) All institutions of higher education.

''(B) 4-year public, degree-granting, institutions of higher education.

''(C) 2-year public, degree-granting, institutions of higher education.

''(D) 4-year, nonprofit, private, degree-granting institutions of higher education.

''(E) 2-year, nonprofit, private, degree-granting institutions of higher education.

''(F) 4-year, for-profit, private, degree-granting institutions of higher education.

''(G) 2-year, for-profit, private, degree-granting institutions of higher education.

''(4) STANDARD DEFINITIONS.—In carrying out this section, the Secretary shall use the standard definitions developed under subsection (a)(3).''; and

(2) in subsection (c)—

(A) in paragraph (1), by inserting ''be conducted on an annual basis and'' after ''Such study shall'';

(B) in paragraph (2)—

(i) in subparagraph (B), by striking ''and'' after the semicolon;

(ii) in subparagraph (C), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following:

''(D) the average cost of attending an institution of higher education, disaggregated by category, as described in subsection (b)(3), of institution of higher education;

''(E) the average annual cost of attending an institution of higher education for the 10 academic years preceding the year for which the study is conducted (if available), disaggregated by category, as described in subsection (b)(3), of institution of higher education; and

''(F) the assistance provided to institutions of higher education by each State, which information the Secretary shall make available to the public.'';

(C) in paragraph (3)—

(i) in the paragraph heading, by striking ''FINAL'' and inserting ''ANNUAL'';

(ii) by striking ''a report'' and inserting ''an annual report''; and

(iii) by striking ''not later than September 30, 2002''; and

(D) by striking paragraph (4) and inserting the following:

''(4) HIGHER EDUCATION COST INDEX.—The Bureau of Labor Statistics, in consultation with the Commissioner of Education Statistics, shall develop a higher education cost index that tracks inflation changes in the relevant costs associated with higher education.''.

SEC. 109. PERFORMANCE-BASED ORGANIZATION FOR THE DELIVERY OF FEDERAL STUDENT FINANCIAL ASSISTANCE.

Section 141 (20 U.S.C. 1018) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''operational'' and inserting ''administrative and oversight''; and

(B) in paragraph (2)(D), by striking ''of the operational functions'' and inserting ''and administration'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''the information systems administered by the PBO, and other functions performed by the PBO'' and inserting ''the Federal student financial assistance programs authorized under title IV''; and

(ii) by striking subparagraph (C) and inserting the following:

''(C) assist the Chief Operating Officer in identifying goals for—

''(i) the administration of the systems used to administer the Federal student financial assistance programs authorized under title IV; and

''(ii) the updating of such systems to current technology.''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''administration of the information and financial systems that support'' and inserting ''the administration of Federal'';

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''of the delivery system for Federal student assistance'' and inserting ''for the Federal student assistance programs authorized under title IV'';

(II) by striking clauses (i) and (ii) and inserting the following:

''(i) the collection, processing, and transmission of data to students, institutions, lenders, State agencies, and other authorized parties;

''(ii) the design and technical specifications for software development and procurement for systems supporting the student financial assistance programs authorized under title IV;'';

(III) in clause (iii), by striking ''delivery'' and inserting ''administration'';

(IV) in clause (iv)—

(aa) by inserting ''the'' after ''supporting''; and

(bb) by striking ''and'' after the semicolon;

(V) in clause (v), by striking ''systems that support those programs.'' and inserting ''the administration of the Federal student assistance programs authorized under title IV; and''; and

(VI) by adding at the end the following:

''(vi) ensuring the integrity of the student assistance programs authorized under title IV.''; and

(iii) in subparagraph (B), by striking ''operations and services'' and inserting ''activities and functions''; and

(3) in subsection (c)—

(A) in paragraph (1)(C)—

(i) in clause (iii), by striking ''information and delivery''; and

(ii) in clause (iv)—

(I) by striking ''Developing an'' and inserting ''Developing''; and

(II) by striking ''delivery and information system'' and inserting ''systems'';

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting ''the'' after ''PBO and''; and

(ii) in subparagraph (B), by striking ''Officer'' and inserting ''Officers''; and

(C) in paragraph (3), by inserting ''students,'' after ''consult with'';

(4) in subsection (d)—

(A) in paragraph (1), by striking the second sentence; and

(B) in paragraph (5)—

(i) in subparagraph (B), by striking ''paragraph (2)'' and inserting ''paragraph (4)''; and

(ii) in subparagraph (C), by striking ''this'';

(5) in subsection (f)—

(A) in paragraph (2), by striking ''to borrowers'' and inserting ''to students, borrowers,''; and

(B) in paragraph (3)(A), by striking ''(1)(A)'' and inserting ''(1)'';

(6) in subsection (g)(3), by striking ''not more than 25'';

(7) in subsection (h), by striking ''organizational effectiveness'' and inserting ''effectiveness'';

(8) by striking subsection (i);

(9) by redesignating subsection (j) as subsection (i); and

(10) in subsection (i) (as redesignated by paragraph (9)), by striking '', including transition costs''.

SEC. 110. PROCUREMENT FLEXIBILITY.

Section 142 (20 U.S.C. 1018a) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''for information systems supporting the programs authorized under title IV''; and

(ii) by striking ''and'' after the semicolon;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) through the Chief Operating Officer—

''(A) to the maximum extent practicable, utilize procurement systems that streamline operations, improve internal controls, and enhance management; and

''(B) assess the efficiency of such systems and assess such systems' ability to meet PBO requirements.'';

(2) by striking subsection (c)(2) and inserting the following:

''(2) FEE FOR SERVICE ARRANGEMENTS.—The Chief Operating Officer shall, when appropriate and consistent with the purposes of

the PBO, acquire services related to the functions set forth in section 141(b)(2) from any entity that has the capability and capacity to meet the requirements set by the PBO. The Chief Operating Officer is authorized to pay fees that are equivalent to those paid by other entities to an organization that provides services that meet the requirements of the PBO, as determined by the Chief Operating Officer.'';

(3) in subsection (d)(2)(B), by striking ''on Federal Government contracts'';

(4) in subsection (g)—

(A) in paragraph (4)(A)—

(i) in the subparagraph heading, by striking ''SOLE SOURCE.—'' and inserting ''SINGLE-SOURCE BASIS.—''; and

(ii) by striking ''sole-source'' and inserting ''single-source''; and

(B) in paragraph (7), by striking ''sole-source'' and inserting ''single-source'';

(5) in subsection (h)(2)(A), by striking ''sole-source'' and inserting ''single-source''; and

(6) in subsection (l), by striking paragraph (3) and inserting the following:

''(3) SINGLE-SOURCE BASIS.—The term 'single-source basis', with respect to an award of a contract, means that the contract is awarded to a source after soliciting an offer or offers from, and negotiating with, only such source (although such source is not the only source in the marketplace capable of meeting the need) because such source is the most advantageous source for purposes of the award.''.

TITLE II—TEACHER QUALITY ENHANCEMENT

SEC. 201. TEACHER QUALITY ENHANCEMENT GRANTS FOR STATES AND PARTNERSHIPS.

Part A of title II (20 U.S.C. 1021 et seq.) is amended to read as follows:

''PART A—TEACHER QUALITY ENHANCEMENT GRANTS FOR STATES AND PARTNERSHIPS

''SEC. 201. PURPOSES; DEFINITIONS.

''(a) PURPOSES.—The purposes of this part are to—

''(1) improve student achievement;

''(2) improve the quality of the current and future teaching force by improving the preparation of prospective teachers and enhancing professional development activities;

''(3) hold institutions of higher education accountable for preparing highly qualified teachers; and

''(4) recruit qualified individuals, including minorities and individuals from other occupations, into the teaching force.

''(b) DEFINITIONS.—In this part:

''(1) ARTS AND SCIENCES.—The term 'arts and sciences' means—

''(A) when referring to an organizational unit of an institution of higher education, any academic unit that offers 1 or more academic majors in disciplines or content areas corresponding to the academic subject areas in which teachers provide instruction; and

''(B) when referring to a specific academic subject area, the disciplines or content areas in which academic majors are offered by the arts and sciences organizational unit.

''(2) CHILDREN FROM LOW-INCOME FAMILIES.—The term 'children from low-income families' means children as described in section 1124(c)(1)(A) of the Elementary and Secondary Education Act of 1965.

''(3) EARLY CHILDHOOD EDUCATION PROGRAM.—The term 'early childhood education program' means a Head Start program or an Early Head Start program carried out under the Head Start Act (42 U.S.C. 9831 et seq.), a State licensed or regulated child care program or school, or a State prekindergarten program that serves children from birth through kindergarten and that addresses the children's cognitive (including language, early literacy, and pre-numeracy), social, emotional, and physical development.

''(4) EARLY CHILDHOOD EDUCATOR.—The term 'early childhood educator' means an individual with primary responsibility for the education of children in an early childhood education program.

''(5) EDUCATIONAL SERVICE AGENCY.—The term 'educational service agency' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.

''(6) EXEMPLARY TEACHER.—The term 'exemplary teacher' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.

''(7) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—The term 'high-need local educational agency' means a local educational agency or educational service agency—

''(A)(i) that serves not fewer than 10,000 children from low-income families;

''(ii) for which not less than 20 percent of the children served by the agency are children from low-income families; or

''(iii) with a total of less than 600 students in average daily attendance at the schools that are served by the agency and all of whose schools are designated with a school locale code of 7 or 8, as determined by the Secretary; and

''(B)(i) for which there is a high percentage of teachers not teaching in the academic subject areas or grade levels in which the teachers were trained to teach; or

''(ii) for which there is a high teacher turnover rate or a high percentage of teachers with emergency, provisional, or temporary certification or licensure.

''(8) HIGHLY QUALIFIED.—The term 'highly qualified' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 and, with respect to special education teachers, in section 602 of the Individuals with Disabilities Education Act.

''(9) PROFESSIONAL DEVELOPMENT.—The term 'professional development' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.

''(10) SCIENTIFICALLY BASED READING RESEARCH.—The term 'scientifically based reading research' has the meaning given such term in section 1208 of the Elementary and Secondary Education Act of 1965.

''(11) SCIENTIFICALLY BASED RESEARCH.—The term 'scientifically based research' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.

''(12) TEACHER MENTORING.—The term 'teacher mentoring' means mentoring of teachers through an established or implemented program—

''(A) that includes qualifications for mentors;

''(B) that provides training for mentors;

''(C) that provides regular and ongoing opportunities for mentors and mentees to observe each other's teaching methods in classroom settings during the school day;

''(D) in which the mentoring is provided by a colleague who teaches in the same field, grade, or subject as the mentee; and

''(E) that includes—

''(i) common planning time or regularly scheduled collaboration with teachers in the teachers' same field, grade, or subject area; and

''(ii) additional professional development opportunities.

''(13) TEACHING SKILLS.—The term 'teaching skills' means the ability to—

''(A) increase student achievement;

''(B) effectively convey and explain academic subject matter;

''(C) employ strategies that—

''(i) are based on scientifically based research;

''(ii) are specific to academic subject matter; and

''(iii) focus on identification and tailoring of academic instruction to students' specific learning needs, particularly students with disabilities, students who are limited English proficient, and students who are gifted and talented;

''(D) conduct ongoing assessment of student learning;

''(E) effectively manage a classroom;

''(F) communicate and work with parents and guardians, and involve parents and guardians in their children's education; and

''(G) in the case of an early childhood educator, use age appropriate strategies and practices for children in early childhood education programs.

''SEC. 202. STATE GRANTS.

''(a) IN GENERAL.—From amounts made available under section 209(a)(1) for a fiscal year, the Secretary is authorized to award grants under this section, on a competitive basis, to eligible States to enable the eligible States to carry out the activities described in subsections (d) and (e).

''(b) ELIGIBLE STATE.—

''(1) DEFINITION.—In this part, the term 'eligible State' means—

''(A) the Governor of a State; or

''(B) in the case of a State for which the constitution or law of such State designates another individual, entity, or agency in the State to be responsible for teacher certification or licensure and preparation activity, such individual, entity, or agency.

''(2) CONSULTATION.—The Governor or the individual, entity, or agency designated under paragraph (1)(B) shall consult with the Governor, State board of education, State educational agency, State agency for higher education, or other applicable State entities (including the State agency responsible for early childhood education), as appropriate, with respect to the activities assisted under this section, including the development of the grant application and implementation of the activities.

''(3) CONSTRUCTION.—Nothing in this subsection shall be construed to negate or supersede the legal authority under State law of any State agency, State entity, or State public official over programs that are under the jurisdiction of the agency, entity, or official.

''(c) APPLICATION.—To be eligible to receive a grant under this section, an eligible State shall submit an application to the Secretary that—

''(1) meets the requirement of this section;

''(2) demonstrates that the eligible State is in full compliance with—

''(A) sections 206(b) and 207; and

''(B) if applicable, sections 207(b) and 208, as such sections were in effect on the day before the date of enactment of the Higher Education Amendments of 2005;

''(3) includes a description of how the eligible State intends to use funds provided under this section;

''(4) includes measurable objectives for the use of the funds provided under this section;

''(5) describes how funded activities will—

''(A) reduce shortages, if any, of—

''(i) highly qualified general and special education teachers, including in low-income urban and rural areas and in high-need academic subject areas; and

''(ii) fully competent early childhood educators; and

''(B) be consistent with State, local, and other education reform activities that promote effective teaching skills and student academic achievement and consistent with

State early learning standards for early childhood education programs, including how funded activities will support carrying out the applicable requirements of the eligible State under sections 1111 and 1119 of the Elementary and Secondary Education Act of 1965, and section 612(a)(14) of the Individuals with Disabilities Education Act;

''(6) contains an assurance that the eligible State will carry out each of the intended uses of grant funds described in paragraph (3);

''(7) describes the eligible State's—

''(A) current capacity to measure the effectiveness of teacher preparation programs and professional development activities within the State using available statewide data;

''(B) activities to enhance or expand the integration of existing data systems to better measure the effectiveness of teacher preparation programs and professional development activities within the State; or

''(C) if such data systems do not exist, plans for the development of an integrated statewide data system to measure the effectiveness of teacher preparation programs and professional development activities within the State using available statewide data; and

''(8) contains such other information and assurances as the Secretary may require.

''(d) REQUIRED USES OF FUNDS.—An eligible State that receives a grant under this section shall use the grant funds to reform teacher preparation requirements, to coordinate with State activities under section 2113(c) of the Elementary and Secondary Education Act of 1965 and subsections (a) and (b) of section 654 of the Individuals with Disabilities Education Act, and to ensure that current and prospective teachers are highly qualified, by carrying out each of the following activities:

''(1) REFORMS.—Ensuring that all teacher preparation programs in the State are preparing current or prospective teachers to become highly qualified, to understand scientifically based research and its applicability, and to use technology effectively, including use of instructional techniques to improve student academic achievement, by assisting such programs—

''(A) in retraining faculty;

''(B) in designing (or redesigning) teacher preparation programs so that such programs—

''(i) are based on rigorous academic content and scientifically based research (including scientifically based reading research), and aligned with challenging State academic content standards;

''(ii) promote effective teaching skills; and

''(iii) promote understanding of effective instructional strategies for students with special needs, including students with disabilities, students who are limited English proficient, and students who are gifted and talented;

''(C) in ensuring collaboration with departments, programs, or units outside of the teacher preparation program in relevant academic content areas to ensure a successful combination of training in both teaching and such content;

''(D) in developing high-quality, rigorous clinical experiences (that include student teaching experience) in which students participate while enrolled in a teacher preparation program, lasting not less than 1 term, through dissemination of best practices, technical assistance, or other relevant activities; and

''(E) in collecting and using data, in collaboration with institutions of higher education, schools, and local educational agencies, on teacher retention rates, by school, to evaluate and strengthen the effectiveness of the State's teacher support system.

''(2) CERTIFICATION OR LICENSURE REQUIREMENTS.—Reforming teacher certification or licensure requirements to ensure that—

''(A) teachers have the academic content knowledge and teaching skills in the academic subject areas that the teachers teach that are necessary to help students meet challenging State student academic achievement standards;

''(B) such requirements are aligned with challenging State academic content standards;

''(C) teacher certification and licensure assessments are—

''(i) used for purposes for which such assessments are valid and reliable;

''(ii) consistent with relevant, professional, and technical standards; and

''(iii) aligned with the reporting requirements of sections 205 and 206; and

''(D) such requirements for high-need academic subject areas (such as reading, mathematics, science, and foreign language, including less commonly taught languages) and high-need areas (such as special education, language instruction educational programs, and early childhood education) exist and reflect qualifications to help students meet high standards, which may include the development of a State test for such areas.

''(3) EVALUATION.—

''(A) ANNUAL EVALUATION.—An eligible State that receives a grant under this section shall evaluate annually the effectiveness of teacher preparation programs and professional development activities within the State. To the extent practicable, such evaluation shall examine—

''(i) teachers' contributions to improving student academic achievement, as measured by State academic assessments required under section 1111(b)(3) of the Elementary and Secondary Education Act of 1965; and

''(ii) teacher mastery of the academic subject matter the teachers teach.

''(B) PUBLIC REPORTING.—The eligible State shall make the information described in subparagraph (A) (except such information that is individually identifiable) widely available through public means, such as posting on the Internet, distribution to the media, and distribution through public agencies.

''(C) BETTER MEASUREMENT OF EFFECTIVENESS.—

''(i) IN GENERAL.—An eligible State that receives a grant under this section and does not have the capacity to measure the effectiveness of teacher preparation programs and professional development activities within the State using available statewide data, shall use a portion of funds received under this section to enhance or expand the integration of existing data systems, as described in subsection (c)(7)(B), or develop an integrated statewide data system, as described in subsection (c)(7)(C), to better measure the effectiveness of teacher preparation programs on student learning and achievement, and the impact of pre-service and ongoing professional development on teacher placement and retention.

''(ii) TECHNICAL QUALITY; STUDENT PRIVACY; FUNDS FROM OTHER SOURCES.—In carrying out clause (i), the eligible State shall ensure—

''(I) the technical quality of the data system to maximize the validity, reliability, and accessibility of the data;

''(II) that student privacy is protected and that individually identifiable information about students, their achievements, and their families remains confidential, in accordance with the Family Educational Rights and Privacy Act of 1974; and

''(III) that funds provided under this section are used to supplement State efforts to enhance or expand the integration of existing data systems or to develop an integrated statewide data system.

''(e) ALLOWABLE USES OF FUNDS.—An eligible State that receives a grant under this section may use the grant funds to reform teacher preparation requirements, to coordinate with State activities under section 2113(c) of the Elementary and Secondary Education Act of 1965 and subsections (a) and (b) of section 654 of the Individuals with Disabilities Education Act, and to ensure that current and future teachers are highly qualified, by carrying out any of the following activities:

''(1) ALTERNATIVES TO TRADITIONAL PREPARATION FOR TEACHING AND STATE CERTIFICATION OR LICENSURE.—Providing prospective teachers with alternative routes to State certification or licensure and alternative route programs to become highly qualified teachers through—

''(A) innovative approaches that reduce unnecessary barriers to State certification or licensure while producing highly qualified teachers;

''(B) a selective means for admitting individuals into such programs that includes passage of State approved teacher examinations in appropriate subject areas;

''(C) programs that help prospective teachers develop effective teaching skills and strategies through knowledge of research-based information on the learning process and learning practices;

''(D) programs that provide support to teachers during the teachers' initial years in the profession; and

''(E) alternative routes to State certification or licensure of teachers for qualified individuals, including mid-career professionals from other occupations, paraprofessionals, former military personnel, and recent college graduates with records of academic distinction.

''(2) INNOVATIVE PROGRAMS.—Planning and implementing innovative programs to enhance the ability of institutions of higher education, including charter colleges of education, or university and local educational agency partnership schools, to prepare highly qualified teachers, which programs shall—

''(A) permit flexibility in the manner in which the institution of higher education meets State requirements as long as graduates, during the graduates' initial years in the profession, increase student academic achievement;

''(B) provide a description in the application of long-term data gathered from teachers' performance over multiple years in the classroom regarding the teachers' ability to increase student academic achievement;

''(C) ensure high-quality preparation of teachers from underrepresented groups;

''(D) create performance measures that can be used to document the effectiveness of innovative methods for preparing highly qualified teachers; and

''(E) develop frameworks for exemplary induction programs informed by research and best practices.

''(3) TEACHER RECRUITMENT AND RETENTION.—Undertaking activities that develop and implement effective mechanisms to ensure that local educational agencies and schools are able to recruit and retain highly qualified teachers, which may include the following activities:

''(A) PERFORMANCE BASED COMPENSATION.—Assisting local educational agencies in developing—

''(i) performance systems that reward teachers who increase student academic achievement and take on additional responsibilities, such as teacher mentoring and serving as master teachers; and

''(ii) strategies that provide differential and bonus pay in high-need local educational agencies to recruit and retain—

''(I) principals;

''(II) highly qualified teachers who teach in high-need academic subject areas (such as reading, mathematics, science, and foreign language, including less commonly taught languages);

''(III) highly qualified teachers who teach in schools identified for school improvement under section 1116(b) of the Elementary and Secondary Education Act of 1965;

''(IV) highly qualified special education teachers;

''(V) highly qualified teachers specializing in teaching children who are limited English proficient; and

''(VI) highly qualified teachers in low-income urban and rural schools or districts.

''(B) ADDITIONAL MECHANISMS.—Developing and implementing effective mechanisms to ensure that local educational agencies and schools are able to—

''(i) address needs identified with respect to—

''(I) underrepresented groups;

''(II) high-need academic subject areas (such as reading, mathematics, science, and foreign language, including less commonly taught languages);

''(III) high-need areas (such as special education, language instruction educational programs, and early childhood education);

''(IV) high-need communities, such as rural and urban areas;

''(V) high-need schools, including schools with high rates of teacher turnover; and

''(VI) students with disabilities and students who are limited English proficient;

''(ii) offer teacher mentoring for new teachers during such teachers' initial years of teaching; and

''(iii) provide access to ongoing professional development opportunities for teachers and administrators.

''(C) TEACHER ADVANCEMENT.—Assisting local educational agencies in developing teacher advancement and retention initiatives that promote professional growth and emphasize multiple career paths (such as paths to becoming a highly qualified mentor teacher or exemplary teacher) and pay differentiation.

''(D) RECRUIT QUALIFIED PROFESSIONALS.—Developing recruitment programs or assisting local educational agencies in—

''(i) recruiting qualified professionals from other fields, including highly qualified paraprofessionals (as defined in section 2102 of the Elementary and Secondary Education Act of 1965); and

''(ii) providing such professionals with alternative routes to teacher certification or licensure.

''(E) UNDERREPRESENTED POPULATIONS.—Providing increased opportunities for minorities, individuals with disabilities, and other individuals underrepresented in the teaching profession.

''(F) RURAL EDUCATION RECRUITMENT AND RETENTION PROGRAMS.—Making grants to rural school districts, or a consortia of rural school districts, to implement—

''(i) teacher recruitment strategies, which may include tuition assistance, student loan forgiveness, housing assistance, bonus pay, and other effective approaches;

''(ii) teacher retention strategies, such as mentoring programs and ongoing opportunities for professional growth and advancement; and

''(iii) partnerships with institutions of higher education designed to—

''(I) prepare beginning teachers to teach; and

''(II) assist teachers (including teachers who teach multiple subjects) to become highly qualified.

''(4) TEACHER SCHOLARSHIPS AND SUPPORT.—Providing—

''(A) scholarships to help students, such as individuals who have been accepted by, or who are enrolled in, a program of undergraduate education at an institution of higher education, pay the costs of tuition, room, board, and other expenses of completing a teacher preparation program, if—

''(i) the Secretary establishes such requirements as the Secretary determines necessary to ensure that recipients of scholarships under this section who complete teacher preparation programs—

''(I) subsequently teach in an early childhood education program or a high-need local educational agency for a period of time equivalent to the period of time for which the recipient received scholarship assistance, plus an additional 1 year; or

''(II) repay the amount of the scholarship if the recipient does not teach as described in subclause (I); and

''(ii) the eligible State provides an assurance that the eligible State will recruit minority students to become highly qualified teachers;

''(B) support services, if needed, to enable scholarship recipients to complete postsecondary education programs, or to move from a career outside of the field of education into a teaching career; and

''(C) follow-up services to former scholarship recipients during the recipients' initial years of teaching.

''(5) TEACHER REMOVAL.—Developing and implementing effective mechanisms to ensure that local educational agencies and schools are able to expeditiously remove incompetent or unqualified teachers consistent with procedures to ensure due process for the teachers.

''(6) TEACHER EFFECTIVENESS.—Developing—

''(A) systems to measure the effectiveness of teacher preparation programs and professional development programs; and

''(B) strategies to document gains in student academic achievement or increases in teacher mastery of the academic subject matter the teachers teach, as a result of such programs.

''(7) EARLY CHILDHOOD EDUCATORS.—Developing strategies to improve and expand teacher preparation programs for early childhood educators to teach in early childhood education programs.

''(8) PROFESSIONAL DEVELOPMENT.—Developing and enhancing high-quality professional development, instructional materials, and relevant training materials.

''(9) TECHNOLOGY.—Assisting teachers to use technology effectively, including use for instructional techniques and the collection, management, and analysis of data to improve teaching, learning, and decision making for the purpose of increasing student academic achievement.

''(10) AREAS OF INSTRUCTIONAL SHORTAGE.—Increasing the number of—

''(A) teachers in the classroom providing instruction in high-need academic subject areas (such as reading, mathematics, science, and foreign language, including less commonly taught languages) and high-need areas (such as special education, language instruction educational programs, and early childhood education); and

''(B) special education faculty dedicated to preparing highly qualified special education teachers at institutions of higher education.

''(11) TECHNICAL ASSISTANCE.—Providing technical assistance to low-performing programs of teacher preparation within institutions of higher education identified under section 207(a).

''(12) EVALUATION SUPPORT.—Performing data collection, evaluation, and reporting to meet the requirements of subsection (d)(3).

''(13) PROFESSIONAL ADVANCEMENT.—Developing a professional advancement system to—

''(A) initiate or enhance a system in which highly qualified teachers who pursue advanced licensure levels are required to demonstrate increased competencies and undertake increased responsibilities for increased compensation as the teachers progress through levels established by the State; or

''(B) provide opportunities for professional growth, including through—

''(i) a nationally recognized advance credentialing system; or

''(ii) special certification in advanced placement or international baccalaureate content, teaching gifted and talented students, and pedagogy.

''(f) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall be used to supplement, and not supplant, other Federal, State, and local funds that would otherwise be expended to carry out activities under this section.

''SEC. 203. PARTNERSHIP GRANTS.

''(a) GRANTS.—From amounts made available under section 209(a)(2) for a fiscal year, the Secretary is authorized to award grants under this section, on a competitive basis, to eligible partnerships to enable the eligible partnerships to carry out the activities described in subsections (e) and (f).

''(b) DEFINITIONS.—

''(1) ELIGIBLE PARTNERSHIP.—

''(A) IN GENERAL.—In this part, the term 'eligible partnership' means an entity that shall include—

''(i) a partner institution;

''(ii) a school of arts and sciences;

''(iii) a high-need local educational agency and a school or a consortium of schools served by the agency; and

''(iv) at least 1 individual or entity described in subparagraph (B).

''(B) ADDITIONAL INDIVIDUALS AND ENTITIES.—In this part, the term 'eligible partnership' means an entity that shall include at least 1 of the following:

''(i) A Governor.

''(ii) A State educational agency.

''(iii) A State board of education.

''(iv) A State agency for higher education.

''(v) A school or department within the partner institution focusing on education, psychology, human development, or a department with comparable expertise in the disciplines of teaching, learning, and child and adolescent development.

''(vi) An institution of higher education or a department within such institution, not described in subparagraph (A).

''(vii) A public charter school.

''(viii) A public or private elementary school or secondary school.

''(ix) A public or private nonprofit educational organization.

''(x) A business.

''(xi) A science-, mathematics-, or technology-oriented entity.

''(xii) An early childhood education program.

''(xiii) A teacher organization.

''(xiv) An educational service agency.

''(xv) A consortium of local educational agencies.

''(xvi) A nonprofit telecommunications entity.

''(2) PARTNER INSTITUTION.—In this section, the term 'partner institution' means an institution of higher education, which may include a 2-year institution of higher education offering a dual program with a 4-year

institution of higher education, that has a teacher preparation program—

''(A) whose graduates exhibit strong performance on State-determined qualifying assessments for new teachers through—

''(i) demonstrating that 80 percent or more of the graduates of the program who intend to enter the field of teaching have passed all of the applicable State qualification assessments for new teachers, which shall include an assessment of each prospective teacher's subject matter knowledge in the content area in which the teacher intends to teach; or

''(ii) being ranked among the highest-performing teacher preparation programs in the State as determined by the State—

''(I) using criteria consistent with the requirements for the State report card under section 206(b); and

''(II) using the State report card on teacher preparation required under section 206(b), after the first publication of such report card and for every year thereafter; or

''(B) that requires all the students of the program to meet high academic standards and participate in intensive clinical experience, and—

''(i) in the case of secondary school candidates, to successfully complete—

''(I) a major or its equivalent in coursework in the academic subject area in which the candidate intends to teach; or

''(II) a related major in the academic subject area in which the candidate intends to teach;

''(ii) in the case of elementary school candidates, to successfully complete—

''(I) an academic major or its equivalent in coursework in the arts and sciences; or

''(II) a major in elementary education with a significant amount of coursework in the arts and sciences; and

''(iii) in the case of early childhood educators, to become fully competent and meet degree requirements, as established by the State.

''(c) APPLICATION.—Each eligible partnership desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each such application shall contain—

''(1) a needs assessment of all the partners with respect to the preparation, induction, and professional development of early childhood educators, general and special education teachers, and principals;

''(2) a description of the extent to which the teacher preparation program of the eligible partnership prepares new teachers with effective teaching skills;

''(3) a description of how the eligible partnership will coordinate with other teacher preparation or professional development programs, including those funded under the Elementary and Secondary Education Act of 1965 and the Individuals with Disabilities Education Act, and how the activities of the eligible partnership will be consistent with State, local, and other education reform activities that promote student achievement;

''(4) a resource assessment that describes the resources available to the eligible partnership, the intended use of the grant funds (including a description of how the grant funds will be fairly distributed), and the commitment of the resources of the eligible partnership to the activities assisted under this part, including financial support, faculty participation, time commitments, and continuation of the activities when the grant period ends;

''(5) a description of—

''(A) how the eligible partnership will meet the purposes of this part;

''(B) how the eligible partnership will carry out the activities required under subsection (e) and any permissible activities under subsection (f);

''(C) the eligible partnership's evaluation plan pursuant to section 205(b);

''(D) how the eligible partnership will align the teacher preparation program with the challenging student academic achievement standards, State early learning standards for early childhood education programs (where applicable), and challenging academic content standards, established by the State in which the partnership is located;

''(E) how faculty of the teacher preparation program at the partner institution will serve, over the period of the grant, with highly qualified teachers in the classrooms of the high-need local educational agency included in the eligible partnership;

''(F) how the eligible partnership will ensure that teachers, principals, and superintendents in all schools (including private schools, as appropriate) located in the geographic areas served by an eligible partnership under this section are provided information about the activities carried out with funds under this section, including through electronic means;

''(G) how the eligible partnership will design, implement, or enhance the clinical program component, including promoting close supervision of student teachers by faculty of the teacher preparation program and mentor teachers while in the program and during the student teachers' initial years of teaching if hired by schools included in the eligible partnership;

''(H) how the eligible partnership will develop or enhance an induction program that includes high-quality professional development to support new teachers during the teachers' initial years of teaching that includes teacher mentoring and collaborating with teachers in the same grade, department, or field; and

''(I) how the eligible partnership will collect, analyze, use, and disseminate data on the retention of all teachers in schools located in the geographic areas served by the eligible partnership to evaluate the effectiveness of its teacher support system; and

''(6) an assurance that the eligible partnership will carry out each of the activities described in paragraph (5).

''(d) CONSULTATION.—

''(1) IN GENERAL.—Members of an eligible partnership that receives a grant under this section shall engage in regular consultation throughout the development and implementation of programs and activities under this section.

''(2) REGULAR COMMUNICATION.—To ensure timely and meaningful consultation, regular communication shall occur among all members of the eligible partnership, including the high-need local educational agency. Such communication shall continue throughout the implementation of the grant and the assessment of programs and activities under this section.

''(3) WRITTEN CONSENT.—The Secretary may approve changes in grant activities only if a written consent signed by all members of the eligible partnership is submitted to the Secretary.

''(e) REQUIRED USES OF FUNDS.—An eligible partnership that receives a grant under this section shall use the grant funds to carry out each of the following activities:

''(1) REFORMS.—Ensuring that each teacher preparation program and each early childhood educator preparation program, where applicable, of the eligible partnership that is assisted under this section addresses the needs identified in the needs assessment of the partnership and is preparing current or prospective teachers to be highly qualified, and, where applicable, early childhood educators to be fully competent, to understand scientifically based research and its applicability, and to use technology effectively, including use of instructional techniques to improve student academic achievement, and in the case of early childhood educators, techniques to improve children's cognitive, social, emotional, and physical development, by assisting such programs—

''(A) in retraining faculty;

''(B) in designing (or redesigning) teacher preparation programs so that such programs—

''(i) are based on rigorous academic content and scientifically based research (including scientifically based reading research), and aligned with challenging State academic content standards and for early childhood educators, aligned with State early learning standards;

''(ii) promote effective teaching skills;

''(iii) promote understanding of effective instructional strategies for students with special needs, including students with disabilities, students who are limited English proficient, students who are gifted and talented, and children in early childhood education programs; and

''(iv) promote high-quality mathematics, science, and foreign language instruction, where applicable;

''(C) in ensuring collaboration with departments, programs, or units outside of the teacher preparation program in all academic content areas to ensure a successful combination of training in both teaching and such content; and

''(D) in developing high-quality, rigorous clinical experiences, lasting not less than 1 term, through dissemination of best practices, technical assistance, or other relevant activities.

''(2) CLINICAL EXPERIENCE AND INTERACTION.—Improving sustained and high-quality preservice clinical experiences, including—

''(A) providing teacher mentoring; and

''(B) substantially increasing interaction between faculty at institutions of higher education and new and experienced teachers, principals, and other administrators at elementary schools or secondary schools, and providing support, including preparation time and release time, for such interaction.

''(3) SUPPORT PROGRAMS FOR NEW TEACHERS.—Creating a program to support new teachers during the initial years of teaching (for not less than 1 year and not more than 3 years). Such program shall promote effective teaching skills and may include the following components:

''(A) Development of skills in educational interventions based on scientifically based research.

''(B) Development of knowledge of scientifically based research on teaching and learning.

''(C) Inclusion of faculty who model the integration of research and practice in the classroom.

''(D) Opportunities for—

''(i) high-quality teacher mentoring; and

''(ii) additional professional development, dissemination of evidence-based research on educational practices, and professional development activities.

''(E) Interdisciplinary collaboration among exemplary teachers, faculty, researchers, and other staff who prepare new teachers on the learning process and the assessment of learning.

''(f) ALLOWABLE USES OF FUNDS.—An eligible partnership that receives a grant under this section may use the grant funds to carry out any of the following activities that address the needs identified in the needs assessment:

''(1) ALTERNATIVES TO TRADITIONAL PREPARATION FOR TEACHING AND STATE CERTIFICATION OR LICENSURE.—The activity described in section 202(e)(1).

''(2) DISSEMINATION AND COORDINATION.—Broadly disseminating information on effective practices used by the eligible partnership, and coordinating with the activities of the Governor, State board of education, State agency for higher education, State agency responsible for early childhood education, and State educational agency, as appropriate.

''(3) INNOVATIVE PROGRAMS.—Developing innovative programs designed to provide graduates of programs funded under this title with opportunities to continue their education through supports and opportunities to improve instructional practices in the initial years of teaching, including the following:

''(A) INTERNSHIPS.—

''(i) TEACHER PREPARATION ENHANCEMENT INTERNSHIP.—Developing a 1-year paid internship program for students who have completed a 4-year teacher preparation program, or alternative routes to State certification or licensure program, to enable such students to develop the skills and experience necessary for success in teaching, including providing intensive clinical training and combining in-service instruction in teacher methods and assessments with classroom observations, experiences, and practices. Such interns shall have a reduced teaching load and a mentor for assistance in the classroom.

''(ii) MID-CAREER PROFESSIONAL INTERNSHIPS.—Developing a 1-year paid internship program for mid-career professionals from other occupations, former military personnel, and recent college graduates from fields other than teacher preparation with records of academic distinction to enable such individuals to develop the skills and experience necessary for success in teaching, including providing intensive clinical training and combining in-service instruction in teacher methods and assessments with classroom observations, experiences, and practices. Such interns shall have a reduced teaching load and a mentor for assistance in the classroom.

''(B) RESIDENCY PROGRAMS FOR NEW TEACHERS.—Supporting teachers in a residency program that provides an induction period for all new general education and special education teachers that includes—

''(i) a forum for information sharing among prospective teachers, teachers, principals, administrators, and participating faculty in the partner institution; and

''(ii) the application of scientifically based research on teaching and learning generated by entities such as the Institute of Education Sciences, and the National Research Council of the National Academies.

''(C) PATHWAYS FOR PARAPROFESSIONALS TO ENTER TEACHING.—Creating intensive programs to provide the coursework and clinical experiences needed by highly qualified paraprofessionals, as defined in section 2102 of the Elementary and Secondary Education Act of 1965, to qualify for State teacher certification or licensure.

''(4) MANAGERIAL AND LEADERSHIP SKILLS.—Developing and implementing proven mechanisms to provide principals and superintendents with effective managerial, leadership, curricula, and instructional skills that result in increased student academic achievement.

''(5) TEACHER SCHOLARSHIPS AND SUPPORT.—Providing—

''(A) scholarships to help students, such as individuals who have been accepted by, or who are enrolled in, a program of undergraduate education at an institution of higher education, pay the costs of tuition, room, board, and other expenses of completing a teacher preparation program, if—

''(i) the Secretary establishes such requirements as the Secretary determines necessary to ensure that recipients of scholarships under this paragraph who complete teacher preparation programs—

''(I) subsequently teach in a high-need local educational agency for a period of time equivalent to the period of time for which the recipient received the scholarship assistance, plus an additional 1 year; or

''(II) repay the amount of the scholarship if the recipient does not teach as described in subclause (I); and

''(ii) the eligible partnership provides an assurance that the eligible partnership will recruit minority students to become highly qualified teachers;

''(B) support services, if needed, to enable scholarship recipients to complete postsecondary education programs, or to transition from a career outside of the field of education into a teaching career; and

''(C) follow-up services for former scholarship recipients during the recipients' initial years of teaching.

''(6) COORDINATION WITH COMMUNITY COLLEGES.—

''(A) TEACHER PREPARATION PROGRAMS.—Coordinating with 2-year institutions of higher education to implement teacher preparation programs, including through distance learning, for the purposes of allowing prospective teachers—

''(i) to obtain a bachelor's degree and State certification or licensure; and

''(ii) to become highly qualified teachers.

''(B) PROFESSIONAL DEVELOPMENT.—Coordinating with 2-year institutions of higher education to provide professional development that—

''(i) improves the academic content knowledge of teachers in the academic subject areas in which the teachers are certified or licensed to teach, or in which the teachers are working toward certification or licensure to teach; and

''(ii) promotes effective teaching skills.

''(7) CLINICAL EXPERIENCE IN SCIENCE, MATHEMATICS, AND TECHNOLOGY.—Creating opportunities for clinical experience and training for teachers and prospective teachers through participation with professionals in business, research, and work environments in areas relating to science, mathematics, and technology, including opportunities for using laboratory equipment.

''(8) PROFESSIONAL DEVELOPMENT.—Creating opportunities for enhanced and ongoing professional development for experienced general education and special education teachers, early childhood educators, principals, administrators, and faculty.

''(9) TECHNOLOGY.—The activity described in section 202(e)(9).

''(10) AREAS OF INSTRUCTIONAL SHORTAGE.—Increasing the number of—

''(A) teachers in the classroom providing instruction in high-need academic subject areas (such as reading, mathematics, science, and foreign language, including less commonly taught languages), and high-need areas (such as special education, language instruction educational programs, and early childhood education);

''(B) special education faculty dedicated to preparing highly qualified special education teachers at institutions of higher education; and

''(C) faculty at institutions of higher education with expertise in instruction of students who are limited English proficient.

''(11) IMPROVING INSTRUCTION.—Improving instruction by—

''(A) improving understanding and instruction in core academic subjects and other, specialized courses, such as geography, American history and government, and world history; and

''(B) creating externships for teachers and prospective teachers for field experience and training through participation in business, research, and work environments in high-need academic subject areas (such as reading, mathematics, science, and foreign language, including less commonly taught languages) and high-need areas (such as special education, language instruction educational programs, and early childhood education).

''(12) GRADUATE PROGRAMS.—Developing, in collaboration with departments, programs, or units of both academic content and teacher education within a partner institution, master's degree programs that meet the demonstrated needs of teachers in the high-need local educational agency participating in the eligible partnership for content expertise and teaching skills.

''(13) LITERACY TEACHER TRAINING.—Establishing and implementing a program that strengthens content knowledge and teaching skills of secondary school teachers in literacy that—

''(A) provides teacher training and stipends for literacy coaches who train classroom teachers to implement literacy programs;

''(B) develops or redesigns rigorous research-based curricula that are aligned with challenging State and local academic content standards, and with postsecondary standards for reading and writing;

''(C) provides training and stipends for teachers to tutor students with intense individualized reading, writing, and subject matter instruction during or beyond the school day;

''(D) provides opportunities for teachers to plan and assess instruction with other teachers, school leaders, and faculty at institutions of higher education; and

''(E) establishes an evaluation and accountability plan for activities conducted under this paragraph to measure the impact of such activities.

''(g) CONSTRUCTION.—Nothing in this section shall be construed to prohibit an eligible partnership from using grant funds to coordinate with the activities of eligible partnerships in other States or on a regional basis through Governors, State boards of education, State educational agencies, State agencies responsible for early childhood education, local educational agencies, or State agencies for higher education.

''(h) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall be used to supplement, and not supplant, other Federal, State, and local funds that would otherwise be expended to carry out activities under this section.

''SEC. 204. ADMINISTRATIVE PROVISIONS.

''(a) DURATION; NUMBER OF AWARDS; PAYMENTS.—

''(1) DURATION.—

''(A) ELIGIBLE STATES.—Grants awarded to eligible States under this part shall be awarded for a period not to exceed 3 years.

''(B) ELIGIBLE PARTNERSHIPS.—Grants awarded to eligible partnerships under this part shall be awarded for a period of 5 years.

''(2) NUMBER OF AWARDS.—An eligible partnership may not receive more than 1 grant during a 5-year period. Nothing in this title shall be construed to prohibit an individual member, that can demonstrate need, of an eligible partnership that receives a grant under this title from entering into another eligible partnership consisting of new members and receiving a grant with such other eligible partnership before the 5-year period described in the preceding sentence applicable to the eligible partnership with which the individual member has first partnered has expired.

''(3) PAYMENTS.—The Secretary shall make annual payments of grant funds awarded under this part.

''(b) PEER REVIEW.—

''(1) PANEL.—The Secretary shall provide the applications submitted under this part to a peer review panel for evaluation. With respect to each application, the peer review panel shall initially recommend the application for funding or for disapproval.

''(2) PRIORITY.—In recommending applications to the Secretary for funding under this part, the panel shall—

''(A) with respect to grants under section 202, give priority to eligible States—

''(i) that have innovative reforms to hold institutions of higher education with teacher preparation programs accountable for preparing teachers to become highly qualified and have effective teaching skills;

''(ii) that have innovative efforts aimed at reducing the shortage of highly qualified general and special education teachers, including in low-income urban and rural areas and in high-need academic subject areas (such as reading, mathematics, science, and foreign language, including less commonly taught languages); and

''(iii) whose awards promote an equitable geographic distribution of grants among rural and urban areas; and

''(B) with respect to grants under section 203, give priority—

''(i) to applications from broad-based eligible partnerships that involve businesses and community organizations; and

''(ii) to eligible partnerships so that the awards promote an equitable geographic distribution of grants among rural and urban areas.

''(3) SECRETARIAL SELECTION.—The Secretary shall determine, based on the peer review process, which applications shall receive funding and the amounts of the grants. In determining grant amounts, the Secretary shall take into account the total amount of funds available for all grants under this part and the types of activities proposed to be carried out.

''(c) MATCHING REQUIREMENTS.—

''(1) STATE GRANTS.—Each eligible State receiving a grant under section 202 shall provide, from non-Federal sources, an amount equal to 50 percent of the amount of the grant (in cash or in kind) to carry out the activities supported by the grant.

''(2) PARTNERSHIP GRANTS.—Each eligible partnership receiving a grant under section 203 shall provide, from non-Federal sources (in cash or in kind), an amount equal to 25 percent of the amount of the grant for the first year of the grant, 35 percent of the amount of the grant for the second year of the grant, and 50 percent of the amount of the grant for each succeeding year of the grant.

''(d) LIMITATION ON ADMINISTRATIVE EXPENSES.—An eligible State or eligible partnership that receives a grant under this part may use not more than 2 percent of the grant funds for purposes of administering the grant.

''(e) ADDITIONAL ACTIVITIES.—The Secretary shall use funds repaid pursuant to section 202(e)(4)(A)(i)(II) or section 203(f)(5)(A)(i)(II) to carry out additional activities under section 202 or 203, respectively.

''SEC. 205. ACCOUNTABILITY AND EVALUATION.

''(a) STATE GRANT ACCOUNTABILITY REPORT.—An eligible State that receives a grant under section 202 shall submit an annual accountability report to the Secretary and the authorizing committees. Such report shall include a description of the degree to which the eligible State, in using funds provided under such section, has made progress in meeting the purposes of this part and substantial progress in meeting the following goals, as applicable:

''(1) STUDENT ACADEMIC ACHIEVEMENT.—Increasing student academic achievement for all students as defined by the eligible State.

''(2) RAISING STANDARDS.—Raising the State academic standards required to enter the teaching profession as a highly qualified teacher, and where applicable, as a fully competent early childhood educator.

''(3) INITIAL CERTIFICATION OR LICENSURE.—Increasing success in the pass rates and scaled scores for initial State teacher certification or licensure, or increasing the numbers of qualified individuals being certified or licensed as teachers through alternative routes to State certification or licensure programs.

''(4) PERCENTAGE OF HIGHLY QUALIFIED TEACHERS.—Providing data on the progress of the State towards meeting the highly qualified teacher requirements under section 1119(a)(2) of the Elementary and Secondary Education Act of 1965.

''(5) DECREASING TEACHER SHORTAGES.—Decreasing shortages of—

''(A) highly qualified teachers in—

''(i) low-income urban and rural areas;

''(ii) high-need academic subject areas (such as reading, mathematics, science, and foreign language, including less commonly taught languages);

''(iii) special education; and

''(iv) high-need areas (such as special education, language instruction educational programs, and early childhood education); and

''(B) fully competent early childhood educators.

''(6) INCREASING OPPORTUNITIES FOR PROFESSIONAL DEVELOPMENT.—Increasing opportunities for enhanced and ongoing professional development that—

''(A) improves the academic content knowledge of teachers in the academic subject areas in which the teachers are certified or licensed to teach or in which the teachers are working toward certification or licensure to teach; and

''(B) promotes effective teaching skills.

''(b) ELIGIBLE PARTNERSHIP EVALUATION.—Each eligible partnership submitting an application for a grant under section 203 shall establish and include in such application, an evaluation plan that includes strong performance objectives. The plan shall include objectives and measures for increasing—

''(1) student achievement for all students as measured by the eligible partnership;

''(2) teacher retention in the first 3 years of a teacher's career;

''(3) success in the pass rates and scaled scores for initial State certification or licensure of teachers;

''(4) the percentage of highly qualified teachers hired by the high-need local educational agency participating in the eligible partnership; and

''(5) the percentage of—

''(A) highly qualified teachers among underrepresented groups, in high-need academic subject areas (such as reading, mathematics, science, and foreign language, including less commonly taught languages), in high-need areas (such as special education, language instruction educational programs, and early childhood education), and in high-need schools;

''(B) elementary school, middle school, and secondary school classes taught by teachers who are highly qualified;

''(C) early childhood education program classes taught by providers who are fully competent; and

''(D) highly qualified special education teachers.

''(c) REVOCATION OF GRANT.—

''(1) ELIGIBLE STATES.—If the Secretary determines that an eligible State is not making substantial progress in meeting the purposes, goals, objectives, and measures, as appropriate, by the end of the second year of a grant under this part, then the grant payment shall not be made for the third year of the grant.

''(2) ELIGIBLE PARTNERSHIPS.—If the Secretary determines that an eligible partnership is not making substantial progress in meeting the purposes, goals, objectives, and measures, as appropriate, by the end of the third year of a grant under this part, then the grant payments shall not be made for any succeeding year of the grant.

''(d) EVALUATION AND DISSEMINATION.—The Secretary shall evaluate the activities funded under this part and report the Secretary's findings regarding the activities to the authorizing committees. The Secretary shall broadly disseminate—

''(1) successful practices developed by eligible States and eligible partnerships under this part; and

''(2) information regarding such practices that were found to be ineffective.

''SEC. 206. ACCOUNTABILITY FOR PROGRAMS THAT PREPARE TEACHERS.

''(a) INSTITUTIONAL AND PROGRAM REPORT CARDS ON THE QUALITY OF TEACHER PREPARATION.—

''(1) REPORT CARD.—Each institution of higher education that conducts a traditional teacher preparation program or an alternative routes to State certification or licensure program and that enrolls students receiving Federal assistance under this Act shall report annually to the State and the general public, in a uniform and comprehensible manner that conforms with the definitions and methods established by the Secretary, both for traditional teacher preparation programs and alternative routes to State certification or licensure programs, the following information:

''(A) PASS RATES AND SCALED SCORES.—For the most recent year for which the information is available for those students who are enrolled in the traditional teacher preparation program or alternative routes to State certification or licensure program, or who have completed the traditional teacher preparation program or alternative routes to State certification or licensure program during the 2-year period preceding such year, for each of the assessments used for teacher certification or licensure by the State in which the program is located—

''(i) the percentage of students who have completed 100 percent of the nonclinical coursework and taken the assessment who pass such assessment;

''(ii) the percentage of all students who passed each such assessment;

''(iii) the percentage of students taking an assessment who completed the teacher preparation program after enrolling in the program, which shall be made available widely and publicly by the State;

''(iv) the average scaled score for all students who passed each such assessment;

''(v) a comparison of the program's pass rates with the average pass rates for programs in the State; and

''(vi) a comparison of the program's average scaled scores with the average scaled scores for programs in the State.

''(B) PROGRAM INFORMATION.—The criteria for admission into the program, the number of students in the program (disaggregated by race and gender), the average number of hours of supervised clinical experience required for those in the program, the number of full-time equivalent faculty and students in the supervised clinical experience, and the total number of students who have been certified or licensed as teachers, disaggregated

by subject and area of certification or licensure.

''(C) STATEMENT.—In States that require approval or accreditation of teacher preparation programs, a statement of whether the institution's program is so approved or accredited, and by whom.

''(D) DESIGNATION AS LOW-PERFORMING.—Whether the program has been designated as low-performing by the State under section 207(a).

''(E) USE OF TECHNOLOGY.—A description of the activities that prepare teachers to effectively integrate technology into curricula and instruction and effectively use technology to collect, manage, and analyze data in order to improve teaching, learning, and decision making for the purpose of increasing student academic achievement.

''(2) REPORT.—Each eligible partnership receiving a grant under section 203 shall report annually on the progress of the eligible partnership toward meeting the purposes of this part and the objectives and measures described in section 205(b).

''(3) FINES.—The Secretary may impose a fine not to exceed $25,000 on an institution of higher education for failure to provide the information described in this subsection in a timely or accurate manner.

''(4) SPECIAL RULE.—In the case of an institution of higher education that conducts a traditional teacher preparation program or an alternative routes to State certification or licensure program and has fewer than 10 scores reported on any single initial teacher certification or licensure assessment during an academic year, the institution shall collect and publish information, as required under paragraph (1)(A), with respect to an average pass rate and scaled score on each State certification or licensure assessment taken over a 3-year period.

''(b) STATE REPORT CARD ON THE QUALITY OF TEACHER PREPARATION.—

''(1) IN GENERAL.—Each State that receives funds under this Act shall provide to the Secretary, annually, in a uniform and comprehensible manner that conforms with the definitions and methods established by the Secretary, a State report card on the quality of teacher preparation in the State, both for traditional teacher preparation programs and for alternative routes to State certification or licensure programs, which shall include not less than the following:

''(A) A description of reliability and validity of the teacher certification and licensure assessments, and any other certification and licensure requirements, used by the State.

''(B) The standards and criteria that prospective teachers must meet in order to attain initial teacher certification or licensure and to be certified or licensed to teach particular academic subject areas or in particular grades within the State.

''(C) A description of how the assessments and requirements described in subparagraph (A) are aligned with the State's challenging academic content standards required under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 and State early learning standards for early childhood education programs.

''(D) For each of the assessments used by the State for teacher certification or licensure—

''(i) for each institution of higher education located in the State and each entity located in the State that offers an alternative route for teacher certification or licensure, the percentage of students at such institution or entity who have completed 100 percent of the nonclinical coursework and taken the assessment who pass such assessment;

''(ii) the percentage of all such students at all such institutions taking the assessment who pass such assessment; and

''(iii) the percentage of students taking an assessment who completed the teacher preparation program after enrolling in the program, which shall be made available widely and publicly by the State.

''(E) A description of alternative routes to State certification or licensure in the State, if any, including, for each of the assessments used by the State for teacher certification or licensure—

''(i) the percentage of individuals participating in such routes, or who have completed such routes during the 2-year period preceding the date of the determination, who passed each such assessment; and

''(ii) the average scaled score of individuals participating in such routes, or who have completed such routes during the period preceding the date of the determination, who passed each such assessment.

''(F) A description of the State's criteria for assessing the performance of teacher preparation programs within institutions of higher education in the State. Such criteria shall include indicators of the academic content knowledge and teaching skills of students enrolled in such programs.

''(G) For each teacher preparation program in the State, the criteria for admission into the program, the number of students in the program (disaggregated by race and gender), the average number of hours of supervised clinical experience required for those in the program, and the number of full-time equivalent faculty, adjunct faculty, and students in supervised clinical experience.

''(H) For the State as a whole, and for each teacher preparation program in the State, the number of teachers prepared, in the aggregate and reported separately by—

''(i) area of certification or licensure;

''(ii) academic major; and

''(iii) subject area for which the teacher has been prepared to teach.

''(I) Using the data generated under subparagraphs (G) and (H), a description of the extent to which teacher preparation programs are helping to address shortages of highly qualified teachers, by area of certification or licensure, subject, and specialty, in the State's public schools, including those areas described in section 205(a)(5).

''(J) A description of the activities that prepare teachers to effectively integrate technology into curricula and instruction and effectively use technology to collect, manage, and analyze data in order to improve teaching, learning, and decision making for the purpose of increasing student academic achievement.

''(2) PROHIBITION AGAINST CREATING A NATIONAL LIST.—The Secretary shall not create a national list or ranking of States or schools using the scaled scores provided under this subsection.

''(c) REPORT OF THE SECRETARY ON THE QUALITY OF TEACHER PREPARATION.—

''(1) REPORT CARD.—The Secretary shall provide to Congress, and publish and make widely available, a report card on teacher qualifications and preparation in the United States, including all the information reported in subparagraphs (A) through (J) of subsection (b)(1). Such report shall identify States for which eligible States and eligible partnerships received a grant under this part. Such report shall be so provided, published, and made available annually.

''(2) REPORT TO CONGRESS.—The Secretary shall prepare and submit a report to Congress that contains the following:

''(A) A comparison of States' efforts to improve the quality of the current and future teaching force.

''(B) A comparison of eligible partnerships' efforts to improve the quality of the current and future teaching force.

''(C) The national mean and median scaled scores and pass rate on any standardized test that is used in more than 1 State for teacher certification or licensure.

''(3) SPECIAL RULE.—In the case of a teacher preparation program with fewer than 10 scores reported on any single initial teacher certification or licensure assessment during an academic year, the Secretary shall collect and publish information, and make publicly available, with respect to an average pass rate and scaled score on each State certification or licensure assessment taken over a 3-year period.

''(d) COORDINATION.—The Secretary, to the extent practicable, shall coordinate the information collected and published under this part among States for individuals who took State teacher certification or licensure assessments in a State other than the State in which the individual received the individual's most recent degree.

''SEC. 207. STATE FUNCTIONS.

''(a) STATE ASSESSMENT.—In order to receive funds under this Act, a State shall have in place a procedure to identify and assist, through the provision of technical assistance, low-performing programs of teacher preparation. Such State shall provide the Secretary an annual list of such low-performing teacher preparation programs that includes an identification of those programs at risk of being placed on such list. Such levels of performance shall be determined solely by the State and may include criteria based on information collected pursuant to this part. Such assessment shall be described in the report under section 206(b).

''(b) TERMINATION OF ELIGIBILITY.—Any program of teacher preparation from which the State has withdrawn the State's approval, or terminated the State's financial support, due to the low performance of the program based upon the State assessment described in subsection (a)—

''(1) shall be ineligible for any funding for professional development activities awarded by the Department;

''(2) shall not be permitted to accept or enroll any student that receives aid under title IV in the institution's teacher preparation program; and

''(3) shall provide transitional support, including remedial services if necessary, for students enrolled at the institution at the time of termination of financial support or withdrawal of approval.

''(c) NEGOTIATED RULEMAKING.—If the Secretary develops any regulations implementing subsection (b)(2), the Secretary shall submit such proposed regulations to a negotiated rulemaking process, which shall include representatives of States, institutions of higher education, and educational and student organizations.

''(d) APPLICATION OF THE REQUIREMENTS.—The requirements of this section shall apply to both traditional teacher preparation programs and alternative routes to State certification and licensure programs.

''SEC. 208. GENERAL PROVISIONS.

''(a) METHODS.—In complying with sections 206 and 207, the Secretary shall ensure that States and institutions of higher education use fair and equitable methods in reporting and that the reporting methods do not allow identification of individuals.

''(b) SPECIAL RULE.—For each State that does not use content assessments as a means of ensuring that all teachers teaching in core academic subjects within the State are highly qualified not later than the end of the 2005–2006 school year, as required under section 1119 of the Elementary and Secondary

Education Act of 1965, and that each person employed as a special education teacher in the State who teaches elementary school, middle school, or secondary school is highly qualified by such deadline, as required under section 612(a)(14)(C) of the Individuals with Disabilities Education Act,—

''(1) the Secretary shall, to the extent practicable, collect data comparable to the data required under this part from States, local educational agencies, institutions of higher education, or other entities that administer such assessments to teachers or prospective teachers; and

''(2) notwithstanding any other provision of this part, the Secretary shall use such data to carry out requirements of this part related to assessments, pass rates, and scaled scores.

''(c) LIMITATIONS.—

''(1) FEDERAL CONTROL PROHIBITED.—Nothing in this title shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law. This section shall not be construed to prohibit private, religious, or home schools from participation in programs or services under this title.

''(2) NO CHANGE IN STATE CONTROL ENCOURAGED OR REQUIRED.—Nothing in this title shall be construed to encourage or require any change in a State's treatment of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law.

''(3) NATIONAL SYSTEM OF TEACHER CERTIFICATION OR LICENSURE PROHIBITED.—Nothing in this title shall be construed to permit, allow, encourage, or authorize the Secretary to establish or support any national system of teacher certification or licensure.

''(d) RELEASE OF INFORMATION TO TEACHER PREPARATION PROGRAMS.—

''(1) IN GENERAL.—For the purpose of improving teacher preparation programs, a State educational agency shall provide to a teacher preparation program, upon the request of the teacher preparation program, any and all pertinent education-related information that—

''(A) may enable the teacher preparation program to evaluate the effectiveness of the program's graduates or the program itself; and

''(B) is possessed, controlled, or accessible by the State educational agency.

''(2) CONTENT OF INFORMATION.—The information described in paragraph (1)—

''(A) shall include an identification of specific individuals who graduated from the teacher preparation program to enable the teacher preparation program to evaluate the information provided to the program from the State educational agency with the program's own data about the specific courses taken by, and field experiences of, the individual graduates; and

''(B) may include—

''(i) kindergarten through grade 12 academic achievement and demographic data, without individual identifying information, for students who have been taught by graduates of the teacher preparation program; and

''(ii) teacher effectiveness evaluations for teachers who graduated from the teacher preparation program.

"SEC. 209. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years, of which—

''(1) 50 percent shall be available for each fiscal year to award grants under section 202; and

''(2) 50 percent shall be available for each fiscal year to award grants under section 203.

''(b) SPECIAL RULE.—If the Secretary determines that there is an insufficient number of meritorious applications for grants under section 202 or 203 to justify awarding the full amount described in paragraph (1) or (2) of subsection (a), respectively, the Secretary may, after funding the meritorious applications, use the remaining funds for grants under the other such section.''.

TITLE III—INSTITUTIONAL AID

SEC. 301. PROGRAM PURPOSE.

Section 311 (20 U.S.C. 1057) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''351'' and inserting ''391''; and

(B) in paragraph (3)(F), by inserting '', including services that will assist in the education of special populations'' before the period; and

(2) in subsection (c)—

(A) in paragraph (6), by inserting '', including innovative, customized, remedial education and English language instruction courses designed to help retain students and move the students rapidly into core courses and through program completion'' before the period;

(B) by redesignating paragraphs (7) through (12) as paragraphs (8) through (13), respectively;

(C) by inserting after paragraph (6) the following:

''(7) Education or counseling services designed to improve the financial literacy and economic literacy of students or the students' parents.''; and

(D) in the matter preceding subparagraph (A) of paragraph (13) (as redesignated by subparagraph (B)), by striking ''subsection (c)'' and inserting ''subsection (b) and section 391''.

SEC. 302. DEFINITIONS; ELIGIBILITY.

Section 312 (20 U.S.C. 1058) is amended—

(1) in subsection (b)(1)(A), by striking ''subsection (c) of this section'' and inserting ''subsection (d)''; and

(2) in subsection (d)(2), by striking ''subdivision'' and inserting ''paragraph''.

SEC. 303. AMERICAN INDIAN TRIBALLY CONTROLLED COLLEGES AND UNIVERSITIES.

Section 316 (20 U.S.C. 1059c) is amended—

(1) by striking subsection (b)(3) and inserting the following:

''(3) TRIBAL COLLEGE OR UNIVERSITY.—The term 'Tribal College or University' means an institution that meets the definition of a tribally controlled college or university in section 2 of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801).'';

(2) in subsection (c)(2)—

(A) in subparagraph (B), by inserting before the semicolon at the end the following: ''and the acquisition of real property adjacent to the campus of the institution'';

(B) by redesignating subparagraphs (G), (H), (I), (J), (K), and (L) as subparagraphs (H), (I), (J), (K), (L), and (N), respectively;

(C) by inserting after subparagraph (F) the following:

''(G) education or counseling services designed to improve the financial literacy and economic literacy of students or parents of students;'';

(D) in subparagraph (L) (as redesignated by subparagraph (B)), by striking ''and'' after the semicolon;

(E) by inserting after subparagraph (L) (as redesignated by subparagraph (B)) the following:

''(M) developing or improving facilities for Internet use or other distance learning academic instruction capabilities; and''; and

(F) in subparagraph (N) (as redesignated by subparagraph (B)), by striking ''subparagraphs (A) through (K)'' and inserting ''subparagraphs (A) through (M)''; and

(3) by striking subsection (d) and inserting the following:

''(d) APPLICATION, PLAN, AND ALLOCATION.—

''(1) INSTITUTIONAL ELIGIBILITY.—To be eligible to receive assistance under this section, a Tribal College or University shall be an eligible institution under section 312(b).

''(2) APPLICATION.—

''(A) IN GENERAL.—A Tribal College or University desiring to receive assistance under this section shall submit an application to the Secretary at such time, and in such manner, as the Secretary may reasonably require.

''(B) STREAMLINED PROCESS.—The Secretary shall establish application requirements in such a manner as to simplify and streamline the process for applying for grants.

''(3) ALLOCATIONS TO INSTITUTIONS.—

''(A) CONSTRUCTION GRANTS.—

''(i) IN GENERAL.—Of the amount appropriated to carry out this section for any fiscal year, the Secretary may reserve 30 percent for the purpose of awarding 1-year grants of not less than $1,000,000 to address maintenance and renovation needs at eligible institutions.

''(ii) PREFERENCE.—In providing grants under clause (i), the Secretary shall give preference to eligible institutions that have not yet received an award under this section.

''(B) ALLOTMENT OF REMAINING FUNDS.—

''(i) IN GENERAL.—Except as provided in clause (ii), the Secretary shall distribute the remaining funds appropriated for any fiscal year to each eligible institution as follows:

''(I) 60 percent of the remaining appropriated funds shall be distributed among the eligible Tribal Colleges and Universities on a pro rata basis, based on the respective Indian student counts (as defined in section 2(a) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801(a)) of the Tribal Colleges and Universities; and

''(II) the remaining 40 percent shall be distributed in equal shares to eligible Tribal Colleges and Universities.

''(ii) MINIMUM GRANT.—The amount distributed to a Tribal College or University under clause (i) shall not be less than $500,000.

''(4) SPECIAL RULES.—

''(A) CONCURRENT FUNDING.—For the purposes of this part, no Tribal College or University that is eligible for and receives funds under this section shall concurrently receive funds under other provisions of this part or part B.

''(B) EXEMPTION.—Section 313(d) shall not apply to institutions that are eligible to receive funds under this section.''.

SEC. 304. ALASKA NATIVE AND NATIVE HAWAIIAN-SERVING INSTITUTIONS.

Section 317(c)(2) (20 U.S.C. 1059d(c)(2)) is amended—

(1) in subparagraph (G), by striking ''and'' after the semicolon;

(2) in subparagraph (H), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(I) education or counseling services designed to improve the financial literacy and economic literacy of students or the students' parents.''.

SEC. 305. NATIVE AMERICAN-SERVING, NONTRIBAL INSTITUTIONS.

(a) GRANT PROGRAM AUTHORIZED.—Part A of title III (20 U.S.C. 1057 et seq.) is amended by adding at the end the following:

"SEC. 318. NATIVE AMERICAN-SERVING, NONTRIBAL INSTITUTIONS.

''(a) PROGRAM AUTHORIZED.—The Secretary shall provide grants and related assistance

to Native American-serving, nontribal institutions to enable such institutions to improve and expand their capacity to serve Native Americans.

''(b) DEFINITIONS.—In this section:

''(1) NATIVE AMERICAN.—The term 'Native American' means an individual who is of a tribe, people, or culture that is indigenous to the United States.

''(2) NATIVE AMERICAN-SERVING, NONTRIBAL INSTITUTION.—The term 'Native American-serving, nontribal institution' means an institution of higher education that, at the time of application—

''(A) has an enrollment of undergraduate students that is not less than 10 percent Native American students; and

''(B) is not a Tribal College or University (as defined in section 316).

''(c) AUTHORIZED ACTIVITIES.—

''(1) TYPES OF ACTIVITIES AUTHORIZED.—Grants awarded under this section shall be used by Native American-serving, nontribal institutions to assist such institutions to plan, develop, undertake, and carry out activities to improve and expand such institutions' capacity to serve Native Americans.

''(2) EXAMPLES OF AUTHORIZED ACTIVITIES.—Such programs may include—

''(A) the purchase, rental, or lease of scientific or laboratory equipment for educational purposes, including instructional and research purposes;

''(B) renovation and improvement in classroom, library, laboratory, and other instructional facilities;

''(C) support of faculty exchanges, and faculty development and faculty fellowships to assist faculty in attaining advanced degrees in the faculty's field of instruction;

''(D) curriculum development and academic instruction;

''(E) the purchase of library books, periodicals, microfilm, and other educational materials;

''(F) funds and administrative management, and acquisition of equipment for use in strengthening funds management;

''(G) the joint use of facilities such as laboratories and libraries; and

''(H) academic tutoring and counseling programs and student support services.

''(d) APPLICATION PROCESS.—

''(1) INSTITUTIONAL ELIGIBILITY.—A Native American-serving, nontribal institution desiring to receive assistance under this section shall submit to the Secretary such enrollment data as may be necessary to demonstrate that the institution is a Native American-serving, nontribal institution, along with such other information and data as the Secretary may by regulation require.

''(2) APPLICATIONS.—

''(A) PERMISSION TO SUBMIT APPLICATIONS.—Any institution that is determined by the Secretary to be a Native American-serving, nontribal institution may submit an application for assistance under this section to the Secretary.

''(B) SIMPLIFIED AND STREAMLINED FORMAT.—The Secretary shall, to the extent possible, prescribe a simplified and streamlined format for applications under this section that takes into account the limited number of institutions that are eligible for assistance under this section.

''(C) CONTENT.—An application submitted under subparagraph (A) shall include—

''(i) a 5-year plan for improving the assistance provided by the Native American-serving, nontribal institution to Native Americans; and

''(ii) such other information and assurances as the Secretary may require.

''(3) SPECIAL RULES.—

''(A) ELIGIBILITY.—No Native American-serving, nontribal institution that receives funds under this section shall concurrently receive funds under other provisions of this part or part B.

''(B) EXEMPTION.—Section 313(d) shall not apply to institutions that are eligible to receive funds under this section.

''(C) DISTRIBUTION.—In awarding grants under this section, the Secretary shall, to the extent possible and consistent with the competitive process under which such grants are awarded, ensure maximum and equitable distribution among all eligible institutions.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 399 (20 U.S.C. 1068h) is amended by adding at the end the following:

''(c) MINIMUM GRANT AMOUNT.—The minimum amount of a grant under this title shall be $200,000.''.

SEC. 306. PART B DEFINITIONS.

Section 322(4) (20 U.S.C. 1061(4)) is amended by inserting '', in consultation with the Commissioner for Education Statistics'' before ''and the Commissioner''.

SEC. 307. GRANTS TO INSTITUTIONS.

Section 323(a) (20 U.S.C. 1062(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''360(a)(2)'' and inserting ''399(a)(2)'';

(2) by redesignating paragraphs (7) through (12) as paragraphs (8) through (13), respectively; and

(3) by inserting after paragraph (6) the following:

''(7) Education or counseling services designed to improve the financial literacy and economic literacy of students or the students' parents.''.

SEC. 308. ALLOTMENTS TO INSTITUTIONS.

Section 324 (20 U.S.C. 1063) is amended by adding at the end the following:

''(h) SPECIAL RULE ON ELIGIBILITY.—Notwithstanding any other provision of this section, a part B institution shall not receive an allotment under this section unless the part B institution provides data indicating that the part B institution—

''(1) enrolled Federal Pell Grant recipients in the preceding academic year;

''(2) in the preceding academic year, has graduated students from a program of academic study that is licensed or accredited by a nationally recognized accrediting agency or association recognized by the Secretary pursuant to part H of title IV where appropriate; and

''(3) where appropriate, has graduated students who, within the past 5 years, enrolled in graduate or professional school.''.

SEC. 309. PROFESSIONAL OR GRADUATE INSTITUTIONS.

Section 326 (20 U.S.C. 1063b) is amended—

(1) in subsection (c)—

(A) in paragraph (2), by inserting '', and for the acquisition and development of real property that is adjacent to the campus for such construction, maintenance, renovation, or improvement'' after ''services'';

(B) by redesignating paragraphs (5) through (7) as paragraphs (7) through (9), respectively;

(C) by inserting after paragraph (4) the following:

''(5) tutoring, counseling, and student service programs designed to improve academic success;

''(6) education or counseling services designed to improve the financial literacy and economic literacy of students or the students' parents;'';

(D) in paragraph (7) (as redesignated by subparagraph (B)), by striking ''establish or improve'' and inserting ''establishing or improving'';

(E) in paragraph (8) (as redesignated by subparagraph (B))—

(i) by striking ''assist'' and inserting ''assisting''; and

(ii) by striking ''and'' after the semicolon;

(F) in paragraph (9) (as redesignated by subparagraph (B)), by striking the period and inserting ''; and''; and

(G) by adding at the end the following:

''(10) other activities proposed in the application submitted under subsection (d) that—

''(A) contribute to carrying out the purposes of this part; and

''(B) are approved by the Secretary as part of the review and acceptance of such application.'';

(2) in subsection (e)—

(A) in paragraph (1)—

(i) by inserting a colon after ''the following'';

(ii) in subparagraph (Q), by striking ''and'' at the end;

(iii) in subparagraph (R), by striking the period and inserting a semicolon; and

(iv) by adding at the end the following:

''(S) Alabama State University qualified graduate program;

''(T) Coppin State University qualified graduate program; and

''(U) Prairie View A & M University qualified graduate program.'';

(B) in paragraph (2), by inserting ''in law or'' after ''instruction'';

(C) in paragraph (3), by striking ''1998'' and inserting ''2006'';

(3) in subsection (f)(3)—

(A) by striking subparagraphs (A) and (B) and inserting the following:

''(A) The amount of non-Federal funds for the fiscal year for which the determination is made that the institution or program listed in subsection (e)—

''(i) allocates from institutional resources;

''(ii) secures from non-Federal sources, including amounts appropriated by the State and amounts from the private sector; and

''(iii) will utilize to match Federal funds awarded for the fiscal year for which the determination is made under this section to the institution or program.

''(B) The number of students enrolled in the qualified graduate programs of the eligible institution or program, for which the institution or program received and allocated funding under this section in the preceding year.'';

(B) in subparagraph (C), by striking ''(or the equivalent) enrolled in the eligible professional or graduate school'' and all that follows through the period and inserting ''enrolled in the qualified programs or institutions listed in paragraph (1).'';

(C) in subparagraph (D)—

(i) by striking ''students'' and inserting ''Black American students or minority students''; and

(ii) by striking ''institution'' and inserting ''institution or program''; and

(D) by striking subparagraph (E) and inserting the following:

''(E) The percentage that the total number of Black American students and minority students who receive their first professional, master's, or doctoral degrees from the institution or program in the academic year preceding the academic year for which the determination is made, represents of the total number of Black American students and minority students in the United States who receive their first professional, master's, or doctoral degrees in the professions or disciplines related to the course of study at such institution or program, respectively, in the preceding academic year.''; and

(4) in subsection (g), by striking ''1998'' and inserting ''2006''.

SEC. 310. AUTHORIZATION OF APPROPRIATIONS.

Subsection (a) of section 399 (20 U.S.C. 1068h) is amended to read as follows:

''(a) AUTHORIZATIONS.—

''(1) PART A.—(A) There are authorized to be appropriated to carry out part A (other

than section 316) such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.

''(B) There are authorized to be appropriated to carry out section 316 such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.

''(C) There are authorized to be appropriated to carry out section 317 such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.

''(D) There are authorized to be appropriated to carry out section 318 such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.

''(2) PART B.—(A) There are authorized to be appropriated to carry out part B (other than section 326) such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.

''(B) There are authorized to be appropriated to carry out section 326 such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.

''(3) PART C.—There are authorized to be appropriated to carry out part C such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.

''(4) PART D.—(A) There are authorized to be appropriated to carry out part D (other than section 345(7), but including section 347) such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.

''(B) There are authorized to be appropriated to carry out section 345(7) such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.

''(5) PART E.—There are authorized to be appropriated to carry out part E such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''.

SEC. 311. TECHNICAL CORRECTIONS.

Title III (20 U.S.C. 1051 et seq.) is further amended—

(1) in section 342(5)(C) (20 U.S.C. 1066a(5)(C)), by striking ''‚,'' and inserting ''‚'';

(2) in section 343(e) (20 U.S.C. 1066b(e)), by inserting ''SALE OF QUALIFIED BONDS.—'' before ''Notwithstanding'';

(3) in the matter preceding clause (i) of section 365(9)(A) (20 U.S.C. 1067k(9)(A)), by striking ''support'' and inserting ''supports'';

(4) in section 391(b)(7)(E) (20 U.S.C. 1068(b)(7)(E)), by striking ''subparagraph (E)'' and inserting ''subparagraph (D)'';

(5) in the matter preceding subparagraph (A) of section 392(b)(2) (20 U.S.C. 1068a(b)(2)), by striking ''eligible institutions under part A institutions'' and inserting ''eligible institutions under part A''; and

(6) in the matter preceding paragraph (1) of section 396 (20 U.S.C. 1068e), by striking ''360'' and inserting ''399''.

TITLE IV—STUDENT ASSISTANCE

PART A—GRANTS TO STUDENTS IN ATTENDANCE AT INSTITUTIONS OF HIGHER EDUCATION

SEC. 401. FEDERAL PELL GRANTS.

Section 401 (20 U.S.C. 1070a) is amended—

(1) in subsection (a)(1)—

(A) in the first sentence, by striking ''2004'' and inserting ''2012''; and

(B) in the second sentence, by striking ''‚,'' and inserting ''‚'';

(2) in subsection (b)—

(A) by striking paragraph (2)(A) and inserting the following:

''(2)(A) the amount of the Federal Pell Grant for a student eligible under this part shall be—

''(i) $5,100 for academic year 2006–2007;

''(ii) $5,400 for academic year 2007–2008;

''(iii) $5,700 for academic year 2008–2009;

''(iv) $6,000 for academic year 2009–2010; and

''(v) $6,300 for academic year 2010–2011,

less an amount equal to the amount determined to be the expected family contribution with respect to that student for that year.'';

(B) by striking paragraph (3);

(C) by redesignating paragraphs (4) through (8) as paragraphs (3) through (7), respectively;

(D) in paragraph (4) (as redesignated by subparagraph (C)), by striking ''$400, except'' and all that follows through the period and inserting ''10 percent of the maximum basic grant level specified in the appropriate Appropriation Act for such academic year.''; and

(E) by striking paragraph (5) (as redesignated by subparagraph (C)) and inserting the following:

''(5) In the case of a student who is enrolled, on at least a half-time basis and for a period of more than 1 academic year in a 2-year or 4-year program of instruction for which an institution of higher education awards an associate or baccalaureate degree, the Secretary shall allow such student to receive not more than 2 Federal Pell Grants during a single award year to permit such student to accelerate the student's progress toward a degree by attending additional sessions. In the case of a student receiving more than 1 Federal Pell Grant in a single award year, the total amount of Federal Pell Grants awarded to such student for the award year may exceed the basic grant level specified in the appropriate Appropriation Act for such award year.''; and

(3) in subsection (c), by adding at the end the following:

''(5) The period of time during which a student may receive Federal Pell Grants shall not exceed 18 semesters, or an equivalent period of time as determined by the Secretary pursuant to regulations, which period shall—

''(A) be determined without regard to whether the student is enrolled on a full-time basis during any portion of the period of time; and

''(B) include any period of time for which the student received a Federal Pell Grant prior to the date of enactment of the Higher Education Amendments of 2005.''.

SEC. 402. FEDERAL TRIO PROGRAMS.

(a) PROGRAM AUTHORITY; AUTHORIZATION OF APPROPRIATIONS.—Section 402A (20 U.S.C. 1070a–11) is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''4'' and inserting ''5'';

(ii) by striking subparagraph (A); and

(iii) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(B) by striking paragraph (3) and inserting the following:

''(3) MINIMUM GRANTS.—Unless the institution or agency requests a smaller amount, an individual grant authorized under this chapter shall be awarded in an amount that is not less than $200,000, except that an individual grant authorized under section 402G shall be awarded in an amount that is not less than $170,000.'';

(2) in subsection (c)—

(A) in paragraph (2), by striking ''service delivery'' and inserting ''high quality service delivery, as determined under subsection (f),'';

(B) in paragraph (3)(B), by striking ''is not required to'' and inserting ''shall not''; and

(C) in paragraph (5), by striking ''campuses'' and inserting ''different campuses'';

(3) in subsection (e), by striking ''(g)(2)'' each place the term occurs and inserting ''(h)(4)'';

(4) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively;

(5) by inserting after subsection (e) the following:

''(f) OUTCOME CRITERIA.—

''(1) IN GENERAL.—The Secretary, by regulation, shall establish outcome criteria for measuring, annually and for longer periods, the quality and effectiveness of programs authorized under this chapter.

''(2) USE FOR PRIOR EXPERIENCE DETERMINATION.—The outcome criteria under paragraph (1) shall be used to evaluate the programs provided by a recipient of a grant under this chapter, and the Secretary shall determine an eligible entity's prior experience of high quality service delivery, as required in subsection (c)(2), based on the outcome criteria.

''(3) CONSIDERATION OF RELEVANT DATA.—The outcome criteria under this subsection shall take into account data pertaining to secondary school completion, postsecondary education enrollment, and postsecondary education completion for low-income students, first generation college students, and individuals with disabilities, in the schools and institutions of higher education served by the program to be evaluated.

''(4) CONTENTS OF OUTCOME CRITERIA.—The outcome criteria shall include the following:

''(A) For programs authorized under section 402B, whether the eligible entity met or exceeded the entity's objectives established in the entity's application for such program regarding—

''(i) the delivery of service to a total number of students served by the program;

''(ii) the continued secondary school enrollment of such students;

''(iii) the graduation of such students from secondary school; and

''(iv) the enrollment of such students in an institution of higher education.

''(B) For programs authorized under section 402C, whether the eligible entity met or exceeded its objectives for such program regarding—

''(i) the delivery of service to a total number of students served by the program, as agreed upon by the entity and the Secretary for the period;

''(ii) such students' school performance, as measured by the grade point average, or its equivalent;

''(iii) such students' academic performance, as measured by standardized tests, including tests required by the students' State;

''(iv) the retention in, and graduation from, secondary school of such students; and

''(v) the enrollment of such students in an institution of higher education.

''(C) For programs authorized under section 402D—

''(i) whether the eligible entity met or exceeded the entity's objectives regarding the retention in postsecondary education of the students served by the program;

''(ii)(I) in the case of an entity that is an institution of higher education offering a baccalaureate degree, the extent to which the entity met or exceeded the entity's objectives regarding such students' completion of the degree programs in which such students were enrolled; or

''(II) in the case of an entity that is an institution of higher education that does not offer a baccalaureate degree, the extent to which the entity met or exceeded the entity's objectives regarding—

''(aa) the completion of a degree or certificate by such students; and

''(bb) the transfer of such students to institutions of higher education that offer baccalaureate degrees;

''(iii) whether the entity met or exceeded the entity's objectives regarding the delivery of service to a total number of students, as agreed upon by the entity and the Secretary for the period; and

''(iv) whether the applicant met or exceeded the entity's objectives regarding such students remaining in good academic standing.

''(D) For programs authorized under section 402E, whether the entity met or exceeded the entity's objectives for such program regarding—

''(i) the delivery of service to a total number of students, as agreed upon by the entity and the Secretary for the period;

''(ii) the provision of appropriate scholarly and research activities for the students served by the program;

''(iii) the acceptance and enrollment of such students in graduate programs; and

''(iv) the attainment of doctoral degrees by former program participants.

''(E) For programs authorized under section 402F, whether the entity met or exceeded the entity's objectives for such program regarding—

''(i) the enrollment of students without a secondary school diploma or its recognized equivalent, who were served by the program, in programs leading to such diploma or equivalent;

''(ii) the enrollment of secondary school graduates who were served by the program in programs of postsecondary education;

''(iii) the delivery of service to a total number of students, as agreed upon by the entity and the Secretary for the period; and

''(iv) the provision of assistance to students served by the program in completing financial aid applications and college admission applications.'';

(6) in subsection (g) (as redesignated by paragraph (4))—

(A) in the first sentence, by striking ''$700,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''; and

(B) by striking the fourth sentence; and

(7) in subsection (h) (as redesignated by paragraph (4))—

(A) by redesignating paragraphs (1) through (4) as paragraphs (3) through (6), respectively;

(B) by inserting before paragraph (3) (as redesignated by subparagraph (A)) the following:

''(1) DIFFERENT CAMPUS.—The term 'different campus' means a site of an institution of higher education that—

''(A) is geographically apart from the main campus of the institution;

''(B) is permanent in nature; and

''(C) offers courses in educational programs leading to a degree, certificate, or other recognized educational credential.

''(2) DIFFERENT POPULATION.—The term 'different population' means a group of individuals, with respect to whom an eligible entity desires to serve through an application for a grant under this chapter, that—

''(A) is separate and distinct from any other population that the entity has applied for a grant under this chapter to serve; or

''(B) while sharing some of the same needs as another population that the eligible entity has applied for a grant under this chapter to serve, has distinct needs for specialized services.'';

(C) in paragraph (5) (as redesignated by subparagraph (A))—

(i) in subparagraph (A), by striking ''or'' after the semicolon;

(ii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(C) was a member of a reserve component of the Armed Forces called to active duty for a period of more than 180 days.''; and

(D) in paragraph (6), by striking ''subparagraph (A) or (B) of paragraph (3)'' and inserting ''subparagraph (A), (B), or (C) of paragraph (5)''.

(b) TALENT SEARCH.—Section 402B (20 U.S.C. 1070a–12) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''to identify qualified youths with potential for education at the postsecondary level and to encourage such youths'' and inserting ''to encourage eligible youths'';

(B) in paragraph (2), by inserting '', and facilitate the application for,'' after ''the availability of''; and

(C) in paragraph (3), by striking '', but who have the ability to complete such programs, to reenter'' and inserting ''to enter or reenter, and complete'';

(2) by redesignating subsection (c) as subsection (d);

(3) by striking subsection (b) and inserting the following:

''(b) REQUIRED SERVICES.—Any project assisted under this section shall provide—

''(1) academic tutoring, or connections to high quality academic tutoring services, to enable students to complete secondary or postsecondary courses, which may include instruction in reading, writing, study skills, mathematics, science, and other subjects;

''(2) advice and assistance in secondary course selection and, if applicable, initial postsecondary course selection;

''(3) assistance in preparing for college entrance examinations and completing college admission applications;

''(4)(A) information on both the full range of Federal student financial aid programs (including Federal Pell Grant awards and loan forgiveness) and resources for locating public and private scholarships; and

''(B) assistance in completing financial aid applications, including the Free Application for Federal Student Aid described in section 483(a);

''(5) guidance on and assistance in—

''(A) secondary school reentry;

''(B) alternative education programs for secondary school dropouts that lead to the receipt of a regular secondary school diploma;

''(C) entry into general educational development (GED) programs; or

''(D) postsecondary education; and

''(6) education or counseling services designed to improve the financial literacy and economic literacy of students or their parents, including financial planning for postsecondary education.

''(c) PERMISSIBLE SERVICES.—Any project assisted under this section may provide services such as—

''(1) personal and career counseling or activities;

''(2) information and activities designed to acquaint youths with the range of career options available to the youths;

''(3) exposure to the campuses of institutions of higher education, as well as cultural events, academic programs, and other sites or activities not usually available to disadvantaged youth;

''(4) workshops and counseling for families of students served;

''(5) mentoring programs involving elementary or secondary school teachers or counselors, faculty members at institutions of higher education, students, or any combination of such persons; and

''(6) programs and activities as described in subsection (b) or paragraphs (1) through (5) of this subsection that are specially designed for students who are limited English proficient, students with disabilities, students who are homeless children and youths (as such term is defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)), or students who are in foster care or are aging out of the foster care system.''; and

(4) in the matter preceding paragraph (1) of subsection (d) (as redesignated by paragraph (2)), by striking ''talent search projects under this chapter'' and inserting ''projects under this section''.

(c) UPWARD BOUND.—Section 402C (20 U.S.C. 1070a–13) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) REQUIRED SERVICES.—Any project assisted under this section shall provide—

''(1) academic tutoring to enable students to complete secondary or postsecondary courses, which may include instruction in reading, writing, study skills, mathematics, science, and other subjects;

''(2) advice and assistance in secondary and postsecondary course selection;

''(3) assistance in preparing for college entrance examinations and completing college admission applications;

''(4)(A) information on both the full range of Federal student financial aid programs (including Federal Pell Grant awards and loan forgiveness) and resources for locating public and private scholarships; and

''(B) assistance in completing financial aid applications, including the Free Application for Federal Student Aid described in section 483(a);

''(5) guidance on and assistance in—

''(A) secondary school reentry;

''(B) alternative education programs for secondary school dropouts that lead to the receipt of a regular secondary school diploma;

''(C) entry into general educational development (GED) programs; or

''(D) postsecondary education; and

''(6) education or counseling services designed to improve the financial literacy and economic literacy of students, including financial planning for postsecondary education.'';

(2) in subsection (c)—

(A) in the subsection heading, by striking ''REQUIRED SERVICES'' and inserting ''ADDITIONAL REQUIRED SERVICES FOR MULTIPLE-YEAR GRANT RECIPIENTS''; and

(B) by striking ''upward bound project assisted under this chapter'' and inserting ''project assisted under this section'';

(3) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively;

(4) by inserting after subsection (c) the following:

''(d) PERMISSIBLE SERVICES.—Any project assisted under this section may provide such services as—

''(1) exposure to cultural events, academic programs, and other activities not usually available to disadvantaged youth;

''(2) information, activities and instruction designed to acquaint youths participating in the project with the range of career options available to the youths;

''(3) on-campus residential programs;

''(4) mentoring programs involving elementary school or secondary school teachers or counselors, faculty members at institutions of higher education, students, or any combination of such persons;

''(5) work-study positions where youth participating in the project are exposed to careers requiring a postsecondary degree;

''(6) special services to enable veterans to make the transition to postsecondary education; and

''(7) programs and activities as described in subsection (b), subsection (c), or paragraphs (1) through (6) of this subsection that are specially designed for students who are limited English proficient, students with disabilities, students who are homeless children and youths (as such term is defined in section 725 of the McKinney-Vento Homeless

Assistance Act (42 U.S.C. 11434a)), or students who are in foster care or are aging out of the foster care system.'';

(5) in the matter preceding paragraph (1) of subsection (e) (as redesignated by paragraph (3)), by striking ''upward bound projects under this chapter'' and inserting ''projects under this section''; and

(6) in subsection (f) (as redesignated by paragraph (3))—

(A) by striking ''during June, July, and August'' each place the term occurs and inserting ''during the summer school recess, for a period not to exceed 3 months''; and

(B) by striking ''(b)(10)'' and inserting ''(d)(5)''.

(d) STUDENT SUPPORT SERVICES.—Section 402D (20 U.S.C. 1070a–14) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by striking ''and'' after the semicolon;

(B) by striking paragraph (3) and inserting the following:

''(3) to foster an institutional climate supportive of the success of low-income and first generation college students, students with disabilities, students who are limited English proficient, students who are homeless children and youths (as such term is defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)), and students who are in foster care or are aging out of the foster care system.''; and

(C) by adding at the end the following:

''(4) to improve the financial literacy and economic literacy of students, including—

''(A) basic personal income, household money management, and financial planning skills; and

''(B) basic economic decisionmaking skills.'';

(2) by redesignating subsections (c) and (d) as subsections (d) and (e);

(3) by striking subsection (b) and inserting the following:

''(b) REQUIRED SERVICES.—A project assisted under this section shall provide—

''(1) academic tutoring to enable students to complete postsecondary courses, which may include instruction in reading, writing, study skills, mathematics, science, and other subjects;

''(2) advice and assistance in postsecondary course selection;

''(3)(A) information on both the full range of Federal student financial aid programs (including Federal Pell Grant awards and loan forgiveness) and resources for locating public and private scholarships; and

''(B) assistance in completing financial aid applications, including the Free Application for Federal Student Aid described in section 483(a);

''(4) education or counseling services designed to improve the financial literacy and economic literacy of students, including financial planning for postsecondary education;

''(5) activities designed to assist students participating in the project in securing college admission and financial assistance for enrollment in graduate and professional programs; and

''(6) activities designed to assist students enrolled in 2-year institutions of higher education in securing admission and financial assistance for enrollment in a 4-year program of postsecondary education.

''(c) PERMISSIBLE SERVICES.—A project assisted under this section may provide services such as—

''(1) consistent, individualized personal, career, and academic counseling, provided by assigned counselors;

''(2) information, activities, and instruction designed to acquaint youths participating in the project with the range of career options available to the students;

''(3) exposure to cultural events and academic programs not usually available to disadvantaged students;

''(4) activities designed to acquaint students participating in the project with the range of career options available to the students;

''(5) mentoring programs involving faculty or upper class students, or a combination thereof;

''(6) securing temporary housing during breaks in the academic year for students who are homeless children and youths (as such term is defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)) or were formerly homeless children and youths and students who are in foster care or are aging out of the foster care system; and

''(7) programs and activities as described in subsection (b) or paragraphs (1) through (5) of this subsection that are specially designed for students who are limited English proficient, students with disabilities, students who are homeless children and youths (as such term is defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)) or were formerly homeless children and youths, or students who are in foster care or are aging out of the foster care system.'';

(4) in subsection (d)(1) (as redesignated by paragraph (2)), by striking ''subsection (b)'' and inserting ''subsection (c)''; and

(5) in the matter preceding paragraph (1) of subsection (e) (as redesignated by paragraph (2)), by striking ''student support services projects under this chapter'' and inserting ''projects under this section''.

(e) POSTBACCALAUREATE ACHIEVEMENT PROGRAM AUTHORITY.—Section 402E (20 U.S.C. 1070a–15) is amended—

(1) in subsection (b)—

(A) in the subsection heading, by inserting ''REQUIRED'' before ''SERVICES'';

(B) in the matter preceding paragraph (1), by striking ''A postbaccalaureate achievement project assisted under this section may provide services such as—'' and inserting ''A project assisted under this section shall provide—'';

(C) in paragraph (5), by inserting ''and'' after the semicolon;

(D) in paragraph (6), by striking the semicolon and inserting a period; and

(E) by striking paragraphs (7) and (8);

(2) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively;

(3) by inserting after subsection (b) the following:

''(c) PERMISSIBLE SERVICES.—A project assisted under this section may provide services such as—

''(1) education or counseling services designed to improve the financial literacy and economic literacy of students or their parents, including financial planning for postsecondary education;

''(2) mentoring programs involving faculty members at institutions of higher education, students, or any combination of such persons; and

''(3) exposure to cultural events and academic programs not usually available to disadvantaged students.'';

(4) in the matter preceding paragraph (1) of subsection (d) (as redesignated by paragraph (2)), by striking ''postbaccalaureate achievement'';

(5) in the matter preceding paragraph (1) of subsection (f) (as redesignated by paragraph (2)), by striking ''postbaccalaureate achievement project'' and inserting ''project under this section''; and

(6) in subsection (g) (as redesignated by paragraph (2))—

(A) by striking ''402A(f)'' and inserting ''402A(g)''; and

(B) by striking ''1993 through 1997'' and inserting ''2006 through 2010''.

(f) EDUCATIONAL OPPORTUNITY CENTERS.—Section 402F (20 U.S.C. 1070a–16) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''and'' after the semicolon;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) to improve the financial literacy and economic literacy of students, including—

''(A) basic personal income, household money management, and financial planning skills; and

''(B) basic economic decisionmaking skills.''; and

(2) in subsection (b)—

(A) by redesignating paragraphs (5) through (10) as paragraphs (6) through (11), respectively;

(B) by inserting after paragraph (4) the following:

''(5) education or counseling services designed to improve the financial literacy and economic literacy of students or their parents;'';

(C) by striking paragraph (7) (as redesignated by subparagraph (A)) and inserting the following:

''(7) individualized personal, career, and academic counseling;''; and

(D) by striking paragraph (11) (as redesignated by subparagraph (A)) and inserting the following:

''(11) programs and activities as described in paragraphs (1) through (10) that are specially designed for students who are limited English proficient, students with disabilities, or students who are homeless children and youths (as such term is defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)), or programs and activities for students who are in foster care or are aging out of the foster care system.''.

(g) STAFF DEVELOPMENT ACTIVITIES.—Section 402G(b)(3) (20 U.S.C. 1070a–17(b)(3)) is amended by inserting '', including strategies for recruiting and serving students who are homeless children and youths (as such term is defined in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a)) and students who are in foster care or are aging out of the foster care system'' before the period at the end.

(h) REPORTS, EVALUATIONS, AND GRANTS FOR PROJECT IMPROVEMENT AND DISSEMINATION.—Section 402H (20 U.S.C. 1070a–18) is amended—

(1) by striking the section heading and inserting ''**REPORTS, EVALUATIONS, AND GRANTS FOR PROJECT IMPROVEMENT AND DISSEMINATION**.'';

(2) by redesignating subsections (a) through (c) as subsections (b) through (d), respectively; and

(3) by inserting before subsection (b) (as redesignated by paragraph (2)) the following:

''(a) REPORT TO CONGRESS.—At least once every 2-year period, the Secretary shall prepare and submit to Congress a report on the outcomes achieved by the programs authorized under this chapter. Such report shall include a statement for the preceding fiscal year specifying—

''(1) the number of grants awarded during each fiscal year, and the number of individuals served by the programs carried out under such grants;

''(2) the number of entities that received grants during the fiscal year, including the number of entities that—

''(A) received a grant to carry out a program under this chapter for the fiscal year; and

''(B) had not received funding for that particular program during the previous grant cycle;

''(3) a comparison of the number and percentage of grant awards made to entities described in paragraph (2), with the number of such entities funded through discretionary grant competitions conducted by the Secretary under this chapter in the 3 grant cycles preceding the fiscal year;

''(4) information on the number of individuals served in each program authorized under this chapter; and

''(5) information on the outcomes achieved by each program authorized under this chapter, including the outcome criteria described in section 402A(f) for each program.''.

SEC. 403. GAINING EARLY AWARENESS AND READINESS FOR UNDERGRADUATE PROGRAMS.

(a) EARLY INTERVENTION AND COLLEGE AWARENESS PROGRAM AUTHORIZED.—Section 404A (20 U.S.C. 1070a–21) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) PROGRAM AUTHORIZED.—The Secretary is authorized, in accordance with the requirements of this chapter, to establish a program that encourages eligible entities to provide support to eligible low-income students to assist the students in obtaining a secondary school diploma (or its recognized equivalent) and to prepare for and succeed in postsecondary education, by providing—

''(1) financial assistance, academic support, additional counseling, mentoring, outreach, and supportive services to middle school and secondary school students to reduce—

''(A) the risk of such students dropping out of school; or

''(B) the need for remedial education for such students at the postsecondary level; and

''(2) information to students and their parents about the advantages of obtaining a postsecondary education and the college financing options for the students and their parents.'';

(2) by striking subsection (b)(2)(A) and inserting the following:

''(A) give priority to eligible entities that have a prior, demonstrated commitment to early intervention leading to college access through collaboration and replication of successful strategies;''; and

(3) by striking subsection (c)(2) and inserting the following:

''(2) a partnership—

''(A) consisting of—

''(i) 1 or more local educational agencies; and

''(ii) 1 or more degree granting institutions of higher education; and

''(B) which may include not less than 2 other community organizations or entities, such as businesses, professional organizations, State agencies, institutions or agencies sponsoring programs authorized under subpart 4, or other public or private agencies or organizations.''.

(b) REQUIREMENTS.—Section 404B (20 U.S.C. 1070a–22) is amended—

(1) by striking subsection (a) and inserting the following:—

''(a) FUNDING RULES.—

''(1) DISTRIBUTION.—In awarding grants from the amount appropriated under section 404G for a fiscal year, the Secretary shall take into consideration—

''(A) the geographic distribution of such awards; and

''(B) the distribution of such awards between urban and rural applicants.

''(2) SPECIAL RULE.—The Secretary shall annually reevaluate the distribution of funds described in paragraph (1) based on number, quality, and promise of the applications.'';

(2) by striking subsections (b), (e), and (f);

(3) by redesignating subsections (c), (d), and (g) as subsections (b), (c), and (d), respectively; and

(4) by adding at the end the following:

''(e) SUPPLEMENT, NOT SUPPLANT.—Grant funds awarded under this chapter shall be used to supplement, and not supplant, other Federal, State, and local funds that would otherwise be expended to carry out activities assisted under this chapter.''.

(c) APPLICATION.—Section 404C (20 U.S.C. 1070a–23) is amended—

(1) in the section heading, by striking ''**ELIGIBLE ENTITY PLANS**'' and inserting ''**APPLICATIONS**'';

(2) in subsection (a)—

(A) in the subsection heading, by striking ''PLAN'' and inserting ''APPLICATION'';

(B) in paragraph (1)—

(i) by striking ''a plan'' and inserting ''an application''; and

(ii) by striking the second sentence; and

(C) by striking paragraph (2) and inserting the following:

''(2) CONTENTS.—Each application submitted pursuant to paragraph (1) shall be in such form, contain or be accompanied by such information or assurances, and be submitted at such time as the Secretary may require. Each such application shall, at a minimum—

''(A) describe the activities for which assistance under this chapter is sought, including how the eligible entity will carry out the required activities described in section 404D(a);

''(B) describe how the eligible agency will meet the requirements of section 404E;

''(C) provide assurances that adequate administrative and support staff will be responsible for coordinating the activities described in section 404D;

''(D) ensure that activities assisted under this chapter will not displace an employee or eliminate a position at a school assisted under this chapter, including a partial displacement such as a reduction in hours, wages or employment benefits;

''(E) describe, in the case of an eligible entity described in section 404A(c)(2), how the eligible entity will define the cohorts of the students served by the eligible entity pursuant to section 404B(d), and how the eligible entity will serve the cohort through grade 12, including—

''(i) how vacancies in the program under this chapter will be filled; and

''(ii) how the eligible entity will serve students attending different secondary schools;

''(F) describe how the eligible entity will coordinate programs with other existing Federal, State, or local programs to avoid duplication and maximize the number of students served;

''(G) provide such additional assurances as the Secretary determines necessary to ensure compliance with the requirements of this chapter; and

''(H) provide information about the activities that will be carried out by the eligible entity to support systemic changes from which future cohorts of students will benefit.'';

(3) in the matter preceding subparagraph (A) of subsection (b)(1)—

(A) by striking ''a plan'' and inserting ''an application''; and

(B) by striking ''such plan'' and inserting ''such application''; and

(4) in subsection (c)(1), by striking the semicolon at the end and inserting ''including—

''(A) the amount contributed to a student scholarship fund established under section 404E; and

''(B) the amount of the costs of administering the scholarship program under section 404E;''.

(d) ACTIVITIES.—Section 404D (20 U.S.C. 1070a–24) is amended to read as follows:

''SEC. 404D. ACTIVITIES.

''(a) REQUIRED ACTIVITIES.—Each eligible entity receiving a grant under this chapter shall carry out the following:

''(1) Provide information regarding financial aid for postsecondary education to participating students in the cohort described in subsection 404B(d)(1)(A).

''(2) Encourage student enrollment in rigorous and challenging curricula and coursework, in order to reduce the need for remedial coursework at the postsecondary level.

''(3) Support activities designed to improve the number of participating students who—

''(A) obtain a secondary school diploma; and

''(B) complete applications for and enroll in a program of postsecondary education.

''(4) In the case of an eligible entity described in section 404A(c)(1), provide for the scholarships described in section 404E.

''(b) OPTIONAL ACTIVITIES FOR STATES AND PARTNERSHIPS.—An eligible entity that receives a grant under this chapter may use grant funds to carry out 1 or more of the following activities:

''(1) Providing tutoring and supporting mentors, including adults or former participants of a program under this chapter, for eligible students.

''(2) Conducting outreach activities to recruit priority students described in subsection (d) to participate in program activities.

''(3) Providing supportive services to eligible students.

''(4) Supporting the development or implementation of rigorous academic curricula, which may include college preparatory, Advanced Placement, or International Baccalaureate programs, and providing participating students access to rigorous core courses that reflect challenging State academic standards.

''(5) Supporting dual or concurrent enrollment programs between the secondary school and institution of higher education partners of an eligible entity described in section 404A(c)(2), and other activities that support participating students in—

''(A) achieving challenging academic standards;

''(B) successfully applying for postsecondary education;

''(C) successfully applying for student financial aid; and

''(D) developing graduation and career plans.

''(6) Providing support for scholarships described in section 404E.

''(7) Introducing eligible students to institutions of higher education, through trips and school-based sessions.

''(8) Providing an intensive extended school day, school year, or summer program that offers—

''(A) additional academic classes; or

''(B) assistance with college admission applications.

''(9) Providing other activities designed to ensure secondary school completion and postsecondary education enrollment of at-risk children, such as—

''(A) the identification of at-risk children;

''(B) after-school and summer tutoring;

''(C) assistance to at-risk children in obtaining summer jobs;

''(D) academic counseling;

''(E) volunteer and parent involvement;

''(F) encouraging former or current participants of a program under this chapter to serve as peer counselors;

''(G) skills assessments;

''(H) personal counseling;

''(I) family counseling and home visits;

''(J) staff development; and

''(K) programs and activities described in this subsection that are specially designed for students who are limited English proficient.

''(10) Enabling eligible students to enroll in Advanced Placement or International Baccalaureate courses, or college entrance examination preparation courses.

''(11) Providing services to eligible students in the participating cohort described in section 404B(d)(1)(A), through the first year of attendance at an institution of higher education.

''(c) ADDITIONAL OPTIONAL ACTIVITIES FOR STATES.—In addition to the required activities described in subsection (a) and the optional activities described in subsection (b), an eligible entity described in section 404A(c)(1) receiving funds under this chapter may use grant funds to carry out 1 or more of the following activities:

''(1) Providing technical assistance to—

''(A) middle schools or secondary schools that are located within the State; or

''(B) partnerships described in section 404A(c)(2) that are located within the State.

''(2) Providing professional development opportunities to individuals working with eligible cohorts of students described in section 404B(d)(1)(A).

''(3) Providing strategies and activities that align efforts in the State to prepare eligible students for attending and succeeding in postsecondary education, which may include the development of graduation and career plans.

''(4) Disseminating information on the use of scientifically based research and best practices to improve services for eligible students.

''(5)(A) Disseminating information on effective coursework and support services that assist students in obtaining the goals described in subparagraph (B)(ii).

''(B) Identifying and disseminating information on best practices with respect to—

''(i) increasing parental involvement; and

''(ii) preparing students, including students with disabilities and students who are limited English proficient, to succeed academically in, and prepare financially for, postsecondary education.

''(6) Working to align State academic standards and curricula with the expectations of postsecondary institutions and employers.

''(7) Developing alternatives to traditional secondary school that give students a head start on attaining a recognized postsecondary credential (including an industry certificate, an apprenticeship, or an associate's or a bachelor's degree), including school designs that give students early exposure to college-level courses and experiences and allow students to earn transferable college credits or an associate's degree at the same time as a secondary school diploma.

''(8) Creating community college programs for drop-outs that are personalized drop-out recovery programs that allow drop-outs to complete a regular secondary school diploma and begin college-level work.

''(d) PRIORITY STUDENTS.—For eligible entities not using a cohort approach, the eligible entity shall treat as priority students any student in middle or secondary school who is eligible—

''(1) to be counted under section 1124(c) of the Elementary and Secondary Education Act of 1965;

''(2) for free or reduced price meals under the Richard B. Russell National School Lunch Act;

''(3) for assistance under a State program funded under part A or E of title IV of the Social Security Act (42 U.S.C. 601 et seq., 670 et seq.); or

''(4) for assistance under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).

''(e) ALLOWABLE PROVIDERS.—In the case of eligible entities described in section 404A(c)(1), the activities required by this section may be provided by service providers such as community-based organizations, schools, institutions of higher education, public and private agencies, nonprofit and philanthropic organizations, businesses, institutions and agencies sponsoring programs authorized under subpart 4, and other organizations the State determines appropriate.''.

(e) SCHOLARSHIP COMPONENT.—Section 404E (20 U.S.C. 1070a–25) is amended—

(1) by striking subsections (e) and (f);

(2) by redesignating subsections (b), (c), and (d) as subsections (d), (f), and (g), respectively;

(3) by inserting after subsection (a) the following:

''(b) LIMITATION.—

''(1) IN GENERAL.—Subject to paragraph (2), each eligible entity described in section 404A(c)(1) that receives a grant under this chapter shall use not less than 25 percent and not more than 50 percent of the grant funds for activities described in section 404D(c), with the remainder of such funds to be used for a scholarship program under this section.

''(2) EXCEPTION.—Notwithstanding paragraph (1), the Secretary may allow an eligible entity to use more than 50 percent of grant funds received under this chapter for such activities, if the eligible entity demonstrates that the eligible entity has another means of providing the students with the financial assistance described in this section and describes such means in the application submitted under section 404C.

''(c) NOTIFICATION OF ELIGIBILITY.—Each eligible entity providing scholarships under this section shall provide information on the eligibility requirements for the scholarships to all participating students upon the students' entry into the programs assisted under this chapter.'';

(4) in subsection (d) (as redesignated by paragraph (2)), by striking ''the lesser of'' and all that follows through the period at the end of paragraph (2) and inserting ''the minimum Federal Pell Grant award under section 401 for such award year.'';

(5) by inserting after subsection (d) (as redesignated by paragraph (2) and amended by paragraph (4)) the following:

''(e) PORTABILITY OF ASSISTANCE.—

''(1) IN GENERAL.—Each eligible entity described in section 404A(c)(1) that receives a grant under this chapter shall create or organize a trust for each cohort described in section 404B(d)(1)(A) for which the grant is sought in the application submitted by the entity, which trust shall be an amount that is not less than the minimum scholarship amount described in subsection (d), multiplied by the number of students participating in the cohort.

''(2) REQUIREMENT FOR PORTABILITY.—Funds contributed to the trust for a cohort shall be available to a student in the cohort when the student has—

''(A) completed a secondary school diploma, its recognized equivalent, or other recognized alternative standard for individuals with disabilities; and

''(B) enrolled in an institution of higher education.

''(3) QUALIFIED EDUCATIONAL EXPENSES.—Funds available to an eligible student from a trust may be used for—

''(A) tuition, fees, books, supplies, and equipment required for the enrollment or attendance of the eligible student at an institution of higher education; and

''(B) in the case of an eligible student with special needs, expenses for special needs services which are incurred in connection with such enrollment or attendance.

''(4) RETURN OF FUNDS.—

''(A) REDISTRIBUTION.—

''(i) IN GENERAL.—Trust funds that are not used by an eligible student within 6 years of the student's scheduled completion of secondary school may be redistributed by the eligible entity to other eligible students.

''(ii) RETURN OF EXCESS TO THE SECRETARY.—If, after meeting the requirements of paragraph (1) and, if applicable, redistributing excess funds in accordance with clause (i), an eligible entity has funds remaining, the eligible entity shall return excess funds to the Secretary for distribution to other grantees under this chapter.

''(B) NONPARTICIPATING ENTITY.—Notwithstanding subparagraph (A), in the case of an eligible entity described in section 404A(c)(1)(A) that does not receive assistance under this subpart for 6 fiscal years, the eligible entity shall return any trust funds not awarded or obligated to eligible students to the Secretary for distribution to other grantees under this chapter.''; and

(6) in subsection (g) (as redesignated by paragraph (2))—

(A) in paragraph (2), by striking ''1993'' and inserting ''2000''; and

(B) in paragraph (4), by striking ''early intervention component required under section 404D'' and inserting ''activities required under section 404D(a)''.

(f) REPEAL OF 21ST CENTURY SCHOLAR CERTIFICATES.—Chapter 2 of subpart 2 of part A of title IV (20 U.S.C. 1070a–21 et seq.) is further amended—

(1) by striking section 404F; and

(2) by redesignating sections 404G and 404H as sections 404F and 404G, respectively.

(g) AUTHORIZATION OF APPROPRIATIONS.—Section 404G (as redesignated by subsection (f)) (20 U.S.C. 1070a–28) is amended by striking ''$200,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''.

(h) CONFORMING AMENDMENTS.—Chapter 2 of subpart 2 of part A of title IV (20 U.S.C. 1070a–21 et seq.) is further amended—

(1) in section 404A(b)(1), by striking ''404H'' and inserting ''404G'';

(2) in section 404B(a)(1), by striking ''404H'' and inserting ''404G''; and

(3) in section 404F(c) (as redesignated by section 6(2)), by striking ''404H'' and inserting ''404G''.

SEC. 404. ACADEMIC ACHIEVEMENT INCENTIVE SCHOLARSHIPS.

Chapter 3 of subpart 2 of part A of title IV (20 U.S.C. 1070a-31 et seq.) is repealed.

SEC. 405. FEDERAL SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANTS.

(a) APPROPRIATIONS AUTHORIZED.—Section 413A(b)(1) (20 U.S.C. 1070b(b)(1)) is amended by striking ''$675,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''.

(b) ALLOCATION OF FUNDS.—

(1) ALLOCATION OF FUNDS.—Section 413D (20 U.S.C. 1070b–3) is amended—

(A) by striking subsection (a)(4); and

(B) in subsection (c)(3)(D), by striking ''$450'' and inserting ''$600''.

(2) TECHNICAL CORRECTION.—Section 413D(a)(1) (20 U.S.C. 1070b–3(a)(1)) is amended by striking ''such institution'' and all that follows through the period and inserting ''such institution received under subsections (a) and (b) of this section for fiscal year 1999 (as such subsections were in effect with respect to allocations for such fiscal year).''.

SEC. 406. LEVERAGING EDUCATIONAL ASSISTANCE PARTNERSHIP PROGRAM.

(a) APPROPRIATIONS AUTHORIZED.—Section 415A(b)(1) (20 U.S.C. 1070c(b)(1)) is amended to read as follows:

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this subpart such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''.

(b) APPLICATIONS.—Section 415C(b) (20 U.S.C. 1070c–2(b)) is amended—

(1) in the matter preceding subparagraph (A) of paragraph (2), by striking ''not in excess of $5,000 per academic year'' and inserting ''not to exceed the lesser of $12,500 or the student's cost of attendance per academic year''; and

(2) by striking paragraph (10) and inserting the following:

''(10) provides notification to eligible students that such grants are—

''(A) Leveraging Educational Assistance Partnership grants; and

''(B) funded by the Federal Government, the State, and other contributing partners.''.

(c) GRANTS FOR ACCESS AND PERSISTENCE.—Section 415E (20 U.S.C. 1070c–3a) is amended to read as follows:

''SEC. 415E. GRANTS FOR ACCESS AND PERSISTENCE.

''(a) PURPOSE.—It is the purpose of this section to expand college access and increase college persistence by making allotments to States to enable the States to—

''(1) expand and enhance partnerships with institutions of higher education, early information and intervention, mentoring, or outreach programs, private corporations, philanthropic organizations, and other interested parties in order to—

''(A) carry out activities under this section; and

''(B) provide coordination and cohesion among Federal, State, and local governmental and private efforts that provide financial assistance to help low-income students attend an institution of higher education;

''(2) provide need-based grants for access and persistence to eligible low-income students;

''(3) provide early notification to low-income students of the students' eligibility for financial aid; and

''(4) encourage increased participation in early information and intervention, mentoring, or outreach programs.

''(b) ALLOTMENTS TO STATES.—

''(1) IN GENERAL.—

''(A) AUTHORIZATION.—From sums reserved under section 415A(b)(2) for each fiscal year, the Secretary shall make an allotment to each State that submits an application for an allotment in accordance with subsection (c) to enable the State to pay the Federal share, as described in paragraph (2), of the cost of carrying out the activities under subsection (d).

''(B) DETERMINATION OF ALLOTMENT.—In making allotments under subparagraph (A), the Secretary shall consider the following:

''(i) CONTINUATION OF AWARD.—If a State continues to meet the specifications established in such State's application under subsection (c), the Secretary shall make an allotment to such State that is not less than the allotment made to such State for the previous fiscal year.

''(ii) PRIORITY.—The Secretary shall give priority in making allotments to States that meet the requirements described in paragraph (2)(A)(ii).

''(2) FEDERAL SHARE.—

''(A) IN GENERAL.—The Federal share under this section shall be determined in accordance with the following:

''(i) If a State applies for an allotment under this section in partnership with—

''(I) any number of degree granting institutions of higher education in the State whose combined full-time enrollment represents less than a majority of all students attending institutions of higher education in the State; and

''(II)(aa) philanthropic organizations that are located in, or that provide funding in, the State; or

''(bb) private corporations that are located in, or that do business in, the State,

then the Federal share of the cost of carrying out the activities under subsection (d) shall be equal to 50 percent.

''(ii) If a State applies for an allotment under this section in partnership with—

''(I) any number of degree granting institutions of higher education in the State whose combined full-time enrollment represents a majority of all students attending institutions of higher education in the State; and

''(II)(aa) philanthropic organizations that are located in, or that provide funding in, the State; or

''(bb) private corporations that are located in, or that do business in, the State,

then the Federal share of the cost of carrying out the activities under subsection (d) shall be equal to 57 percent.

''(B) NON-FEDERAL SHARE.—

''(i) IN GENERAL.—The non-Federal share under this section may be provided in cash or in kind, fully evaluated and in accordance with this subparagraph.

''(ii) IN KIND CONTRIBUTION.—For the purpose of calculating the non-Federal share under this section, an in kind contribution is a non-cash award that has monetary value, such as provision of room and board and transportation passes, and that helps a student meet the cost of attendance.

''(iii) EFFECT ON NEED ANALYSIS.—For the purpose of calculating a student's need in accordance with part F of this title, an in-kind contribution described in clause (ii) shall be considered a resource and not a reduction in the cost of attendance.

''(c) APPLICATION FOR ALLOTMENT.—

''(1) IN GENERAL.—

''(A) SUBMISSION.—A State that desires to receive an allotment under this section on behalf of a partnership described in paragraph (3) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(B) CONTENT.—An application submitted under subparagraph (A) shall include the following:

''(i) A description of the State's plan for using the allotted funds.

''(ii) Assurances that the State will provide the non-Federal share from State, institutional, philanthropic, or private funds, of not less than the required share of the cost of carrying out the activities under subsection (d), as determined under subsection (b), in accordance with the following:

''(I) The State shall specify the methods by which non-Federal share funds will be paid and include provisions designed to ensure that funds provided under this section will be used to supplement, and not supplant, Federal and non-Federal funds available for carrying out the activities under this title.

''(II) A State that uses non-Federal funds to create or expand existing partnerships with nonprofit organizations or community-based organizations in which such organizations match State funds for student scholarships, may apply such matching funds from such organizations toward fulfilling the State's non-Federal share obligation under this clause.

''(iii) Assurances that early information and intervention, mentoring, or outreach programs exist within the State or that there is a plan to make such programs widely available.

''(iv) A description of the organizational structure that the State has in place to administer the activities under subsection (d), including a description of the system the State will use to track the participation of students who receive grants under this section to degree completion.

''(v) Assurances that the State has a method in place, such as acceptance of the automatic zero expected family contribution determination described in section 479, to identify eligible low-income students and award State grant aid to such students.

''(vi) Assurances that the State will provide notification to eligible low-income students that grants under this section are—

''(I) Leveraging Educational Assistance Partnership Grants; and

''(II) funded by the Federal Government, the State, and other contributing partners.

''(2) STATE AGENCY.—The State agency that submits an application for a State under section 415C(a) shall be the same State agency that submits an application under paragraph (1) for such State.

''(3) PARTNERSHIP.—In applying for an allotment under this section, the State agency shall apply for the allotment in partnership with—

''(A) not less than 1 public and 1 private degree granting institution of higher education that are located in the State, if applicable;

''(B) new or existing early information and intervention, mentoring, or outreach programs located in the State; and

''(C) not less than 1—

''(i) philanthropic organization located in, or that provides funding in, the State; or

''(ii) private corporation located in, or that does business in, the State.

''(4) ROLES OF PARTNERS.—

''(A) STATE AGENCY.—A State agency that is in a partnership receiving an allotment under this section—

''(i) shall—

''(I) serve as the primary administrative unit for the partnership;

''(II) provide or coordinate non-Federal share funds, and coordinate activities among partners;

''(III) encourage each institution of higher education in the State to participate in the partnership;

''(IV) make determinations and early notifications of assistance as described under subsection (d)(2); and

''(V) annually report to the Secretary on the partnership's progress in meeting the purpose of this section; and

''(ii) may provide early information and intervention, mentoring, or outreach programs.

''(B) DEGREE GRANTING INSTITUTIONS OF HIGHER EDUCATION.—A degree granting institution of higher education that is in a partnership receiving an allotment under this section—

''(i) shall—

''(I) recruit and admit participating qualified students and provide such additional institutional grant aid to participating students as agreed to with the State agency;

''(II) provide support services to students who receive grants for access and persistence under this section and are enrolled at such institution; and

''(III) assist the State in the identification of eligible students and the dissemination of early notifications of assistance as agreed to with the State agency; and

''(ii) may provide funding for early information and intervention, mentoring, or outreach programs or provide such services directly.

''(C) PROGRAMS.—An early information and intervention, mentoring, or outreach program that is in a partnership receiving an allotment under this section shall provide direct services, support, and information to participating students.

''(D) PHILANTHROPIC ORGANIZATION OR PRIVATE CORPORATION.—A philanthropic organization or private corporation that is in a partnership receiving an allotment under this section shall provide funds for grants for access and persistence for participating students, or provide funds or support for early information and intervention, mentoring, or outreach programs.

''(d) AUTHORIZED ACTIVITIES.—

''(1) IN GENERAL.—

''(A) ESTABLISHMENT OF PARTNERSHIP.—Each State receiving an allotment under this section shall use the funds to establish a partnership to award grants for access and persistence to eligible low-income students in order to increase the amount of financial assistance such students receive under this subpart for undergraduate education expenses.

''(B) AMOUNT OF GRANTS.—

''(i) PARTNERSHIPS WITH INSTITUTIONS SERVING LESS THAN A MAJORITY OF STUDENTS IN THE STATE.—

''(I) IN GENERAL.—In the case where a State receiving an allotment under this section is in a partnership described in subsection (b)(2)(B)(i), the amount of a grant for access and persistence awarded by such State shall be not less than the amount that is equal to the average undergraduate tuition and mandatory fees at 4-year public institutions of higher education in the State where the student resides (less any other Federal or State sponsored grant amount, work study amount, and scholarship amount received by the student), and such amount shall be used toward the cost of attendance at an institution of higher education, located in the State, that is a partner in the partnership.

''(II) COST OF ATTENDANCE.—A State that has a program, apart from the partnership under this section, of providing eligible low-income students with grants that are equal to the average undergraduate tuition and mandatory fees at 4-year public institutions of higher education in the State, may increase the amount of access and persistence grants awarded by such State up to an amount that is equal to the average cost of attendance at 4-year public institutions of higher education in the State (less any other Federal or State sponsored grant amount, work study amount, and scholarship amount received by the student).

''(ii) PARTNERSHIP WITH INSTITUTIONS SERVING THE MAJORITY OF STUDENTS IN THE STATE.—In the case where a State receiving an allotment under this section is in a partnership described in subsection (b)(2)(B)(ii), the amount of an access and persistence grant awarded by such State shall be not more than an amount that is equal to the average at 4-year public institutions of higher education in the State where the student resides (less any other Federal or State sponsored grant amount, college work study amount, and scholarship amount received by the student), and such amount shall be used by the student to attend an institution of higher education, located in the State, that is a partner in the partnership.

''(2) EARLY NOTIFICATION.—

''(A) IN GENERAL.—Each State receiving an allotment under this section shall annually notify low-income students, such as students who are eligible to receive a free lunch under the school lunch program established under the Richard B. Russell National School Lunch Act, in grade 7 through grade 12 in the State, of the students' potential eligibility for student financial assistance, including an access and persistence grant, to attend an institution of higher education.

''(B) CONTENT OF NOTICE.—The notification under subparagraph (A)—

''(i) shall include—

''(I) information about early information and intervention, mentoring, or outreach programs available to the student;

''(II) information that a student's candidacy for an access and persistence grant is enhanced through participation in an early information and intervention, mentoring, or outreach program;

''(III) an explanation that student and family eligibility and participation in other Federal means-tested programs may indicate eligibility for an access and persistence grant and other student aid programs;

''(IV) a nonbinding estimation of the total amount of financial aid a low-income student with a similar income level may expect to receive, including an estimation of the amount of an access and persistence grant and an estimation of the amount of grants, loans, and all other available types of aid from the major Federal and State financial aid programs;

''(V) an explanation that in order to be eligible for an access and persistence grant, at a minimum, a student shall—

''(aa) meet the requirement under paragraph (3);

''(bb) graduate from secondary school; and

''(cc) enroll at an institution of higher education that is a partner in the partnership;

''(VI) information on any additional requirements (such as a student pledge detailing student responsibilities) that the State may impose for receipt of an access and persistence grant under this section; and

''(VII) instructions on how to apply for an access and persistence grant and an explanation that a student is required to file a Free Application for Federal Student Aid authorized under section 483(a) to be eligible for such grant and assistance from other Federal and State financial aid programs; and

''(ii) may include a disclaimer that access and persistence grant awards are contingent upon—

''(I) a determination of the student's financial eligibility at the time of the student's enrollment at an institution of higher education that is a partner in the partnership;

''(II) annual Federal and State appropriations; and

''(III) other aid received by the student at the time of the student's enrollment at an institution of higher education that is a partner in the partnership.

''(3) ELIGIBILITY.—In determining which students are eligible to receive access and persistence grants, the State shall ensure that each such student meets not less than 1 of the following:

''(A) Meets not less than 2 of the following criteria, with priority given to students meeting all of the following criteria:

''(i) Has an expected family contribution equal to zero (as described in section 479) or a comparable alternative based upon the State's approved criteria in section 415C(b)(4).

''(ii) Has qualified for a free lunch, or at the State's discretion a reduced price lunch, under the school lunch program established under the Richard B. Russell National School Lunch Act.

''(iii) Qualifies for the State's maximum undergraduate award, as authorized under section 415C(b).

''(iv) Is participating in, or has participated in, a Federal, State, institutional, or community early information and intervention, mentoring, or outreach program, as recognized by the State agency administering activities under this section.

''(B) Is receiving, or has received, an access and persistence grant under this section, in accordance with paragraph (5).

''(4) GRANT AWARD.—Once a student, including those students who have received early notification under paragraph (2) from the State, applies for admission to an institution that is a partner in the partnership, files a Free Application for Federal Student Aid and any related existing State form, and is determined eligible by the State under paragraph (3), the State shall—

''(A) issue the student a preliminary access and persistence grant award certificate with tentative award amounts; and

''(B) inform the student that payment of the access and persistence grant award amounts is subject to certification of enrollment and award eligibility by the institution of higher education.

''(5) DURATION OF AWARD.—An eligible student that receives an access and persistence grant under this section shall receive such grant award for each year of such student's undergraduate education in which the student remains eligible for assistance under this title, including pursuant to section 484(c), and remains financially eligible as determined by the State, except that the State may impose reasonable time limits to baccalaureate degree completion.

''(e) USE OF FUNDS FOR ADMINISTRATIVE COSTS PROHIBITED.—A State that receives an allotment under this section shall not use any of the allotted funds to pay administrative costs associated with any of the authorized activities described in subsection (d).

''(f) STATUTORY AND REGULATORY RELIEF FOR INSTITUTIONS OF HIGHER EDUCATION.—The Secretary may grant, upon the request of an institution of higher education that is in a partnership described in subsection (b)(2)(B)(ii) and that receives an allotment under this section, a waiver for such institution from statutory or regulatory requirements that inhibit the ability of the institution to successfully and efficiently participate in the activities of the partnership.

''(g) APPLICABILITY RULE.—The provisions of this subpart which are not inconsistent with this section shall apply to the program authorized by this section.

''(h) MAINTENANCE OF EFFORT REQUIREMENT.—Each State receiving an allotment under this section for a fiscal year shall provide the Secretary with an assurance that the aggregate amount expended per student or the aggregate expenditures by the State, from funds derived from non-Federal sources, for the authorized activities described in subsection (d) for the preceding fiscal year were not less than the amount expended per student or the aggregate expenditure by the State for the activities for the second preceding fiscal year.

''(i) SPECIAL RULE.—Notwithstanding subsection (h), for purposes of determining a State's share of the cost of the authorized activities described in subsection (d), the State shall consider only those expenditures from non-Federal sources that exceed the State's total expenditures for need-based grants, scholarships, and work-study assistance for fiscal year 1999 (including any such assistance provided under this subpart).

''(j) REPORTS.—Not later than 3 years after the date of enactment of the Higher Education Amendments of 2005 and annually thereafter, the Secretary shall submit a report describing the activities and the impact

of the partnerships under this section to the authorizing committees.''.

SEC. 407. SPECIAL PROGRAMS FOR STUDENTS WHOSE FAMILIES ARE ENGAGED IN MIGRANT AND SEASONAL FARMWORK.

Section 418A (20 U.S.C. 1070d–2) is amended—

(1) in subsection (a), by adding ''(including providing outreach and technical assistance)'' after ''maintain and expand'';

(2) in subsection (b)—

(A) in paragraph (1)(B)(i), by striking ''parents'' and inserting ''immediate family'';

(B) in paragraph (3)(B), by inserting ''(including preparation for college entrance examinations)'' after ''college program'';

(C) in paragraph (5), by striking ''weekly'';

(D) in paragraph (7), by striking ''and'' after the semicolon;

(E) in paragraph (8), by striking the period at the end and inserting ''; and''; and

(F) by adding at the end the following:

''(9) other activities to improve persistence and retention in postsecondary education.'';

(3) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (B)—

(I) in the matter preceding clause (i), by inserting ''to improve placement, persistence, and retention in postsecondary education'' after ''services''; and

(II) in clause (i), by striking ''and career'' and inserting ''career, and economic education or personal finance'';

(ii) in subparagraph (E), by striking ''and'' after the semicolon;

(iii) by redesignating subparagraph (F) as subparagraph (G); and

(iv) by inserting after subparagraph (E) the following:

''(F) internships; and''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''and'' after the semicolon;

(ii) in subparagraph (B), by striking the period at the end and inserting '', and coordinating such services, assistance, and aid with other non-program services, assistance, and aid, including services, assistance, and aid provided by community-based organizations, which may include mentoring and guidance; and''; and

(iii) by adding at the end the following:

''(C) for students attending 2-year institutions of higher education, encouraging the students to transfer to 4-year institutions of higher education, where appropriate, and monitoring the rate of transfer of such students.'';

(4) in subsection (e), by striking ''section 402A(c)(1)'' and inserting ''section 402A(c)(2)'';

(5) in subsection (f)—

(A) in paragraph (1), by striking ''$150,000'' and inserting ''$180,000''; and

(B) in paragraph (2), by striking ''$150,000'' and inserting ''$180,000''; and

(6) in subsection (h)—

(A) in paragraph (1), by striking ''$15,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''; and

(B) in paragraph (2), by striking ''$5,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''.

SEC. 408. ROBERT C. BYRD HONORS SCHOLARSHIP PROGRAM.

Section 419K (20 U.S.C. 1070d–41) is amended by striking ''$45,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''.

SEC. 409. CHILD CARE ACCESS MEANS PARENTS IN SCHOOL.

(a) MINIMUM GRANT.—Section 419N(b)(2)(B) (20 U.S.C. 1070e(b)(2)(B)) is amended—

(1) by striking ''A grant'' and inserting the following:

''(i) IN GENERAL.—Except as provided in clause (ii), a grant''; and

(2) by adding at the end the following:

''(ii) INCREASE TRIGGER.—For any fiscal year for which the amount appropriated under the authority of subsection (g) is equal to or greater than $20,000,000, a grant under this section shall be awarded in an amount that is not less than $30,000.''.

(b) DEFINITION OF LOW-INCOME STUDENT.—Paragraph (7) of section 419N(b) (20 U.S.C. 1070e(b)) is amended to read as follows:

''(7) DEFINITION OF LOW-INCOME STUDENT.—For the purpose of this section, the term 'low-income student' means a student who—

''(A) is eligible to receive a Federal Pell Grant for the fiscal year for which the determination is made; or

''(B) would otherwise be eligible to receive a Federal Pell Grant for the fiscal year for which the determination is made, except that the student fails to meet the requirements of—

''(i) section 401(c)(1) because the student is enrolled in a graduate or first professional course of study; or

''(ii) section 484(a)(5) because the student is in the United States for a temporary purpose.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 419N(g) (20 U.S.C. 1070e(g)) is amended by striking ''$45,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''.

SEC. 410. LEARNING ANYTIME ANYWHERE PARTNERSHIPS.

Subpart 8 of part A of title IV (20 U.S.C. 1070f et seq.) is repealed.

PART B—FEDERAL FAMILY EDUCATION LOAN PROGRAM

SEC. 421. EXTENSION OF AUTHORITIES.

(a) FEDERAL INSURANCE LIMITATIONS.—Section 424(a) (20 U.S.C. 1074(a)) is amended—

(1) by striking ''2004'' and inserting ''2012''; and

(2) by striking ''2008'' and inserting ''2016''.

(b) GUARANTEED LOANS.—Section 428(a)(5) (20 U.S.C. 1078(a)(5)) is amended—

(1) by striking ''2004'' and inserting ''2012''; and

(2) by striking ''2008'' and inserting ''2016''.

(3) CONSOLIDATION LOANS.—Section 428C(e) (20 U.S.C. 1078–3(e)) is amended by striking ''2004'' and inserting ''2012''.

SEC. 422. FEDERAL PAYMENTS TO REDUCE STUDENT INTEREST COSTS.

Section 428 (20 U.S.C. 1078) is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (N)—

(i) in clause (i), by striking ''or'' after the semicolon; and

(ii) by striking clause (ii) and inserting the following:

''(ii) in the case of a student who is studying outside the United States in a program of study abroad that is approved for credit by the home institution at which such student is enrolled, are, at the request of the student, disbursed directly to the student by the means described in clause (i), unless such student requests that the check be endorsed, or the funds transfer be authorized, pursuant to an authorized power-of-attorney; or

''(iii) in the case of a student who is studying outside the United States in a program of study at an eligible foreign institution, are, at the request of the foreign institution, disbursed directly to the student by the means described in clause (i);''; and

(B) in subparagraph (Y)(i)(III), by inserting '', except that, if requested by an institution of higher education, the lender shall confirm such status through use of the National Student Loan Data System'' before the semicolon; and

(2) in subsection (c)(2)(H)(i), by striking ''preclaims'' and inserting ''default aversion''.

SEC. 423. FEDERAL CONSOLIDATION LOANS.

Section 428C(b)(1) (20 U.S.C. 1078–3(b)(1)) is amended—

(1) in subparagraph (E), by striking ''and'' after the semicolon;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

''(F) that the lender will disclose, in a clear and conspicuous manner, to borrowers who consolidate loans made under part E of this title—

''(i) that once the borrower adds the borrower's Federal Perkins Loan to a Federal Consolidation Loan, the borrower will lose all interest-free periods that would have been available, such as those periods when no interest accrues on the Federal Perkins Loan while the borrower is enrolled in school at least half-time, during the grace period, and during periods when the borrower's student loan repayments are deferred;

''(ii) that the borrower will no longer be eligible for loan forgiveness of Federal Perkins Loans under any provision of section 465; and

''(iii) the occupations described in section 465(a)(2), individually and in detail, for which the borrower will lose eligibility for Federal Perkins Loan forgiveness; and''.

SEC. 424. DEFAULT REDUCTION PROGRAM.

Section 428F (20 U.S.C. 1078–6) is amended by adding at the end the following:

''(c) FINANCIAL AND ECONOMIC LITERACY.—Where appropriate as determined by the institution of higher education in which a borrower is enrolled, each program described in subsection (b) shall include making available financial and economic education materials for the borrower, including making the materials available before, during, or after rehabilitation of a loan.''.

SEC. 425. REPORTS TO CREDIT BUREAUS AND INSTITUTIONS OF HIGHER EDUCATION.

Section 430A(a) (20 U.S.C. 1080a(a)) is amended—

(1) in the first sentence, by striking ''with credit bureau organizations'' and inserting ''with each consumer reporting agency that compiles and maintains files on consumers on a nationwide basis (as defined in section 603(q) of the Fair Credit Reporting Act (15 U.S.C. 1681a(q))'';

(2) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (4), and (5), respectively;

(3) by inserting before paragraph (2) (as redesignated by paragraph (2)), the following:

''(1) the type of loan made, insured, or guaranteed under this title;'';

(4) by inserting after paragraph (2) (as redesignated by paragraph (2)), the following:

''(3) information concerning the repayment status of the loan, which information shall be included in the file of the borrower, except that nothing in this paragraph shall be construed to affect any otherwise applicable provision of the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.)'';

(5) in paragraph (4) (as redesignated by paragraph (2)), by striking ''and'' after the semicolon;

(6) in paragraph (5) (as redesignated by paragraph (2)), by striking the period and inserting ''; and''; and

(7) by adding at the end the following:

''(6) any other information required to be reported by Federal law.''.

SEC. 426. COMMON FORMS AND FORMATS.

Section 432(m)(1)(D)(i) (20 U.S.C. 1082(m)(1)(D)(i)) is amended by adding at the end the following: ''Unless otherwise notified by the Secretary, each institution of higher education that participates in the program under this part or part D may use a master promissory note for loans under this part and part D.''.

SEC. 427. STUDENT LOAN INFORMATION BY ELIGIBLE BORROWERS.

Section 433 (20 U.S.C. 1083) is amended by adding at the end the following:

''(f) BORROWER INFORMATION AND PRIVACY.—Each eligible lender, guaranty agency, secondary market, consumer reporting agency, or student loan servicer participating in a program under this part shall not use, release, sell, transfer, or give any student information, including the name, address, social security number, or amount borrowed by a borrower or a borrower's parent, for any purpose that is not related to the processing of, the collecting of, the servicing of, or other activities associated with the prevention of default on, loans under this title.

''(g) LOAN BENEFIT DISCLOSURES.—

''(1) IN GENERAL.—Each eligible lender, holder, or servicer of a loan made, insured, or guaranteed under this part shall provide the borrower with information on the loan benefit repayment options the lender, holder, or servicer offer, including information on reductions in interest rates—

''(A) by repaying the loan by automatic payroll or checking account deduction;

''(B) by completing a program of on-time repayment; and

''(C) under any other interest rate reduction program.

''(2) INFORMATION.—Such borrower information shall include—

''(A) any limitations on such options;

''(B) explicit information on the reasons a borrower may lose eligibility for such an option;

''(C) examples of the impact the interest rate reductions will have on a borrower's time for repayment and amount of repayment;

''(D) upon the request of the borrower, the effect the reductions in interest rates will have with respect to the borrower's payoff amount and time for repayment; and

''(E) information on borrower recertification requirements.''.

SEC. 428. CONSUMER EDUCATION INFORMATION.

Part B (20 U.S.C. 1071 et seq.) is amended by inserting after section 433 (20 U.S.C. 1083) the following:

''SEC. 433A. CONSUMER EDUCATION INFORMATION.

''Each guaranty agency participating in a program under this part working with the institutions of higher education served by such guaranty agency (or in the case of an institution of higher education that provides loans exclusively through part D, the institution working with a guaranty agency or with the Secretary) shall develop and make available a quality educational program and materials to provide training for students in budgeting and financial management, including debt management and other aspects of financial literacy, such as the cost of using very high interest loans to pay for postsecondary education, particularly as budgeting and financial management relates to student loan programs authorized by this title. Nothing in this section shall be construed to prohibit a guaranty agency from using an existing program or existing materials to meet the requirement of this section. The activities described in this section shall be considered default reduction activities for the purposes of section 422.''.

SEC. 429. DEFINITION OF ELIGIBLE LENDER.

Section 435(d)(2) (20 U.S.C. 1085(d)(2)) is amended by striking subparagraph (F) and inserting the following:

''(F) shall use the proceeds from special allowance payments, interest payments from borrowers, proceeds from the sale of a loan made, insured, or guaranteed under this part, and all other proceeds related to such a loan that are furnished to the eligible institution or any entity affiliated (directly or indirectly) with the eligible institution, for need based grant programs, except that such payments and proceeds may be used for reasonable reimbursement for direct administrative expenses;''.

SEC. 430. REPAYMENT BY THE SECRETARY OF LOANS OF BANKRUPT, DECEASED, OR DISABLED BORROWERS; TREATMENT OF BORROWERS ATTENDING SCHOOLS THAT FAIL TO PROVIDE A REFUND, ATTENDING CLOSED SCHOOLS, OR FALSELY CERTIFIED AS ELIGIBLE TO BORROW.

Section 437 (20 U.S.C. 1087) is amended—

(1) in the section heading, by striking ''**CLOSED SCHOOLS OR FALSELY CERTIFIED AS ELIGIBLE TO BORROW**'' and inserting ''**SCHOOLS THAT FAIL TO PROVIDE A REFUND, ATTENDING CLOSED SCHOOLS, OR FALSELY CERTIFIED AS ELIGIBLE TO BORROW**''; and

(2) in the first sentence of subsection (c)(1), by inserting ''or was falsely certified as a result of a crime of identity theft'' after ''falsely certified by the eligible institution''.

PART C—FEDERAL WORK-STUDY PROGRAMS

SEC. 441. AUTHORIZATION OF APPROPRIATIONS.

Section 441(b) (42 U.S.C. 2751(b)) is amended by striking ''$1,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''.

SEC. 442. ALLOWANCE FOR BOOKS AND SUPPLIES.

Section 442(c)(4)(D) (42 U.S.C. 2752(c)(4)(D)) is amended by striking ''$450'' and inserting ''$600''.

SEC. 443. GRANTS FOR FEDERAL WORK-STUDY PROGRAMS.

Section 443(b)(2) (42 U.S.C. 2753(b)(2)) is amended—

(1) by striking subparagraph (A);

(2) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(3) in subparagraph (A) (as redesignated by paragraph (2)), by striking ''this subparagraph if'' and all that follows through ''institution;'' and inserting ''this subparagraph if—

''(i) the Secretary determines that enforcing this subparagraph would cause hardship for students at the institution; or

''(ii) the institution certifies to the Secretary that 15 percent or more of its total full-time enrollment participates in community service activities described in section 441(c) or tutoring and literacy activities described in subsection (d) of this section;''.

SEC. 444. JOB LOCATION AND DEVELOPMENT PROGRAMS.

Section 446(a)(1) (42 U.S.C. 2756(a)(1)) is amended by striking ''$50,000'' and inserting ''$75,000''.

SEC. 445. WORK COLLEGES.

Section 448(f) (42 U.S.C. 2756b(f)) is amended by striking ''5,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''.

PART D—WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM

SEC. 451. FUNDS FOR ADMINISTRATIVE EXPENSES.

Section 458 (20 U.S.C. 1087h) is amended—

(1) in subsection (a)(1), in the matter following subparagraph (B), by striking ''$617,000,000'' and all that follows through the period and inserting ''$904,000,000 in fiscal year 2006, $943,000,000 in fiscal year 2007, $983,000,000 in fiscal year 2008, $1,023,000,000 in fiscal year 2009, $1,064,000,000 in fiscal year 2010, and $1,106,000,000 in fiscal year 2011.''; and

(2) in subsection (c)(1), by striking subparagraphs (A) through (E) and inserting the following:

''(A) for fiscal year 2006, shall not exceed $271,000,000;

''(B) for fiscal year 2007, shall not exceed $293,000,000;

''(C) for fiscal year 2008, shall not exceed $315,000,000;

''(D) for fiscal year 2009, shall not exceed $336,000,000;

''(E) for fiscal year 2010, shall not exceed $356,000,000; and

''(F) for fiscal year 2011, shall not exceed $378,000,000.''.

PART E—FEDERAL PERKINS LOANS

SEC. 461. PROGRAM AUTHORITY.

Section 461(b) (20 U.S.C. 1087aa(b)) is amended—

(1) in paragraph (1), by striking ''$250,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''; and

(2) in paragraph (2),—

(A) by striking ''fiscal year 2003'' and inserting ''fiscal year 2009''; and

(B) by striking ''October 1, 2003'' and inserting ''October 1, 2009''.

SEC. 462. TERMS OF LOANS.

Section 464 (20 U.S.C. 1087dd) is amended—

(1) in subsection (b)(1), by striking ''for an additional loan under this part'' and inserting ''for additional aid under this title''; and

(2) in subsection (e), by striking ''written''.

SEC. 463. CANCELLATION OF LOANS FOR CERTAIN PUBLIC SERVICE.

Section 465(a) (20 U.S.C. 1087ee(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking ''Head Start Act which'' and inserting ''Head Start Act, or in a prekindergarten or child care program that is licensed or regulated by the State, that'';

(B) in subparagraph (H), by striking ''or'' after the semicolon;

(C) in subparagraph (I), by striking the period and inserting a semicolon; and

(D) by inserting before the matter following subparagraph (I) (as amended by subparagraph (C)) the following:

''(J) as a full-time faculty member at a tribally controlled college or university, as that term is defined in section 2 of the Tribally Controlled College or University Assistance Act of 1978; or

''(K) as a librarian, if the librarian has a master's degree in library science and is employed in—

''(i) an elementary school or secondary school library that is eligible for assistance under title I of the Elementary and Secondary Education Act of 1965; or

''(ii) a public library that serves a geographic area that contains 1 or more schools eligible for assistance under title I of the Elementary and Secondary Education Act of 1965.''; and

(2) in paragraph (3)(A)(i), by striking ''or (I)'' and inserting ''(I), (J), or (K)''.

PART F—NEED ANALYSIS

SEC. 471. COST OF ATTENDANCE.

Section 472 (20 U.S.C. 1087ll) is amended—

(1) by striking paragraph (4) and inserting the following:

''(4) for less than half-time students (as determined by the institution), tuition and fees and an allowance for only—

''(A) books, supplies, and transportation (as determined by the institution);

''(B) dependent care expenses (determined in accordance with paragraph (8)); and

''(C) room and board costs (determined in accordance with paragraph (3)), except that a student may receive an allowance for such costs under this subparagraph for not more than 3 semesters or the equivalent, of which not more than 2 semesters or the equivalent may be consecutive;'';

(2) in paragraph (11), by striking ''and'' after the semicolon;

(3) in paragraph (12), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(13) at the option of the institution, for a student in a program requiring professional licensure or certification, the one time cost of obtaining the first professional credentials (as determined by the institution).''.

SEC. 472. DEFINITIONS.

(a) DEFINITIONS.—Section 480 (20 U.S.C. 1087vv) is amended—

(1) in subsection (f)—

(A) in paragraph (1), by inserting ''qualified education benefits (except as provided in paragraph (3)),'' after ''tax shelters,''; and

(B) by adding at the end the following:

''(3) A qualified education benefit shall not be considered an asset of a student for purposes of section 475.

''(4) In determining the value of assets in a determination of need under this title (other than for subpart 4 of part A), the value of a qualified education benefit shall be—

''(A) the refund value of any tuition credits or certificates purchased under a qualified education benefit; and

''(B) in the case of a program in which contributions are made to an account that is established for the purpose of meeting the qualified higher education expenses of the designated beneficiary of the account, the current balance of such account.

''(5) In this subsection:

''(A) QUALIFIED EDUCATION BENEFIT.—The term 'qualified education benefit' means—

''(i) a qualified tuition program (as defined in section 529(b)(1)(A) of the Internal Revenue Code of 1986) or other prepaid tuition plan offered by a State; and

''(ii) a Coverdell education savings account (as defined in section 530(b)(1) of the Internal Revenue Code of 1986).

''(B) QUALIFIED HIGHER EDUCATION EXPENSES.—The term 'qualified higher education expenses' has the meaning given the term in section 529(e) of the Internal Revenue Code of 1986.''; and

(2) in subsection (j)—

(A) in the subsection heading, by striking ''; TUITION PREPAYMENT PLANS'';

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

(D) by inserting after paragraph (2) (as redesignated by subparagraph (C)) the following paragraph:

''(3) Notwithstanding paragraph (1) and section 472, assistance not received under this title may be excluded from both estimated financial assistance and cost of attendance, if that assistance is designated by the State providing that assistance to offset a specific component of the cost of attendance. If that assistance is excluded from estimated financial assistance or cost of attendance, that assistance shall be excluded from both calculations.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to determinations of need under part F of title IV for academic years beginning on or after July 1, 2006.

PART G—GENERAL PROVISIONS RELATING TO STUDENT ASSISTANCE

SEC. 481. DEFINITION OF ACADEMIC AND AWARD YEAR.

The second sentence of section 481(a)(2) (20 U.S.C. 1088(a)(2)) is amended by inserting ''and that measures program length in credit hours or clock hours'' after ''baccalaureate degree''.

SEC. 482. COMPLIANCE CALENDAR.

Section 482 (20 U.S.C. 1089) is amended by adding at the end the following:

''(a) COMPLIANCE CALENDAR.—Prior to the beginning of each award year, the Secretary shall provide to institutions of higher education a list of all the reports and disclosures required under this Act. The list shall include—

''(1) the date each report or disclosure is required to be completed and to be submitted, made available, or disseminated;

''(2) the required recipients of each report or disclosure;

''(3) any required method for transmittal or dissemination of each report or disclosure;

''(4) a description of the content of each report or disclosure sufficient to allow the institution to identify the appropriate individuals to be assigned the responsibility for such report or disclosure;

''(5) references to the statutory authority, applicable regulations, and current guidance issued by the Secretary regarding each report or disclosure; and

''(6) any other information which is pertinent to the content or distribution of the report or disclosure.''.

SEC. 483. FORMS AND REGULATIONS.

Section 483 (20 U.S.C. 1090) is amended—

(1) by striking subsections (a) and (b), and inserting the following:

''(a) COMMON FINANCIAL AID FORM DEVELOPMENT AND PROCESSING.—

''(1) IN GENERAL.—The Secretary, in cooperation with representatives of agencies and organizations involved in student financial assistance, shall produce, distribute, and process free of charge common financial reporting forms as described in this subsection to be used to determine the need and eligibility of a student for financial assistance under parts A through E of this title (other than under subpart 4 of part A). The forms shall be made available to applicants in both paper and electronic formats and shall be referred to (except as otherwise provided in this subsection) as the 'Free Application for Federal Student Aid', or 'FAFSA'.

''(2) PAPER FORMAT.—

''(A) IN GENERAL.—Subject to subparagraph (C), the Secretary shall produce, distribute, and process common forms in paper format to meet the requirements of paragraph (1). The Secretary shall develop a common paper form for applicants who do not meet the requirements of or do not wish to use the process described in subparagraph (B).

''(B) EZ FAFSA.—

''(i) IN GENERAL.—The Secretary shall develop and use a simplified paper application form, to be known as the 'EZ FAFSA', to be used for applicants meeting the requirements under section 479(c).

''(ii) REDUCED DATA REQUIREMENTS.—The EZ FAFSA shall permit an applicant to submit for purposes of determining financial need and eligibility, only the data elements required to make a determination of student eligibility and whether the applicant meets the requirements of section 479(c).

''(iii) STATE DATA.—The Secretary shall include on the EZ FAFSA such data items as may be necessary to award State financial assistance, as provided under paragraph (5), except the Secretary shall not include a State's data if that State does not permit its applicants for State assistance to use the EZ FAFSA.

''(iv) FREE AVAILABILITY AND PROCESSING.—The provisions of paragraph (6) shall apply to the EZ FAFSA, and the data collected by means of the EZ FAFSA shall be available to institutions of higher education, guaranty agencies, and States in accordance with paragraph (9).

''(v) TESTING.—The Secretary shall conduct appropriate field testing on the EZ FAFSA.

''(C) PHASING OUT THE FULL PAPER FORM FOR STUDENTS WHO DO NOT MEET THE REQUIREMENTS OF THE EZ FAFSA.—

''(i) IN GENERAL.—The Secretary shall make all efforts to encourage all applicants to utilize the electronic forms described in paragraph (3).

''(ii) PHASEOUT OF FULL PAPER FAFSA.—Not later than 5 years after the date of enactment of the Higher Education Amendments of 2005, to the extent practicable, the Secretary shall phase out the printing of the long paper form created under subparagraph (A) and used by applicants who do not meet the requirements of the EZ FAFSA described in subparagraph (B).

''(iii) AVAILABILITY OF FULL PAPER FAFSA.—

''(I) IN GENERAL.—Both prior to and after the phaseout described in clause (ii), the Secretary shall maintain on the Internet printable versions of the paper forms described in subparagraphs (A) and (B).

''(II) ACCESSIBILITY.—The printable versions described in subclause (I) shall be made easily accessible and downloadable to students on the same Web site used to provide students with the common electronic forms described in paragraph (3).

''(III) SUBMISSION OF FORMS.—The Secretary shall conduct a study to determine the feasibility of using downloaded forms to ensure sufficient quality to meet the processing requirements of this section. Following the completion of the study, the Secretary shall enable, to the extent practicable, students to submit a form described in this clause that is downloaded from the Internet and printed, in order to meet the filing requirements of this section and to receive financial assistance under this title.

''(iv) USE OF SAVINGS.—

''(I) IN GENERAL.—The Secretary shall utilize any realized savings accrued by phasing out the full paper FAFSA and moving more applicants to the common electronic forms, to improve access to the electronic forms for applicants meeting the requirements of section 479(c).

''(II) REPORT.—The Secretary shall report annually to the authorizing committees on—

''(aa) the steps taken to improve access to the common electronic forms for applicants meeting the requirements of section 479(c); and

''(bb) the phaseout of the long common paper form described in subparagraph (A).

''(3) ELECTRONIC FORMAT.—

''(A) IN GENERAL.—The Secretary shall produce, distribute, and process common forms in electronic format and make such forms available through a broadly accessible website to meet the requirements of paragraph (1). The Secretary shall develop common electronic forms for applicants who do not meet the requirements of subparagraph (B). The Secretary shall include on the common electronic forms space for information that needs to be submitted from the applicant to be eligible for State financial assistance, as provided under paragraph (5), except the Secretary shall not require applicants to complete data required by any State other than the applicant's State of residence. The Secretary shall use all available technology to ensure that a student using a common electronic form answers only the minimum number of questions necessary.

''(B) SIMPLIFIED ELECTRONIC APPLICATIONS.—

''(i) IN GENERAL.—The Secretary shall develop and use a simplified electronic application form to be used by applicants meeting the requirements of section 479(c) and an additional, separate simplified electronic application form to be used by applicants meeting the requirements under section 479(b).

''(ii) REDUCED DATA REQUIREMENTS.—The simplified electronic application forms shall permit an applicant to submit for purposes of determining financial need and eligibility, only the data elements required to make a determination of student eligibility and whether the applicant meets the requirements under subsection (b) or (c) of section 479.

''(iii) STATE DATA.—The Secretary shall include on the simplified electronic application forms such data items as may be necessary to award State financial assistance, as provided under paragraph (5), except the Secretary shall not require applicants to complete data required by any State other than the applicant's State of residence and shall not include a State's data if such State does not permit its applicants for State assistance to use the simplified electronic application form described in this subparagraph.

''(iv) FREE AVAILABILITY AND PROCESSING.—The provisions of paragraph (6) shall apply to the simplified electronic application forms, and the data collected by means of the simplified electronic application forms shall be available to institutions of higher education, guaranty agencies, and States in accordance with paragraph (9).

''(v) TESTING.—The Secretary shall conduct appropriate field testing on the forms developed under this subparagraph.

''(C) USE OF FORMS.—Nothing in this subsection shall be construed to prohibit the use of the forms developed by the Secretary pursuant to this paragraph by an eligible institution, eligible lender, a guaranty agency, a State grant agency, a private computer software provider, a consortium of such entities, or such other entity as the Secretary may designate. Data collected by the forms shall be used only for the application, award, and administration of aid awarded under this title, State aid, or aid awarded by eligible institutions or such entities as the Secretary may designate. No data collected by such electronic version of the forms shall be used for making final aid awards under this title until such data have been processed by the Secretary or a contractor or designee of the Secretary, except as may be permitted under this title.

''(D) PRIVACY.—The Secretary shall ensure that data collection under this paragraph complies with section 552a of title 5, United States Code, and that any entity using the electronic version of the forms developed by the Secretary pursuant to this paragraph shall maintain reasonable and appropriate administrative, technical, and physical safeguards to ensure the integrity and confidentiality of the information, and to protect against security threats, or unauthorized uses or disclosures of the information provided on the electronic version of the forms.

''(E) SIGNATURE.—Notwithstanding any other provision of this Act, the Secretary may permit an electronic form under this paragraph to be submitted without a signature, if a signature is subsequently submitted by the applicant or if the applicant uses a personal identification number provided by the Secretary under subparagraph (F).

''(F) PERSONAL IDENTIFICATION NUMBERS AUTHORIZED.—The Secretary is authorized to assign to applicants personal identification numbers—

''(i) to enable the applicants to use such numbers as a signature for purposes of completing a form under this paragraph; and

''(ii) for any purpose determined by the Secretary to enable the Secretary to carry out this title.

''(4) STREAMLINED REAPPLICATION PROCESS.—

''(A) IN GENERAL.—The Secretary shall develop streamlined reapplication forms and processes, including both paper and electronic reapplication processes, consistent with the requirements of this subsection, for an applicant who applies for financial assistance under this title in the next succeeding academic year subsequent to an academic year in which such applicant applied for financial assistance under this title.

''(B) MECHANISMS FOR REAPPLICATION.—The Secretary shall develop appropriate mechanisms to support reapplication.

''(C) IDENTIFICATION OF UPDATED DATA.—The Secretary shall determine, in cooperation with States, institutions of higher education, and agencies and organizations involved in student financial assistance, the data elements that can be updated from the previous academic year's application.

''(D) REDUCED DATA AUTHORIZED.—Nothing in this title shall be construed as limiting the authority of the Secretary to reduce the number of data elements required of reapplicants.

''(E) ZERO FAMILY CONTRIBUTION.—Applicants determined to have a zero family contribution pursuant to section 479(c) shall not be required to provide any financial data in a reapplication form, except that which is necessary to determine eligibility under such section.

''(5) STATE REQUIREMENTS.—

''(A) IN GENERAL.—Except as provided in paragraphs (2)(B)(iii), (3)(A), and (3)(B)(iii), the Secretary shall include on the forms developed under this subsection, such State-specific data items as the Secretary determines are necessary to meet State requirements for need-based State aid. Such items shall be selected in consultation with State agencies in order to assist in the awarding of State financial assistance in accordance with the terms of this subsection, except as provided in paragraphs (2)(B)(iii), (3)(A), and (3)(B)(iii). The number of such data items shall not be less than the number included on the form for the 2005–2006 award year unless a State notifies the Secretary that the State no longer requires those data items for the distribution of State need-based aid.

''(B) ANNUAL REVIEW.—The Secretary shall conduct an annual review process to determine which data items the States require to award need-based State aid.

''(C) ENCOURAGE USE OF FORMS.—The Secretary shall encourage States to take such steps as are necessary to encourage the use of simplified application forms, including those described in paragraphs (2)(B) and (3)(B), for applicants who meet the requirements of subsection (b) or (c) of section 479.

''(D) FEDERAL REGISTER NOTICE.—The Secretary shall publish, on an annual basis, a notice in the Federal Register requiring States to inform the Secretary—

''(i) if the State plans to use the FAFSA to collect data to determine eligibility for State need-based financial aid;

''(ii) of the State-specific data that the State requires for delivery of State need-based financial aid; and

''(iii) if the State agency is unable to permit applicants to utilize the simplified application forms described in paragraph (2)(B) or (3)(B).

''(E) STATE NOTIFICATION TO THE SECRETARY.—

''(i) IN GENERAL.—Each State agency shall notify the Secretary—

''(I) whether the State permits an applicant to file a form described in paragraph (2)(B) or (3)(B) for purposes of determining eligibility for State need-based financial aid; and

''(II) of the State-specific data that the State requires for delivery of State need-based financial aid.

''(ii) ACCEPTANCE OF FORMS.—If a State does not permit an applicant to file a form described in paragraph (2)(B) or (3)(B) for purposes of determining eligibility for State need-based financial aid, then the State shall notify the Secretary if it is not permitted to do so because of State law or agency policy. The notification shall include an acknowledgment that State-specific questions will not be included on a form described in paragraph (2)(B) or (3)(B).

''(iii) LACK OF NOTIFICATION BY THE STATE.—If a State does not notify the Secretary pursuant to clause (i), the Secretary shall—

''(I) permit residents of that State to complete simplified application forms under paragraphs (2)(B) and (3)(B); and

''(II) not require any resident of such State to complete any data previously required by that State under this section.

''(F) RESTRICTION.—The Secretary shall not require applicants to complete any financial or non-financial data that are not required by the applicant's State, except as may be required for applicants who use the paper forms described in subparagraphs (A) and (B) of paragraph (2).

''(6) CHARGES TO STUDENTS AND PARENTS FOR USE OF FORMS PROHIBITED.—The common financial reporting forms prescribed by the Secretary under this subsection shall be produced, distributed, and processed by the Secretary, and no parent or student shall be charged a fee by the Secretary, a contractor, a third-party servicer or private software provider, or any other public or private entity for the collection, processing, or delivery of financial aid through the use of such forms. The need and eligibility of a student for financial assistance under parts A through E (other than under subpart 4 of part A) may be determined only by using a form developed by the Secretary pursuant to this subsection. No student may receive financial assistance under parts A through E (other than under subpart 4 of part A), except by use of a form developed by the Secretary pursuant to this subsection. No data collected on a paper or electronic form, worksheet, or other document for which a fee is charged shall be used to complete the form prescribed under this subsection. No person, commercial entity, or other entity shall request, obtain, or utilize an applicant's personal identification number assigned under paragraph (3)(F) for purposes of submitting an application on an applicant's behalf.

''(7) APPLICATION PROCESSING CYCLE.—The Secretary shall—

''(A) enable students to submit forms created under this subsection in order to meet the filing requirements of this section and in order to receive financial assistance from programs under this title; and

''(B) enable students to submit forms created under this subsection and initiate the processing of such forms under this subsection, as early as practicable prior to January 1 of the student's planned year of enrollment.

''(8) EARLY ESTIMATES.—The Secretary shall permit an applicant to complete a form described in this subsection in the years prior to enrollment in order to obtain from the Secretary a nonbinding estimate of the applicant's expected family contribution, as defined in section 473. Such applicant shall be permitted to update information submitted on a form described in this subsection

using the process required under paragraph (4).

''(9) DISTRIBUTION OF DATA.—Institutions of higher education, guaranty agencies, and States shall receive, without charge, the data collected by the Secretary using the form developed pursuant to this subsection for the purposes of processing loan applications and determining need and eligibility for institutional and State financial aid awards. Entities designated by institutions of higher education, guaranty agencies, or States to receive such data shall be subject to all the requirements of this section, unless such requirements are waived by the Secretary.

''(10) THIRD PARTY SERVICERS AND PRIVATE SOFTWARE PROVIDERS.—To the extent practicable and in a timely manner, the Secretary shall provide, to private organizations and consortia that develop software used by institutions of higher education for the administration of funds under this title, all the necessary specifications that the organizations and consortia must meet for the software the organizations and consortia develop, produce, and distribute (including any diskette, modem, or network communications) which are so used. The specifications shall contain record layouts for required data. The Secretary shall develop in advance of each processing cycle an annual schedule for providing such specifications. The Secretary, to the extent practicable, shall use means of providing such specifications, including conferences and other meetings, outreach, and technical support mechanisms (such as training and printed reference materials). The Secretary shall, from time to time, solicit from such organizations and consortia means of improving the support provided by the Secretary.

''(11) PARENT'S SOCIAL SECURITY NUMBER AND BIRTH DATE.—The Secretary is authorized to include on the form developed under this subsection space for the social security number and birth date of parents of dependent students seeking financial assistance under this title.'';

(2) by redesignating subsections (c) through (e) as subsections (b) through (d), respectively; and

(3) in subsection (c) (as redesignated by paragraph (2)), by striking ''that is authorized'' and all that follows through the period at the end and inserting ''or other appropriate provider of technical assistance and information on postsecondary educational services that is authorized under section 663(a) of the Individuals with Disabilities Education Act. Not later than 2 years after the date of enactment of the Higher Education Amendments of 2005, the Secretary shall test and implement, to the extent practicable, a toll-free telephone based system to permit applicants who meet the requirements of 479(c) to submit an application over such system.''.

SEC. 484. STUDENT ELIGIBILITY.

Section 484 (20 U.S.C. 1091) is amended—

(1) in subsection (d), by adding at the end the following:

''(4) The student shall be determined by the institution of higher education as having the ability to benefit from the education or training offered by the institution of higher education, upon satisfactory completion of 6 credit hours or the equivalent coursework that are applicable toward a degree or certificate offered by the institution of higher education.'';

(2) by striking subsection (*l*) and inserting the following:

''(l) COURSES OFFERED THROUGH DISTANCE EDUCATION.—

''(1) RELATION TO CORRESPONDENCE COURSES.—

''(A) IN GENERAL.—A student enrolled in a course of instruction at an institution of higher education that is offered predominately through distance education and leads to a recognized certificate, or associate, baccalaureate, or graduate degree, conferred by such institution, shall not be considered to be enrolled in correspondence courses.

''(B) EXCEPTION.—An institution of higher education referred to in subparagraph (A) shall not include an institution or school described in section 3(3)(C) of the Carl D. Perkins Vocational and Technical Education Act of 1998.

''(2) RESTRICTION OR REDUCTIONS OF FINANCIAL AID.—A student's eligibility to receive grants, loans, or work assistance under this title shall be reduced if a financial aid officer determines under the discretionary authority provided in section 479A that telecommunications instruction results in a substantially reduced cost of attendance to such student.

''(3) SPECIAL RULE.—For award years prior to the date of enactment of this subsection, the Secretary shall not take any compliance, disallowance, penalty, or other action against a student or an eligible institution when such action arises out of such institution's prior award of student assistance under this title if the institution demonstrates to the satisfaction of the Secretary that its course of instruction would have been in conformance with the requirements of this subsection.

''(4) DEFINITION.—In this subsection, the term 'distance education' has the meaning given the term in section 102.''; and

(3) in subsection (r)—

(A) in the matter preceding the table, by inserting ''of a controlled substance, while such student is enrolled in an institution of higher education and receiving financial assistance under this title,'' after ''the possession'';

(B) in the column heading of the first table, by inserting ''**while the student is enrolled in an institution of higher education and receiving financial assistance under this title**'' after ''**possession of a controlled substance**''; and

(C) by redesignating paragraph (3) as paragraph (4); and

(D) by inserting after paragraph (2) the following:

''(2) INTERACTION WITH FAFSA.—The Secretary shall not require a student to provide information regarding the student's possession of a controlled substance on the Free Application for Federal Student Aid described in section 483(a).''.

SEC. 485. STATUTE OF LIMITATIONS AND STATE COURT JUDGMENTS.

Section 484A (20 U.S.C. 1091a) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''and'' after the semicolon;

(B) in paragraph (2), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(3) in collecting any obligation arising from a loan made under part E of this title, an institution of higher education that has an agreement with the Secretary pursuant to section 463(a) shall not be subject to a defense raised by any borrower based on a claim of infancy.''; and

(2) by adding at the end the following:

''(d) SPECIAL RULE.—This section shall not apply in the case of a student who is deceased or to a deceased student's estate or the estate of such student's family. If a student is deceased, then the student's estate or the estate of the student's family shall not be required to repay any financial assistance under this title , including interest paid on the student's behalf, collection costs, or other charges specified in this title.''.

SEC. 486. INSTITUTIONAL REFUNDS.

Section 484B (20 U.S.C. 1091B) is amended—

(1) in subsection (a)—

(A) in the matter preceding clause (i) of paragraph (2)(A), by striking ''a leave of'' and inserting ''1 or more leaves of''; and

(B) in paragraph (3)(C)(i), by striking ''grant or loan assistance under this title'' and inserting ''grant assistance under subparts 1 and 3 of part A, or loan assistance under parts B, D, and E,'';

(2) in subsection (b), by adding at the end the following:

''(4) TIME FRAME.—Not later than 45 days after the date of an institution's determination that a student withdrew from the institution, the institution shall—

''(A) return the amount required under paragraph (1);

''(B) notify the student of the applicable requirements regarding the overpayment of grant and loan assistance and

''(C) notify the student of the student's eligibility for post-withdrawal disbursements.'';

(3) in subsection (c)(2)—

(A) by striking the period at the end and inserting ''; or'';

(B) by striking ''may determine the appropriate'' and inserting ''may determine—

''(A) the appropriate''; and

(C) by adding at the end the following:

''(B) that the requirements of this section do not apply to the student.''; and

(4) in subsection (d)(2), by striking ''clock hours—'' and all that follows through the period and inserting ''clock hours scheduled to be completed by the student in that period as of the day the student withdrew.''.

SEC. 487. INSTITUTIONAL AND FINANCIAL ASSISTANCE FOR STUDENTS.

Section 485 (20 U.S.C. 1092) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (N), by striking ''and'' after the semicolon;

(ii) in subparagraph (O), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(P) student body diversity at the institution, including information on the percentage of enrolled, full-time students who are—

''(i) male;

''(ii) female;

''(iii) from a low-income background; and

''(iv) a self-identified member of a major racial or ethnic group.'';

(B) by striking paragraph (4) and inserting the following:

''(4) For purposes of this section, institutions may—

''(A) exclude from the information disclosed in accordance with subparagraph (L) of paragraph (1) the completion or graduation rates of students who leave school to serve in the Armed Forces, on official church missions, or with a recognized foreign aid service of the Federal Government; or

''(B) in cases where 20 percent or more of the students described in subparagraph (A) are excluded in a reporting year, include in such information on the completion or graduation rates of students described in subparagraph (A) by excluding from the calculation described in paragraph (3) the time period such students were not enrolled due to their service in the Armed Forces, on official church missions, or with a recognized foreign aid service of the Federal Government.''; and

(C) by adding at the end the following:

''(7) The information disclosed under subparagraph (L) of paragraph (1), or reported under subsection (e), shall include information disaggregated by gender, by each major racial and ethnic subgroup, and by low-income background status as measured by Federal Pell Grant eligibility, if the number of students in such subgroup or with such status is sufficient to yield statistically reliable

information and reporting would not reveal personally identifiable information about an individual student. If such number is not sufficient for such purposes, then the institution shall note that the institution enrolled too few of such students to so disclose or report with confidence and confidentiality.'';

(2) in subsection (b), by adding at the end the following:

''(3) Each eligible institution shall, during the exit interview required by this subsection, provide to a borrower of a loan made under part B, D, or E a clear and conspicuous notice describing the general effects of using a consolidation loan to discharge the borrower's student loans, including—

''(A) the effects of consolidation on total interest to be paid, fees to be paid, and length of repayment;

''(B) the effects of consolidation on a borrower's underlying loan benefits, including loan forgiveness, cancellation, and deferment;

''(C) the ability for the borrower to prepay the loan, pay on a shorter schedule, and to change repayment plans, and that borrower benefit programs may vary among different loan holders;

''(D) the tax benefits for which the borrower may be eligible; and

''(E) the consequences of default.'';

(3) in subsection (d)(2)—

(A) by inserting ''grant assistance, as well as State'' after ''describing State''; and

(B) by inserting ''and other means, including through the Internet'' before the period at the end;

(4) in subsection (e), by striking paragraph (3) and inserting the following:

''(3) For purposes of this subsection, institutions may—

''(A) exclude from the reporting requirements under paragraphs (1) and (2) the completion or graduation rates of students and student athletes who leave school to serve in the Armed Forces, on official church missions, or with a recognized foreign aid service of the Federal Government; or

''(B) in cases where 20 percent or more of the students described in subparagraph (A) are excluded in a reporting year, include in such information on the completion or graduation rates of students described in subparagraph (A) by excluding from the calculation described in subsection (a)(3) the time period such students were not enrolled due to their service in the Armed Forces, on official church missions, or with a recognized foreign aid service of the Federal Government.'';

(5) in the matter preceding subparagraph (A) of subsection (f)(1), by inserting '', other than a foreign institution of higher education,'' after ''under this title''; and

(6) by adding at the end the following:

''(h) TRANSFER OF CREDIT POLICIES.—

''(1) DISCLOSURE.—Each institution of higher education participating in any program under this title shall publicly disclose in a readable and comprehensible manner the institution's transfer of credit policies which shall include a statement of the institution's current transfer of credit policies that includes, at a minimum—

''(A) a statement that transfer of credit shall not be denied solely on the basis of the agency or association that accredited such other institution of higher education, if that agency or association is recognized by the Secretary pursuant to section 496 to be a reliable authority as to the quality of the education or training offered; and

''(B) a list of institutions of higher education with which the institution has established an articulation agreement.

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to—

''(A) authorize an officer or employee of the Department to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any institution of higher education, or over any accrediting agency or association;

''(B) limit the application of the General Education Provisions Act; or

''(C) create any legally enforceable right on the part of a student to require an institution of higher education to accept a transfer of credit from another institution.''.

SEC. 488. NATIONAL STUDENT LOAN DATA SYSTEM.

Section 485B(a) (20 U.S.C. 1092b(a)) is amended—

(1) by redesignating paragraphs (6) through (10) as paragraphs (7) through (11), respectively;

(2) in paragraph (5) (as added by Public Law 101–610), by striking ''effectiveness.'' and inserting ''effectiveness;''; and

(3) by redesignating paragraph (5) (as added by Public Law 101–234) as paragraph (6).

SEC. 489. EARLY AWARENESS OF FINANCIAL AID ELIGIBILITY AND DEMONSTRATION PROGRAM TO PROVIDE EARLY ESTIMATES AND EARLY AWARDS OF FINANCIAL AID.

Part G of title IV (20 U.S.C. 1088 et seq.) is amended by inserting after section 485C (20 U.S.C. 1092c) the following:

''SEC. 485D. EARLY AWARENESS OF FINANCIAL AID ELIGIBILITY AND DEMONSTRATION PROGRAM TO PROVIDE EARLY ESTIMATES AND EARLY AWARDS OF FINANCIAL AID.

''(a) IN GENERAL.—The Secretary shall implement, in cooperation with States, institutions of higher education, secondary schools, middle schools, early intervention and outreach programs under this title, other agencies and organizations involved in student financial assistance and college access, public libraries, community centers, employers, and businesses, a comprehensive system of early financial aid information in order to provide students and families with early information about financial aid and early estimates of such students' eligibility for financial aid from multiple sources. Such system shall include the activities described in subsections (b) and (c).

''(b) COMMUNICATION OF AVAILABILITY OF AID AND AID ELIGIBILITY.—

''(1) STUDENTS WHO RECEIVE BENEFITS.—The Secretary shall—

''(A) make special efforts to notify students who receive or are eligible to receive benefits under Federal means-tested benefit programs (including the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the food stamp program under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), and other such programs as determined by the Secretary) of such students' potential eligibility for a maximum Federal Pell Grant under subpart 1 of part A; and

''(B) disseminate such informational materials as the Secretary determines necessary.

''(2) MIDDLE SCHOOL STUDENTS.—The Secretary, in cooperation with States, institutions of higher education, other organizations involved in college access and student financial aid, middle schools, and programs under this title that serve middle school students, shall make special efforts to notify students and their parents of the availability of financial aid under this title and, in accordance with subsection (c), shall provide nonbinding estimates of grant, work-study, and loan aid that an individual may be eligible for under this title upon completion of an application form under section 483(a). The Secretary shall ensure that such information is as accurate as possible and that such information is provided in an age-appropriate format using dissemination mechanisms suitable for students in middle school.

''(3) SECONDARY SCHOOL STUDENTS.—The Secretary, in cooperation with States, institutions of higher education, other organizations involved in college access and student financial aid, secondary schools, and programs under this title that serve secondary school students, shall make special efforts to notify students in secondary school and their parents, as early as possible but not later than such students' junior year of secondary school, of the availability of financial aid under this title and, in accordance with subsection (c), shall provide nonbinding estimates of the amounts of grant, work-study, and loan aid that an individual may be eligible for under this title upon completion of an application form under section 483(a). The Secretary shall ensure that such information is as accurate as possible and that such information is provided in an age-appropriate format using dissemination mechanisms suitable for students in secondary school.

''(4) ADULT LEARNERS.—The Secretary, in cooperation with States, institutions of higher education, other organizations involved in college access and student financial aid, employers, workforce investment boards and public libraries, shall make special efforts to provide individuals who would qualify as independent students, as defined in section 480(d), with information regarding the availability of financial aid under this title and, in accordance with subsection (c), with nonbinding estimates of the amounts of grant, work-study, and loan aid that an individual may be eligible for under this title upon completion of an application form under section 483(a). The Secretary shall ensure that such information—

''(A) is as accurate as possible;

''(B) includes specific information regarding the availability of financial aid for students qualified as independent students, as defined in section 480(d); and

''(C) uses dissemination mechanisms suitable for adult learners.

''(5) PUBLIC AWARENESS CAMPAIGN.—Not later than 2 years after the date of enactment of the Higher Education Amendments of 2005, the Secretary, in coordination with States, institutions of higher education, early intervention and outreach programs under this title, other agencies and organizations involved in student financial aid, local educational agencies, public libraries, community centers, businesses, employers, employment services, workforce investment boards, and movie theaters, shall implement a public awareness campaign in order to increase national awareness regarding the availability of financial aid under this title. The public awareness campaign shall disseminate accurate information regarding the availability of financial aid under this title and shall be implemented, to the extent practicable, using a variety of media, including print, television, radio and the Internet. The Secretary shall design and implement the public awareness campaign based upon relevant independent research and the information and dissemination strategies found most effective in implementing paragraphs (1) through (4).

''(c) AVAILABILITY OF NONBINDING ESTIMATES OF FEDERAL FINANCIAL AID ELIGIBILITY.—

''(1) IN GENERAL.—The Secretary, in cooperation with States, institutions of higher education, and other agencies and organizations involved in student financial aid, shall provide, via a printed form and the Internet or other electronic means, the capability for individuals to determine easily, by entering relevant data, nonbinding estimates of amounts of grant and loan aid an individual

may be eligible for under this title upon completion and processing of an application and enrollment in an institution of higher education.

''(2) DATA ELEMENTS.—The Secretary, in cooperation with States, institutions of higher education, and other agencies and organizations involved in student financial aid, shall determine the data elements that are necessary to create a simplified form that individuals can use to obtain easily nonbinding estimates of the amounts of grant and loan aid an individual may be eligible for under this title.

''(3) QUALIFICATION TO USE SIMPLIFIED APPLICATION.—The capability provided under this paragraph shall include the capability to determine whether the individual is eligible to submit a simplified application form under paragraph (2)(B) or (3)(B) of section 483(a).''.

SEC. 490. COLLEGE ACCESS INITIATIVE.

Part G of title IV (20 U.S.C. 1088 et seq.) is further amended by inserting after section 485D (as added by section 489) the following:

''SEC. 485E. COLLEGE ACCESS INITIATIVE.

''(a) STATE-BY-STATE INFORMATION.—The Secretary shall direct each guaranty agency with which the Secretary has an agreement under section 428(c) to provide to the Secretary the information necessary for the development of Internet Web links and access for students and families to a comprehensive listing of the postsecondary education opportunities programs, publications, Internet Web sites, and other services available in the States for which such agency serves as the designated guarantor.

''(b) GUARANTY AGENCY ACTIVITIES.—

''(1) PLAN AND ACTIVITY REQUIRED.—Each guaranty agency with which the Secretary has an agreement under section 428(c) shall develop a plan, and undertake the activity, necessary to gather the information required under subsection (a) and to make such information available to the public and to the Secretary in a form and manner prescribed by the Secretary.

''(2) ACTIVITIES.—Each guaranty agency shall undertake such activities as are necessary to promote access to postsecondary education for students through providing information on college planning, career preparation, and paying for college that is limited or related to subsection (a). The guaranty agency shall publicize such information and coordinate such activities with other entities that provide or distribute such information in the States for which such guaranty agency serves as the designated guarantor.

''(3) FUNDING.—The activities required by this section may be funded from the guaranty agency's Operating Fund established pursuant to section 422B and to the extent funds remain, from earnings on the restricted account established pursuant to section 422(h)(4).

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall require a guaranty agency to duplicate any efforts currently underway that meet the requirements of this subsection.

''(c) ACCESS TO INFORMATION.—

''(1) SECRETARY'S RESPONSIBILITY.—The Secretary shall ensure the availability of the information provided, by the guaranty agencies in accordance with this section, to students, parents, and other interested individuals, through Web links or other methods prescribed by the Secretary.

''(2) GUARANTY AGENCY RESPONSIBILITY.—The guaranty agencies shall ensure that the information required by this section is available without charge in printed format for students and parents requesting such information.

''(3) PUBLICITY.—Not later than 270 days after the date of enactment of the Higher Education Amendments Act of 2005, the Secretary and guaranty agencies shall publicize the availability of the information required by this section, with special emphasis on ensuring that populations that are traditionally underrepresented in postsecondary education are made aware of the availability of such information.''.

SEC. 491. PROGRAM PARTICIPATION AGREEMENTS.

Section 487 (20 U.S.C. 1094) is amended—

(1) in subsection (a)—

(A) in paragraph (23), by adding at the end the following:

''(D) An institution shall be considered in compliance with the requirements of subparagraph (A) for any student to whom the institution electronically transmits a message containing a voter registration form acceptable for use in the State in which the institution is located, or an Internet address where such a form can be downloaded, if such information is in an electronic message devoted solely to voter registration.''; and

(B) by adding at the end the following:

''(24) The institution will, as calculated in accordance with subsection (f)(1), have not less than 10 percent of its revenues from sources other than funds provided under this title, or will be subject to the sanctions described in subsection (f)(2).'';

(2) by redesignating subsections (d) and (e) as subsection (e) and (f), respectively;

(3) by inserting after subsection (c) the following:

''(d) INSTITUTIONAL REQUIREMENTS FOR TEACH-OUTS.—

''(1) IN GENERAL.—In the event the Secretary initiates the limitation, suspension, or termination of the participation of an institution of higher education in any program under this title under the authority of subsection (c)(1)(F) or initiates an emergency action for termination under the authority of subsection (c)(1)(G) and its prescribed regulations, the Secretary shall require that institution to prepare a teach-out plan for submission to the institution's accrediting agency or association in compliance with section 496(c)(4), the Secretary's regulations on teach-out plans, and the standards of the institution's accrediting agency or association.

''(2) TEACH-OUT PLAN DEFINED.—In this subsection, the term 'teach-out plan' means a written plan that provides for the equitable treatment of students if an institution of higher education ceases to operate before all students have completed their enrollment at the institution, and may include, if required by the institution's accrediting agency or association, an agreement between institutions for such a teach-out plan.''; and

(4) by adding at the end the following:

''(g) IMPLEMENTATION OF NONTITLE IV REVENUE REQUIREMENT.—

''(1) CALCULATION.—In carrying out subsection (a)(24), an institution shall use the cash basis of accounting and count the following funds as from sources of funds other than funds provided under this title:

''(A) Funds used by students from sources other than funds received under this title to pay tuition, fees, and other institutional charges to the institution, provided the institution can reasonably demonstrate that such funds were used for such purposes.

''(B) Funds used by the institution to satisfy matching-fund requirements for programs under this title.

''(C) Funds used by a student from savings plans for educational expenses established by or on behalf of the student and which qualify for special tax treatment under the Internal Revenue Code of 1986.

''(D) Funds paid by a student, or on behalf of a student by a party other than the institution, to the institution for an education or training program that is not eligible for funds under this title, provided that the program is approved or licensed by the appropriate State agency or an accrediting agency recognized by the Secretary.

''(E) Funds generated by the institution from institutional activities that are necessary for the education and training of the institution's students, if such activities are—

''(i) conducted on campus or at a facility under the control of the institution;

''(ii) performed under the supervision of a member of the institution's faculty; and

''(iii) required to be performed by all students in a specific educational program at the institution.

''(F) Institutional aid, as follows:

''(i) In the case of loans made by the institution, only the amount of loan repayments received by the institution during the fiscal year for which the determination is made.

''(ii) In the case of scholarships provided by the institution, only those scholarship funds provided by the institution that are—

''(I) in the form of monetary aid or tuition discounts based upon the academic achievements or financial need of students; and

''(II) disbursed during the fiscal year for which the determination is made from an established restricted account and only to the extent that the funds in that account represent designated funds from an outside source or income earned on those funds.

''(iii) In the case of tuition discounts, only those tuition discounts based upon the academic achievement or financial need of students.

''(2) SANCTIONS.—

''(A) FAILURE TO MEET REQUIREMENT FOR 1 YEAR.—In addition to such other means of enforcing the requirements of this title as may be available to the Secretary, if an institution fails to meet the requirements of subsection (a)(24) in any year, the Secretary may impose 1 or both of the following sanctions on the institution:

''(i) Place the institution on provisional certification in accordance with section 498(h) until the institution demonstrates, to the satisfaction of the Secretary, that it is in compliance with subsection (a)(24).

''(ii) Require such other increased monitoring and reporting requirements as the Secretary determines necessary until the institution demonstrates, to the satisfaction of the Secretary, that it is in compliance with subsection (a)(24).

''(B) FAILURE TO MEET REQUIREMENT FOR 3 YEARS.—An institution that fails to meet the requirements of subsection (a)(24) for 2 consecutive years shall be ineligible to participate in the programs authorized under this title.

''(3) PUBLIC AVAILABILITY OF INFORMATION.—The Secretary shall make publicly available, through the means described in subsection (b) of section 131, any institution that fails to meet the requirements of subsection (a)(24) in any year as an institution that is failing to meet the minimum non-Federal source of revenue requirements of such subsection (a)(24).''.

SEC. 492. REGULATORY RELIEF AND IMPROVEMENT.

Section 487A(b) (20 U.S.C. 1094a(b)) is amended—

(1) in paragraph (1)–

(A) by striking ''1998'' and inserting ''2005'' ; and

(B) by striking ''1999'' and inserting ''2006''; and

(2) by striking the matter preceding paragraph (2)(A) and inserting the following:

''(2) REPORT.—The Secretary shall review and evaluate the experience of institutions participating as experimental sites and shall, on a biennial basis, submit a report

based on the review and evaluation to the authorizing committees. Such report shall include—''; and

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) by striking ''Upon the submission of the report required by paragraph (2), the'' and inserting ''The''; and

(ii) by inserting ''periodically'' after ''authorized to'';

(B) by striking subparagraph (B);

(C) by redesignating subparagraph (C) as subparagraph (B); and

(D) in subparagraph (B) (as redesignated by subparagraph (C))—

(i) by inserting '', including requirements related to the award process and disbursement of student financial aid (such as innovative delivery systems for modular or compressed courses, or other innovative systems), verification of student financial aid application data, entrance and exit interviews, or other management procedures or processes as determined in the negotiated rulemaking process under section 492,'' after ''requirements in this title''; and

(ii) by inserting ''(other than an award rule related to an experiment in modular or compressed schedules)'' after ''award rules''; and

(iii) by inserting ''unless the waiver of such provisions is authorized by another provision under this title'' before the period at the end.

SEC. 493. TRANSFER OF ALLOTMENTS.

Section 488 (20 U.S.C. 1095) is amended in the first sentence—

(1) in paragraph (1), by striking ''and'' after the semicolon;

(2) in paragraph (2), by striking ''413D.'' and inserting ''413D; and''; and

(3) by adding at the end ''(3) transfer 25 percent of the institution's allotment under section 413D to the institution's allotment under section 442.''.

SEC. 494. WAGE GARNISHMENT REQUIREMENT.

Section 488A(a)(1) (20 U.S.C. 1095a(a)(1)) is amended by striking ''10 percent'' and inserting ''15 percent''.

SEC. 495. PURPOSE OF ADMINISTRATIVE PAYMENTS.

Section 489(b) (20 U.S.C. 1096(b)) is amended by striking ''offsetting the administrative costs of'' and inserting ''administering''.

SEC. 496. ADVISORY COMMITTEE ON STUDENT FINANCIAL ASSISTANCE.

Section 491 (20 U.S.C. 1098) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (B), by striking ''and'' after the semicolon;

(B) in subparagraph (C), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

''(D) to provide knowledge and understanding of early intervention programs, and to make recommendations that will result in early awareness by low- and moderate-income students and families—

''(i) of their eligibility for assistance under this title; and

''(ii) to the extent practicable, of their eligibility for other forms of State and institutional need-based student assistance; and

''(E) to make recommendations that will expand and improve partnerships among the Federal Government, States, institutions of higher education, and private entities to increase the awareness and the total amount of need-based student assistance available to low- and moderate-income students.'';

(2) in subsection (d)(6), by striking '', but nothing'' and all that follows through ''or analyses'';

(3) in subsection (j)—

(A) in paragraph (1)—

(i) by inserting ''and simplification'' after ''modernization'' each place the term appears; and

(ii) by striking ''including'' and all that follows through ''Department,''; and

(B) by striking paragraphs (4) and (5) and inserting the following:

''(4) conduct a review and analysis of regulations in accordance with subsection (l); and

''(5) conduct a study in accordance with subsection (m).'';

(4) in subsection (k), by striking ''2004'' and inserting ''2010''; and

(5) by adding at the end the following:

''(l) REVIEW AND ANALYSIS OF REGULATIONS.—

''(1) RECOMMENDATIONS.—The Advisory Committee shall make recommendations to the Secretary for consideration of future legislative action regarding redundant or outdated regulations under this title, consistent with the Secretary's requirements under section 498B.

''(2) REVIEW AND ANALYSIS OF REGULATIONS.—The Advisory Committee shall conduct a review and analysis of the regulations issued under this title that are in effect at the time of the review and that apply to the operations or activities of participants in the programs assisted under this title. The review and analysis may include a determination of whether the regulation is duplicative, is no longer necessary, is inconsistent with other Federal requirements, or is overly burdensome. In conducting the review, the Advisory Committee shall pay specific attention to evaluating ways in which regulations under this title affecting institutions of higher education (other than institutions described in section 102(a)(1)(C)), that have received in each of the 2 most recent award years prior to the date of enactment of the Higher Education Amendments of 2005 less than $200,000 in funds through this title, may be improved, streamlined, or eliminated.

''(3) CONSULTATION.—

''(A) IN GENERAL.—In carrying out the review and analysis under paragraph (2), the Advisory Committee shall consult with the Secretary, relevant representatives of institutions of higher education, and individuals who have expertise and experience with the regulations issued under this title, in accordance with subparagraph (B).

''(B) REVIEW PANELS.—The Advisory Committee shall convene not less than 2 review panels of representatives of the groups involved in student financial assistance programs under this title who have experience and expertise in the regulations issued under this title to review the regulations under this title, and to provide recommendations to the Advisory Committee with respect to the review and analysis under paragraph (2). The panels shall be made up of experts in areas such as the operations of the financial assistance programs, the institutional eligibility requirements for the financial assistance programs, regulations not directly related to the operations or the institutional eligibility requirements of the financial assistance programs, and regulations for dissemination of information to students about the financial assistance programs.

''(4) REPORTS TO CONGRESS.—The Advisory Committee shall submit, not later than 2 years after the completion of the negotiated rulemaking process required under section 492 resulting from the amendments to this Act made by the Higher Education Amendments of 2005, a report to the authorizing committees and the Secretary detailing the expert panels' findings and recommendations with respect to the review and analysis under paragraph (2).

''(5) ADDITIONAL SUPPORT.—The Secretary and the Inspector General of the Department shall provide such assistance and resources to the Advisory Committee as the Secretary and Inspector General determine are necessary to conduct the review required by this subsection.

''(m) STUDY OF INNOVATIVE PATHWAYS TO BACCALAUREATE DEGREE ATTAINMENT.—

''(1) STUDY REQUIRED.—The Advisory Committee shall conduct a study of the feasibility of increasing baccalaureate degree attainment rates by reducing the costs and financial barriers to attaining a baccalaureate degree through innovative programs.

''(2) SCOPE OF STUDY.—The Advisory Committee shall examine new and existing programs that promote baccalaureate degree attainment through innovative ways, such as dual or concurrent enrollment programs, changes made to the Federal Pell Grant program, simplification of the needs analysis process, compressed or modular scheduling, articulation agreements, and programs that allow 2-year institutions of higher education to offer baccalaureate degrees.

''(3) REQUIRED ASPECTS OF THE STUDY.—In performing the study described in this subsection, the Advisory Committee shall examine the following aspects of such innovative programs:

''(A) The impact of such programs on baccalaureate attainment rates.

''(B) The degree to which a student's total cost of attaining a baccalaureate degree can be reduced by such programs.

''(C) The ways in which low- and moderate-income students can be specifically targeted by such programs.

''(D) The ways in which nontraditional students can be specifically targeted by such programs.

''(E) The cost-effectiveness for the Federal Government, States, and institutions of higher education to implement such programs.

''(4) CONSULTATION.—

''(A) IN GENERAL.—In performing the study described in this subsection the Advisory Committee shall consult with a broad range of interested parties in higher education, including parents, students, appropriate representatives of secondary schools and institutions of higher education, appropriate State administrators, administrators of dual enrollment programs, and appropriate officials from the Department.

''(B) CONGRESSIONAL CONSULTATION.—The Advisory Committee shall consult on a regular basis with the authorizing committees in carrying out the study required by this section.

''(5) REPORTS TO CONGRESS.—

''(A) INTERIM REPORT.—The Advisory Committee shall prepare and submit to the authorizing committees and the Secretary 1 interim report, not later than 1 year after the date of enactment of the Higher Education Amendments of 2005, describing the progress that has been made in conducting the study required by this subsection and any preliminary findings on the topics identified under paragraph (2).

''(B) FINAL REPORT.—The Advisory Committee shall, not later than 3 years after the date of enactment of the Higher Education Amendments of 2005, prepare and submit to the authorizing committees and the Secretary a final report on the study, including recommendations for legislative, regulatory, and administrative changes based on findings related to the topics identified under paragraph (2).''.

SEC. 497. REGIONAL MEETINGS.

Section 492(a)(1) (20 U.S.C. 1098a(a)(1)) is amended by inserting ''State student grant agencies,'' after ''institutions of higher education,''.

SEC. 498. YEAR 2000 REQUIREMENTS AT THE DEPARTMENT.

(a) REPEAL.—Section 493A (20 U.S.C. 1098c) is repealed.

(b) REDESIGNATION.—Section 493B (20 U.S.C. 1098d) is redesignated as section 493A.

PART H—PROGRAM INTEGRITY

SEC. 499. RECOGNITION OF ACCREDITING AGENCY OR ASSOCIATION.

Section 496 (200 U.S.C. 1099b) is amended—

(1) in subsection (a)—

(A) by striking paragraph (4) and inserting the following:

''(4)(A) such agency or association consistently applies and enforces standards that respect the stated mission of the institution of higher education, including religious missions, and that ensure that the courses or programs of instruction, training, or study offered by the institution of higher education, including distance education courses or programs, are of sufficient quality to achieve, for the duration of the accreditation period, the stated objective for which the courses or the programs are offered; and

''(B) if such agency or association has or seeks to include within its scope of recognition the evaluation of the quality of institutions or programs offering distance education, such agency or association shall, in addition to meeting the other requirements of this subpart, demonstrate to the Secretary that—

''(i) the agency or association's standards effectively address the quality of an institution's distance education in the areas identified in section 496(a)(5), except that the agency or association shall not be required to have separate standards, procedures or policies for the evaluation of distance education institutions or programs in order to meet the requirements of this subparagraph; and

''(ii) the agency or association requires an institution that offers distance education to have processes through which the institution establishes that the student who registers in a distance education course or program is the same student who participates, completes and receives the academic credit;'';

(B) in paragraph (5), by striking subparagraph (A) and inserting the following:

''(A) success with respect to student achievement in relation to the institution's mission, including—

''(i) consideration of student academic achievement as determined by the institution;

''(ii) student retention;

''(iii) course and program completion;

''(iv) as appropriate, State licensing examinations;

''(v) as appropriate, job placement rates; and

''(vi) as appropriate, other student performance information selected by the institution, particularly that information used by the institution to evaluate or strengthen its programs;'';

(C) by striking paragraph (6) and inserting the following:

''(6) such an agency or association shall establish and apply review procedures throughout the accrediting process, including evaluation and withdrawal proceedings which comply with due process procedures that provide for—

''(A) adequate specification of requirements and deficiencies at the institution of higher education or program examined;

''(B) an opportunity for a written response by any such institution to be included in the evaluation and withdrawal proceedings prior to final action;

''(C) upon the written request of an institution, an opportunity for the institution to appeal any adverse action, including denial, withdrawal, suspension, or termination of accreditation, or placement on probation of an institution, at a hearing prior to such action becoming final, before an appeals panel that—

''(i) shall not include current members of the agency or association's underlying decision-making body that made the adverse decision; and

''(ii) is subject to a conflict of interest policy; and

''(D) the right to representation by counsel for such an institution;''; and

(D) by striking paragraph (8) and inserting the following:

''(8) such agency or association shall make available to the public and the State licensing or authorizing agency, and submit to the Secretary, a summary of agency or association actions, including—

''(A) the award of accreditation or reaccreditation of an institution;

''(B) final denial, withdrawal, suspension, or termination of accreditation, or placement on probation of an institution, and any findings made in connection with the action taken, together with the official comments of the affected institution; and

''(C) any other adverse action taken with respect to an institution.''; and

(2) in subsection (c)—

(A) in paragraph (1), by inserting '', including those regarding distance education'' after ''their responsibilities'';

(B) by redesignating paragraphs (2) through (6) as paragraphs (5) through (9);

(C) by inserting after paragraph (1) (as amended by subparagraph (A)) the following:

''(2) ensures that the agency or association's on-site evaluation for accreditation or reaccreditation includes review of the Federally required information the institution or program provides its current and prospective students;

''(3) monitors the growth of programs at institutions that are experiencing significant enrollment growth;

''(4) requires an institution to submit a teach-out plan for approval to the accrediting agency upon the occurrence of any of the following events:

''(A) The Department notifies the accrediting agency of an action against the institution pursuant to section 487(d).

''(B) The accrediting agency acts to withdraw, terminate, or suspend the accreditation of an institution.

''(C) The institution notifies the accrediting agency that the institution intends to cease operations.'';

(D) in paragraph (8) (as redesignated by subparagraph (B)), by striking ''and'' after the semicolon;

(E) in subparagraph (9) (as redesignated by subparagraph (B)), by striking the period and inserting ''; and''; and

(F) by adding at the end the following:

''(10) confirms, as a part of the agency or association's review for accreditation or reaccreditation, that the institution has transfer of credit policies—

''(A) that are publicly disclosed;

''(B) that do not deny transfer of credit based solely on the accreditation of the sending institution, if the agency or association accrediting the sending institution is recognized by the Secretary pursuant to this section; and

''(C) in which acceptance or denial of transfer of credit is decided according to criteria established in guidelines developed by the institution's admissions committee.''.

SEC. 499A. ADMINISTRATIVE CAPACITY STANDARD.

Section 498 (20 U.S.C. 1099c) is amended—

(1) in subsection (d)(1)(B), by inserting ''and'' after the semicolon; and

(2) by adding at the end the following:

''(k) TREATMENT OF TEACH-OUTS AT ADDITIONAL LOCATIONS.—

''(1) IN GENERAL.—A location of a closed institution of higher education shall be eligible as an additional location of an eligible institution of higher education, as defined pursuant to regulations of the Secretary, for the purposes of a teach-out, if such teach-out has been approved by the institution's accrediting agency.

''(2) SPECIAL RULE.—An institution of higher education that conducts a teach-out through the establishment of an additional location described in paragraph (1) shall be permitted to establish a permanent additional location at a closed institution and shall not be required—

''(A) to meet the requirements of sections 102(b)(1)(E) and 102(c)(1)(C) for such additional location; or

''(B) to assume the liabilities of the closed institution.''.

SEC. 499B. PROGRAM REVIEW AND DATA.

Section 498A(b) (20 U.S.C. 1099c–1(b)) is amended—

(1) in paragraph (4), by striking ''and'' after the semicolon;

(2) in paragraph (5) by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

''(6) provide to an institution of higher education an adequate opportunity to review and respond to any program review report or audit finding, and relevant materials related to the report or finding, before any final program review or audit determination is reached;

''(7) review and take into consideration an institution of higher education's response in any final program review or audit determination; and

''(8) maintain and preserve at all times the confidentiality of any program review report or audit finding until the requirements of paragraphs (6) and (7) are met, and until a final program review or audit determination is issued, other than to the extent required to comply with paragraph (5), except that the Secretary shall promptly disclose any and all program review reports and audit findings to the institution of higher education under review.''.

TITLE V—DEVELOPING INSTITUTIONS

SEC. 501. DEFINITIONS.

Section 502(a) (20 U.S.C. 1101a(a)) is amended—

(1) in paragraph (5)—

(A) in subparagraph (A), by inserting ''and'' after the semicolon;

(B) in subparagraph (B), by striking ''; and'' and inserting a period; and

(C) by striking subparagraph (C); and

(2) by striking paragraph (7).

SEC. 502. AUTHORIZED ACTIVITIES.

Section 503(b) (20 U.S.C. 1101b(b)) is amended—

(1) by redesignating paragraphs (6) through (14) as paragraphs (8) through (16), respectively;

(2) in paragraph (5), by inserting '', including innovative, customized remedial education and English language instruction courses designed to help retain students and move the students rapidly into core courses and through program completion'' before the period at the end; and

(3) by inserting after paragraph (5) the following:

''(6) Education or counseling services designed to improve the financial literacy and economic literacy of students or the students' parents.

''(7) Articulation agreements and student support programs designed to facilitate the transfer from 2-year to 4-year institutions.''.

SEC. 503. DURATION OF GRANT.

Section 504(a) (20 U.S.C. 1101c(a)) is amended to read as follows:

''(a) AWARD PERIOD.—The Secretary may award a grant to a Hispanic-serving institution under this title for 5 years.''.

SEC. 504. POSTBACCALAUREATE OPPORTUNITIES FOR HISPANIC AMERICANS.

(a) ESTABLISHMENT OF PROGRAM.—Title V (20 U.S.C. 1101 et seq.) is amended—

(1) by redesignating part B as part C;

(2) by redesignating sections 511 through 518 as sections 521 through 528, respectively; and

(3) by inserting after section 505 the following:

"PART B—PROMOTING POSTBACCALAUREATE OPPORTUNITIES FOR HISPANIC AMERICANS

"SEC. 511. PROGRAM AUTHORITY AND ELIGIBILITY.

''(a) PROGRAM AUTHORIZED.—Subject to the availability of funds appropriated to carry out this part, the Secretary shall award grants, on a competitive basis, to eligible institutions to enable the eligible institutions to carry out the authorized activities described in section 512.

''(b) ELIGIBILITY.—For the purposes of this part, an 'eligible institution' means an institution of higher education that—

''(1) is a Hispanic-serving institution (as defined in section 502); and

''(2) offers a postbaccalaureate certificate or degree granting program.

"SEC. 512. AUTHORIZED ACTIVITIES.

''Grants awarded under this part shall be used for 1 or more of the following activities:

''(1) Purchase, rental, or lease of scientific or laboratory equipment for educational purposes, including instructional and research purposes.

''(2) Construction, maintenance, renovation, and improvement in classroom, library, laboratory, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services.

''(3) Purchase of library books, periodicals, technical and other scientific journals, microfilm, microfiche, and other educational materials, including telecommunications program materials.

''(4) Support for needy postbaccalaureate students, including outreach, academic support services, mentoring, scholarships, fellowships, and other financial assistance, to permit the enrollment of such students in postbaccalaureate certificate and degree granting programs.

''(5) Support of faculty exchanges, faculty development, faculty research, curriculum development, and academic instruction.

''(6) Creating or improving facilities for Internet or other distance learning academic instruction capabilities, including purchase or rental of telecommunications technology equipment or services.

''(7) Collaboration with other institutions of higher education to expand postbaccalaureate certificate and degree offerings.

''(8) Other activities proposed in the application submitted pursuant to section 513 that are approved by the Secretary as part of the review and acceptance of such application.

"SEC. 513. APPLICATION AND DURATION.

''(a) APPLICATION.—Any eligible institution may apply for a grant under this part by submitting an application to the Secretary at such time and in such manner as the Secretary may require. Such application shall demonstrate how the grant funds will be used to improve postbaccalaureate education opportunities for Hispanic and low-income students and will lead to such students' greater financial independence.

''(b) DURATION.—Grants under this part shall be awarded for a period not to exceed 5 years.

''(c) LIMITATION.—The Secretary may not award more than 1 grant under this part in any fiscal year to any Hispanic-serving institution.''.

SEC. 505. APPLICATIONS.

Section 521(b)(1)(A) (as redesignated by section 504(a)(2)) (20 U.S.C. 1103(b)(1)(A)) is amended by striking ''subsection (b)'' and inserting ''subsection (c)''.

SEC. 506. COOPERATIVE ARRANGEMENTS.

Section 524(a) (as redesignated by section 504(a)(2)) (20 U.S.C. 1103c(a)) is amended by striking ''section 503'' and inserting ''sections 503 and 512''.

SEC. 507. AUTHORIZATION OF APPROPRIATIONS.

Section 528(a) (as redesignated by section 504(a)(2)) (20 U.S.C. 1103g(a)) is amended—

(1) by inserting ''part A of'' after ''carry out'';

(2) by striking ''$62,500,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.'';

(3) by striking ''(a) AUTHORIZATIONS.—There are'' and inserting the following:

''(a) AUTHORIZATIONS.—

''(1) PART A.—There are''; and

(4) by adding at the end the following:

''(2) PART B.—There are authorized to be appropriated to carry out part B of this title such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''.

TITLE VI—INTERNATIONAL EDUCATION PROGRAMS

SEC. 601. FINDINGS.

Section 601 (20 U.S.C. 1121) is amended—

(1) in the section heading, by striking ''**AND PURPOSES**'' and inserting ''**; PURPOSES; CONSULTATION; SURVEY**''

(2) in subsection (a)(3), by striking ''post-Cold War'';

(3) in subsection (b)(1)(D), by inserting '', including through linkages with overseas institutions'' before the semicolon; and

(4) by adding at the end the following:

''(c) CONSULTATION.—The Secretary shall, prior to requesting applications for funding under this title during each grant cycle, consult with and receive recommendations regarding national need for expertise in foreign languages and world regions from the head official, or a designee of such head official, of the National Security Council, the Department of Homeland Security, the Department of Defense, the Department of State, the Federal Bureau of Investigation, the Department of Labor, and the Department of Commerce, and the Director of National Intelligence. These entities shall provide information to the Secretary regarding how they utilize services provided by grantees under this title. The Secretary shall take into account such recommendations and information when requesting applications for funding under this title, and shall make available to applicants a list of areas identified as areas of national need.

''(d) SURVEY.—The Secretary shall assist grantees in developing a survey to administer to students who have participated in programs under this title to determine postparticipation placement. All grantees, where applicable, shall administer such survey not less often than annually and report such data to the Secretary.''.

SEC. 602. GRADUATE AND UNDERGRADUATE LANGUAGE AND AREA CENTERS AND PROGRAMS.

Section 602 (20 U.S.C. 1122) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (G), by striking ''and'' after the semicolon;

(ii) in subparagraph (H), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(I) support for instructors of the less commonly taught languages.''; and

(B) in paragraph (4)—

(i) by redesignating subparagraphs (C) through (E) as subparagraphs (D) through (F), respectively;

(ii) by inserting after subparagraph (B) the following:

''(C) Programs of linkage or outreach between or among—

''(i) foreign language, area studies, or other international fields; and

''(ii) State educational agencies or local educational agencies.''; and

(iii) in subparagraph (F) (as redesignated by clause (i)), by striking ''and (D)'' and inserting ''(D), and (E)'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''GRADUATE''; and

(B) by striking paragraph (2) and inserting the following:

''(2) ELIGIBLE STUDENTS.—A student receiving a stipend described in paragraph (1) shall be engaged—

''(A) in an instructional program with stated performance goals for functional foreign language use or in a program developing such performance goals, in combination with area studies, international studies, or the international aspects of a professional studies program; and

''(B)(i) in the case of an undergraduate student, in the intermediate or advanced study of a less commonly taught language; or

''(ii) in the case of a graduate student, in graduate study in connection with a program described in subparagraph (A), including—

''(I) predissertation level study;

''(II) preparation for dissertation research;

''(III) dissertation research abroad; or

''(IV) dissertation writing.'';

(3) by striking subsection (d) and inserting the following:

''(d) ALLOWANCES.—

''(1) GRADUATE LEVEL RECIPIENTS.—A stipend awarded to a graduate level recipient may include allowances for dependents and for travel for research and study in the United States and abroad.

''(2) UNDERGRADUATE LEVEL RECIPIENTS.—A stipend awarded to an undergraduate level recipient may include an allowance for educational programs in the United States or educational programs abroad that—

''(A) are closely linked to the overall goals of the recipient's course of study; and

''(B) have the purpose of promoting foreign language fluency and knowledge of foreign cultures.''; and

(4) by adding at the end the following:

''(e) APPLICATION.—Each institution or combination of institutions desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information and assurances as the Secretary may require. Each application shall include an explanation of how the activities funded by the grant will reflect diverse and balanced perspectives and generate debate on world regions and international affairs. Each application shall also describe how the applicant will address disputes regarding diversity and balance of activities funded under the application. Each application shall also include a description of how the applicant will encourage government service in areas of national need as identified by the Secretary.''.

SEC. 603. UNDERGRADUATE INTERNATIONAL STUDIES AND FOREIGN LANGUAGE PROGRAMS.

Section 604 (20 U.S.C. 1124) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by redesignating subparagraphs (I) through (M) as subparagraphs (J) through (N), respectively; and

(ii) by inserting after subparagraph (H) the following:

''(I) providing subgrants to undergraduate students for educational programs abroad that—

''(i) are closely linked to the overall goals of the program for which the grant is awarded; and

''(ii) have the purpose of promoting foreign language fluency and knowledge of foreign cultures;''; and

(B) in paragraph (7)—

(i) in subparagraph (C), by striking ''and'' after the semicolon;

(ii) in subparagraph (D), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(E) an explanation of how the activities funded by the grant will reflect diverse and balanced perspectives and generate debate on world regions and international affairs, where applicable;

''(F) a description of how the applicant will address disputes regarding diversity and balance of activities funded under the application; and

''(G) a description of how the applicant will encourage government service in areas of national need as identified by the Secretary.''; and

(2) in subsection (c)—

(A) by striking ''FUNDING SUPPORT.—The Secretary'' and inserting ''FUNDING RULES.—

''(1) THE SECRETARY.—The Secretary'';

(B) by striking ''10'' and inserting ''20''; and

(C) by adding at the end the following:

''(2) GRANTEES.—Of the total amount of grant funds awarded to a grantee under this section, the grantee may use not more than 10 percent of such funds for the activity described in subsection (a)(2)(I).''.

SEC. 604. RESEARCH; STUDIES.

Section 605(a) (20 U.S.C. 1125(a)) is amended—

(1) in paragraph (8), by striking ''and'' after the semicolon;

(2) in paragraph (9), by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

''(10) evaluation of the extent to which programs assisted under this title reflect diverse and balanced perspectives and generate debate on world regions and international affairs;

''(11) the systematic collection, analysis, and dissemination of data that contribute to achieving the purposes of this part; and

''(12) support for programs or activities to make data collected, analyzed, or disseminated under this section publicly available and easy to understand.''.

SEC. 605. TECHNOLOGICAL INNOVATION AND COOPERATION FOR FOREIGN INFORMATION ACCESS.

Section 606 (20 U.S.C. 1126) is amended—

(1) in subsection (a)—

(A) by striking ''new electronic technologies'' and insert ''electronic technologies'';

(B) by inserting ''from foreign sources'' after ''disseminate information'';

(C) by striking ''AUTHORITY.—The Secretary'' and insert ''AUTHORITY.—

''(1) IN GENERAL.—The Secretary''; and

(D) by adding at the end the following:

''(2) PARTNERSHIPS WITH NOT-FOR-PROFIT EDUCATIONAL ORGANIZATIONS.—The Secretary may award grants under this section to carry out the activities authorized under this section to the following:

''(A) An institution of higher education.

''(B) A public or nonprofit private library.

''(C) A consortium of an institution of higher education and 1 or more of the following:

''(i) Another institution of higher education.

''(ii) A library.

''(iii) A not-for-profit educational organization.'';

(2) in subsection (b)—

(A) in paragraph (1), by striking ''to facilitate access to'' and inserting ''to acquire, facilitate access to,'';

(B) in paragraph (2), by inserting ''or standards for'' after ''means of'';

(C) in paragraph (6), by striking ''and'' after the semicolon;

(D) in paragraph (7), by striking the period and inserting a semicolon; and

(E) by adding at the end the following:

''(8) to establish linkages to facilitate carrying out the activities described in this subsection between—

''(A) the institutions of higher education, libraries, and consortia receiving grants under this section; and

''(B) institutions of higher education, not-for-profit educational organizations, and libraries overseas; and

''(9) to carry out other activities that the Secretary determines are consistent with the purpose of the grants or contracts awarded under this section.''; and

(3) in subsection (c), by striking ''institution or consortium'' and inserting ''institution of higher education, library, or consortium''.

SEC. 606. SELECTION OF CERTAIN GRANT RECIPIENTS.

Section 607 (20 U.S.C. 1127) is amended—

(1) in subsection (a), by striking ''evaluates the applications for comprehensive and undergraduate language and area centers and programs.'' and inserting ''evaluates—

''(1) the applications for comprehensive foreign language and area or international studies centers and programs; and

''(2) the applications for undergraduate foreign language and area or international studies centers and programs.''; and

(2) in subsection (b), by adding at the end the following: ''The Secretary shall also consider an applicant's record of sending students into public service and an applicant's stated efforts to increase the number of students that go into public service.''.

SEC. 607. AMERICAN OVERSEAS RESEARCH CENTERS.

Section 609 (20 U.S.C. 1128a) is amended by adding at the end the following:

''(e) APPLICATION.—Each center desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information and assurances as the Secretary may require. Each application shall include how the activities funded by the grant will reflect diverse and balanced perspectives and generate debate on world regions and international affairs, where applicable. Each application shall also describe how the applicant will address disputes regarding diversity and balance of activities funded under the application.''.

SEC. 608. AUTHORIZATION OF APPROPRIATIONS FOR INTERNATIONAL AND FOREIGN LANGUAGE STUDIES.

Section 610 (20 U.S.C. 1128b) is amended by striking ''$80,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''.

SEC. 609. CENTERS FOR INTERNATIONAL BUSINESS EDUCATION.

Section 612(f) (20 U.S.C. 1130–1(f)) is amended—

(1) in paragraph (3), by striking ''and'' after the semicolon;

(2) in paragraph (4), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(5) assurances that activities funded by the grant will reflect diverse and balanced perspectives and generate debate on world regions and international affairs, where applicable.''.

SEC. 610. EDUCATION AND TRAINING PROGRAMS.

Section 613(c) (20 U.S.C. 1130a(c)) is amended by adding at the end the following: ''Each such application shall include an assurance that, where applicable, the activities funded by the grant will reflect diverse and balanced perspectives on world regions and international affairs.''.

SEC. 611. AUTHORIZATION OF APPROPRIATIONS FOR BUSINESS AND INTERNATIONAL EDUCATION PROGRAMS.

Section 614 (20 U.S.C. 1130b) is amended—

(1) in subsection (a), by striking ''$11,000,000 for fiscal year 1999'' and all that follows through ''fiscal years'' and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years''; and

(2) in subsection (b), by striking ''$7,000,000 for fiscal year 1999'' and all that follows through ''fiscal years,'' and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years''.

SEC. 612. MINORITY FOREIGN SERVICE PROFESSIONAL DEVELOPMENT PROGRAM.

Section 621 (20 U.S.C. 1131) is amended—

(1) in subsection (c), by adding at the end the following: ''Each application shall include a description of how the activities funded by the grant will reflect diverse and balanced perspectives on world regions and international affairs, where applicable.''; and

(2) in subsection (e)—

(A) by striking ''MATCH REQUIRED.—The eligible'' and inserting ''MATCHING FUNDS.—

''(1) IN GENERAL.—Subject to paragraph (2), the eligible''; and

(B) by adding at the end the following:

''(2) WAIVER.—The Secretary may waive the requirement of paragraph (1) for an eligible recipient if the Secretary determines such waiver is appropriate.''.

SEC. 613. INSTITUTIONAL DEVELOPMENT.

Section 622 (20 U.S.C. 1131–1) is amended—

(1) in subsection (a)—

(A) by striking ''Tribally Controlled Colleges or Universities'' and inserting ''tribally controlled colleges or universities''; and

(B) by striking ''international affairs programs.'' and inserting ''international affairs, international business, and foreign language study programs, including the teaching of foreign languages, at such colleges, universities, and institutions, respectively, through increased collaboration with institutions of higher education that receive funding under this title.''; and

(2) in subsection (c)—

(A) by striking paragraphs (1) and (3); and

(B) by redesignating paragraphs (2) and (4) as paragraphs (1) and (2), respectively.

SEC. 614. STUDY ABROAD PROGRAM.

Section 623(a) (20 U.S.C. 1131a(a)) is amended—

(1) by striking ''as defined in section 322 of this Act''; and

(2) by striking ''tribally controlled Indian community colleges as defined in the Tribally Controlled Community College Assistance Act of 1978'' and inserting ''tribally controlled colleges or universities''.

SEC. 615. ADVANCED DEGREE IN INTERNATIONAL RELATIONS.

Section 624 (20 U.S.C. 1131b) is amended—

(1) in the section heading, by striking ''MASTERS'' and inserting ''ADVANCED'';

(2) in the first sentence, by inserting '', and in exceptional circumstances, a doctoral degree,'' after ''masters degree'';

(3) in the second sentence, by striking ''masters degree'' and inserting ''advanced degree''; and

(4) in the fourth sentence, by striking ''United States'' and inserting ''United States.''.

SEC. 616. INTERNSHIPS.

Section 625 (20 U.S.C. 1131c) is amended—

(1) in subsection (a)—

(A) by striking ''as defined in section 322 of this Act'';

(B) by striking ''tribally controlled Indian community colleges as defined in the Tribally Controlled Community College Assistance Act of 1978'' and inserting ''tribally controlled colleges or universities'';

(C) by striking ''an international'' and inserting ''international,''; and

(D) by striking ''the United States Information Agency'' and inserting ''the Department of State''; and

(2) in subsection (c)(1)—

(A) in subparagraph (E), by inserting ''and'' after the semicolon;

(B) in subparagraph (F), by striking ''; and'' and inserting a period; and

(C) by striking subparagraph (G).

SEC. 617. FINANCIAL ASSISTANCE.

Part C of title VI (20 U.S.C. 1131 et seq.) is further amended—

(1) by redesignating sections 626, 627, and 628 as sections 627, 628, and 629, respectively; and

(2) by inserting after section 625 the following:

''SEC. 626. FINANCIAL ASSISTANCE.

''(a) AUTHORITY.—The Institute may provide financial assistance, in the form of summer stipends described in subsection (b) and Ralph Bunche scholarship assistance described in subsection (c), to needy students to facilitate the participation of the students in the Institute's programs under this part.

''(b) SUMMER STIPENDS.—

''(1) REQUIREMENTS.—A student receiving a summer stipend under this section shall use such stipend to defray the student's cost of participation in a summer institute program funded under this part, including the costs of travel, living, and educational expenses necessary for the student's participation in such program.

''(2) AMOUNT.—A summer stipend awarded to a student under this section shall not exceed $3,000 per summer.

''(c) RALPH BUNCHE SCHOLARSHIP.—

''(1) REQUIREMENTS.—A student receiving a Ralph Bunche scholarship under this section—

''(A) shall be a full-time student at an institution of higher education who is accepted into a program funded under this part; and

''(B) shall use such scholarship to pay costs related to the cost of attendance, as defined in section 472, at the institution of higher education in which the student is enrolled.

''(2) AMOUNT AND DURATION.—A Ralph Bunche scholarship awarded to a student under this section shall not exceed $5,000 per academic year.''.

SEC. 618. REPORT.

Section 627 (as redesignated by section 617(1)) (20 U.S.C. 1131d) is amended by striking ''annually'' and inserting ''biennially''.

SEC. 619. GIFTS AND DONATIONS.

Section 628 (as redesignated by section 617(1)) (20 U.S.C. 1131e) is amended by striking ''annual report described in section 626'' and inserting ''biennial report described in section 627''.

SEC. 620. AUTHORIZATION OF APPROPRIATIONS FOR THE INSTITUTE FOR INTERNATIONAL PUBLIC POLICY.

Section 629 (as redesignated by section 617(1)) (20 U.S.C. 1131f) is amended by striking ''$10,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''.

SEC. 621. DEFINITIONS.

Section 631 (20 U.S.C. 1132) is amended—

(1) by redesignating paragraphs (2), (3), (4), (5), (6), (7), (8), and (9), as paragraphs (8), (5), (9), (2), (11), (3), (7), and (4), respectively;

(2) in paragraph (2), as redesignated by paragraph (1), by striking ''comprehensive language and area center'' and inserting ''comprehensive foreign language and area or international studies center'';

(3) in paragraph (11), as redesignated by paragraph (1), by striking ''undergraduate language and area center'' and inserting ''undergraduate foreign language and area or international studies center'';

(4) in paragraph (3), as redesignated by paragraph (1), by striking the first occurrence of the term ''critical languages'' and inserting ''critical foreign languages'';

(5) in paragraph (7), as redesignated by paragraph (1), by striking ''and'' after the semicolon;

(6) in paragraph (4), as redesignated by paragraph (1), by striking the period at the end and inserting a semicolon;

(7) by inserting after paragraph (5), as redesignated by paragraph (1), the following:

''(6) the term 'historically Black college and university' has the meaning given the term 'part B institution' in section 322;''; and

(8) by inserting after paragraph (9), as redesignated by paragraph (1), the following:

''(10) the term 'tribally controlled college or university' has the meaning given the term in section 2 of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801); and''.

SEC. 622. ASSESSMENT AND ENFORCEMENT.

Part D of title VI (20 U.S.C. 1132) is amended by adding at the end the following:

''SEC. 632. ASSESSMENT; ENFORCEMENT; RULE OF CONSTRUCTION.

''(a) IN GENERAL.—The Secretary is authorized to assess and ensure compliance with all the conditions and terms of grants provided under this title. If a complaint regarding activities funded under this title is not resolved under the process outlined in the relevant grantee's application, and such complaint is filed with the Department, the Secretary shall be notified, and is authorized, when circumstances warrant, to immediately suspend future funding for the grant pending resolution of such dispute. Such resolution shall not exceed 60 days. The Secretary shall take the outcomes of such complaints into account when determining the renewal of grants.

''(b) RULE OF CONSTRUCTION.—Nothing in this title shall be construed to authorize the Secretary to mandate, direct, or control an institution of higher education's specific instructional content, curriculum, or program of instruction.

''SEC. 633. EVALUATION, OUTREACH, AND INFORMATION.

''The Secretary may use not more than 1 percent of the funds made available under this title to carry out program evaluation, national outreach, and information dissemination activities relating to the programs authorized under this title.''.

TITLE VII—GRADUATE AND POSTSECONDARY IMPROVEMENT PROGRAMS

SEC. 701. PURPOSE.

Section 700(1)(B)(i) (20 U.S.C. 1133(1)(B)(i)) is amended by inserting '', including those areas critical to United States national and homeland security needs such as mathematics, science, and engineering'' before the semicolon at the end.

SEC. 702. ALLOCATION OF JACOB K. JAVITS FELLOWSHIPS.

Section 702(a)(1) (20 U.S.C. 1134a(a)(1)) is amended to read as follows:

''(1) APPOINTMENT.—

''(A) IN GENERAL.—The Secretary shall appoint a Jacob K. Javits Fellows Program Fellowship Board (referred to in this subpart as the 'Board') consisting of 9 individuals representative of both public and private institutions of higher education who are especially qualified to serve on the Board.

''(B) QUALIFICATIONS.—In making appointments under subparagraph (A), the Secretary shall—

''(i) give due consideration to the appointment of individuals who are highly respected in the academic community;

''(ii) assure that individuals appointed to the Board are broadly representative of a range of disciplines in graduate education in arts, humanities, and social sciences;

''(iii) appoint members to represent the various geographic regions of the United States; and

''(iv) include representatives from minority institutions, as defined in section 365.''.

SEC. 703. STIPENDS.

Section 703(a) (20 U.S.C. 1134b(a)) is amended by striking ''graduate fellowships'' and inserting ''Graduate Research Fellowship Program''.

SEC. 704. AUTHORIZATION OF APPROPRIATIONS FOR THE JACOB K. JAVITS FELLOWSHIP PROGRAM.

Section 705 (20 U.S.C. 1134d) is amended by striking ''$30,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years to carry out this subpart.''.

SEC. 705. INSTITUTIONAL ELIGIBILITY UNDER THE GRADUATE ASSISTANCE IN AREAS OF NATIONAL NEED PROGRAM.

Section 712(b) (20 U.S.C. 1135a(b)) is amended to read as follows:

''(b) DESIGNATION OF AREAS OF NATIONAL NEED.—After consultation with appropriate Federal and nonprofit agencies and organizations, including the National Science Foundation, the Department of Defense, the Department of Homeland Security, the National Academy of Sciences, and the Bureau of Labor Statistics, the Secretary shall designate areas of national need. In making such designations, the Secretary shall take into consideration—

''(1) the extent to which the interest in the area is compelling;

''(2) the extent to which other Federal programs support postbaccalaureate study in the area concerned;

''(3) an assessment of how the program may achieve the most significant impact with available resources; and

''(4) an assessment of current and future professional workforce needs of the United States.''.

SEC. 706. AWARDS TO GRADUATE STUDENTS.

Section 714 (20 U.S.C. 1135c) is amended—

(1) in subsection (b)—

(A) by striking ''1999–2000'' and inserting ''2006–2007''; and

(B) by striking ''graduate fellowships'' and inserting ''Graduate Research Fellowship Program''; and

(2) in subsection (c)—

(A) by striking ''716(a)'' and inserting ''715(a)''; and

(B) by striking ''714(b)(2)'' and inserting ''713(b)(2)''.

SEC. 707. ADDITIONAL ASSISTANCE FOR COST OF EDUCATION.

Section 715(a)(1) (20 U.S.C. 1135d(a)(1)) is amended—

(1) by striking ''1999–2000'' and inserting ''2006–2007''; and

(2) by striking ''1998–1999'' and inserting ''2005–2006''.

SEC. 708. AUTHORIZATION OF APPROPRIATIONS FOR THE GRADUATE ASSISTANCE IN AREAS OF NATIONAL NEED PROGRAM.

Section 716 (20 U.S.C. 1135e) is amended by striking ''$35,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years to carry out this subpart.''.

SEC. 709. AUTHORIZATION OF APPROPRIATIONS FOR THE THURGOOD MARSHALL LEGAL EDUCATIONAL OPPORTUNITY PROGRAM.

Section 721(h) (20 U.S.C. 1136(h)) is amended by striking ''$5,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''.

SEC. 710. FUND FOR THE IMPROVEMENT OF POSTSECONDARY EDUCATION.

Section 741(a) (20 U.S.C. 1138(a)) is amended—

(1) by striking paragraph (3) and inserting the following:

''(3) the establishment and continuation of institutions, programs, consortia, collaborations, and other joint efforts based on the technology of communications, including those efforts that utilize distance education and technological advancements to educate and train postsecondary students (including health professionals serving medically underserved populations);'';

(2) in paragraph (7), by striking ''and'' after the semicolon;

(3) in paragraph (8), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

''(9) the introduction of reforms in remedial education, including English language instruction, to customize remedial courses to student goals and help students progress rapidly from remedial courses into core courses and through program completion; and

''(10) the creation of consortia that join diverse institutions of higher education for the purpose of integrating curricular and co-curricular interdisciplinary study.''.

SEC. 711. SPECIAL PROJECTS.

Section 744(c) (20 U.S.C. 1138c) is amended to read as follows:

''(c) AREAS OF NATIONAL NEED.—Areas of national need shall include, at a minimum, the following:

''(1) Institutional restructuring to improve learning and promote productivity, efficiency, quality improvement, and cost and price control.

''(2) Improvements in academic instruction and student learning, including efforts designed to assess the learning gains made by postsecondary students.

''(3) Articulation between 2- and 4-year institutions of higher education, including developing innovative methods for ensuring the successful transfer of students from 2- to 4-year institutions of higher education.

''(4) Development, evaluation and dissemination of model programs, including model core curricula that—

''(A) provide students with a broad and integrated knowledge base;

''(B) include, at a minimum, broad survey courses in English literature, American and world history, American political institutions, economics, philosophy, college-level mathematics, and the natural sciences; and

''(C) include sufficient study of a foreign language to lead to reading and writing competency in the foreign language.

''(5) International cooperation and student exchanges among postsecondary educational institutions.''.

SEC. 712. AUTHORIZATION OF APPROPRIATIONS FOR THE FUND FOR THE IMPROVEMENT OF POSTSECONDARY EDUCATION.

Section 745 (20 U.S.C. 1138d) is amended by striking ''$30,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''.

SEC. 713. AUTHORIZATION OF APPROPRIATIONS FOR THE URBAN COMMUNITY SERVICE PROGRAM.

Section 759 (20 U.S.C. 1139h) is amended by striking ''$20,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years to carry out this part.''.

SEC. 714. GRANTS AUTHORIZED FOR DEMONSTRATION PROJECTS TO ENSURE STUDENTS WITH DISABILITIES RECEIVE A QUALITY HIGHER EDUCATION.

Section 762 (20 U.S.C. 1140a) is amended—

(1) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking ''to teach students with disabilities'' and inserting ''to teach and meet the academic and programmatic needs of students with disabilities in order to improve retention and completion of postsecondary education'';

(ii) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (F), respectively;

(iii) by inserting after subparagraph (A) the following:

''(B) EFFECTIVE TRANSITION PRACTICES.—The development of innovative and effective teaching methods and strategies to ensure the successful transition of students with disabilities from secondary school to postsecondary education.'';

(iv) in subparagraph (C), as redesignated by clause (ii), by striking the period at the end and inserting '', including data on the postsecondary education of and impact on subsequent employment of students with disabilities. Such research, information, and data shall be made publicly available and accessible.'';

(v) by inserting after subparagraph (C), as redesignated by clause (ii), the following:

''(D) DISTANCE LEARNING.—The development of innovative and effective teaching methods and strategies to provide faculty and administrators with the ability to provide accessible distance education programs or classes that would enhance access of students with disabilities to higher education, including the use of accessible curriculum and electronic communication for instruction and advisement.

''(E) DISABILITY CAREER PATHWAYS.—Training and providing support to secondary and postsecondary staff to encourage interest in, enhance awareness and understanding of, provide educational opportunities in, teach practical skills related to, and offer work-based opportunities in, disability related fields, among students, including students with disabilities. Such training and support may include developing means to offer students credit-bearing, college-level coursework, and career and educational counseling.''; and

(vi) by adding at the end the following:

''(G) ACCESSIBILITY OF EDUCATION.—Making postsecondary education more accessible to students with disabilities through curriculum development.''; and

(B) in paragraph (3), by striking ''subparagraphs (A) through (C)'' and inserting ''subparagraphs (A) through (G)''; and

(2) by adding at the end the following:

''(d) REPORT.—The Secretary shall prepare and disseminate a report reviewing the activities of the demonstration projects authorized under this part and providing guidance and recommendations on how successful projects can be replicated.''.

SEC. 715. APPLICATIONS FOR DEMONSTRATION PROJECTS TO ENSURE STUDENTS WITH DISABILITIES RECEIVE A QUALITY HIGHER EDUCATION.

Section 763 (20 U.S.C. 1140b) is amended—

(1) by striking paragraph (1) and inserting the following:

''(1) a description of how such institution plans to address the activities allowed under this part;'';

(2) in paragraph (2), by striking ''and'' after the semicolon;

(3) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(4) a description of the extent to which the institution will work to replicate the research based and best practices of institutions of higher education with demonstrated success in serving students with disabilities.''.

SEC. 716. AUTHORIZATION OF APPROPRIATIONS FOR THE DEMONSTRATION PROJECTS TO ENSURE STUDENTS WITH DISABILITIES RECEIVE A QUALITY HIGHER EDUCATION.

Section 765 (20 U.S.C. 1140d) is amended by striking ''$10,000,000 for fiscal year 1999'' and all that follows through the period and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''.

TITLE VIII—MISCELLANEOUS

SEC. 801. MATHEMATICS AND SCIENCE SCHOLARS PROGRAM.

The Act (20 U.S.C. 1001 et seq.) is amended by adding at the end the following:

''TITLE VIII—MISCELLANEOUS

''PART A—MATHEMATICS AND SCIENCE SCHOLARS PROGRAM

''SEC. 811. MATHEMATICS AND SCIENCE SCHOLARS PROGRAM.

''(a) PROGRAM AUTHORIZED.—The Secretary is authorized to award grants to States, on a competitive basis, to enable the States to award eligible students, who complete a rigorous secondary school curriculum in mathematics and science, scholarships for undergraduate study.

''(b) ELIGIBLE STUDENTS.—A student is eligible for a scholarship under this section if the student is a full-time undergraduate student in the student's first and second year of study who has completed a rigorous secondary school curriculum in mathematics and science.

''(c) RIGOROUS CURRICULUM.—Each participating State shall determine the requirements for a rigorous secondary school curriculum in mathematics and science described in subsection (b).

''(d) PRIORITY FOR SCHOLARSHIPS.—The Governor of a State may set a priority for awarding scholarships under this section for particular eligible students, such as students attending schools in high-need areas, students who are from groups underrepresented in the fields of mathematics, science, and engineering, students served by local educational agencies that do not meet or exceed State standards in mathematics and science, or students with regional or geographic needs as determined appropriate by the Governor.

''(e) AMOUNT AND DURATION OF SCHOLARSHIP.—The Secretary shall award a grant under this section—

''(1) in an amount that does not exceed $1,000; and

''(2) for not more than 2 years of undergraduate study.

''(f) MATCHING REQUIREMENT.—In order to receive a grant under this section, a State

shall provide matching funds for the scholarships awarded under this section in an amount equal to 50 percent of the Federal funds received.

''(g) AUTHORIZATION.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.

"PART B—POSTSECONDARY EDUCATION ASSESSMENT

"SEC. 821. POSTSECONDARY EDUCATION ASSESSMENT.

''(a) CONTRACT FOR ASSESSMENT.—The Secretary shall enter into a contract, with an independent, bipartisan organization with specific expertise in public administration and financial management, to carry out an independent assessment of the cost factors associated with the cost of tuition at institutions of higher education.

''(b) TIMEFRAME.—The Secretary shall enter into the contract described in subsection (a) not later than 90 days after the date of enactment of the Higher Education Amendments of 2005.

''(c) MATTERS ASSESSED.—The assessment described in subsection (a) shall—

''(1) examine the key elements driving the cost factors associated with the cost of tuition at institutions of higher education during academic year 2000 and succeeding academic years;

''(2) identify and evaluate measures being used to control postsecondary education costs;

''(3) identify and evaluate effective measures that may be utilized to control postsecondary education costs in the future; and

''(4) identify systemic approaches to monitor future postsecondary education costs trends and postsecondary education cost control mechanisms.

"PART C—JOB SKILL TRAINING IN HIGH-GROWTH OCCUPATIONS OR INDUSTRIES

"SEC. 831. JOB SKILL TRAINING IN HIGH-GROWTH OCCUPATIONS OR INDUSTRIES.

''(a) GRANTS AUTHORIZED.—The Secretary is authorized to award grants, on a competitive basis, to eligible partnerships to enable the eligible partnerships to provide relevant job skill training in high-growth industries or occupations.

''(b) DEFINITIONS.—In this section:

''(1) ELIGIBLE PARTNERSHIP.—The term 'eligible partnership' means a partnership—

''(A) between an institution of higher education and a local board (as such term is defined in section 101 of the Workforce Investment Act of 1998); or

''(B) if an institution of higher education is located within a State that does not operate local boards, between the institution of higher education and a State board (as such term is defined in section 101 of the Workforce Investment Act of 1998).

''(2) NONTRADITIONAL STUDENT.—The term 'nontraditional student' means a student who—

''(A) is independent, as defined in section 480(d);

''(B) attends an institution of higher education—

''(i) on less than a full-time basis;

''(ii) via evening, weekend, modular, or compressed courses; or

''(iii) via distance learning methods; or

''(C) has delayed enrollment at an institution of higher education.

''(3) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' means an institution of higher education, as defined in section 101(b), that offers a 1- or 2-year program of study leading to a degree or certificate.

''(c) APPLICATION.—

''(1) IN GENERAL.—Each eligible partnership that desires a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such additional information as the Secretary may require.

''(2) CONTENTS.—Each application submitted under paragraph (1) shall include a description of—

''(A) how the eligible partnership, through the institution of higher education, will provide relevant job skill training for students to enter high-growth occupations or industries;

''(B) local high-growth occupations or industries; and

''(C) the need for qualified workers to meet the local demand of high-growth occupations or industries.

''(d) AWARD BASIS.—In awarding grants under this section, the Secretary shall—

''(1) ensure an equitable distribution of grant funds under this section among urban and rural areas of the United States; and

''(2) take into consideration the capability of the institution of higher education—

''(A) to offer relevant, high quality instruction and job skill training for students entering a high-growth occupation or industry;

''(B) to involve the local business community and to place graduates in the community in employment in high-growth occupations or industries;

''(C) to provide secondary students with dual-enrollment or concurrent enrollment options;

''(D) to serve nontraditional or low-income students, or adult or displaced workers; and

''(E) to serve students from rural or remote communities.

''(e) USE OF FUNDS.—Grant funds provided under this section may be used—

''(1) to expand or create academic programs or programs of training that provide relevant job skill training for high-growth occupations or industries;

''(2) to purchase equipment which will facilitate the development of academic programs or programs of training that provide training for high-growth occupations or industries;

''(3) to support outreach efforts that enable students to attend institutions of higher education with academic programs or programs of training focused on high-growth occupations or industries;

''(4) to expand or create programs for distance, evening, weekend, modular, or compressed learning opportunities that provide relevant job skill training in high-growth occupations or industries;

''(5) to build partnerships with local businesses in high-growth occupations or industries;

''(6) to support curriculum development related to entrepreneurial training; and

''(7) for other uses that the Secretary determines to be consistent with the intent of this section.

''(f) REQUIREMENTS.—

''(1) FISCAL AGENT.—For the purpose of this section, the institution of higher education in an eligible partnership shall serve as the fiscal agent and grant recipient for the eligible partnership.

''(2) DURATION.—The Secretary shall award grants under this section for periods that may not exceed 5 years.

''(3) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall be used to supplement and not supplant other Federal, State, and local funds available to the eligible partnership for carrying out the activities described in subsection (e).

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.

"PART D—GRANT PROGRAM TO INCREASE STUDENT RETENTION AND PROMOTE ARTICULATION AGREEMENTS

"SEC. 841. GRANT PROGRAM TO INCREASE STUDENT RETENTION AND PROMOTE ARTICULATION AGREEMENTS.

''(a) AUTHORIZATION OF PROGRAM.—The Secretary shall award grants, on a competitive basis, to eligible institutions to enable the institutions to—

''(1) focus on increasing traditional and nontraditional student retention at such institutions; and

''(2) promote articulation agreements among different institutions that will increase the likelihood of progression of students at such institutions to baccalaureate degrees.

''(b) DEFINITION OF ELIGIBLE INSTITUTION.—In this section, the term 'eligible institution' means an institution of higher education (as defined in section 101(a)) where not less than 40 percent of such institution's student body receives financial aid under subpart 1 of part A of title IV.

''(c) APPLICATION.—An eligible institution that desires a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including the number of students proposed to be served and a description of the services that will be provided.

''(d) MANDATORY ACTIVITIES.—An eligible institution that receives a grant under this section shall use the grant funds to carry out each of the following:

''(1) Offering counseling and advisement services to help students adapt to postsecondary education and select appropriate coursework.

''(2) Making mentors available to students who are at risk for not completing a degree.

''(3) Providing detailed assistance to students who request help in understanding—

''(A) the options for financing their education, including information on grants, loans, and loan repayment programs;

''(B) the process of applying for financial assistance;

''(C) the outcome of their financial assistance application; and

''(D) any unanticipated problems related to financing their education that arise.

''(4) Offering tutoring to students at risk of dropping out of school with any course or subject.

''(5) Designing and implementing innovative ways to improve retention in and completion of courses, such as enrolling students in cohorts, providing counseling, or creating bridge programs that customize courses to the needs of special population students.

''(6) Conducting outreach activities so that all students know that these services are available and are aware of how to access the services.

''(7) Creating articulation agreements to promote smooth transition from two year to four year programs.

''(8) Making services listed in paragraphs (1) through (5) available in students' native languages, if it is not English, if the percentage of students needing translation services in a specific language exceeds 5 percent.

''(e) PERMISSIBLE ACTIVITIES.—An eligible institution that receives a grant under this section may use grant funds to carry out any of the following activities:

''(1) Designing innovative course schedules to meet the needs of working adults, such as online, modular, compressed, or other alternative methods.

''(2) Offering childcare during the hours when students have class or are studying.

''(3) Providing transportation assistance to students that helps such students manage their schedules.

''(4) Partnering with local businesses to create flexible work-hour programs so that students can balance work and school.

''(5) Offering time management or financial literacy seminars to help students improve their management skills.

''(6) Improving professional development to align instruction with innovative program designs.

''(7) Any other activities the Secretary believes will promote retention of students attending eligible institutions.

''(f) TECHNICAL ASSISTANCE.—The Secretary may enter into a contract with a private entity to provide such technical assistance to grantees under this section as the Secretary determines appropriate.

''(g) EVALUATION.—The Secretary shall conduct an evaluation of program impacts under the demonstration program, and shall disseminate to the public the findings from the evaluation and information on best practices.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this and such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.

''PART E—AMERICAN HISTORY FOR FREEDOM

''SEC. 851. AMERICAN HISTORY FOR FREEDOM.

''(a) GRANTS AUTHORIZED.—The Secretary is authorized to award 3-year grants, on a competitive basis, to eligible institutions to establish or strengthen postsecondary academic programs or centers that promote and impart knowledge of—

''(1) traditional American history;

''(2) the history and nature of, and threats to, free institutions; or

''(3) the history and achievements of Western civilization.

''(b) DEFINITIONS.—In this section:

''(1) ELIGIBLE INSTITUTION.—The term 'eligible institution' means an institution of higher education as defined in section 101.

''(2) FREE INSTITUTION.—The term 'free institution' means an institution that emerged out of Western civilization, such as democracy, constitutional government, individual rights, market economics, religious freedom and religious tolerance, and freedom of thought and inquiry.

''(3) TRADITIONAL AMERICAN HISTORY.—The term 'traditional American history' means—

''(A) the significant constitutional, political, intellectual, economic, and foreign policy trends and issues that have shaped the course of American history; and

''(B) the key episodes, turning points, and leading figures involved in the constitutional, political, intellectual, diplomatic, and economic history of the United States.

''(c) APPLICATION.—

''(1) IN GENERAL.—Each eligible institution that desires a grant under this part shall submit an application to the Secretary at such time, in such manner, and accompanied by such additional information as the Secretary may require.

''(2) CONTENTS.—Each application submitted under subsection (a) shall include a description of —

''(A) how funds made available under this part will be used for the activities set forth under subsection (e), including how such activities will increase knowledge with respect to traditional American history, free institutions, or Western civilization;

''(B) how the eligible institution will ensure that information about the activities funded under this part is widely disseminated pursuant to subsection (e)(1)(B);

''(C) any activities to be undertaken pursuant to subsection (e)(2)(A), including identification of entities intended to participate;

''(D) how funds made available under this part shall be used to supplement and not supplant non-Federal funds available for the activities described in subsection (e); and

''(E) such fiscal controls and accounting procedures as may be necessary to ensure proper disbursement of and accounting for funding made available to the eligible institution under this part.

''(d) AWARD BASIS.—In awarding grants under this part, the Secretary shall take into consideration the capability of the eligible institution to—

''(1) increase access to quality programming that expands knowledge of traditional American history, free institutions, or Western civilization;

''(2) involve personnel with strong expertise in traditional American history, free institutions, or Western civilization; and

''(3) sustain the activities funded under this part after the grant has expired.

''(e) USE OF FUNDS.—

''(1) REQUIRED USE OF FUNDS.—Funds provided under this part shall be used to—

''(A) establish or strengthen academic programs or centers focused on traditional American history, free institutions, or Western civilization, which may include—

''(i) design and implementation of programs of study, courses, lecture series, seminars, and symposia;

''(ii) development, publication, and dissemination of instructional materials;

''(iii) research;

''(iv) support for faculty teaching in undergraduate and, if applicable, graduate programs;

''(v) support for graduate and postgraduate fellowships, if applicable; or

''(vi) teacher preparation initiatives that stress content mastery regarding traditional American history, free institutions, or Western civilization; and

''(B) conduct outreach activities to ensure that information about the activities funded under this part is widely disseminated—

''(i) to undergraduate students (including students enrolled in teacher education programs, if applicable);

''(ii) to graduate students (including students enrolled in teacher education programs), if applicable;

''(iii) to faculty;

''(iv) to local educational agencies; and

''(v) within the local community.

''(2) ALLOWABLE USES OF FUNDS.—Funds provided under this part may be used to support—

''(A) collaboration with entities such as—

''(i) local educational agencies, for the purpose of providing elementary, middle and secondary school teachers an opportunity to enhance their knowledge of traditional American history, free institutions, or Western civilization; and

''(ii) nonprofit organizations whose mission is consistent with the purpose of this part, such as academic organizations, museums, and libraries, for assistance in carrying out activities described under subsection (a); and

''(B) other activities that meet the purposes of this part.

''(f) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.

''PART F—TEACH FOR AMERICA

''SEC. 861. TEACH FOR AMERICA.

''(a) DEFINITIONS.—

''(1) IN GENERAL.—The terms 'highly qualified', 'local educational agency', and 'Secretary' have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

''(2) GRANTEE.—The term 'grantee' means Teach For America, Inc.

''(3) HIGH NEED.—The term 'high need', when used with respect to a local educational agency, means a local educational agency experiencing a shortage of highly qualified teachers.

''(b) GRANTS AUTHORIZED.—The Secretary is authorized to award a grant to Teach For America, Inc., the national teacher corps of outstanding recent college graduates who commit to teach for 2 years in underserved communities in the United States, to implement and expand its program of recruiting, selecting, training, and supporting new teachers.

''(c) REQUIREMENTS.—In carrying out the grant program under subsection (b), the Secretary shall enter into an agreement with the grantee under which the grantee agrees to use the grant funds provided under this section—

''(1) to provide highly qualified teachers to high need local educational agencies in urban and rural communities;

''(2) to pay the cost of recruiting, selecting, training, and supporting new teachers; and

''(3) to serve a substantial number and percentage of underserved students.

''(d) AUTHORIZED ACTIVITIES.—

''(1) IN GENERAL.—Grant funds provided under this section shall be used by the grantee to carry out each of the following activities:

''(A) Recruiting and selecting teachers through a highly selective national process.

''(B) Providing preservice training to the teachers through a rigorous summer institute that includes hands-on teaching experience and significant exposure to education coursework and theory.

''(C) Placing the teachers in schools and positions designated by partner local educational agencies as high need placements serving underserved students.

''(D) Providing ongoing professional development activities for the teachers' first 2 years in the classroom, including regular classroom observations and feedback, and ongoing training and support.

''(2) LIMITATION.—The grantee shall use all grant funds received under this section to support activities related directly to the recruitment, selection, training, and support of teachers as described in subsection (a).

''(e) REPORTS AND EVALUATIONS.—

''(1) ANNUAL REPORT.—The grantee shall provide to the Secretary an annual report that includes—

''(A) data on the number and quality of the teachers provided to local educational agencies through a grant under this section;

''(B) an externally conducted analysis of the satisfaction of local educational agencies and principals with the teachers so provided; and

''(C) comprehensive data on the background of the teachers chosen, the training the teachers received, the placement sites of the teachers, the professional development of the teachers, and the retention of the teachers.

''(2) STUDY.—

''(A) IN GENERAL.—From funds appropriated under subsection (f), the Secretary shall provide for a study that examines the achievement levels of the students taught by the teachers assisted under this section.

''(B) ACHIEVEMENT GAINS COMPARED.—The study shall compare, within the same schools, the achievement gains made by students taught by teachers who are assisted under this section with the achievement gains made by students taught by teachers who are not assisted under this section.

''(3) REQUIREMENTS.—The Secretary shall provide for such a study not less than once every 3 years, and each such study shall include multiple placement sites and multiple schools within placement sites.

''(4) PEER REVIEW STANDARDS.—Each such study shall meet the peer review standards of the education research community.

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.

''(2) LIMITATION.—The grantee shall not use more than 25 percent of Federal funds from any source for administrative costs.

''PART G—PATSY T. MINK FELLOWSHIP PROGRAM

''SEC. 1. PATSY T. MINK FELLOWSHIP PROGRAM.

''(a) PURPOSE.—

''(1) IN GENERAL.—It is the purpose of this section to provide, through eligible institutions, a program of fellowship awards to assist highly qualified minorities and women to acquire the doctoral degree, or highest possible degree available, in academic areas in which such individuals are underrepresented for the purpose of enabling such individuals to enter the higher education professoriate.

''(2) DESIGNATION.—Each recipient of a fellowship award from an eligible institution receiving a grant under this section shall be known as a 'Patsy T. Mink Graduate Fellow'.

''(b) DEFINITIONS.—In this section, the term 'eligible institution' means an institution of higher education, or a consortium of such institutions, that offers a program of postbaccalaureate study leading to a graduate degree.

''(c) PROGRAM AUTHORIZED.—

''(1) GRANTS BY SECRETARY.—

''(A) IN GENERAL.—The Secretary shall award grants to eligible institutions to enable such institutions to make fellowship awards to individuals in accordance with the provisions of this section.

''(B) PRIORITY CONSIDERATION.—In awarding grants under this section, the Secretary shall consider the eligible institution's prior experience in producing doctoral degree, or highest possible degree available, holders who are minorities and women, and shall give priority consideration in making grants under this section to those eligible institutions with a demonstrated record of producing minorities and women who have earned such degrees.

''(2) APPLICATIONS.—

''(A) IN GENERAL.—An eligible institution that desires a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(B) APPLICATIONS MADE ON BEHALF.—

''(i) IN GENERAL.—The following entities may submit an application on behalf of an eligible institution:

''(I) A graduate school or department of such institution.

''(II) A graduate school or department of such institution in collaboration with an undergraduate college or university of such institution.

''(III) An organizational unit within such institution that offers a program of postbaccalaureate study leading to a graduate degree, including an interdisciplinary or an interdepartmental program.

''(IV) A nonprofit organization with a demonstrated record of helping minorities and women earn postbaccalaureate degrees.

''(ii) NONPROFIT ORGANIZATIONS.—Nothing in this paragraph shall be construed to permit the Secretary to award a grant under this section to an entity other than an eligible institution.

''(3) SELECTION OF APPLICATIONS.—In awarding grants under subsection (a), the Secretary shall—

''(A) take into account—

''(i) the number and distribution of minority and female faculty nationally;

''(ii) the current and projected need for highly trained individuals in all areas of the higher education professoriate; and

''(iii) the present and projected need for highly trained individuals in academic career fields in which minorities and women are underrepresented in the higher education professoriate; and

''(B) consider the need to prepare a large number of minorities and women generally in academic career fields of high national priority, especially in areas in which such individuals are traditionally underrepresented in college and university faculties, such as mathematics, science, technology, and engineering.

''(4) DISTRIBUTION AND AMOUNTS OF GRANTS.—

''(A) EQUITABLE DISTRIBUTION.—In awarding grants under this section, the Secretary shall, to the maximum extent feasible, ensure an equitable geographic distribution of awards and an equitable distribution among public and independent eligible institutions that apply for grants under this section and that demonstrate an ability to achieve the purpose of this section.

''(B) SPECIAL RULE.—To the maximum extent practicable, the Secretary shall use not less than 30 percent of the amount appropriated pursuant to subsection (f) to award grants to eligible institutions that—

''(i) are eligible for assistance under title III or title V; or

''(ii) have formed a consortium that includes both non-minority serving institutions and minority serving institutions.

''(C) ALLOCATION.—In awarding grants under this section, the Secretary shall allocate appropriate funds to those eligible institutions whose applications indicate an ability to significantly increase the numbers of minorities and women entering the higher education professoriate and that commit institutional resources to the attainment of the purpose of this section.

''(D) NUMBER OF FELLOWSHIP AWARDS.—An eligible institution that receives a grant under this section shall make not less than 15 fellowship awards.

''(E) REALLOTMENT.—If the Secretary determines that an eligible institution awarded a grant under this section is unable to use all of the grant funds awarded to the institution, the Secretary shall reallot, on such date during each fiscal year as the Secretary may fix, the unused funds to other eligible institutions that demonstrate that such institutions can use any reallocated grant funds to make fellowship awards to individuals under this section.

''(5) INSTITUTIONAL ALLOWANCE.—

''(A) IN GENERAL.—

''(i) NUMBER OF ALLOWANCES.—In awarding grants under this section, the Secretary shall pay to each eligible institution awarded a grant, for each individual awarded a fellowship by such institution under this section, an institutional allowance.

''(ii) AMOUNT.—Except as provided in paragraph (3), an institutional allowance shall be in an amount equal to, for academic year 2006-2007 and succeeding academic years, the amount of institutional allowance made to an institution of higher education under section 715 for such academic year.

''(B) USE OF FUNDS.—Institutional allowances may be expended in the discretion of the eligible institution and may be used to provide, except as prohibited under paragraph (4), academic support and career transition services for individuals awarded fellowships by such institution.

''(C) REDUCTION.—The institutional allowance paid under paragraph (1) shall be reduced by the amount the eligible institution charges and collects from a fellowship recipient for tuition and other expenses as part of the recipient's instructional program.

''(D) USE FOR OVERHEAD PROHIBITED.—Funds made available under this section may not be used for general operational overhead of the academic department or institution receiving funds under this section.

''(d) FELLOWSHIP RECIPIENTS.—

''(1) AUTHORIZATION.—An eligible institution that receives a grant under this section shall use the grant funds to make fellowship awards to minorities and women who are enrolled at such institution in a doctoral degree, or highest possible degree available, program and—

''(A) intend to pursue a career in instruction at—

''(i) an institution of higher education (as the term is defined in section 101);

''(ii) an institution of higher education (as the term is defined in section 102(a)(1));

''(iii) an institution of higher education outside the United States (as the term is described in section 102(a)(2)); or

''(iv) a proprietary institution of higher education (as the term is defined in section 102(b)); and

''(B) sign an agreement with the Secretary agreeing—

''(i) to begin employment at an institution described in paragraph (1) not later than 3 years after receiving the doctoral degree or highest possible degree available, which 3-year period may be extended by the Secretary for extraordinary circumstances; and

''(ii) to be employed by such institution for 1 year for each year of fellowship assistance received under this section.

''(2) FAILURE TO COMPLY.—If an individual who receives a fellowship award under this section fails to comply with the agreement signed pursuant to subsection (a)(2), then the Secretary shall do 1 or both of the following:

''(A) Require the individual to repay all or the applicable portion of the total fellowship amount awarded to the individual by converting the balance due to a loan at the interest rate applicable to loans made under part B of title IV.

''(B) Impose a fine or penalty in an amount to be determined by the Secretary.

''(3) WAIVER AND MODIFICATION.—

''(A) REGULATIONS.—The Secretary shall promulgate regulations setting forth criteria to be considered in granting a waiver for the service requirement under subsection (a)(2).

''(B) CONTENT.—The criteria under paragraph (1) shall include whether compliance with the service requirement by the fellowship recipient would be—

''(i) inequitable and represent an extraordinary hardship; or

''(ii) deemed impossible because the individual is permanently and totally disabled at the time of the waiver request.

''(4) AMOUNT OF FELLOWSHIP AWARDS.—Fellowship awards under this section shall consist of a stipend in an amount equal to the level of support provided to the National Science Foundation graduate fellows, except that such stipend shall be adjusted as necessary so as not to exceed the fellow's tuition and fees or demonstrated need (as determined by the institution of higher education where the graduate student is enrolled), whichever is greater.

''(5) ACADEMIC PROGRESS REQUIRED.—An individual student shall not be eligible to receive a fellowship award—

''(A) except during periods in which such student is enrolled, and such student is maintaining satisfactory academic progress in, and devoting essentially full time to, study or research in the pursuit of the degree for which the fellowship support was awarded; and

''(B) if the student is engaged in gainful employment, other than part-time employment in teaching, research, or similar activity determined by the eligible institution to be consistent with and supportive of the student's progress toward the appropriate degree.

''(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require an eligible institution that receives a grant under this section—

''(1) to grant a preference or to differentially treat any applicant for a faculty position as a result of the institution's participation in the program under this section; or

''(2) to hire a Patsy T. Mink Fellow who completes this program and seeks employment at such institution.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2006 for each of the 5 succeeding fiscal years.

''PART H—STUDY ON COLLEGE ENROLLMENT BY SECONDARY SCHOOLS

''SEC. 1. STUDY ON COLLEGE ENROLLMENT BY SECONDARY SCHOOLS.

''The Secretary shall contract with a not-for-profit organization, with demonstrated expertise in increasing college enrollment rates in low-income communities nationwide, to make publicly available year-to-year college enrollment rate trends by secondary schools, in full compliance with the Family Educational Rights and Privacy Act of 1974 (FERPA).''.

TITLE IX—AMENDMENTS TO OTHER LAWS

PART A—EDUCATION OF THE DEAF ACT OF 1986

SEC. 901. LAURENT CLERC NATIONAL DEAF EDUCATION CENTER.

Section 104 of the Education of the Deaf Act of 1986 (20 U.S.C. 4304) is amended—

(1) by striking the heading and inserting ''LAURENT CLERC NATIONAL DEAF EDUCATION CENTER'';

(2) in subsection (a)(1)(A), by inserting ''the Laurent Clerc National Deaf Education Center (referred to in this section as the 'Clerc Center') to carry out'' after ''maintain and operate''; and

(3) in subsection (b)—

(A) in the matter preceding subparagraph (A) of paragraph (1), by striking ''elementary and secondary education programs'' and inserting ''Clerc Center'';

(B) in paragraph (2), by striking ''elementary and secondary education programs'' and inserting ''Clerc Center''; and

(C) by adding at the end the following:

''(5) The University, for purposes of the elementary and secondary education programs carried out at the Clerc Center, shall—

''(A)(i) select challenging academic content standards, challenging student academic achievement standards, and academic assessments of a State, adopted and implemented, as appropriate, pursuant to paragraphs (1) and (3) of section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1) and (3)) and approved by the Secretary; and

''(ii) implement such standards and assessments for such programs by not later than the beginning of the 2008–2009 academic year;

''(B) annually determine whether such programs at the Clerc Center are making adequate yearly progress, as determined according to the definition of adequate yearly progress defined (pursuant to section 1111(b)(2)(C) of such Act (20 U.S.C. 6311(b)(2)(C))) by the State that has adopted and implemented the standards and assessments selected under subparagraph (A)(i); and

''(C) publicly report the results of the academic assessments implemented under subparagraph (A) and whether the programs at the Clerc Center are making adequate yearly progress, as determined under subparagraph (B).''.

SEC. 902. AGREEMENT WITH GALLAUDET UNIVERSITY.

Section 105(b)(4) of the Education of the Deaf Act of 1986 (20 U.S.C. 4305(b)(4)) is amended—

(1) by striking ''the Act of March 3, 1931 (40 U.S.C. 276a–276a–5) commonly referred to as the Davis-Bacon Act'' and inserting ''subchapter IV of chapter 31 of title 40, United States Code, commonly referred to as the Davis-Bacon Act''; and

(2) by striking ''section 2 of the Act of June 13, 1934 (40 U.S.C. 276c)'' and inserting ''section 3145 of title 40, United States Code''.

SEC. 903. AGREEMENT FOR THE NATIONAL TECHNICAL INSTITUTE FOR THE DEAF.

Section 112 of the Education of the Deaf Act of 1986 (20 U.S.C. 4332) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the first sentence—

(I) by striking ''an institution of higher education'' and inserting ''the Rochester Institute of Technology, Rochester, New York''; and

(II) by striking ''of a'' and inserting ''of the''; and

(ii) by striking the second sentence;

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

''(2) Notwithstanding the requirement under paragraph (1), if the Secretary or the Rochester Institute of Technology terminates the agreement under paragraph (1), the Secretary shall consider proposals from other institutions of higher education and enter into an agreement with 1 of such institutions for the establishment and operation of a National Technical Institution for the Deaf.''; and

(2) in subsection (b)—

(A) in paragraph (3), by striking ''Committee on Education and Labor of the House of Representatives and to the Committee on Labor and Human Resources of the Senate'' and inserting ''Committee on Education and the Workforce of the House of Representatives and to the Committee on Health, Education, Labor, and Pensions of the Senate''; and

(B) in paragraph (5)—

(i) by striking ''the Act of March 3, 1931 (40 U.S.C. 276a–276a–5) commonly referred to as the Davis-Bacon Act'' and inserting ''subchapter IV of chapter 31 of title 40, United States Code, commonly referred to as the Davis-Bacon Act''; and

(ii) by striking ''section 2 of the Act of June 13, 1934 (40 U.S.C. 276c)'' and inserting ''section 3145 of title 40, United States Code''.

SEC. 904. CULTURAL EXPERIENCES GRANTS.

(a) CULTURAL EXPERIENCES GRANTS.—Title I of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.) is amended by adding at the end the following:

''PART C—OTHER PROGRAMS

''SEC. 121. CULTURAL EXPERIENCES GRANTS.

''(a) IN GENERAL.—The Secretary shall, on a competitive basis, make grants to, and enter into contracts and cooperative agreements with, eligible entities to support the activities described in subsection (b).

''(b) ACTIVITIES.—In carrying out this section, the Secretary shall support activities providing cultural experiences, through appropriate nonprofit organizations with a demonstrated proficiency in providing such activities, that—

''(1) enrich the lives of deaf and hard-of-hearing children and adults;

''(2) increase public awareness and understanding of deafness and of the artistic and intellectual achievements of deaf and hard-of-hearing persons; or

''(3) promote the integration of hearing, deaf, and hard-of-hearing persons through shared cultural, educational, and social experiences.

''(c) APPLICATIONS.—An eligible entity that desires to receive a grant, or enter into a contract or cooperative agreement, under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.''.

(b) CONFORMING AMENDMENT.—The title heading of title I of the Education of the Deaf Act of 1986 (20 U.S.C. 4301 et seq.) is amended by adding at the end ''; OTHER PROGRAMS''.

SEC. 905. AUDIT.

Section 203 of the Education of the Deaf Act of 1986 (20 U.S.C. 4353) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking the second sentence and inserting the following: ''The institution of higher education that the Secretary has an agreement with under section 112 shall have an annual independent financial and compliance audit made of NTID programs and activities. The audit shall follow the cycle of the Federal fiscal year.'';

(B) in paragraph (2), by striking ''sections'' and all that follows through the period and inserting ''sections 102(b), 105(b)(4), 112(b)(5), 203(c), 207(b)(2), subsections (c) through (f) of section 207, and subsections (b) and (c) of section 209.''; and

(C) in paragraph (3), by inserting ''and the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate'' after ''Secretary''; and

(2) in subsection (c)(2)(A), by striking ''Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate''.

SEC. 906. REPORTS.

Section 204 of the Education of the Deaf Act of 1986 (20 U.S.C. 4354) is amended—

(1) in the matter preceding paragraph (1), by striking ''Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate'';

(2) in paragraph (1), by striking ''preparatory,'';

(3) in paragraph (2)(C), by striking ''upon graduation/completion'' and inserting ''on the date that is 1 year after the date of graduation or completion''; and

(4) in paragraph (3)(B), by striking ''of the institution of higher education'' and all that follows through the period and inserting ''of NTID programs and activities.''.

SEC. 907. MONITORING, EVALUATION, AND REPORTING.

Section 205 of the Education of the Deaf Act of 1986 (20 U.S.C. 4355) is amended—

(1) in subsection (b), by striking ''The Secretary, as part of the annual report required under section 426 of the Department of Education Organization Act, shall include a description of'' and inserting ''The Secretary

shall annually transmit information to Congress on''; and

(2) in subsection (c), by striking ''fiscal years 1998 through 2003'' and inserting ''fiscal years 2006 through 2010''.

SEC. 908. LIAISON FOR EDUCATIONAL PROGRAMS.

Section 206(a) of the Education of the Deaf Act of 1986 (20 U.S.C. 4356(a)) is amended by striking ''Not later than 30 days after the date of enactment of this Act, the'' and inserting ''The''.

SEC. 909. FEDERAL ENDOWMENT PROGRAMS FOR GALLAUDET UNIVERSITY AND THE NATIONAL TECHNICAL INSTITUTE FOR THE DEAF.

Section 207(h) of the Education of the Deaf Act of 1986 (20 U.S.C. 4357(h)) is amended by striking ''fiscal years 1998 through 2003'' each place it appears and inserting ''fiscal years 2006 through 2010''.

SEC. 910. OVERSIGHT AND EFFECT OF AGREEMENTS.

Section 208(a) of the Education of the Deaf Act of 1986 (20 U.S.C. 4359(a)) is amended by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate''.

SEC. 911. INTERNATIONAL STUDENTS.

Section 209 of the Education of the Deaf Act of 1986 (20 U.S.C. 4359a) is amended—

(1) in subsection (a)—

(A) by striking ''preparatory, undergraduate,'' and inserting ''undergraduate'';

(B) by striking ''Effective with'' and inserting the following:

''(1) IN GENERAL.—Except as provided in paragraph (2), effective with''; and

(C) by adding at the end the following:

''(2) DISTANCE LEARNING.—International students who participate in distance learning courses that are at NTID or the University and who are residing outside of the United States shall—

''(A) not be counted as international students for purposes of the cap on international students under paragraph (1), except that in any school year no United States citizen who applies to participate in distance learning courses that are at the University or NTID shall be denied participation in such courses because of the participation of an international student in such courses; and

''(B) not be charged a tuition surcharge, as described in subsection (b).''; and

(2) by striking subsections (b), (c), and (d), and inserting the following:

''(b) TUITION SURCHARGE.—Except as provided in subsections (a)(2)(B) and (c), the tuition for postsecondary international students enrolled in the University (including undergraduate and graduate students) or NTID shall include, for academic year 2007–2008 and any succeeding academic year, a surcharge of—

''(1) 100 percent for a postsecondary international student from a non-developing country; and

''(2) 50 percent for a postsecondary international student from a developing country.

''(c) REDUCTION OF SURCHARGE.—

''(1) IN GENERAL.—Beginning with the academic year 2007–2008, the University or NTID may reduce the surcharge—

''(A) under subsection (b)(1) to 50 percent if—

''(i) a student described under subsection (b)(1) demonstrates need; and

''(ii) such student has made a good faith effort to secure aid through such student's government or other sources; and

''(B) under subsection (b)(2) to 25 percent if—

''(i) a student described under subsection (b)(2) demonstrates need; and

''(ii) such student has made a good faith effort to secure aid through such student's government or other sources.

''(2) DEVELOPMENT OF SLIDING SCALE.—The University and NTID shall develop a sliding scale model that—

''(A) will be used to determine the amount of a tuition surcharge reduction pursuant to paragraph (1); and

''(B) shall be approved by the Secretary.

''(d) DEFINITION.—In this section, the term 'developing country' means a country with a per-capita income of not more than $4,825, measured in 1999 United States dollars, as adjusted by the Secretary to reflect inflation since 1999.''.

SEC. 912. RESEARCH PRIORITIES.

Section 210(b) of the Education of the Deaf Act of 1986 (20 U.S.C. 4359b(b)) is amended by striking ''Committee on Labor and Human Resources of the Senate'' and inserting ''Committee on Health, Education, Labor, and Pensions of the Senate''.

SEC. 913. AUTHORIZATION OF APPROPRIATIONS.

Section 212 of the Education of the Deaf Act of 1986 (20 U.S.C. 4360a) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''fiscal years 1998 through 2003'' and inserting ''fiscal years 2006 through 2011''; and

(2) in subsection (b), by striking ''fiscal years 1998 through 2003'' and inserting ''fiscal years 2006 through 2011''.

PART B—UNITED STATES INSTITUTE OF PEACE ACT

SEC. 921. UNITED STATES INSTITUTE OF PEACE ACT.

(a) POWERS AND DUTIES.—Section 1705(b)(3) of the United States Institute of Peace Act (22 U.S.C. 4604(b)(3)) is amended by striking ''the Arms Control and Disarmament Agency,''.

(b) BOARD OF DIRECTORS.—Section 1706 of the United States Institute of Peace Act (22 U.S.C. 4605) is amended—

(1) by striking ''(b)(5)'' each place the term appears and inserting ''(b)(4)''; and

(2) in subsection (e), by adding at the end the following:

''(5) The term of a member of the Board shall not commence until the member is confirmed by the Senate and sworn in as a member of the Board.''.

(c) FUNDING.—Section 1710 of the United States Institute of Peace Act (22 U.S.C. 4609) is amended by adding at the end the following:

''(d) EXTENSION.—Any authorization of appropriations made for the purposes of carrying out this title shall be extended in the same manner as applicable programs are extended under section 422 of the General Education Provisions Act.''.

PART C—THE HIGHER EDUCATION AMENDMENTS OF 1998

SEC. 931. REPEALS.

The following provisions of title VIII of the Higher Education Amendments of 1998 (Public Law 105–244) are repealed:

(1) Part A.

(2) Part C (20 U.S.C. 1070 note).

(3) Part F (20 U.S.C. 1862 note).

(4) Part J.

(5) Section 861.

(6) Section 863.

SEC. 932. GRANTS TO STATES FOR WORKPLACE AND COMMUNITY TRANSITION TRAINING FOR INCARCERATED YOUTH OFFENDERS.

Section 821(b) of the Higher Education Amendment of 1988 is amended by striking ''25'' and inserting ''35''.

PART D—INDIAN EDUCATION

Subpart 1—Tribal Colleges and Universities

SEC. 941. TRIBALLY CONTROLLED COLLEGE AND UNIVERSITY ASSISTANCE.

(a) CLARIFICATION OF THE DEFINITION OF NATIONAL INDIAN ORGANIZATION.—Section 2(a)(6) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801(a)(6)) is amended by striking ''in the field of Indian education'' and inserting ''in the fields of tribally controlled colleges and universities and Indian higher education''.

(b) INDIAN STUDENT COUNT.—Section 2(a) of the Tribally Controlled College or University Assistance Act (25 U.S.C. 1801(a)) is amended—

(1) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively; and

(2) by inserting after paragraph (6) the following:

''(7) 'Indian student' means a student who is—

''(A) a member of an Indian tribe; or

''(B) a biological child of a member of an Indian tribe, living or deceased;''.

(c) CONTINUING EDUCATION.—Section 2(b) of the Tribally Controlled College or University Assistance Act (25 U.S.C. 1801(b)) is amended by striking paragraph (5) and inserting the following:

''(5) DETERMINATION OF CREDITS.—Eligible credits earned in a continuing education program—

''(A) shall be determined as 1 credit for every 10 contact hours in the case of an institution on a quarter system, or 15 contact hours in the case of an institution on a semester system, of participation in an organized continuing education experience under responsible sponsorship, capable direction, and qualified instruction, as described in the criteria established by the International Association for Continuing Education and Training; and

''(B) shall be limited to 10 percent of the Indian student count of a tribally controlled college or university.''.

(d) ACCREDITATION REQUIREMENT.—Section 103 of the Tribally Controlled College or University Assistance Act (25 U.S.C. 1804) is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (3), the following:

''(4)(A) is accredited by a nationally recognized accrediting agency or association determined by the Secretary of Education to be a reliable authority with regard to the quality of training offered; or

''(B) is, according to such an agency or association, making reasonable progress toward accreditation.''.

(e) TECHNICAL ASSISTANCE CONTRACT AWARDS.—Section 105 of the Tribally Controlled College or University Assistance Act (25 U.S.C. 1805) is amended in the second sentence by striking ''In the awarding of contracts for technical assistance, preference shall be given'' and inserting ''The Secretary shall direct that contracts for technical assistance be awarded''.

(f) TITLE I REAUTHORIZATION.—Section 110(a) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1810(a)) is amended—

(1) in paragraphs (1), (2), (3), and (4), by striking ''1999'' and inserting ''2006'';

(2) in paragraphs (1), (2), and (3), by striking ''4 succeeding'' and inserting ''5 succeeding'';

(3) in paragraph (2), by striking ''$40,000,000'' and inserting ''such sums as may be necessary'';

(4) in paragraph (3), by striking ''$10,000,000'' and inserting ''such sums as may be necessary''; and

(5) in paragraph (4), by striking ''succeeding 4'' and inserting ''5 succeeding''.

(g) TITLE III REAUTHORIZATION.—Section 306(a) of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1836(a)) is amended—

(1) by striking ''1999'' and inserting ''2006''; and

(2) by striking ''4 succeeding'' and inserting ''5 succeeding''.

(h) TITLE IV REAUTHORIZATION.—Section 403 of the Tribal Economic Development and Technology Related Education Assistance Act of 1990 (25 U.S.C. 1852) is amended—

(1) by striking ''$2,000,000 for fiscal year 1999'' and inserting ''such sums as may be necessary for fiscal year 2006''; and

(2) by striking ''4 succeeding'' and inserting ''5 succeeding''.

Subpart 2—Navajo Higher Education

SEC. 945. SHORT TITLE.

This subpart may be cited as the ''Navajo Nation Higher Education Act of 2005''.

SEC. 946. REAUTHORIZATION OF THE NAVAJO COMMUNITY COLLEGE ACT.

Section 5(a)(1) of the Navajo Community College Act (25 U.S.C. 640c-1(a)(1)) is amended by striking ''$2,000,000'' and all that follows through ''years'' and inserting ''such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years''.

TITLE X—RECONCILIATION

SEC. 1001. PROVISIONAL GRANT ASSISTANCE PROGRAM.

(a) AMENDMENT.—Subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a) is amended by adding at the end the following:

''SEC. 401A. PROVISIONAL GRANT ASSISTANCE PROGRAM.

''(a) GRANTS.—

''(1) IN GENERAL.—From amounts appropriated under subsection (c) for a fiscal year and subject to subsection (b), the Secretary shall award grants to students (which shall be known as 'ProGAP awards') in the same manner as the Secretary awards grants to students under section 401, except that the Secretary shall determine the amount of a grant under this section for an academic year by—

''(A) determining the total number of students eligible for a grant under section 401 for the academic year, and the amount that each of those students are eligible to receive under section 401 calculated on the basis of the maximum grant level specified in the appropriate Appropriation Act for section 401 for the academic year;

''(B) determining the amount each of those students would receive under section 401 if the grant award under section 401 were calculated on the basis of the sum of the total amount appropriated to carry out section 401 and the total amount appropriated to carry out this section for the academic year; and

''(C) awarding to each of those students the amount by which the amount determined under subparagraph (B) exceeds the amount determined under subparagraph (A).

''(2) STUDENTS WITH THE GREATEST NEED.—The Secretary shall ensure grants are awarded under this section to students with the greatest need as determined under paragraph (1).

''(b) COST OF ATTENDANCE LIMITATION.—A grant awarded under this section for an academic year shall be awarded in an amount that does not exceed—

''(1) the student's cost of attendance for the academic year; less

''(2) an amount equal to the expected family contribution for that student for the academic year.

''(c) AUTHORIZATION AND APPROPRIATION OF FUNDS.—There are authorized to be appropriated, and there are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Education to carry out this section and section 401B—

''(1) $965,000,000 for fiscal year 2006;

''(2) $971,000,000 for fiscal year 2007;

''(3) $971,000,000 for fiscal year 2008;

''(4) $972,000,000 for fiscal year 2009; and

''(5) $972,000,000 for fiscal year 2010.

''(d) SUNSET PROVISION.—This section shall be effective with respect to amounts appropriated for fiscal year 2006 and each of the 4 succeeding fiscal years.''.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the amounts appropriated to carry out sections 401A and 401B of the Higher Education Act of 1965 are the result of the savings generated by the amendments made by this title.

SEC. 1002. NATIONAL SMART GRANTS.

Subpart 1 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a) is further amended by adding after section 401A (as added by section 1001):

''SEC. 401B. NATIONAL SMART GRANTS.

''(a) GRANTS AUTHORIZED.—From amounts appropriated under section 401A(c) for a fiscal year, the Secretary shall award grants to eligible students to assist the eligible students in paying their college education expenses.

''(b) DESIGNATION.—A grant under this section shall be known as a 'National Science and Mathematics Access to Retain Talent Grant' or a 'National SMART Grant'.

''(c) DEFINITION OF ELIGIBLE STUDENT.—In this section the term 'eligible student' means a student who, for the academic year for which the determination is made—

''(1) is eligible for a Federal Pell Grant; and

''(2) is in the student's 3rd or 4th year at an institution of higher education majoring in—

''(A) mathematics, science, technology, or engineering (as determined by the Secretary pursuant to regulations); or

''(B) a foreign language that the Secretary, in consultation with the Director of National Intelligence, determines is critical to the national security of the United States.

''(d) GRANT AMOUNT.—The Secretary shall award a grant under this section in an amount that does not exceed $1,500 for an academic year.

''(e) FUNDING RULE.—The Secretary shall use not more than $200,000,000 of the funds appropriated under section 401A(c) for each of the fiscal years 2006 through 2010 to carry out this section.

''(f) UNOBLIGATED FUNDS AVAILABLE FOR FEDERAL GRANT ASSISTANCE.—The Secretary shall make any funds made available under subsection (e) for a fiscal year that remain unobligated at the end of the fiscal year available to carry out section 401A.

''(g) MATCHING ASSISTANCE.—An institution of higher education may, from funds provided from private sources, provide additional assistance to a student receiving a grant under this section, except that the total assistance provided under this title to a student shall not exceed the student's cost of attendance.''.

SEC. 1003. LOAN LIMITS.

(a) FEDERAL INSURANCE LIMITS.—Section 425(a)(1)(A) of the Higher Education Act of 1965 (20 U.S.C. 1075(a)(1)(A)) is amended—

(1) in clause (i)(I), by striking ''$2,625'' and inserting ''$3,500''; and

(2) in clause (ii)(I), by striking ''$3,500'' and inserting ''$4,500''.

(b) GUARANTEE LIMITS.—Section 428(b)(1)(A) of the Higher Education Act of 1965 (20 U.S.C. 1078(b)(1)(A)) is amended—

(1) in clause (i)(I), by striking ''$2,625'' and inserting ''$3,500''; and

(2) in clause (ii)(I), by striking ''$3,500'' and inserting ''$4,500''.

(c) FEDERAL PLUS LOANS.—Section 428B of the Higher Education Act of 1965 (20 U.S.C. 1078–2) is amended—

(1) in subsection (a)(1)—

(A) in the matter preceding subparagraph (A), by striking ''Parents'' and inserting ''A graduate or professional student or the parents'';

(B) in subparagraph (A), by striking ''the parents'' and inserting ''the graduate or professional student or the parents''; and

(C) in subparagraph (B), by striking ''the parents'' and inserting ''the graduate or professional student or the parents'';

(2) in subsection (b), by striking ''any parent'' and inserting ''any graduate or professional student or any parent'';

(3) in subsection (c)(2), by striking ''parent'' and inserting ''graduate or professional student or parent''; and

(4) in subsection (d)(1), by striking ''the parent'' and inserting ''the graduate or professional student or the parent''.

(d) UNSUBSIDIZED STAFFORD LOANS FOR GRADUATE OR PROFESSIONAL STUDENTS.—Section 428H(d)(2) of the Higher Education Act of 1965 (20 U.S.C. 1078–8(d)(2)) is amended—

(1) in subparagraph (C), by striking ''$10,000'' and inserting ''$12,000''; and

(2) in subparagraph (D)—

(A) in clause (i), by striking ''$5,000'' and inserting ''$7,000''; and

(B) in clause (ii), by striking ''$5,000'' and inserting ''$7,000''.

SEC. 1004. PLUS LOAN INTEREST RATES AND ZERO SPECIAL ALLOWANCE PAYMENT.

(a) PLUS LOANS.—Section 427A(l)(2) of the Higher Education Act of 1965 (20 U.S.C. 1077a(l)(2)) is amended by striking ''7.9 percent'' and inserting ''8.5 percent''.

(b) CONFORMING AMENDMENTS FOR SPECIAL ALLOWANCES.—

(1) AMENDMENTS.—Subparagraph (I) of section 438(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1087–1(b)(2)) is amended—

(A) in clause (iii), by striking '', subject to clause (v) of this subparagraph'';

(B) in clause (iv), by striking '', subject to clause (vi) of this subparagraph''; and

(C) by striking clauses (v), (vi), and (vii) and inserting the following:

''(v) RECAPTURE OF EXCESS INTEREST.—

''(I) EXCESS CREDITED.—With respect to a loan on which the applicable interest rate is determined under section 427A(l) and for which the first disbursement of principal is made on or after April 1, 2006, if the applicable interest rate for any 3-month period exceeds the special allowance support level applicable to such loan under this subparagraph for such period, then an adjustment shall be made by calculating the excess interest in the amount computed under subclause (II) of this clause, and by crediting the excess interest to the Government not less often than annually.

''(II) CALCULATION OF EXCESS.—The amount of any adjustment of interest on a loan to be made under this subsection for any quarter shall be equal to—

''(aa) the applicable interest rate minus the special allowance support level determined under this subparagraph; multiplied by

''(bb) the average daily principal balance of the loan (not including unearned interest added to principal) during such calendar quarter; divided by

''(cc) four.

''(III) SPECIAL ALLOWANCE SUPPORT LEVEL.—For purposes of this clause, the term 'special allowance support level' means, for any loan, a number expressed as a percentage equal to the sum of the rates determined under subclauses (I) and (III) of clause (i),

and applying any substitution rules applicable to such loan under clauses (ii), (iii), and (iv) in determining such sum.''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall not apply with respect to any special allowance payment made under section 438 of the Higher Education Act of 1965 (20 U.S.C 1087–1) before April 1, 2006.

SEC. 1005. REDUCTION OF LENDER INSURANCE REIMBURSEMENT RATES.

(a) AMENDMENT.—Subparagraph (G) of section 428(b)(1) of the Higher Education Act of 1965 (20 U.S.C. 1078(b)(1)) is amended to read as follows:

''(G) insures 97 percent of the unpaid principal of loans insured under the program;''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to any loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.) for which the first disbursement is made on or after January 1, 2006.

SEC. 1006. GUARANTY AGENCY ORIGINATION FEE.

(a) AMENDMENT.—Section 428(b)(1)(H) of the Higher Education Act of 1965 (20 U.S.C. 1078(b)(1)(H)) is amended to read as follows:

''(H) provides for the collection, and the deposit in the Federal Fund established under section 422A(a), of a guaranty agency origination fee of 1.0 percent of each disbursement of the proceeds of the loan, which fee may be provided from funds in the guaranty agency's operating fund under section 422B or from other non-Federal funds;''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall be effective with respect to any loan guaranteed under part B of title IV of the Higher Education Act of 1965 on or after April 1, 2006.

SEC. 1007. DEFERMENT OF STUDENT LOANS FOR MILITARY SERVICE.

(a) FEDERAL FAMILY EDUCATION LOANS.—Section 428(b)(1)(M) of the Higher Education Act of 1965 (20 U.S.C. 1078(b)(1)(M)) is amended—

(1) by striking ''or'' at the end of clause (ii);

(2) by redesignating clause (iii) as clause (iv); and

(3) by inserting after clause (ii) the following new clause:

''(iii) not in excess of 3 years during which the borrower—

''(I) is serving on active duty during a war or other military operation or national emergency; or

''(II) is performing qualifying National Guard duty during a war or other military operation or national emergency; or''.

(b) DIRECT LOANS.—Section 455(f)(2) of the Higher Education Act of 1965 (20 U.S.C. 1087e(f)(2)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following new subparagraph:

''(C) not in excess of 3 years during which the borrower—

''(i) is serving on active duty during a war or other military operation or national emergency; or

''(ii) is performing qualifying National Guard duty during a war or other military operation or national emergency; or''.

(c) PERKINS LOANS.—Section 464(c)(2)(A) of the Higher Education Act of 1965 (20 U.S.C. 1087dd(c)(2)(A)) is amended—

(1) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively; and

(2) by inserting after clause (ii) the following new clause:

''(iii) not in excess of 3 years during which the borrower—

''(I) is serving on active duty during a war or other military operation or national emergency; or

''(II) is performing qualifying National Guard duty during a war or other military operation or national emergency;''.

(d) DEFINITIONS.—Section 481 of the Higher Education Act of 1965 (20 U.S.C. 1088) is amended by adding at the end the following new subsection:

''(d) DEFINITIONS FOR MILITARY DEFERMENTS.—For purposes of parts B, D, and E of this title:

''(1) ACTIVE DUTY.—The term 'active duty' has the meaning given such term in section 101(d)(1) of title 10, United States Code, except that such term does not include active duty for training or attendance at a service school.

''(2) MILITARY OPERATION.—The term 'military operation' means a contingency operation as such term is defined in section 101(a)(13) of title 10, United States Code.

''(3) NATIONAL EMERGENCY.—The term 'national emergency' means the national emergency by reason of certain terrorist attacks declared by the President on September 14, 2001, or subsequent national emergencies declared by the President by reason of terrorist attacks.

''(4) SERVING ON ACTIVE DUTY.—The term 'serving on active duty during a war or other military operation or national emergency' means service by an individual who is—

''(A) a Reserve of an Armed Force ordered to active duty under section 12301(a), 12301(g), 12302, 12304, or 12306 of title 10, United States Code, or any retired member of an Armed Force ordered to active duty under section 688 of such title, for service in connection with a war or other military operation or national emergency, regardless of the location at which such active duty service is performed; and

''(B) any other member of an Armed Force on active duty in connection with such emergency or subsequent actions or conditions who has been assigned to a duty station at a location other than the location at which such member is normally assigned.

''(5) QUALIFYING NATIONAL GUARD DUTY.—The term 'qualifying National Guard duty during a war or other military operation or national emergency' means service as a member of the National Guard on full-time National Guard duty (as defined in section 101(d)(5) of title 10, United States Code) under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days under section 502(f) of title 32, United States Code, in connection with a war, other military operation, or a national emergency declared by the President and supported by Federal funds.''.

(e) RULE OF CONSTRUCTION.—Nothing in the amendments made by this section shall be construed to authorize any refunding of any repayment of a loan.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to loans for which the first disbursement is made on or after July 1, 2001.

SEC. 1008. REHABILITATION THROUGH CONSOLIDATION.

Section 428(c) of the Higher Education Act of 1965 (20 U.S.C 1078(c)) is amended—

(1) in paragraph (2)(A)—

(A) by inserting ''(i)'' after ''including''; and

(B) by inserting before the semicolon at the end the following: ''and (ii) requirements establishing procedures to preclude consolidation lending from being an excessive proportion of guaranty agency recoveries on defaulted loans under this part'';

(2) in paragraph (2)(D), by striking ''paragraph (6)'' and inserting ''paragraph (6)(A)''; and

(3) in paragraph (6)—

(A) by inserting ''(A)'' before ''For the purposes of paragraph (2)(D),'';

(B) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively; and

(C) by adding at the end the following new subparagraphs:

''(B) GUARANTY AGENCY OBLIGATIONS.—A guaranty agency shall—

''(i) on or after October 1, 2006—

''(I) not charge the borrower collection costs in an amount in excess of 18.5 percent of the outstanding principal and interest of a defaulted loan that is paid off through consolidation by the borrower under this title; and

''(II) remit to the Secretary a portion of the collection charge under subclause (I) equal to 8.5 percent of the outstanding principal and interest of such defaulted loan; and

''(ii) on and after October 1, 2009, remit to the Secretary the entire amount charged under clause (i)(I) with respect to each defaulted loan that is paid off with excess consolidation proceeds.

''(C) EXCESS CONSOLIDATION PROCEEDS.—For purposes of subparagraph (B), the term 'excess consolidation proceeds' means, with respect to any guaranty agency for any Federal fiscal year beginning on or after October 1, 2009, the proceeds of consolidation of defaulted loans under this title that exceed 45 percent of the agency's total collections on defaulted loans in such Federal fiscal year.''.

SEC. 1009. SINGLE HOLDER RULE.

Subparagraph (A) of section 428C(b)(1) of the Higher Education Act of 1965 (20 U.S.C. 1078–3(b)(1)) is amended by striking ''and (i)'' and all that follows through ''so selected for consolidation)''.

SEC. 1010. DEFAULT REDUCTION PROGRAM.

Section 428F(a)(1) of the Higher Education Act of 1965 (20 U.S.C. 1078-6(a)(1)) is amended—

(1) in subparagraph (A), by striking ''consecutive payments for 12 months'' and inserting ''9 payments made within 20 days of the due date during 10 consecutive months'';

(2) by redesignating subparagraph (C) as subparagraph (D); and

(3) by inserting after subparagraph (B) the following new subparagraph:

''(C) A guaranty agency may charge the borrower and retain collection costs in an amount not to exceed 18.5 percent of the outstanding principal and interest at the time of sale of a loan rehabilitated under subparagraph (A).''.

SEC. 1011. REQUIREMENTS FOR DISBURSEMENTS OF STUDENT LOANS.

Section 428G of the Higher Education Act of 1965 (20 U.S.C. 1078–7) is amended—

(1) in subsection (a)(3), by adding at the end the following: ''Notwithstanding section 422(d) of the Higher Education Amendments of 1998, this paragraph shall be effective beginning on the date of enactment of the Higher Education Amendments of 2005.''; and

(2) in subsection (b)(1), by adding at the end the following: ''Notwithstanding section 422(d) of the Higher Education Amendments of 1998, the second sentence of this paragraph shall be effective beginning on the date of enactment of the Higher Education Amendments of 2005.''.

SEC. 1012. SPECIAL INSURANCE AND REINSURANCE RULES.

(a) REPEAL.—Section 428I of the Higher Education Act of 1965 (20 U.S.C. 1078–9) is repealed.

(b) CONFORMING AMENDMENTS.—Part A of title IV of the Higher Education Act of 1965 (20 U.S.C.1070 et seq.) is amended—

(1) in section 428(c)(1)—

(A) by striking subparagraph (D); and

(B) by redesignating subparagraphs (E) and (F) as subparagraphs (D) and (E), respectively; and

(2) in section 438(b)(5), by striking the matter following subparagraph (B).

SEC. 1013. SCHOOL AS LENDER MORATORIUM.

Section 435(d)(2) of the Higher Education Act of 1965 (20 U.S.C. 1085(d)(2)) is amended—

(1) in subparagraph (E), by striking ''and'' after the semicolon; and

(2) by inserting before the matter following subparagraph (F) the following:

''(G) shall have met the requirements of subparagraphs (A) through (F), and made loans under this part, on or before August 31, 2005;

''(H) shall hold each loan the eligible institution makes under this part to a student enrolled at the eligible institution until the student enters into a grace period described in section 427(a)(2)(B) or 428(b)(7);

''(I) shall use the proceeds from the sale of a loan made under this part, for need based grant aid programs, except that such proceeds—

''(i) shall not be used to provide a grant to a student for an academic year in an amount that is more than the student's cost of attendance for the academic year; and

''(ii) shall supplement and not supplant other Federal, State, and institutional grant aid; and

''(J) shall not be a foundation or alumni organization;''.

SEC. 1014. PERMANENT REDUCTION OF SPECIAL ALLOWANCE PAYMENTS FOR LOANS FROM THE PROCEEDS OF TAX EXEMPT ISSUES.

(a) TECHNICAL CLARIFICATION.—The matter preceding paragraph (1) of section 2 of the Taxpayer-Teacher Protection Act of 2004 (Public Law 108–409; 118 Stat. 2299) is amended by inserting ''of the Higher Education Act of 1965'' after ''Section 438(b)(2)(B)''. The amendment made by the preceding sentence shall be effective as if enacted on October 30, 2004.

(b) AMENDMENT.—Section 438(b)(2)(B) of the Higher Education Act of 1965 (20 U.S.C. 1087–1(b)(2)(B)) is amended—

(1) in clause (iv), by striking ''and before January 1, 2006,''; and

(2) in clause (v)(II)—

(A) in item (aa), by striking ''and before January 1, 2006,'';

(B) in item (bb), by striking ''and before January 1, 2006,''; and

(C) in item (cc), by striking ''and before January 1, 2006,''.

SEC. 1015. LOAN FEES FROM LENDERS.

(a) AMENDMENT.—Paragraph (2) of section 438(d)(2) (20 U.S.C. 1087–1(d)) is amended to read as follows:

''(2) AMOUNT OF LOAN FEES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), with respect to any loan made under this part for which the first disbursement was made on or after October 1, 1993, the amount of the loan fee that shall be deducted under paragraph (1) shall be equal to 0.50 percent of the principal amount of the loan.

''(B) CONSOLIDATION LOANS.—With respect to any loan made under section 428C on or after April 1, 2006, the amount of the loan fee that shall be deducted under paragraph (1) shall be equal to 1.0 percent of the principal amount of the loan.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to any loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.) for which the first disbursement is made on or after April 1, 2006.

SEC. 1016. ORIGINATION FEE.

Section 455(c) of the Higher Education Act of 1965 (20 U.S.C. 1087e(c)) is amended—

(1) by striking ''shall'' and inserting ''is authorized to''; and

(2) by striking ''4.0 percent of the principal amount of loan'' and inserting ''not less than 1 percent and not more than 3 percent of the principal amount of the loan, except that the Secretary shall charge the borrower of a Federal Direct PLUS Loan an origination fee of 4.0 percent of the principal amount of the loan.''.

SEC. 1017. INCOME CONTINGENT REPAYMENT FOR PUBLIC SECTOR EMPLOYEES.

Section 455(e) of the Higher Education Act of 1965 (20 U.S.C. 1087e(e)) is amended by adding at the end the following:

''(7) REPAYMENT PLAN FOR PUBLIC SECTOR EMPLOYEES.—

''(A) IN GENERAL.—The Secretary shall forgive the balance due on any loan made under this part for a borrower—

''(i) who has made 120 payments on such loan pursuant to income contingent repayment; and

''(ii) who is employed, and was employed for the 10-year period in which the borrower made the 120 payments described in clause (i), in a public sector job.

''(B) PUBLIC SECTOR JOB.—In this paragraph, the term 'public sector job' means a full-time job in emergency management, government, public safety, law enforcement, public health, education (including early childhood education), or public interest legal services (including prosecution or public defense).

''(8) RETURN TO STANDARD REPAYMENT.—A borrower who is repaying a loan made under this part pursuant to income contingent repayment may choose, at any time, to terminate repayment pursuant to income contingent repayment and repay such loan under the standard repayment plan.''.

SEC. 1018. INCOME PROTECTION ALLOWANCE FOR DEPENDENT STUDENTS.

(a) AMENDMENT.—Section 475(g)(2)(D) (20 U.S.C. 1087oo(g)(2)(D)) is amended by striking ''$2,200'' and inserting ''$3,000''.

(b) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to determinations of need for periods of enrollment beginning on or after July 1, 2006.

SEC. 1019. SIMPLIFIED NEED TEST AND AUTOMATIC ZERO IMPROVEMENTS.

Section 479(c) of the Higher Education Act of 1965 (20 U.S.C. 10877ss(c)) is amended—

(1) in paragraph (1), by striking subparagraph (B) and inserting the following:

''(B) the sum of the adjusted gross income of the parents is less than or equal to $20,000; or'';

(2) in paragraph (2), by striking subparagraph (B) and inserting the following:

''(B) the sum of the adjusted gross income of the student and spouse (if appropriate) is less than or equal to $20,000.''.

SEC. 1020. LOAN FORGIVENESS FOR TEACHERS.

Section 3(b)(3) of the Taxpayer-Teacher Protection Act of 2004 (20 U.S.C. 1078–10 note) is amended by striking '', and before October 1, 2005''.

Mr. KENNEDY. Mr. President, I rise today to join my chairman, Senator ENZI, in the introduction of a bill that will bring much needed relief to students and families struggling to pay for college. We plan to report out this bill from our Committee later this week. The assistance it contains can not come soon enough.

In today's global economy, a college degree is more valuable than ever. Students and workers must have the skills they need to succeed. When I graduated from high school, good jobs were available to high school graduates. Today, that is not the case. More and more jobs—particularly jobs that can reasonably support a family—require men and women to have a college degree or certificate, and the best jobs require advanced degrees.

But today, many families across America are facing a combination of hope and anxiety as their children go back to college—hope that their children will do well and anxiety about rising costs that are swamping family budgets.

Public tuition is up 35 percent over the last 4 years. Nationally, last year, almost 200,000 qualified students didn't go to college at all because they couldn't afford the high cost. According to new data from the Congressional Advisory Committee on Student Financial Assistance, the poorest students face an average unmet financial need of nearly $6,000.

Many who find a way to go to college are borrowing more heavily than ever. In 1990, only 16 percent of students took out a college loan. Today, it is 52 percent. Thirty years ago, the typical student aid package was 60 percent grants and 40 percent loans. Today, it is the reverse—40 percent grants and 60 percent loans. The average undergraduate now has $17,000 in college debt.

Families across the country are dedicating larger and larger portions of their income to send their children to college. In Massachusetts, after taking the average financial aid package into consideration, a family making the average salary must contribute 31 percent of their income to cover the costs of sending one child to college for just one year. In some States, the percentage is even higher. Families are struggling to pay for college and as a result the doors of college are barred for too many students.

Congress can do more to ease the squeeze, and this bill is an important step in the right direction. Many of us would like to do more, and we are concerned that $7 billion in this bill will be dedicated to Reconciliation, which will be used to pay for tax cuts for the wealthy.

Nevertheless, the assistance in this bill for students and for their families is substantial. It provides at least $5.5 billion for additional grant aid to the students who need it the most. It improves the existing student loan programs by making important changes to create real competition between the various programs and keeping the cost of loans affordable. It also strengthens the act's graduate studies program, and expands access to loans and grant aid for these students.

The bill also strengthens programs to prepare students to go to college and stay in college, such as GEAR UP and TRIO. We extend and improve programs to support minorities, such as the Hispanic Serving Institution Program, the Tribal College Program and the Historically Black Colleges and Universities Program. A new program supports institutions serving large numbers of Native American students.

We are making small improvements in getting qualified young people to college, but we still have much to do to keep them enrolled and earn a degree. The committee has made an effort to address the retention issue by including programs to help students succeed in college.

We also continue our focus on teacher preparation by strengthening partnerships with the K–12 systems who hire the teachers, and giving priority to preparing teachers for shortage subjects such as special education and math and science.

As the bill recognizes, to help the Nation compete in today's global economy, we must strengthen the teaching of math and science in schools and colleges. It is shameful that America is now ranked only 29th in the industrial world in math education, and that we have fallen from third in the world to 15th in producing scientists and engineers.

The bill provides strong incentives for math and science graduates to teach for at least 5 years in the schools that need them most. We also create a new scholarship program for low income students, pursuing careers in math, science, technology and engineering, and high need foreign languages.

From our earliest days as a nation, education has been the engine of the American dream, and we can't let it stall. A larger share of our population needs to participate in postsecondary education. We looked at ways to expand access to working adults through modular and compressed coursework, and to students with disabilities who can benefit from taking courses rather than taking standardized tests.

Our goal is to give all students and their parents the support they need to benefit from education and keep our country strong in the years ahead.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 233—EXPRESSING THE CONDOLENCES OF THE NATION TO THE VICTIMS OF HURRICANE KATRINA, COMMENDING THE RESILIENCY OF THE PEOPLE OF THE STATES OF LOUISIANA, MISSISSIPPI, AND ALABAMA, AND COMMITTING TO STAND BY THEM IN THE RELIEF AND RECOVERY EFFORTS

Mr. FRIST (for himself, Mr. REID, Ms. LANDRIEU, Mr. VITTER, Mr. COCHRAN, Mr. LOTT, Mr. SHELBY, Mr. SESSIONS, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. BURR, Mr. BYRD, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORNYN, Mr. CORZINE, Mr. CRAIG, Mr. CRAPO, Mr. DAYTON, Mr. DEMINT, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUYE, Mr. ISAKSON, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Mr. KYL, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mr. MCCONNELL, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TALENT, Mr. THOMAS, Mr. THUNE, Mr. VOINOVICH, Mr. WARNER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 233

Whereas, on August 28, 2005, Hurricane Katrina reached landfall devastating the Gulf Coast states;

Whereas there has yet to be a full accounting for all our citizens whose lives were tragically lost;

Whereas the cost in human suffering is ongoing for hundreds of thousands of people who have lost loved ones, homes, and livelihoods;

Whereas immediate humanitarian aid is still critically needed in many of the devastated regions;

Whereas the devastation on the Gulf Coast of Mississippi, Louisiana, and Alabama is catastrophic;

Whereas the City of New Orleans is tragically flooded and the surrounding communities of St. Bernard and Plaquemines parishes are devastated;

Whereas every city on the Mississippi Gulf Coast is severely damaged or destroyed, including Waveland, Bay St. Louis, Pass Christian, Long Beach, Gulfport, Biloxi, Ocean Springs, Moss Point, and Pascagoula;

Whereas the States of Florida, Texas, and Georgia also sustained damage;

Whereas Coast Guard search and rescue teams, police, firefighters, the National Guard and many ordinary citizens have risked their lives to save others;

Whereas doctors, nurses, and medical personnel worked expeditiously to ensure that hospitals, medical centers, and triage units provided needed care;

Whereas the American Red Cross, the Salvation Army, and other volunteer organizations and charities are supplying hurricane victims with food, water, and shelter;

Whereas the State of Texas and numerous other states have welcomed tens of thousands of victims from Louisiana and provided them with aid and comfort;

Whereas the Army Corps of Engineers has worked to reinforce levees in Louisiana; and

Whereas thousands of volunteers and government employees from across the Nation have committed time and resources to help with recovery efforts: Now, therefore, be it

Resolved, That the Senate—

(1) expresses the condolences of the Nation to the victims of Hurricane Katrina;

(2) commends the resiliency and courage of the people of the States of Louisiana, Mississippi, and Alabama; and

(3) commits to provide the necessary resources and to stand by the people of the States of Louisiana, Mississippi, and Alabama in the relief, recovery, and rebuilding efforts.

SENATE CONCURRENT RESOLUTION 52—PROVIDING FOR THE USE OF THE CATAFALQUE SITUATED IN THE CRYPT BENEATH THE ROTUNDA OF THE CAPITOL IN CONNECTION WITH MEMORIAL SERVICES TO BE CONDUCTED IN THE SUPREME COURT BUILDING FOR THE LATE HONORABLE WILLIAM H. REHNQUIST, CHIEF JUSTICE OF THE UNITED STATES

Mr. FRIST (for himself, Mr. REID, Mr. LOTT, and Mr. DODD) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 52

Resolved by the Senate (the House of Representatives concurring), That the Architect of the Capitol is authorized and directed to transfer to the custody of the Supreme Court of the United States the catafalque which is situated in the crypt beneath the Rotunda of the Capitol so that such catafalque may be used in the Supreme Court Building in connection with services to be conducted there for the late honorable William H. Rehnquist, Chief Justice of the United States.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, September 6 at 2:30 p.m. The purpose of this hearing is to receive testimony regarding oil and gasoline pricing.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTIFICATION OF THE DEATH OF THE HONORABLE WILLIAM H. REHNQUIST, CHIEF JUSTICE OF THE UNITED STATES

The PRESIDING OFFICER. The Chair lays before the Senate a communication from the Associate Justice of the Supreme Court of the United States, the Honorable Antonin Scalia, notifying the Senate of the death of the Chief Justice of the United States, the late Honorable William H. Rehnquist.

The message is as follows:

SUPREME COURT OF THE UNITED STATES,
Washington, DC, September 6, 2005.

Hon. RICHARD B. CHENEY,
President, U.S. Senate,
Washington, DC.

DEAR MR. PRESIDENT: This is to notify the Senate, through you, that the Chief Justice of the United States died in Arlington, Virginia on Saturday, September 3, 2005.

Very truly yours,

ANTONIN SCALIA,
Associate Justice.

ADJOURNMENT UNTIL 10:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands

adjourned until 10:30 a.m., tomorrow, September 7, 2005.

Thereupon, the Senate, at 6:24 p.m., adjourned until Wednesday, September 7, 2005, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate September 6, 2005:

SUPREME COURT OF THE UNITED STATES

JOHN G. ROBERTS, JR., OF MARYLAND, TO BE CHIEF JUSTICE OF THE UNITED STATES, VICE WILLIAM H. REHNQUIST, DECEASED.

DEPARTMENT OF AGRICULTURE

JAMES M. ANDREW, OF GEORGIA, TO BE ADMINISTRATOR, RURAL UTILITIES SERVICE, DEPARTMENT OF AGRICULTURE, VICE HILDA GAY LEGG RESIGNED.

DEPARTMENT OF DEFENSE

MICHAEL W. WYNNE, OF FLORIDA, TO BE SECRETARY OF THE AIR FORCE, VICE JAMES G. ROCHE.

DONALD C. WINTER, OF VIRGINIA, TO BE SECRETARY OF THE NAVY, VICE GORDON ENGLAND.

DELORES M. ETTER, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF THE NAVY, VICE JOHN J. YOUNG.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ORLANDO J. CABRERA, OF FLORIDA, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE MICHAEL MINORU FAWN LIU, RESIGNED.

DEPARTMENT OF ENERGY

JEFFREY D. JARRETT, OF PENNSYLVANIA, TO BE AN ASSISTANT SECRETARY OF ENERGY (FOSSIL ENERGY), VICE MICHAEL SMITH, RESIGNED.

DEPARTMENT OF COMMERCE

SANTANU K. BARUAH, OF OREGON, TO BE ASSISTANT SECRETARY OF COMMERCE FOR ECONOMIC DEVELOPMENT, VICE DAVID A. SAMPSON.

ENVIRONMENTAL PROTECTION AGENCY

LYONS GRAY, OF NORTH CAROLINA, TO BE CHIEF FINANCIAL OFFICER, ENVIRONMENTAL PROTECTION AGENCY, VICE CHARLES JOHNSON.

DEPARTMENT OF THE TREASURY

CLAY LOWERY, OF VIRGINIA, TO BE A DEPUTY UNDER SECRETARY OF THE TREASURY, VICE RANDAL QUARLES.

SOCIAL SECURITY ADMINISTRATION

JOHN E. MAUPIN, JR., OF TENNESSEE, TO BE A MEMBER OF THE SOCIAL SECURITY ADVISORY BOARD FOR A TERM EXPIRING SEPTEMBER 30, 2010, VICE GERALD M. SHEA, TERM EXPIRED.

DEPARTMENT OF STATE

ELLEN R. SAUERBREY, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF STATE (POPULATION, REFUGEES, AND MIGRATION), VICE ARTHUR E. DEWEY, RESIGNED.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

JACQUELINE ELLEN SCHAFER, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE EMMY B. SIMMONS.

BROADCASTING BOARD OF GOVERNORS

MARK MCKINNON, OF TEXAS, TO BE A MEMBER OF THE BROADCASTING BOARD OF GOVERNORS FOR A TERM EXPIRING AUGUST 13, 2008, VICE JOAQUIN F. BLAYA, TERM EXPIRED.

DEPARTMENT OF STATE

BRENDA LAGRANGE JOHNSON, OF NEW YORK, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO JAMAICA.

ALEXANDER R. VERSHBOW, OF THE DISTRICT OF COLUMBIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KOREA.

DAVID B. DUNN, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE TOGOLESE REPUBLIC.

THOMAS A. SHANNON, JR., OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AN ASSISTANT SECRETARY OF STATE (WESTERN HEMISPHERE AFFAIRS), VICE ROGER FRANCISCO NORIEGA.

DEPARTMENT OF JUSTICE

THOMAS O. BARNETT, OF VIRGINIA, TO BE AN ASSISTANT ATTORNEY GENERAL, VICE R. HEWITT PATE.

THE JUDICIARY

JAMES S. HALPERN, OF THE DISTRICT OF COLUMBIA, TO BE A JUDGE OF THE UNITED STATES TAX COURT FOR A TERM OF FIFTEEN YEARS. (REAPPOINTMENT)

DEPARTMENT OF HOMELAND SECURITY

EMILIO T. GONZALEZ, OF FLORIDA, TO BE DIRECTOR OF THE BUREAU OF CITIZENSHIP AND IMMIGRATION SERVICES, DEPARTMENT OF HOMELAND SECURITY, VICE EDUARDO AGUIRRE, JR.

DEPARTMENT OF VETERANS AFFAIRS

JOHN M. MOLINO, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (POLICY AND PLANNING), VICE CLAUDE M. KICKLIGHTER, RESIGNED.

LISETTE M. MONDELLO, OF TEXAS, TO BE AN ASSISTANT SECRETARY OF VETERANS AFFAIRS (PUBLIC AND INTERGOVERNMENTAL AFFAIRS), VICE CYNTHIA R. CHURCH, RESIGNED.

GEORGE J. OPFER, OF VIRGINIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF VETERANS AFFAIRS, VICE RICHARD J. GRIFFIN.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. MICHAEL R. SEWARD, 2642

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DOUGLAS M. FRASER, 7505

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN F. REGNI, 3567

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED IN ACCORDANCE WITH ARTICLE II, SECTION 2, CLAUSE 2, OF THE CONSTITUTION:

To be brigadier general

COL. RICHARD J. TUBB, 8067

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. BURWELL B. BELL III, 7158

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ANNE E. DUNWOODY, 4139

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. WILLIAM T. NESBITT, 8512

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. JAMES P. EGGLETON, 1830

To be brigadier general

COL. BLAKE E. WILLIAMS, 2990

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. JOHN E. CORNELIUS, 2976

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. KENNY C. MONTOYA, 7096

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL DANIEL B. ALLYN, 6989
COLONEL JAMES C. BOOZER, SR., 1513
COLONEL RONALD M. BOUCHARD, 7342
COLONEL MARK S. BOWMAN, 4544
COLONEL THOMAS M. COLE, 9526
COLONEL JESSE R. CROSS, 6494
COLONEL KENNETH S. DOWD, 7036
COLONEL MICHAEL T. FLYNN, 4740
COLONEL WILLIAM H. FORRESTER, JR., 6402
COLONEL WILLIAM B. GARRETT III, 7276
COLONEL JAMES L. HODGE, 5525
COLONEL ANTHONY R. IERARDI, 8705
COLONEL JOHN D. JOHNSON, 8672
COLONEL GREGG F. MARTIN, 8042
COLONEL WILLIAM C. MAYVILLE, JR., 1736
COLONEL JAMES M. MCDONALD, 3211
COLONEL PATRICIA E. MCQUISTION, 4806
COLONEL JOHN W. PEABODY, 1226
COLONEL DAVID G. PERKINS, 8615
COLONEL DANA J. H. PITTARD, 4461
COLONEL JOE E. RAMIREZ, JR., 1924
COLONEL JAMES E. ROGERS, 7358
COLONEL MICHAEL E. ROUNDS, 6679
COLONEL FREDERICK S. RUDESHEIM, 8656
COLONEL TODD T. SEMONITE, 8702
COLONEL JOHN E. SEWARD, 0909
COLONEL ROBIN P. SWAN, 6382
COLONEL ANTHONY J. TATA, 8746
COLONEL KEVIN R. WENDEL, 0434
COLONEL WILLIAM T. WOLF, 2298
COLONEL TERRY A. WOLFF, 8867

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND AS PERMANENT PROFESSOR, UNITED STATES AIR FORCE ACADEMY, UNDER TITLE 10, U.S.C, SECTIONS 9333(B) AND 9336(A):

To be colonel

GARY A. PACKARD, JR., 1944

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

STACEY T. KNUTZEN, 7863
JONATHAN R. SPECHT, 8072

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

DONALD E. RECKART, 7760

WITHDRAWAL

Executive Message transmitted by the President to the Senate on September 6, 2005 withdrawing from further Senate consideration the following nomination:

JOHN G. ROBERTS, JR., OF MARYLAND, TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES, WHICH WAS SENT TO THE SENATE ON JULY 29, 2005.

EXTENSIONS OF REMARKS

IN HONOR OF THE CITY OF NORTHVILLE, MI

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. McCOTTER. Mr. Speaker, I rise today in tribute to the City of Northville, MI, which is celebrating its 50th anniversary.

Located on the western fringe of the Detroit metropolitan area, the city of Northville was incorporated as a village in 1867 and as a city in 1955. The area was a small industry-trade center in the early 1800s when farming and lumbering were the main occupations.

Today, Northville is home for approximately 6,500 residents and supports one of the finest school districts in the State of Michigan. Known for its rolling hills and attractive countryside, Northville has retained its small-town appeal with stately Victorian-era architecture in its Historic District and a ''walk to'' downtown area, which boasts of old-fashioned street lamps, galleries, and specialty shops and includes the historic Marquis Theater, which has served the families of the community for more than 80 years. The theater's marquee has been in operation since 1925, and at one time it was one of only 26 working marquees in the United States. Today's performers sing, dance, and act on the same stage as legendary stars Woody Herman, The Harmonicats, The Four Freshmen, and Count Basie.

The city has grown and prospered since the first city council meeting on December 19, 1955. Citizens of Northville are fortunate to have had strong leadership from its first Mayor; Claude Ely, to the current Mayor, Christopher Johnson. Citizen involvement insures Northville continues to be a vibrant community in which to live, work, and raise a family.

Mr. Speaker, I ask my colleagues to join me in congratulating the people of Northville as they celebrate their historic past. It is my hope this fine community will enjoy a long and prosperous future.

CONGRATULATING CRISPIN VALVES OF BERWICK, PA, ON THE OCCASION OF THE COMPANY'S 100TH ANNIVERSARY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Crispin Valves, of Berick, PA, which is celebrating its 100th anniversary.

Begun in 1905 on the foundation of the patents granted to Clarence Crispin for his design of the Air Valve, Crispin is a fourth generation family business employing 70 people.

The Crispin Air Valve, for the first time ever, allowed the release of air build-up in water pipes without leaks or interruption of water flow in the line.

Since its inception, Crispin has served customers the world over. Still located on its original manufacturing site, Crispin today is a modem, professional company deeply rooted in the traditional values of its early beginnings.

No other company in the world has manufactured air valves longer than Crispin and no other company in the air valve market has the experience that Crispin has.

Crispin products are used in both hemispheres and in almost every country in the world. The breadth of their international experience allows them to understand and provide the flexibility that international customers require.

Focusing primarily on the municipal water industries, Crispin products are also used extensively by industrial, mining, chemical, energy and processing companies.

Crispin's customers include some of the world's top corporations including Phillips Petroleum, Walt Disney, Anheuser Busch, Bechtel, International Paper and Black and Veatch.

Their municipal client index includes customers from major metropolitan areas as well as small town water systems. They include Denver, CO; Los Angeles, CA; Tampa, FL; New York City, Dallas, TX, and thousands of others.

Mr. Speaker, please join me in congratulating Crispin Valves and its president, Mr. Darren Crispin, for representing the finest qualities of the American entrepreneurial spirit. Their family heritage and community-mindedness has resulted in a successful company that has employed many people in northeastern Pennsylvania for over a century.

IN HONOR OF COLONEL MICHAEL R. SIMONE

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. FARR. Mr. Speaker, I rise today to honor a tremendous public servant. Col. Michael R. Simone, United States Army, recently retired after 30 years of uniformed service to our Nation. I know him both as a friend and as the Commandant of the Defense Language Institute located in my Central California District. DLI is the premier language training institution in the world, instructing U.S. troops in any language required to meet national security demands. I can think of no other single training officer in the U.S. military other than Colonel Simone who has done more to directly prepare our service men and women to meet the challenges we face in Iraq, Afghanistan, North Korea, and in the broader struggle against international terrorism.

In 1975, Colonel Simone earned a bachelor of science at the U.S. Military Academy at West Point. After serving in field artillery, he went on to earn a masters in International Affairs from Columbia University in 1985. Colonel Simone served as assistant professor of Soviet Studies at West Point, completed a masters in Political Science at Columbia University, and also earned a Certificate of Advanced Training in Soviet Studies from the Averell Harriman Institute. Finally, he attended the Armed Forces Staff College, the U.S. Army Russian Institute, and completed the Defense Attaché Course.

Then Colonel Simone became a diplomat. From 1993 to 1995, he served as the Assistant Army Attaché in Embassy Moscow. Colonel Simone then moved to Vienna as the Assistant Joint Staff Representative to the U.S. Delegation to the Organization for Security and Cooperation in Europe. In 1998, he returned to Moscow as the Army Attaché. Then from August 2000 until May 2003, he commanded the European Operations Division of the Defense Threat Reduction Agency's On-Site Inspection Directorate in Darmstadt, Germany. On June 4, 2003, Colonel Simone became the Commandant of the Defense Language Institute. And the rest, as they say, is history.

Finally, Mr. Speaker, I wish to close with a short personal anecdote. One of the greatest pleasures as a Member of Congress is to nominate the brightest high school graduates of our districts to the service academies. Every year, I host a small reception for the nominees and their families just before the students leave for their first academy year. This year, I asked Colonel Simone to host this reception. Not only did he and his wonderful wife Jan open their home, but they made sure, more importantly, that every room was full of serving junior officers, academy graduates all, who could offer the students advice and support as they began their great journey. This happy evening gave me a first-hand look at Colonel Simone's all-consuming dedication to training soldiers.

Mr. Speaker, it is my pleasure to applaud Col. Michael R. Simone, a person who has served his country with great distinction for so many years. I join with all his friends and family in honoring this talented man and his many achievements.

HONORING THE CITY OF NEWARK, CA'S 50TH ANNIVERSARY

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. STARK. Mr. Speaker, I rise today to pay tribute to the city of Newark, CA as it celebrates its 50th year of incorporation. The city will celebrate this milestone anniversary during its annual Newark Days event on September 22–25, 2005. This year's Newark Days celebration will fall on the anniversary of the city's incorporation in 1955.

The slogan for this year's Newark Days is ''People, Pride and Progress.'' Newark Mayor Dave Smith describes this slogan as an accurate representation of the involvement of the city's community. In a recent article in the Tri-City Voice, a local paper serving the cities of Fremont, Newark and Union City, the Mayor describes ''rampant volunteerism'' in the city; everything from Newark Days, a non-profit organization, to feeding the poor through an organization like the Viola Blythe Center or the just concluded Ash Street Park summer program run by Friends of Ash Street Community Enrichment or the League of Volunteers Newark, which provides many services to the city.

During a recent interview in the Tri-City Voice, Mayor Smith proudly stated: the people of Newark always rise to the occasion to give of themselves to the community. This makes it a special place. Why do they do it? It's because they take pride in their community. There is a tremendous community pride in Newark.

From humble beginnings as a total bedroom community, the city developed a long-term vision and a strategic focus to insure its prosperity and economic independence. Thoughtful planning of residential and commercial development, careful renovation, community involvement, as well as the exemplary delivery of services has resulted in the city's fiscal and social wellness.

I join in expressing heartiest congratulations to the city of Newark, its elected leadership, administrators, and residents on the 50th anniversary to Newark's' incorporation. I am confident Newark will continue to thrive. Happy birthday and best wishes for continued success.

CONGRATULATING GENERAL WILLIAM L. ''SPIDER'' NYLAND ON THE OCCASION OF HIS RETIREMENT FROM THE MARINE CORPS AFTER 37 YEARS OF SERVICE

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. MILLER of Florida. Mr. Speaker, today I recognize and pay tribute to General William L. ''Spider'' Nyland, United States Marine Corps, on the occasion of his retirement from active duty. General Nyland has served our great Nation for more than 37 years. The departure of General Nyland marks not only the end of an illustrious career replete with many honors, it also marks the beginning of several initiatives which, by virtue of his strategic vision, dynamic leadership and accomplished diplomatic skills, will ensure that U.S. national strategy is prepared to meet the challenges of the 21st century.

General Nyland was commissioned a second lieutenant in the Marine Corps under the NROTC program upon graduation from the University of New Mexico in 1968. In addition to attaining a M.S. degree from the University of Southern California, his formal military education includes The Basic School (1968), Naval Aviation Flight Training (NFO) (1969), Amphibious Warfare School (1975), Navy Fighter Weapons School (TopGun) (1977), College of Naval Command and Staff, Naval War College (1981), and Air War College (1988).

After being assigned to VMFA–531, General Nyland was ordered to Vietnam where he flew 122 combat missions with VMFA–314 and VMFA–115. General Nyland's other tours included Instructor RIO, VMFAT–101; Squadron Assistant Operations Officer and Operations Officer, VMFA–115; and Brigade FORSTAT and Electronic Warfare Officer, 1st Marine Brigade. He also served as Operations Officer and Director of Safety and Standardization, VMFA–212; Aviation Safety Officer and Congressional Liaison/Budget Officer, Headquarters, U.S. Marine Corps, Washington, DC; and Operations Officer, Marine Aircraft Group–24, 1st Marine Amphibious Brigade. He commanded VMFA–232, the Marine Corps' oldest and most decorated fighter squadron, from July 1985 to July 1987.

General Nyland subsequently served as section chief for the Central Command section, European Command/Central Command Branch, Joint Operations Division, Directorate of Operations (J–3), Joint Staff, Washington, DC. In July 1990, he assumed command of Marine Aviation Training Support Group (MATSG), Pensacola. Following his command of MATSG he assumed duties as Chief of Staff, 2nd Marine Aircraft Wing on July 5, 1992, and assumed additional duties as Assistant Wing Commander on November 10, 1992. He was promoted to Brigadier General on September 1, 1994 and was assigned as Assistant Wing Commander, 2nd MAW serving in that billet until December 1, 1995.

He served next on the Joint Staff, J–8, as the Deputy Director for Force Structure and Resources, completing that tour on June 30, 1997. General Nyland was advanced to Major General on July 2, 1997, and assumed duties as the Deputy Commanding General, II Marine Expeditionary Force, Camp Lejeune, N.C. He served next as the Commanding General, 2d Marine Aircraft Wing, MCAS Cherry Point, North Carolina from July 1998 to June 2000. He was advanced to Lieutenant General on 30 June 2000 and assumed duties as the Deputy Commandant for Programs and Resources, Headquarters, U.S. Marine Corps. He next served as the Deputy Commandant for Aviation on 3 August 2001. He was advanced to the grade of General on September 4,2002 and assumed his current duties shortly thereafter.

General Nyland's personal decorations include: Defense Distinguished Service Medal, Legion of Merit, Defense Meritorious Service Medal, Meritorious Service Medal, the Air Medal with eight Strike/Flight awards, and Joint Service Commendation Medal.

Throughout his career as a United States Marine, General Nyland has demonstrated uncompromising character, discerning wisdom, and a sincere, selfless sense of duty to his Marines and members of other services assigned to his numerous joint commands. His powerful leadership inspired the Marines to tremendous success no matter the task, and achieved results which will assure the United States' security in this hemisphere and overseas.

General Nyland concludes his illustrious career as the Assistant Commandant of the Marine Corps. In this capacity, he has been the principal advisor to the Commandant of the Marine Corps on all decisions of major consequence. His extensive and diverse background in operational and joint planning, professional military education and training, and budgetary and programmatic policy issues have been given wide credibility by decision makers in the Department of the Navy, the Joint Staff, the Office of the Secretary of Defense, and the United States Congress.

General Nyland has made a lasting contribution to the capabilities of today's Marine Corps and the future shape of tomorrow's Corps. We are grateful for General Nyland's dedication, sense of duty, advice and counsel. The Marine Corps will miss him, but General Nyland leaves a tremendous legacy for others to follow and emulate. I wish General Nyland and his lovely wife, Brenda, daughters, Brandy and Leslie, and son, Matthew, congratulations and all best wishes as they enter this new chapter of their lives.

IN HONOR OF THE ARC OF WESTERN WAYNE COUNTY, MI

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. MCCOTTER. Mr. Speaker, I rise today to acknowledge and honor the Arc of Western Wayne County, MI, which is celebrating 50 years of commitment to reducing the incidence, and limiting the consequences of, mental retardation and other developmental disabilities.

In the 1950's there were very few educational, employment or recreational opportunities available for people with mental retardation living in southwestern Wayne County, and families were commonly encouraged to institutionalize their children. Small groups of parents chose to seek alternative solutions for their children and began to band together with a common goal and commitment to promote the general welfare of people with mental retardation and other developmental disabilities. In 1954 this group of parents founded the Arc of Western Wayne County.

Today, with a membership of 140 families, the Arc of Western Wayne County works to create opportunities for people with disabilities to gain assertiveness and community living skills. The organization and its members help to shape public policy and advocate for people who have traditionally been excluded from society by monitoring, supporting and creating progressive community programs.

Mr. Speaker, for 50 years the Arc of Western Wayne County has been committed to guaranteeing, for all people with developmental disabilities, the opportunity to choose where they live, learn, work and play. I hope my colleagues will join me in honoring the Arc of Western Wayne County, and the many men and women who contribute their time and energy and make a positive impact on our communities.

CONFERENCE REPORT ON H.R. 2361, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

SPEECH OF

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 28, 2005

Mr. SCOTT of Georgia. Mr. Speaker, as a strong supporter of our Nation's veterans, I support the additional $1.5 billion provided in the FY 2006 Interior Appropriations bill that addresses the current shortfall in funding for veterans' health care. These funds are urgently needed to care for troops returning from Iraq and Afghanistan, as well as the heroes from former conflicts who rely upon the VA for their health care. According to the Department of Veterans Affairs, VA, currently, there are 24.8 million veterans of the U.S. armed services. They served their country in one of the military branches—Army, Navy, Air Force, Marine Corps, and Coast Guard—or in one of many smaller groups that supported the military services, primarily during World War II.

Approximately 769,000 veterans live in Georgia serving in every major conflict and during peacetime. About a quarter of the nation's population, approximately 70 million people, are potentially eligible for VA benefits and services because they are veterans, family members or survivors of veterans. The benefits include: medical care, payments to compensate for disabilities suffered during military service, rehabilitation and employment assistance, pensions to low-income disabled veterans, guarantees on loans to help veterans buy homes, financial aid to help them attend school, burial in a national cemetery and special headstones or markers for their gravesites.

Slightly less than half of all Americans who ever served during wartime in our country's history are alive today, and nearly 80 percent of today's veterans served during a war or an official period of conflict. There are widows and children of veterans of the Civil War and the Indian War of the last century who still receive VA benefits. The largest group of veterans fought in World War II. Approximately 550,000 Georgia veterans served during wartime during either World War II, the Korean conflict, during the Vietnam era or during the Gulf War. These veterans deserve our support especially due to the extraordinary sacrifices and contributions that they have made so that peace and freedom could exist around the world.

I also encourage Congress to provide much needed additional funding for veterans' health care in FY 2006 so that the VA's resources are sufficient to meet the increased demand for its services from our Nation's veterans and their families. It is critical that at all times, but particularly during a time of war, the quality of care for veterans must be a clear and unmistakable priority. We must fulfill our commitment to those who helped build America's strength and security. Our veterans should not have to wait any longer for the benefits they deserve.

PAYING TRIBUTE TO STAFF SERGEANT CHRISTOPHER M. FALKEL

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. TANCREDO. Mr. Speaker, I rise today to pay tribute to a fallen soldier from Highlands Ranch, SSG Christopher M. Falkel. Staff Sergeant Falkel died during combat operations in Deh Afghan, Afghanistan. He was just 22 years old.

Chris was a member of the elite Green Berets, and was affectionately known by his colleagues as "little brother." He was well known by his peers for his principle, toughness, patriotism, love of country and his bravery.

Staff Sergeant Falkel was a 2001 graduate of Thunder Ridge High School in Colorado. He enlisted that October with the goal of serving his country in the Special Forces. After completing courses in Arabic language and survival, evasion, resistance and escape he began Special Forces training in 2002.

Ultimately, Christopher was assigned to the 1st Special Warfare Training group, where he served his country with honor and distinction, earning—among other awards and medals—the Purple Heart and the Bronze Star.

Mr. Speaker, my deepest sympathies and heartfelt condolences go out to friends and family of Staff Sergeant Falkel.

Christopher served his country with bravery and distinction, fighting against the forces of tyranny and oppression. He will be missed by all who knew and loved him.

All Americans owe Christopher and his family a great debt of gratitude. We honor his service and his sacrifice.

CONGRATULATING MAGEE RIETER AUTOMOTIVE SYSTEMS OF BLOOMSBURG, PENNSYLVANIA ON BEING NAMED SUPPLIER OF THE YEAR TO GENERAL MOTORS FOR THE 13TH CONSECUTIVE YEAR

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Magee Rieter Automotive Systems of Bloomsburg, Pennsylvania, on the occasion of their being named worldwide "Supplier of the Year" to General Motors for the 13th consecutive year.

Of GMs 30,000 suppliers, Magee Rieter Automotive Systems is the only company in North America to achieve this remarkable record, a fact that should make its nearly 800 employees exceedingly proud.

Magee Rieter is the leading supplier of carpets to General Motors in America. The company has been in business in Bloomsburg since 1889 and has been supplying General Motors for more than 90 years, first with hand draped tapestries for Fisher Body carriages and, today, with fully molded carpet floors and integrated acoustical systems.

For more than a century, the company has endured and overcome numerous challenges including floods, fires and the rapidly changing business environment. After World War II, the company received the Army/Navy "E" award for excellence in recognition of its production of high quality materials for the war effort.

Magee Rieter records annual sales in excess of $175 million and has an annual payroll of more than $37 million that provides its employees with family sustaining incomes that average about $39,000 annually. Overall, Magee Rieter is responsible for a $168 million annual impact to the local economy.

The current employees of Magee Rieter are carrying on traditions of pride and success handed down by their parents, grandparents and great grandparents who worked at this remarkable company.

Under the leadership of president and chief executive officer Mike Katerman, Magee Rieter continues to be a cornerstone of the Bloomsburg community.

Mr. Speaker, please join me in congratulating Magee Rieter for demonstrating superior performance and for serving as a shining example for other businesses to emulate.

IN RECOGNITION OF THE WHITE LAKE TOWNSHIP LIBRARY ON ITS 30TH ANNIVERSARY

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. MCCOTTER. Mr. Speaker, I rise today to acknowledge and honor the White Lake Township Library, which is celebrating 30 years of service to the White Lake, MI, community.

On April 5, 1975, a resolution was adopted at the Annual Meeting of the Electors of White Lake Township, establishing "a free public library in accordance with Act 164, P.A. 1877." The six-member Provisional Library Board was appointed on May 20, 1975 and the first permanent board was named shortly after. The Library Board is composed of non-partisan elected officials who serve 4-year terms.

Library service was originally provided through a contract with the Waterford Township library. In 1980, White Lake Township's voters provided permanent support for the library by approving a perpetual operating millage of 0.3 mils in property taxes. In 1998, voters approved 0.5 mils for 8 years to add, maintain and improve library service.

The library has been housed in several locations around the township including the White Lake Community Hall and Brooks School. The core of the current building was built in 1984–1985, using local funds and a Library Services and Construction Act grant. The library was extensively remodeled and expanded in 2001 and now contains approximately 10,000 square feet and over 50,000 library items. Use figures have doubled in 5 years as the number of registered borrowers has grown to over 10,000 individuals. Long-range plans call for additional library space and expanded print, electronic and staff resources to meet the information and cultural needs of a rapidly growing township.

Mr. Speaker, for over 30 years the citizens of White Lake Township, MI, have continued

to support the White Lake Township Library. I hope my colleagues will join me in thanking the citizens of White Lake Township, Library Board members and employees of the library for their outstanding service to the people of Michigan, and wish them well in the next 30 years.

HONORING MR. DONALD G. WALDON

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. ADERHOLT. Mr. Speaker, today I rise to honor Mr. Donald G. Waldon on the occasion of his retirement as the Administrator of the Tennessee-Tombigbee Waterway Development Authority. I am honored to stand before this body of Congress and this Nation to recognize his many accomplishments. He is truly a man who embodies the American principles of hard work, dedication to one's family and service to one's community.

Don is a native of Columbus, Mississippi but grew up in Mobile, Alabama. He graduated from Mississippi State University in 1961 with a Bachelor's Degree in Civil Engineering and completed post graduate studies in science and engineering at the Massachusetts Institute of Technology in 1963 and Texas A&M in 1964. He is a 1994 graduate of the University of Oklahoma's Economic Development Institute and the recipient of the Southern Industrial Development Council's 1994 Robert B. Cassell Award for Best Research Thesis.

Don joined the Army Corps of Engineers in 1961, where he worked in Mobile until 1966, conducting feasibility studies for water resource projects such as ports and waterways, including some early ideas for the Tenn-Tom Waterway. In 1966 he went to work for the Office of Management and Budget of the Executive Office of the President where he advised OMB and White House officials, including the President, on major budgetary, policy and legislative matters involving natural resources.

Don worked for OMB until 1974 when he was appointed as Deputy Assistant Secretary for the U.S. Department of the Interior, a position he held until September, 1975. His duties included management responsibilities for all land and water resource agencies within the Department of the Interior, which at the time had a budget of nearly $2 billion and approximately 12,000 employees. He had oversight over reclamation projects and the development of oil fields, coal mining on public lands, the Alaska Pipeline, the measures taken under the Nixon Energy Initiative, and served on a number of White House task forces, involving energy.

In 1975, on the advice of Tenn-Tom project Administrator Glover Wilkins, Don entered an exchange program inside the Federal Government and came to the Tenn-Tom on a 2-year basis, but ultimately stayed for 30. In 1979 Don resigned from the Federal Government and remained with the Tenn-Tom, taking the position of Deputy Administrator. When Glover Wilkins retired in 1984 Don was appointed to the post of Administrator, a position he has held ever since.

As Administrator of the Tennessee-Tombigbee Waterway Development Authority Don has worked tirelessly to promote the development of the Waterway, exploring economic and trade opportunities, and addressing potential barriers to the Waterway's beneficial use. Under Don's leadership the Waterway has resulted in approximately $5 billion in expanded industry. The Waterway has had a tremendous impact on the local communities, not just with industrial development, but by bringing in recreation and tourism dollars as well.

Apart from his leadership of the Tenn-Tom Waterway Authority, Don is active in a variety of organizations devoted to the development of our waterways. He is President of the Tennessee-Tombigbee Waterway Development Council, Vice-Chairman of the National Waterways Conference, Inc., Director of the Inland Rivers, Ports and Terminals, Inc. (a national trade group representing inland ports), Executive Committee member of the U.S. Maritime Administration's Heartland Intermodal Partnership, Vice-President of the Alabama-Tombigbee Rivers Coalition and an Advisory Board Member of the Mississippi Water Resources Research Institute.

Mr. Speaker, it is a great privilege to honor Donald G. Waldon for his many accomplishments and his enduring impact on his country, community, friends and family. He is a man of great dignity and character who takes pride in the accomplishments of those he has helped over the years. Don is an inspiring role model for all of us and I join his friends and colleagues in wishing him God's richest blessings in his retirement.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 3, SAFE, ACCOUNTABLE, FLEXIBLE, EFFICIENT TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS

SPEECH OF

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 29, 2005

Mr. SHERMAN. Mr. Speaker, I thank Chairman YOUNG and Ranking Member OBERSTAR for their leadership in bringing SAFETEA–LU to the floor. It is an important bill that will help ease congestion throughout the country.

In particular, I applaud their efforts regarding hybrid vehicles in High Occupancy Vehicle lanes. Allowing hybrids in HOV lanes will increase demand for the vehicles, improve air quality, and over time reduce our reliance on foreign oil sources.

Section 166 of SAFETEA–LU allows vehicles meeting certain fuel efficiency and emissions standards to use HOV lanes. The bill, specifically section 166(b)(5)(B)(i), is written to allow states to establish a program that addresses the selection of vehicles under the HOV provision. As long as states meet the minimum standards set out in the bill, they can adjust which vehicles will be authorized to use HOV lanes.

This intentional flexibility will allow California to implement a state law letting hybrid vehicles that get more than 45 miles per gallon in highway driving and meet California emission standards to ride in HOV lanes.

The bill also allows states to choose which HOV lanes will be eligible for use by these vehicles. I call on California to study the issue carefully, so that only HOV lanes that can handle the increase in traffic be eligible for hybrid vehicles.

Again, I thank the chairman and ranking member for their leadership.

TRIBUTE TO LIEUTENANT COLONEL LARNELL EXUM ON HIS RETIREMENT

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. DUNCAN. Mr. Speaker, I rise today to recognize and pay tribute to LTC Larnell Exum, Deputy Chief, Army House Liaison Division, Office of the Chief of Legislative Liaison, who retired September 1. Lieutenant Colonel Exum's illustrious career as an infantry officer embodies all of the Army's values of loyalty, duty, respect, selfless service, honor, integrity, and personal courage and spans 20 years, during which he has distinguished himself as a soldier, leader, and friend of the United States House of Representatives.

Lieutenant Colonel Exum demonstrated his outstanding tactical and operational expertise in numerous command and staff positions overseas and in the continental United States. Continually serving in positions of ever-increasing responsibility, the highlights of his career include serving as a Company Commander with the 101st Airborne Division, Air Assault, at both Fort Campbell, KY, and in combat in Kuwait and Iraq during Operations Desert Shield and Desert Storm and then as Aide-de-Camp to the Undersecretary of the Army.

As the Deputy Chief of the Legislative Liaison in the House Liaison Division, his last assignment in the United States Army, Lieutenant Colonel Exum demonstrated the outstanding dedication and leadership skills that have characterized his distinguished career. In particular, he excelled at building relationships with Members of Congress and their staffs.

He escorted over 45 worldwide fact-finding missions for congressional delegations, traveling with over 135 Members to 25 countries. These ventures served to educate Members on subjects as diverse as the global war on terror, Army transformation, magnetic levitation trains, and future transportation technologies.

I traveled with Lieutenant Colonel Exum on several times and was thoroughly impressed with him on each occasion. He is one of the finest people I have worked with during my 17 years in Congress.

From 1986 to 1989, Lieutenant Colonel Exum distinguished himself as one of the top company grade leaders in Alpha Company, 1/22 Infantry Battalion, Fort Drum, NY, serving as a Rifle Platoon Leader and Mortar Platoon Leader in a light infantry battalion. He then was assigned to Alpha Company, 2/187 Infantry Battalion, both at home station and in combat operations in Kuwait and Iraq for Desert Shield and Desert Storm, when he was decorated for valor in combat.

Due to his fabulous reputation as one of the bright young officers in the Army, Lieutenant Colonel Exum was selected as the Aide-de-Camp/Military Assistant for the Under Secretary of the Army. He performed magnificently in this position and was subsequently

given the rarest of opportunities, a second company level command, which he maintained for all Army soldiers assigned to the Military District of Washington with duty at Fort Meade, MD.

In 1995, Lieutenant Colonel Exum was assigned with the Office of the Chief of Staff of the Army and served there until 1996. During his year of seryice, he was the Protocol Staff Officer. His actions had a direct, positive impact on the public persona of the Secretary of the Army and the Chief of Staff of the Army by coordinating events for the ''Big Four'' senior Army leadership with foreign dignitaries, senior U.S. Government officials, and senior military leaders.

He then transitioned from active duty to become an active Guard Reserve National Guard officer. His contributions to the National Guard while serving as the Security Clearance Adjudications Officer and Reserve Incentive Program Manager from 1996 to 2001 were without measure and positively impacted the lives of individual soldiers and the readiness and training of the Guard Bureau as a whole.

After serving as the Chief of the Inquiries Branch in the National Guard Bureau Legislative Office, he was then hand-picked to represent the National Guard Bureau and the Army as the first National Guard officer to serve in the House Liaison Division of the Secretary of the Army's Legislative Liaison office for many years.

Lieutenant Colonel Exum is a natural at building and maintaining credible relationships with Members of Congress and their staffs, which was invaluable as the Army faced many challenges associated with its budget and real world combat operations in the Global War on Terror. Members knew they could count on Lieutenant Colonel Exum for his sage counsel, professional advice, and unwavering integrity.

Lieutenant Colonel Exum's faithful service, leadership, loyalty, and dedication to duty uphold the highest traditions of military service, and he has repeatedly stood for the defense of this Nation, her citizens, and their freedom. His devotion to the defense of liberty epitomizes the words soldier, patriot, and American. Lieutenant Colonel Exum is a role model for his two children, Tyler and Taylor, and is a devoted husband to his wife, Tina.

Mr. Speaker, I wish to extend my gratitude and that of the entire Nation to Lieutenant Colonel Exum for his service to the United States and his hard work in defense of freedom.

IN RECOGNITION OF RON FOWKES

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. McCOTTER. Mr. Speaker, I rise today to acknowledge and honor a good friend and public servant, Ron Fowkes, as he retires from his position as Council President for the Village of Milford, Michigan.

As a public servant Ron has demonstrated a deeply rooted commitment to the values of family, faith, democracy, and hard work. Before serving on the Village Council, Ron served on the Milford Parks and Recreation Commission, which included terms as vice-chair and chairman. He also served on the board of directors for the Huron Valley Chamber of Commerce; the American Eagles Flying Club; River Bend Playscape steering committee; and founding board member of the Village Tree Board.

Mr. Speaker, Ron Fowkes has made a significant impact on his community over the past decade—from securing funds to plant more than 200 trees in the Milford community to leading the effort to renovate playgrounds and park facilities. His commitment to God, family and country has been a source of inspiration to the many lives he has touched.

I hope my colleagues will join me in honoring Ron Fowkes. His wife Barbara and daughters Aimee and Victoria, and his many friends today can feel a rightful sense of pride and appreciation for Ron, and I offer my congratulations and appreciation for all he has done for his community and his country.

RECOGNIZING AGOSTINO LOPORTO

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to acknowledge Mr. Agostino Loporto of Citrus County, Florida, a Purple Heart recipient from World War II.

Inducted into the military on March 1, 1941, Mr. Loporto went to boot camp at Fort Dix, NJ, and received additional training at Fort Benning and Camp Gordon. Shipped overseas in late 1943 to Liverpool, England, Mr. Loporto was in the Battle of the Bulge on D-Day.

Attached to the 4th Infantry Motorized Division in Belgium, Mr. Loporto was wounded in his shoulder by shrapnel in the Black Forest. He was taken to a hospital in Belgium and was transferred to a hospital in England when the Belgian hospital was hit by a B2 German bomber. Mr. Loporto received 4 months of medical treatment and was discharged from the military on November 4, 1945.

Mr. Speaker, true American heroes like Agostino Loporto should be honored for their service to our Nation and for their commitment and sacrifices in battle. I am honored to present Mr. Loporto with his long-overdue Purple Heart. He is truly one of America's greatest generation.

SALUTING THE CONTRIBUTIONS OF THE LITTLE LEAGUE WESTERN REGION

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. BACA. Mr. Speaker, I rise to salute the Little League Western Region, and its contributions to the youth of the Inland Empire, through its Western Regional Tournament. Little League is the foundation of good values and sportsmanship. Some of us may be bigger than others, or faster, but in team sports, as in life, it is the effort that counts! Through perseverance and teamwork, one can succeed!

Here in the Inland Empire, we like to be known for historic firsts. Did you know that San Bernardino was the first site of Little League, west of the Rocky Mountains? Did you know San Bernardino had the first team from the West to advance to the World Series in 1951? So, when you play here, you are a part of history! This is a special place!

We should stop to honor those who have made this facility possible. The Western Regional Headquarters was constructed in 1969. The property on which the headquarters was placed was made available to Little League Baseball by the City of San Bernardino. Al Houghton Stadium and the Thomas C. Boyle Administration Building were built first, and the balance of what is here today has been gradually added. Warner Hodgdon, a local businessman, contributed heavily to the swimming pool, which is now such an important part of the Headquarters. Local firms pitched in with donated building materials, equipment and labor to gradually complete the complex. Many District Administrators and other local people labored hard and long. Western Regional Headquarters as it stands today has been a ''labor of love.''

On the grounds of the Headquarters Complex is a Junior Olympic size swimming pool. For other recreation and practice there are table games, batting cages, practice fields and a recreation hall. There is also a Senior Division field.

The Western Regional Tournament is the culmination of hard work by parents, fundraisers, volunteers, and the business community, as well as these talented players. Twelve teams, and 10 days of play! An audience of 50,000 to 60,000! A Tournament Committee of over 125 volunteers from 11 Western States! Recognition of all teams at the Inland Empire Sixty Sixers home game! The involvement of Team 14, a group of local businessmen and women who volunteer to host a team and take the players to other Southern California events! An annual Golf Tournament!

In addition, Little League Leadership Training Clinics are offered for League Officials, District Administrators, Managers/Coaches, scorekeepers and volunteer umpires. Included in the training sessions are two one-week Umpire Schools along with weekend rules clinics.

And so, I salute the young people who participate, and those who support the game. Play ball!

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

SPEECH OF

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 2, 2005

Mr. KOLBE. Mr. Speaker, on behalf of the citizens of southeastern Arizona, my deepest sympathies go out to the victims of Hurricane Katrina. While we are saddened by this tragedy, our compassion in this time of adversity will prevail. I am confident the spirit of community and generosity will be seen from across the country as we begin to clean up and rebuild from this horrible disaster. Whenever Americans get knocked down, they always get back up. Southern Arizona is ready to do its

part, by opening its arms and its heart to shelter the homeless from Louisiana and Mississippi.

This is just the first bill that Congress will need to enact to recover from this terrible disaster. It will provide an immediate infusion of money to allow FEMA and the Department of Defense to address the most immediate needs, ensuring there is no disruption in funding for relief efforts. Because much of the region is still underwater, the full extent of the damage is unknown. It will take some time to assess the scope and cost of this disaster, but Congress will ensure that FEMA and other federal agencies have the resources they need to assist the citizens of this region to get back on their feet.

RECOGNIZING HAROLD KURTH

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to acknowledge Mr. Harold Kurth of Citrus County, Florida, a Purple Heart recipient from World War II.

Volunteering for service in 1943, Mr. Kurth's ambition was to join the Air Corp, but was inducted into the Army at Camp Roberts to receive his basic training instead.

Following his initial training, Mr. Kurth was aboard the Sea Witch on his way to Guadalcanal when the ship was fired on by Japanese submarines. Luckily, the Sea Witch made it safely to Guadalcanal without further contact with the enemy.

Mr. Kurth then took part in campaigns on the Soloman Islands and the Philippines, where he was wounded by a hand grenade while guarding a church in Manila. He was part of a group of six soldiers who came under enemy fire in the church yard following a river crossing. Several of his compatriots were injured as well in the battle.

Part of the ''Heavyweights of the South Pacific,'' Mr. Kurth's division was credited with killing 12,500 enemy soldiers during World War II. Serving three years without a furlough, Mr. Kurth returned to the United States on Christmas Eve, 1945.

Mr. Speaker, true American heroes like Harold Kurth should be honored for their service to our Nation and for their commitment and sacrifices in battle. I am honored to present Mr. Kurth with his long-over Purple Heart. He is truly one of America's greatest generation.

IN HONOR OF THE 20TH ANNIVERSARY OF THE SINFONIA MEXICANA

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. BACA. Mr. Speaker, it is with great pride that I rise to pay tribute to the Sinfonia Mexicana, on the occasion of its 20th anniversary.

This important institution, located in San Bernardino, has been thrilling audiences since 1985, when Mario Porras and Charles Eisenhard inspired members of the Inland Empire Symphony Association, local civic leaders, and then Consul of Mexico Emerenciano Rodriguez, to form a committee to present a unique concert of Mexico's symphonic masterpieces. Consul Rodriguez was selected to chair the committee for this exciting endeavor. The concert was a tremendous success! Enthused, the committee continued to present annual state-of-the-art musical and culturally enriching programs for the enjoyment of the entire community.

The purpose of this organization is to present the finest music compositions of Mexico to the Inland Empire. In addition to its outstanding music programming, the group has committed numerous volunteer hours and financial contributions throughout these many years, with participation of organizations and individuals that shared in the identical goal of program development and other auxiliary components.

The current success of the Sinfonia Mexicana has been recognized as an outstanding achievement in the Inland Empire and beyond. It is a well-established fact that Mexican folkloric music is enormously popular and world-renowned; however, what was relatively unknown to many people locally, was Mexico's veritable treasure of classical and symphonic music created by notable composers and arrangers—many of whom Sinfonia showcased over the past 19 years. They included: Carlos Chávez, Pablo Moncayo, Manuel M. Ponce, Silvestre Revueltas, Miguel Bernal, Blás Galindo, Juventino Rosa, Enrique Mora, Manuel Enriques, Ricardo Castro, Candelario Huízar, Felipe Villanueva, and others. To be sure, Chávez's ''Sinfonia India'' is a fine example of the unification of Yaqui and Seri indigenous melodies into a symphonic masterpiece.

A typical Sinfonia program of Mexican classical music often features a guest conductor and/or artists from Mexico performing with the San Bernardino Symphony Orchestra at the historic California Theatre of Performing Arts in San Bernardino. Guest conductors have included Abraham Chávez, Sergio Cardenas, Francisco Savín, Guadalupe Flores, Eduardo Diazmuñoz, Enrique Diemecke, José Hernandez, Stewart Robertson, and Jeff Nevin. On two occasions Sinfonia had the distinction to host the ''Orquésta Sinfónica Nacional de México'' in San Bernardino. On their first visit, Maestro Francisco Savín served as musical director.

Sinfonia has presented a variety of special performances by outstanding ensembles from Mexico and Southern California. Sinfonia is now organized as a non-profit 501(c)(3) organization and yet maintains its volunteer-driven mission to foster the awareness of Mexico's symphonic musical masterpieces, and educate the public of the fine music and culture of Mexico.

Mr. Speaker, that is a résumé of the substantial achievements of this important cultural institution. My family and I enjoy this music. We encourage everyone in the community to partake of this great resource.

I ask that a more detailed history of Sinfonia be included in the Congressional Record, for public display and historical preservation. And again, I say: thank you to Sinfonia, for preserving these important musical traditions!

SINFONIA MEXICANA—A HISTORICAL OVERVIEW

Sinfonia Mexicana has been thrilling audiences since 1985 when Mario Porras and Charles Eisenhard inspired members of the Inland Empire Symphony Association, local civic leaders, and then Consul of Mexico Emerenciano Rodriguez, to form a committee to present a unique concert of Mexico's symphonic masterpieces. Consul Rodriguez was selected to chair the committee for this exciting endeavor. The concert was a tremendous success! Enthused, the committee continued to present annual state-of-the-art musical and culturally enriching programs for the enjoyment of the entire community.

It is a well-established fact that Mexican folkloric music is enormously popular and world-renowned, however, what was relatively unknown to many people locally, was Mexico's veritable treasure of classical and symphonic music created by notable composers and arrangers—many of whom Sinfonia showcased over the past 19 years. They included: Carlos Chávez, Pablo Moncayo, Manuel M. Ponce, Silvestre Revueltas, Miguel Bernal, Blás Galindo, Juventino Rosa, Enrique Mora, Manuel Enriques, Ricardo Castro, Candelario Huízar, Felipe Villanueva, and others. To be sure, Chávez's ''Sinfonia India'' is a fine example of the unification of Yaqui and Seri indigenous melodies into a symphonic masterpiece.

A typical Sinfonia program of Mexican classical music often features a guest conductor and/or artists from Mexico performing with the San Bernardino Symphony Orchestra at the historic California Theatre of Performing Arts in San Bernardino. Guest conductors have included Abraham Chávez, Sergio Cardenas, Francisco Savín, Guadalupe Flores, Eduardo Diazmuñoz, Enrique Diemecke, José Hernandez, Stewart Robertson, and Jeff Nevin. On two occasions Sinfonia had the distinction to host the ''Orquésta Sinfónica Nacional de México'' in San Bernardino. On their first visit, Maestro Francisco Savín served as musical director. On their second, Maestro Enrique Diemecke directed the Orquésta as part of a national tour of seven U.S. cities in honor of the 100th birthday celebration of Mexico's premier composers Carlos Chávez and Silvestre Revueltas (Diemecke is currently the artistic director of the Long Beach Symphony). Instrumental guest soloists have included Carlos Prieto, cello; Jorge Juarez and Maria Teresa Rodriguez, piano; Miguel Alcazar, guitar; Roman Revueltas, violin; Elena Duran, flute; and Manuel Arpero, trumpet. Sinfonia commissioned Maestros Mateo Oliva and Mario Kuri-Aldana to arrange into symphonic form romantic ballads by beloved Mexican composer, Agustiin Lara. The world premiere of the concert in San Bernardino was an international sensation. That cutting edge program was the most popular classical concert ever presented in the Inland Empire—drawing audiences from Mexico City, Los Angeles, San Diego, and beyond. Special guests included Lara's widow and famous contemporary songwriter, Roberto Cantoral, and numerous luminaries.

Sinfonia has presented a variety of special performances by outstanding ensembles from Mexico and Southern California. They featured the West Coast premiere of ''Navidades'' by the internationally acclaimed Ballet Folklorico de Amalia Hernandez from Mexico City. And, from Baja California, Sinfonia presented ''Bastian y Bastiana'' Mozart's comic opera performed by a student group, Grupo Juvenil de Tijuana. Moreover, Sinfonia presented the West Coast premiere of the first Chicano opera, ''Esperanza'' composed by David Bishop and the libretto by Carlos Morton based on the classic cult film, ''Salt of the Earth.'' The opera was performed by the Euterpe Opera Theatre of Pasadena, which featured soprano Ariella Vaccarino and tenor Eric Castro.

Quintessentially popular mariachi performances have included the legendary Los Camperos de Nati Cano, Sol de México de José Hernandez, Las Reinas de Los Angeles, Mariachi Mujer, Mariachi Divas, and Mariachi Champaña. Other diverse artists included Latin jazz great, Tito Puente, the romantic trio, Los Tres Reyes, famed folklorists Tlen Huicani (Veracruz), and the brilliant Ballet Folklorico del Pacifico. The famous pop artist, Vikki Carr graced Sinfonia's portfolio, as did Alicia Juarez (widow of José Alfredo Jimenez), Lalo Guerrero, Mayor Judith Valles, sopranos Maria Luisa Tamez and Florencia Tinoco; tenors Alejandro Guerrero, Pedro Rey, Raul Hernandez, Dennis Meade, Daniel Hendricks, and the West Coast debut of tenor Daniel Rodriguez performing with a symphony orchestra (the former New York police officer who awed the nation with his rendition of ''God Bless America'' in the aftermath of 9–11). Sinfonia endeavors to help promote the musical careers of local young aspiring artists such as Elizabeth Quintero and Desiree Flores. Sinfonia supported the very first youth mariachi in the region, Mariachi Estudiantíl and founder Lou Herz, whom Sinfonia sponsored for several years, and supported the debut of the region's first all-girl, Mariachi las Princesas.

Sinfonia is now organized as a non-profit 501(c)(3) organization and yet maintains its volunteer-driven mission to foster the awareness of Mexico's symphonic musical masterpieces, and educate the public of the fine music and culture of Mexico. The board of directors and staff invite interested members of the community to become involved in Sinfonia Mexicana programs.

TRIBUTE TO MR. MARIANO RIVERA

HON. JOSÉ E SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Mr. Mariano Rivera, as he is awarded the 2004 Latino MVP Relief Pitcher of the Year Award by Latino Sports and the Latino Sports Writers & Broadcasters Association (LSWBA).

Rivera made his major league debut with the New York Yankees in 1995. Since 1997 he has served as the team's closer and has blown away his competition. Rivera is arguably the most effective closer in postseason baseball history, recording final outs in three Yankee world title seasons (1998, 1999 and 2000). He also owns the Major League record for most postseason saves with 32, as well as most World Series saves with 9. Rivera also established the longest scoreless innings streak in postseason play with thirty-three innings pitched and was named as the World Series MVP in 1999 and the Most Valuable Player of the American League Championship Series in 2003. He currently leads the Yankees as the club's all-time saves leader with 366 and boasts an incredible Earned Run Average below 1.00 in postseason play.

Mariano Rivera was born on November 11, 1969, in Panama City. The son of a fisherman, he grew up poor and played baseball as a kid using a glove fashioned out of a cardboard box. He has been described by many as being a deeply religious man, and says that he would one day want to move back to his native Panama to become a Priest. While fans of opposing teams dread to see Rivera on the mound, all will agree that he is a class act. Never one to boast or brag about his incredible gift, Rivera comes to work and does the job better than anyone. He is fearless yet humble, a combination that we seldom see in today's athletes.

When the game is on the line, great athletes always rise to the challenge. Jordan, Montana and Pelé all separated themselves from the pack with their ability to overcome their fears and anxiety and play with a high level of confidence. With his ability to shut down opponents at the end of a game Rivera has earned a place among these elite competitors.

Mr. Speaker, Mariano Rivera is proof of the great contributions Latinos continue to make to this country. While I am proud of the many championships Rivera has helped to bring to the city of New York, I am more proud of the fact that he has helped to improve the lives of many young people in the South Bronx. Whether he knows it or not, Rivera's attitude towards the game of baseball provides all who watch him with a model of how to approach life—hard work and determination.

Mariano Rivera exemplifies the idea of an athlete as a role model. For his unyielding competitive spirit and positive impact on the lives of all Americans, I ask my colleagues to join me in paying tribute to Mr. Mariano Rivera as he is awarded the 2004 Latino MVP Award.

RECOGNIZING THE SPRING HILL NATIONAL DIXIE YOUTH AAA BASEBALL TEAM

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to acknowledge the members of the Spring Hill National Dixie Youth AAA baseball team on their recent victories at the State championships and world series.

The Spring Hill Nationals are made up of 9- and 10-year-olds who have worked tirelessly for their successes. The 13 members of this extraordinary team have demonstrated through their victories the traits of sportsmanship, dedication, loyalty, and discipline.

Mr. Speaker, I would like to recognize the following members of the Spring Hill team: Gabe Abbadessa, Mason Arroyo, Drue Brooks, Brandon Brosher, Alex Martin, Danny Gendusa, Derek Newman, Nic Pasarela, Nick Ramirez, Drew Dessa, Brad Smith, Evan Webster, and Joey Wright. Their manager, Dave Smith, and assistant coaches, Bob Pasarela and Dave Newman contributed to their successes.

The Spring Hill National Dixie Youth AAA baseball team is Florida's team. I am honored that these fine young gentlemen are from my district and am proud of their accomplishments.

IN LOVING MEMORY OF ANASTASIA ''ANNIE'' SAIZ, OF BELEN, NM

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. BACA. Mr. Speaker, I rise in loving tribute and memory of my sister Anastasia ''Annie'' Saiz, who passed away over the August congressional recess.

Beloved wife of Seferino Saiz, beloved sister of Florenio, Maria ''Lupe'' Napier, Morris, Tanny, Raymond, Joe, and Theresa Perez, and the late Abiflio Baca, beloved mother and mother-in-law of Robert Saiz and Lisa; Elsie Giron and husband, William; Sefe Saiz Jr. and wife, Liz; Dorothy Johnston and husband, Johnny; Lorraine Marquez and husband, Carl; and Charlie Saiz and wife, Rose, all of Belen. She is survived by 16 grandchildren, and 6 great grandchildren.

Annie lived life to the fullest, reaching the mark of 78 years young. She and Seferino had just celebrated their 60th anniversary with a family dinner at their home on August 5. They were married in 1945 in La Joya.

Annie was widely admired by family, friends, and colleagues. She was hard working, dedicated, committed, disciplined, loving and supporting. She was everything one would want in a sister, daughter, mother, wife, grandmother, and great grandmother.

She was employed by the Los Lunas Hospital and Training School, working with mentally challenged children. She had a big heart and compassion for the less fortunate. She would bring home children during the Easter holiday to enjoy the picnics; she couldn't see them being alone.

She was a devoted Catholic, and active in our Lady of Belen Catholic Church, and she volunteered at Sacred Heart Catholic Church. She participated in civic causes, volunteering her time, getting up at 7 a.m. to drive voters to the polls. When she believed in a cause, she would work her heart out.

She loved to shop. During the holidays she always gave out presents to strangers and her friends. She enjoyed listening to Mariachi music, going dancing at the senior citizen dances with Seferino and friends. She enjoyed listening to Jennifer sing Mariachi songs. When we would visit she was always so thoughtful and kind to give me and Barbara and my children a little gift. We will always remember her kindness and love for family.

Annie enjoyed spending time with her family. She always supported her children and grandchildren, cheering them on at baseball games; she was their No. 1 fan. She defended her family, as she stood by their side. She was all about ''familia.'' On her children's birthday, she would call the local DJ and dedicate songs to her children. She would tell them to turn on the radio, and there is a special song, chosen from her heart.

She was a great cook. Everyone would go to her house, and even if you were not hungry, she would make sure that she gave you a plate and made you eat. The food was always so delicious, how could you refuse. We loved her tortillas and atole. She had special Mexican food remedies for our colds.

Annie's life was dedicated to family, friends, and community. Her memory lives on in our

thoughts and prayers. We say, "Goodbye. God bless you, we love you, and we miss you." We all loved her with all our hearts. She is now in a better place with her heavenly Father and at peace.

CONGRATULATING IRVIN "BUZZ" CAVERLY

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. MICHAUD. Mr. Speaker, since 1933, Baxter State Park has been one of the most important natural and recreational places in the state of Maine. From an initial purchase of 5,960 acres, the park has grown to 204,733 acres that welcome more than 100,000 visitors each summer from all parts of the United States. Baxter State Park is special for its role as home to many of Maine's most beautiful mountains, lakes, and rivers and as the northern terminus of the Appalachian Trail.

Throughout Baxter State Park's history, no man or woman, besides Governor Percival Baxter himself, has been as important to the park as Baxter State Park Director Irvin "Buzz" Caverly. Buzz Caverly began his career at Baxter State Park as a ranger in 1959 and by 1981 had risen to the rank of Park Director, where he has ably and enthusiastically managed the park since.

Buzz recently announced his retirement. Through the years, Buzz earned a well-deserved reputation for thoughtfulness, fairness, and dedication to the legacy of Percival Baxter and to Baxter State Park.

Growing up in the Katahdin region of Maine, Baxter State Park has always been my backyard, and I know that Buzz has continued the proud traditions of conservation and recreational access on which Baxter State Park was founded and which the people of the Katahdin region and all of Maine deeply value.

It can truly be said that Buzz knows Baxter State Park better than any man or woman alive, and his absence will be felt for years to come at the park. Indeed, Buzz's legacy will be remembered not only by those of us that love the park, but by the countless thousands of people who had the good fortune to meet him throughout the years and enjoy his own infectious love for Baxter.

On behalf of the residents of Maine's Second Congressional District, and for myself personally, I would like to thank Baxter State Park Director Irving "Buzz" Caverly for his hard work and dedication to Baxter State Park and for protecting an area that will remain a special place for all future generations of visitors from throughout Maine and away. Buzz, thank you and congratulations.

RECOGNIZING JOSH COOLEY

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to acknowledge Mr. Josh Cooley of Pasco County, Florida, a Purple Heart recipient from Operation Iraqi Freedom.

A deputy in the Pasco County Sheriff's office since 1998, Mr. Cooley enlisted in the Marine Corps Reserve in July of 2003. A third generation Marine, Lance Corporal Cooley was deployed to Iraq in December 2004.

While on patrol in Iraq, Mr. Cooley was the victim of a roadside blast. Following the attack, Mr. Cooley has required several head surgeries to remove pieces of scrapnel, some as large as a credit card. He currently remains in a local hospital recovering from his wounds sustained in early July.

While at National Naval Medical Center in Bethesda, Maryland, Mr. Cooley was presented his Purple Heart by President George W. Bush. An emotional and brief ceremony with Mr. Cooley's family was a fitting tribute to his and their sacrifices both on the battlefield and back here in Florida.

In addition to the support from his coworkers and family, the entire Pasco County region has helped the Cooley family. Volunteers have hosted fundraisers to help defray the costs of his medical bills, and have even reroofed his house. We are all proud to know that the good people of Pasco County have come together to support those who defend our freedoms and liberties in the United States Armed Forces.

Mr. Speaker, true American heroes like Josh Cooley should be honored for their service to our Nation and for their commitment and sacrifices in battle. I am honored to present Mr. Cooley and his family with this proclamation and let them know that America is grateful for the sacrifices of Lance Corporal Josh Cooley and that we truly consider him one of America's heroes.

REGARDING THE POEM "A SOLDIER'S REFLECTIONS"

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. BUTTERFIELD. Mr. Speaker, on July 12, 2005 I read a poem on this Floor entitled "A Soldier's Reflections." At that time, I inadvertently gave credit to the wrong author. I apologize to its author Mr. George L. Skypeck and ask that the CONGRESSIONAL RECORD be amended and the appropriate correction be made to credit the author.

RECOGNIZING JOHN FEDYSZYN

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to acknowledge Mr. John Fedyszyn of Lady Lake, Florida, a Purple Heart recipient from the Vietnam War.

A native of Dunkirk, NY, Lance Corporal Fedyszyn was a proud member of C Battery, 1st Battalion, 12th Marines, 3rd Marine Division. Mr. Fedyszyn served as a forward-observer radioman who fought in savage exchanges with North Vietnamese Army artillery units north/northeast, west, and south of Dong Ha throughout his deployment with the 12th Marines in Vietnam.

Many times, out-gunned and out-ranged, the 1st Battalion 12th Marines continued to return fire rather than give any quarter to North Vietnamese artillery units. Lance Corporal Fedyszyn earned his Purple Heart when he was wounded by the enemy during an attack on May 9, 1968. He was first presented the Purple Heart by the Commanding General of the 3rd Marine Division.

Mr. Speaker, true American heroes like John Fedyszyn should be honored for their service to our Nation and for their commitment and sacrifices in battle. I am honored to present Mr. Fedyszyn with his long-overdue purple heart. He is truly one of America's greatest generation.

CALIFORNIA'S CENTRAL COAST RESIDENTS REACH OUT TO VICTIMS OF HURRICANE KATRINA

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. FARR. Mr. Speaker, on behalf of the constituents of the 17th District of California, we extend our heartfelt sympathy to the victims of Hurricane Katrina. The devastation wrought on Louisiana, Mississippi and Alabama is unimaginable to most Americans but we on the Central Coast of California want our fellow Americans on the Gulf Coast to know that we stand shoulder to shoulder with them to rebuild their lives and communities.

The epicenter of the 1989 Lorna Prieta earthquake occurred in the Santa Cruz Mountains 10 miles from my congressional district. It was 7.1 on the Richter scale and was the first major quake in northern California since 1906. Since that time, residents on the Central Coast have experienced many federally designated natural disasters including mudslides and flooding.

We Californians understand all too well that Federal disaster assistance has to be immediate and sustained. The $10.5 billion in emergency funding approved on September 2 is the start of what must be a long-term Federal effort to assist the residents of the Gulf Coast communities to rebuild their lives and communities. There is no price tag on the emotional and spiritual healing for the victims of Hurricane Katrina, but it may be a small comfort to know that millions and millions of Americans are contributing in many ways to your future well-being and that you are not alone.

RECOGNIZING EDWIN BOMBLY

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to recognize the passing of Mr. Edwin Jerome Bombly of Hernando, FL.

Born in Hamtramck, MI, Mr. Bombly moved to Hernando, FL in 1978. An Army Veteran and the owner of a local insurance company, Mr. Bombly was very involved in local philanthropic activities and social organizations.

Mr. Bombly was a member of Our Lady of Fatima Catholic Church, a third degree member of the Knights of Columbus, chairman of

the Citrus County Right to Life, and had recently been elected president of the Florida Right to Life. In addition to participating in these organizations, Mr. Bombly was a devoted family man who enjoyed playing the saxaphone.

Mr. Speaker, I know that his family, friends and loved ones miss his presence but are heartened to know that he has passed on to a better place.

RECOGNIZING MR. PATRICK WEST

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Ms. Linda T. Sánchez of California. Mr. Speaker. I rise today to recognize Mr. Patrick West for his 25 years of service to the people of Paramount, California.

Pat began his career with Paramount in 1980 at a time when the city was being called a ''suburban disaster,'' and was ranked as one of the Nation's worst places to live. Pat was a leading part of a team of local citizens and city employees who made a commitment to turn Paramount around. And turn the city around they did.

For example, to help reduce the high crime and gang problem in Paramount, Pat and other city employees and community leaders developed the GRIP anti-gang youth program. GRIP is now nationally recognized as one of America's longest running and most successful programs at reaching children early in elementary school, steering them away from gang involvement and towards more positive activities.

Pat started work in the city's Recreation Department, where GRIP is located. During 1986–1994 he moved to the Community Development Department where he was responsible for planning, zoning, and housing efforts in the city. Then, in 1994, Pat became City Manager for Paramount. Pat's able hand at community development and city management can be seen today in the thriving business districts of Paramount, and the creative use of suburban revitalization methods, such as pocket parks. Those years in the 1980's and 1990's saw the dramatic transformation of Paramount from suburban disaster status to a model of positive suburban redevelopment, with a city that stands out today for the quality of its city management and the quality of public services that it provides its residents and businesses. Pat West has played a leading role in directing that transformation over two and a half decades.

Pat's roots and life have been spent in our region of Southern California. Born in Inglewood, raised in Huntington Beach, and educated at UC Irvine for a bachelor's degree, and Cal State Los Angeles and Cal State Dominguez Hills for masters' degrees, Pat is truly a local Southern Californian who has done well, and done well for his State and his greater community.

Pat is leaving Paramount after 25 years to take a promotional opportunity working for the larger city of Long Beach where he will head up that city's redevelopment agency and help another city in our region successfully meet the challenges it faces.

Mr. Speaker and distinguished colleagues, please join me in honoring Pat West for his many years of service to the people of Paramount, CA and in wishing him the very best in his work ahead for the people of Long Beach, CA.

RECOGNIZING JOSHUA JOEL GRAMLING OF ZEPHYRHILLS, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to acknowledge Corporal Joshua Joel Gramling of Zephyrhills, FL, a Marine Corps veteran of the war in Iraq. I am proud to join the entire Zephyrhills community, his friends and family, and his fellow soldiers to welcome Corporal Gramling back safely from Iraq.

Following his enlistment in the Marine Corps in 1998, Corporal Gramling served as a tank gunner for the first four years of his service. Following the completion of his four-year duty, Corporal Gramling decided to re-enlist in the Marine Corps. Activated before the end of the year, Corporal Gramling was deployed to Iraq in March, 2005 where he served in Regimental Combat Team 8.

During his time in the Marine Corps, Corporal Gramling has received two Good Conduct Medals, the Iraqi Campaign Medal, the War on Terrorism Service Medal, and the National Defense Medal.

Born into the military with both parents serving at MacDill Air Force Base in Florida, Corporal Gramling comes from a long line of military veterans. A proud member of three generations of American military men and women, Corporal Gramling continues his family's tradition of service to America's Armed Forces. In fact, twelve members of his family have served in the Gulf War, the Vietnam War and in World War II.

Mr. Speaker, the entire Zephyrhills Community is proud to have a native son and proud soldier return home safely from active duty. True American heroes like Corporal Gramling should be honored for their service to our nation and for their commitment and sacrifice in battle.

RECOGNIZING CENTRAL HIGH SCHOOL NJROTC PROGRAM

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to acknowledge the Naval Junior Reserve Officers Training Corps unit of Central High School in Brooksville, FL for being recognized by the Navy as the 2005 Best Unit in the Navy's Area 7 and runner up as the 2005 Best Unit in the Nation. Both of these prestigious awards are sponsored by the Navy League of the United States.

Central High's NJROTC program is focused on the development of their cadets as model citizens as well as fostering the growth of tomorrow's leaders. In addition to their countless time spent drilling and reviewing on the parade grounds, the unit has amassed over 5,900 community service hours in a wide variety of community oriented activities. The unit has also pushed its cadets to achieve in the classroom, with several cadets participating in national academic contests, three cadets being awarded NROTC scholarships, and one cadet appointed to the U.S. Naval Academy.

In his application to the National NJROTC Awards Nominating Committee, the Area 7 manager stated that he had never seen a more inspiring event than the Evening Parade conducted by Central High's NJROTC Unit. Working as a team, the unit performed with a flawless precision that was of the same caliber as some of the finest honor guards in Washington, DC.

Mr. Speaker, in honor of Central High's Area 7 Best Unit award and their number two ranking in the nation, I would like to congratulate all the cadets participating in Central High's NJROTC program and their instructors for their dedication to the cadet program, for their service to the Brooksville community, and for their love of the United States of America. This unit will serve as an inspiration and an example for other NJROTC programs throughout Florida and throughout the Nation.

IN RECOGNITION OF NORTH HIGH SCHOOL'S CENTENNIAL CELEBRATION

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Ms. MCCOLLUM of Minnesota. Mr. Speaker, in North St. Paul, MN, this year marks 100 years of North High School, a pillar of the community since 1905. North High is one of three high schools serving the North St. Paul-Maplewood-Oakdale School District, a district which educates nearly 12,000 students each year.

As illustrated by the school's vision statement and exemplified in the work of its faculty and staff, learning and citizenship come first at North High. Generations of students and their families have acquired knowledge, attained skills, and developed values that prepare them for lifelong learning and civic participation in our democratic society.

Learning and growth happen outside of the classroom at North High as well. Students are provided with many leadership opportunities, including participation in more than 25 clubs and organizations, such as National Honor Society, Students Against Destructive Decisions, and Teens Advocating Peace. In addition, North High offers more than 26 athletic team opportunities for both boys and girls to learn the values associated with teamwork and physical fitness.

Many families in Minnesota and in North St. Paul have shared memories and developed lifelong friends because of their North High experiences. My own family has strong connections to North High—both of my children are alumni of North High and I was a student teacher at North High while finishing my bachelor's degree at the College of St. Catherine.

We count on our Nation's schools to help create and support our communities, strengthen our neighborhoods, and educate and prepare our children and youth. North High is a

wonderful example of such a school. It is with great pride and appreciation for the role that students, faculty, staff, and alumni at North High play in North St. Paul and surrounding communities that I submit this statement for the official United States CONGRESSIONAL RECORD.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

SPEECH OF

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, September 2, 2005

Ms. DELAURO. Mr. Speaker, today our thoughts and prayers are with the thousands of citizens in Louisiana, Mississippi and Alabama who have lost everything to Hurricane Katrina—their homes, their livelihoods, their families. Assisting people as they rebuild their lives after this unprecedented natural disaster is a moral responsibility of government. Like my colleagues, my top concern remains the search and rescue efforts underway on the ground in this affected region, and I am grateful for the heroic efforts of the relief workers who have joined in this effort.

I am encouraged that the battered Gulf Coast region will receive $10.5 billion in emergency funding from Congress, funding that will aid critical evacuation and recovery efforts as well as allow this area to begin to recover.

However, the issue is less whether we have the money for this—we will—than whether it will be used efficiently. Despite early warnings regarding the damage a hurricane could cause to this region, it appears the President's budget underfunded countless flood control and prevention projects.

At the same time, there are serious questions regarding the administration's competence in responding to this tragedy. In particular, the Federal Emergency Management Agency's incoherent response in the days following this disaster has been, in a word, unacceptable. The American people, writing and calling our offices here in Congress, are demanding accountability from their government.

In the coming days, they will begin to get answers. But today, I want to urge the President to take responsibility and move the Federal Government to action. That must be our continuing goal.

And so, Mr. Speaker, this emergency funding is a necessary first step on what will surely be a long road to recovery, and I urge my colleagues to support it. In the coming days, I will be working with my colleagues to ensure that it is used expeditiously and appropriately. The American people and the victims of this unprecedented natural disaster deserve no less.

INTRODUCING THE RICE FARMERS FAIRNESS ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. PAUL. Mr. Speaker, I am today introducing the Rice Farmers Fairness Act. This legislation conditions the continuation of farm subsidies in the state of Texas upon the maintenance of rice production. Federal law allows for the continuation of subsidies to landowners who discontinue tenant rice farming on their land. In essence, this means that the subsidy continues to flow in spite of an end to production.

This is a "something for nothing" subsidy of the worst kind! As a result of this provision, there is a very real threat to the agricultural infrastructure. With landowners receiving subsidies in spite of lack of production, the entire warehousing, processing and "value-added" industries are put at risk.

As grain elevators, processors and others see a reduction in demand for their services because of the diminution of production permitted by Federal law, they have a disincentive to continue to provide said services, services which must remain in place in order for those who remain in production to be able to bring to market the rice which they continue to produce. Thus, by way of the decimation of the infrastructure, this subsidy to non-producers comes at the expense of those who continue to produce rice. Therefore, the provisions of Federal law which provide this subsidy actually amount to another form of Federal welfare, taking from producers and giving to non-producers. These destructive government policies have particularly pernicious effect in Texas, where rice farming, and the related industries, are a major sector of the economy in many towns along the Texas coast.

My legislation is very simple and direct in dealing with this problem. It says that those who have tenant rice farmers producing rice in Texas must agree to continue to maintain rice in their crop rotation if they wish to receive subsidies. In this way, we can remove the perverse incentive, which the Federal Government has provided to landowners to exit the rice business and thereby put the entire rice infrastructure at risk.

America's rice farmers are the most efficient, effective producers of rice in the world, despite the many hurdles erected by Washington. The Rice Farmer Fairness Act helps removes one of these hurdles and this makes America's rice farmers even more efficient. In order to enhance our competitive position, we should also end our embargoes of other nations. Congress should eliminate the burdensome taxes and regulations imposed on America's farmers. I hope my colleagues will join me in removing these federally imposed burdens on rice farmers by supporting free trade, low taxes and regulations, and cosponsoring my Rice Farmer Fairness Act.

A CONGRESSIONAL TRIBUTE TO ARCHITECT FRANK GEHRY'S WALT DISNEY CONCERT HALL ON THE OCCASION OF THE HALL'S INCLUSION IN THE U.S. POSTAL SERVICE'S 2005 MASTERWORKS OF MODERN ARCHITECTURE SERIES

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to congratulate famed architect Frank Gehry for having his building, the Walt Disney Concert Hall, included in the U.S. Postal Service's 2005 Masterworks of Modern Architecture series. The hall is one of 12 modern structures in the nation—and the only one on the West Coast—featured in the postal stamp collection now on sale at post offices throughout the country.

As part of this series, the Walt Disney Concert Hall is among a distinguished collection that includes the Guggenheim Museum in New York City, the Hancock Center tower in Chicago and the East Building of the National Gallery of Art in Washington, DC.

Located in my congressional district in downtown Los Angeles, the Walt Disney Concert Hall draws national attention to Los Angeles and serves as the centerpiece of downtown's successful revitalization that includes showcasing the area's diverse artistic and cultural offerings.

Occupying a full city block on the historic Bunker Hill, the concert hall serves most notably as the home of the Los Angeles Philharmonic and its 3.6 acre site also includes California's smallest state park. Traveling at the intersection of First Street and Grand Avenue, passersby quickly take notice of Mr. Gehry's stunning design. The hall's bold eye-catching exterior is comprised of enormous curves made of stainless steel. Its expansive transparent doors and windows stretch along Grand Avenue and welcome the public to come inside. A futuristic-style external aerial walkway begins on Grand Avenue, and lifts visitors up and across the front of the venue, offering views of City Hall and beyond, and eventually winding around to the garden level on the other side of the building.

The interior of the hall is just as original. Acoustically designed by the world-renowned Yasuhisa Toyota, the hardwood-paneled main auditorium is lauded as state of the art. Even the seating arrangement is insightful. Theatergoers are seated on all sides of the orchestra and the absence of private boxes—common in most concert halls—adds a unique element to the experience.

The history of the origin of this national landmark is as inspirational as Mr. Gehry's creative genius. In 1987, Walt Disney's widow Lillian Disney gave a $50 million gift to the community to build the concert hall as a way of paying tribute to her late husband's lifelong commitment to the arts.

Sixteen years later, when the building opened its doors in 2003, the completed Walt Disney Concert Hall stood as a proud collaboration of effort, talent and vision. There are many to thank for helping to make the Walt Disney Concert Hall a reality, including, but not limited to, the ironworkers who built the hall's exterior and the many financial sponsors who worked with The Music Center, the Los Angeles Philharmonic Association, the County of Los Angeles and the Disney family to obtain the funding needed to complete the project.

It is truly because of their devotion and hard work that so many visitors from all over the world have had the opportunity to enjoy Mr. Gehry's architectural masterpiece that stands today.

On behalf of all Angelenos, I congratulate Mr. Gehry for being recognized in this special way by the U.S. Postal Service and, above all, I thank him for giving Los Angeles a cultural and architectural jewel that will surely be enjoyed for generations to come.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

SPEECH OF

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 2, 2005

Mr. KILDEE. Mr. Speaker, I rise to support the Emergency Supplemental Appropriations request before us today to provide $10.5 billion in immediate aid to our fellow Americans who have been devastated by Hurricane Katrina. This $10.5 billion in emergency funding will allow the Department of Defense and the Federal Emergency Management Agency to continue the Federal Government's efforts to help the people of Louisiana, Mississippi, Alabama and other States impacted by the effects of Hurricane Katrina.

I am sure that the President will be requesting additional funds in the near future, and I am equally sure that the Congress will respond as quickly to approve the additional funds as they are needed. Anyone watching their televisions over the last week realizes that the effects of Katrina have been of biblical proportions. State and local officials have estimated the number of deaths from Katrina to be in the thousands, and property damage is estimated to be in yet unknown billions of dollars.

This is a national, natural disaster, and as such it deserves a swift and effective national response. We as a nation must come together to help our neighbors who have suffered such devastating losses.

It is the proper role of the Federal Government to provide that national response to such a national emergency. That is why I am pleased that the Congress has acted so swiftly to provide this immediate emergency funding of $10.5 billion. And we as a nation, stand ready to provide additional aid to the people affected by Hurricane Katrina.

Once again, Mr. Speaker, I add my support to the swift passage of this down payment of $10.5 billion for recovery efforts from Hurricane Katrina.

CONGRATULATIONS TO ST. FRANCIS MEDICAL CENTER COLLEGE OF NURSING

HON. RAY LaHOOD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. LAHOOD. Mr. Speaker, I rise today to extend hearty congratulations to the Saint Francis Medical Center College of Nursing in Peoria, IL, as they celebrate 100 years of providing quality nursing education. This outstanding program was organized in 1905 as the Saint Francis Hospital School of Nursing by The Sisters of the Third Order of St. Francis. Only 10 years later, the school was approved for a diploma nursing program by the State of Illinois.

As testament to their academic rigor and overall success, the School of Nursing has been accredited by the National League of Nursing for 55 years. Additionally, in 1985, the School of Nursing established the baccalaureate in nursing degree program and became the Saint Francis Medical Center College of Nursing. More recently, in 2001, the College of Nursing began offering a master of nursing degree as confirmation of their adherence to the highest standards of academic and clinical instruction.

The achievements of the College of Nursing are numerous and great, as evidenced by their attainment of the highest level of accreditation by the Higher Learning Commission of the North Central Association and National League for Nursing Accrediting Commission, as well as the significant impact of more than 4,300 graduates on patients throughout the United States and the world.

I wish the Saint Francis Medical Center College of Nursing all the best with their centennial celebration and thank them for their dedication to developing caring professionals through the finest nursing education.

CONFERENCE REPORT ON H.R. 6, ENERGY POLICY ACT OF 2005

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 28, 2005

Ms. MCCOLLUM of Minnesota. Mr. Speaker, Congress had the opportunity and the charge to develop a comprehensive energy policy that would make America safer, decrease our dependency on foreign oil, and invest in the next generation of clean and renewable energy.

Unfortunately, H.R. 6 fails the current and future needs of our Nation miserably. As gas prices and oil industry profits rise, this bill rewards oil and gas companies with $2.8 billion in tax breaks and provides $1.4 billion in tax breaks for coal producers. These corporate giveaways only continue our addiction to Middle Eastern oil and enable our dependency on old and polluting technologies.

Mr. Speaker, the U.S. needs to be a world leader in energy self-sufficiency through conservation, alternative energy sources, and responsible leadership from the White House and Congress. Regrettably, this bill fails on all those counts. It neglects to include a Renewable Portfolio Standard, which would have required large electric companies to obtain 10 percent of their power from clean renewable energy sources by 2020. This act, once again, fails to increase much-needed fuel efficiency standards of cars and trucks.

As if this bill was not already bad enough, a new provision appeared after the conference committee had adjourned, which steers $1.5 billion to a private consortium located in the home district of Republican Majority Leader TOM DELAY. It provides that the consortium, of which Halliburton is a member, can keep up to 10 percent of the funds for administrative purposes. This is an outrage and a mockery of the democratic process.

America deserves a comprehensive energy policy that invests in the development of the next generation of fuel sources like fuel cells, hydrogen power and home grown Minnesota fuels like ethanol. I was pleased to see the measure tripling the amount of ethanol required in gasoline by 2012, but this bill could have done so much more to liberate our Nation from Saudi Arabian and Middle Eastern oil and move our Nation toward a sustainable and energy-independent future.

Mr. Speaker, this is an energy bill for 1950, not 2050. It would have been difficult to support this outmoded policy decades ago, and I certainly cannot vote for it today.

CONFERENCE REPORT ON H.R. 6, ENERGY POLICY ACT OF 2005

SPEECH OF

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 28, 2005

Ms. DELAURO. Mr. Speaker, of everything that can be said about this $15 billion giveaway to the oil and gas industry—that it does nothing to alleviate the record high costs of oil, nothing to reduce our dependence on oil—the worst may be that it is a missed opportunity. And that is because it fails to harness America's entrepreneurial spirit to develop new sources of energy. It is a continuation of the status quo at a time when we need a new American energy policy—bold new thinking to foster energy independence and grow our Nation's economy in a way that addresses the threat of global warming.

But instead, this bill provides billions in tax breaks for oil companies already reaping record profits. It does little to encourage development of new forms of energy. And it restricts States' abilities to protect their own natural resources.

Mr. Speaker, Americans are rightly concerned about how our dependence on foreign oil affects our foreign policy. This bill does nothing to reduce that dependence. If anything, it enshrines that dependence into law. Today we import 58 percent of our oil, and by 2025 we will still import between 64 and 68 percent of our oil, even after enacting this legislation. Nor does it reduce skyrocketing gasoline prices—something even the president has conceded.

And that is because this bill rejects common sense ideas that could help us reduce our need for foreign oil. The conference committee rejected a measure that would have required America to decrease its oil consumption by 5 percent by 2015. At a time when Americans are fed-up with high gasoline prices, we should be looking for ways to reduce their need to fill-up at the pump. But the committee also rejected a modest proposal that would have increased the fuel efficiency of our cars by one mile per gallon per year for the next 15 years.

The final version of this bill also rejects a Senate proposal to require utilities to generate 10 percent of their electricity from renewable sources by 2020. This provision would have helped us to significantly reduce our dependence on traditional polluting sources of electricity. Another missed opportunity.

As if the lack of new thinking in this bill weren't enough, it also declares war on States' rights when it comes to protecting their citizens. The bill would eviscerate the role of the States in the siting of LNG facilities and grant sole jurisdiction in such matters to the Federal Energy Regulatory Commission,

FERC. This provision flies in the face of the Coastal Zone Management Act. CZMA is a unique partnership between coastal States and the Federal Government that allows States to protect their own coastal resources. This is an especially important law for Connecticut, where the commerce that comes from the Long Island Sound fishing grounds, ports and recreational area makes it a $5 billion economic asset. Because our State's economy depends on the Long Island Sound, we believe that the State has the obligation to protect it from possible environmental harm.

Rather than passing this legislation, we ought to be reducing our dependence on foreign oil by improving our energy efficiency and maximizing our domestic energy production in an environmentally sound way—by investing in cleaner, more secure energy sources such as solar, wind, biomass and fuel cell technology. My State of Connecticut is a leader in fuel cell technology, with several businesses doing research that is on the cusp of revolutionizing the way our Nation powers its homes, cars and businesses. This bill should be investing in American small businesses like Proton Energy in Wallingford, Nxegen in Middletown and Danbury's Fuel Cell Energy—companies that already do over $300 million worth of fuel cell business and move us closer to true energy independence.

Mr. Speaker, this bill proposes 20th century solutions for 21st century energy challenges. It neglects the realities of a changing world—that our dependence on foreign oil has real consequences for our foreign policy, that the warming of the planet will have a serious impact on the lives of all Americans. It ignores our entrepreneurial spirit and technological know-how to develop and harness new forms of energy. And it ignores the rights of States to look after the interests of their citizens.

America can do better—and deserves better—than this conference report. I urge my colleagues to oppose it.

INTRODUCING THE TEXAS EDUCATOR RETIREMENT EQUITY ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. PAUL. Mr. Speaker, I rise to introduce the Texas Educator Retirement Equity Act, which restores to widowed Texas public school teachers the means to receive the same spousal Social Security benefits as every other American. As I am sure my colleagues are aware, widowed public school employees in Texas, like public employees throughout the Nation, have their spousal Social Security benefits reduced if they receive a government pension. This "Government Pension Offset" affects Texas teachers who work in school districts that do not participate in Social Security and even applies if the teacher in question worked all the quarters necessary to qualify for full Social Security benefits either before or after working in the public school system!

Until last year, Texas schoolteachers could qualify for full widow benefits by working one day in a school that participates in Social Security. Unfortunately, last year Congress took that option away from Texas teachers.

One consequence of this action is that many teachers have taken early retirement while others have been discouraged from entering teaching. Thus, the victims of this action are not only Texas teachers, but also Texas school children who are denied access to quality teachers.

Passing the Texas Educator Retirement Equity Act is a good first step toward treating teachers fairly. Of course, I remain committed to working to pass H.R. 147, the Social Security Fairness Act that repeals both the Government Pension Offset and the Windfall Elimination Provision, another provision that denies public employees full Social Security benefits.

Congress should also be encouraging good people to enter the education profession by passing my Teacher Tax Cut Act (H.R. 402) that provides every teacher with a $1,000 tax credit, as well as my Professional Educators Tax Relief Act (H.R. 405) that provides a $1,000 tax credit to counselors, librarians, and all school personnel.

In conclusion, Mr. Speaker, I urge my colleagues to join me in enabling Texas teachers to obtain the Social Security benefits for which they would be eligible if they were not teachers by cosponsoring the Texas Educator Retirement Equity Act.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

SPEECH OF

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 2, 2005

Mr. KIND. Mr. Speaker, the destruction of Hurricane Katrina and the massive flooding of the city of New Orleans and surrounding areas have created a national tragedy that is unprecedented in U.S. history. The resulting humanitarian crisis and the horror that has developed in the streets of New Orleans are both appalling and unacceptable. Our national response must be equal to the need of the victims, and although emergency responders and relief workers on the frontlines are working around the clock to do everything they can, immediate Federal efforts were inadequate.

However, despite this grave tragedy, I am confident that together we will overcome the challenges ahead to help our brothers and sisters of the city of New Orleans and the impacted Gulf region. For the victims and their families, know that your country grieves with you, and we stand with you in this time of need. Be assured that help is on the way.

President Bush has told the Nation that the government will commit all the necessary resources, and we in Congress are working hard to make sure Federal aid is delivered and victims are helped. In the last few days thousands of National Guard troops, including 475 Wisconsin soldiers, have been deployed to the Gulf States to provide assistance and security to the region. Today, Congress will pass what is likely a first installment of emergency aid for the ravaged areas.

The national community is rallying in other ways as many local communities and volunteers are organizing fundraising drives and other relief projects. I have heard from many constituents who want to know how they can help and who are already assisting in local efforts. The people of western Wisconsin have consistently demonstrated their generosity in times of crisis and once again they are answering the call of compassion.

There is a lot of work to do in the days, weeks and months ahead, but we will not stop until we have found a safe haven for every citizen, provided the necessary medical care to the weak and ailing, and attended to the needs of all victims of this awful tragedy. May our hearts, thoughts, aid, and support continue to be with the victims and their loved ones over the Labor Day weekend and throughout the relief and reconstruction process.

RECOGNIZING THE COMMUNITY OF ALMA, KANSAS

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. MORAN of Kansas. Mr. Speaker, I rise today to recognize the community of Alma, Kansas for the successful revitalization of the Alma Creamery.

Beginning in 1946, this town of 762 people was identified by the presence of the Alma Creamery, famous for producing delicious Alma Cheese. Bernie Hansen, a pioneer in the development of value-added foods, furthered this tradition when he purchased the company in 1986. Bernie developed the company and sold it more than a decade later. Unfortunately, the creamery then closed in 2000. This was a setback to the community of Alma. And for more than 3 years, the production plant lay dormant. However, during this time, Alvin Kahle and Jim Ferguson, two longtime employees, did something great. On their own initiative, they regularly cleaned up and maintained the plant with the hope that one day it would reopen.

Their hopes were fulfilled in October of 2003 when former owner Bernie Hansen purchased the plant at an auction. Bernie quickly rehired Alvin and Jim. He also asked Linda Craghead, who serves part-time as Wabaunsee County economic development director, to serve as general manager of the company. In addition, more than one million dollars was invested in equipment, facilities and personnel.

On April 28, 2004, the hopes of Bernie, Linda, Alvin, Jim and the entire community were realized. On that day, the first batch of hand-made Alma Cheese was produced in a completely remodeled plant. Since the plant reopened, this delicious product has been attracting more and more customers. The company's workforce has expanded from 5 to 15 employees in order to keep up with increasing demand.

According to Bernie Hansen, the company's growth is the result of an inspired team effortt "The renewed success of Alma Creamery can be attributed to a hard working staff, a supportive community and a trusted brand name widely-recognized across the state of Kansas," Hansen said.

For rural communities to survive and prosper into the future, citizens must be willing to create their own opportunities for success.

The revitalization of Alma Creamery is an example of how hard work, innovation, professional management and community support can create just such an opportunity.

Citizens throughout Kansas are working together to enhance the quality of life in their communities. Alma Creamery is a success story that demonstrates how teamwork and creative thinking can make a positive difference in rural America.

WEST VIRGINIA RESPONSE TO HURRICANE KATRINA

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. RAHALL. Mr. Speaker, on behalf of all West Virginians, our thoughts and prayers are with the countless many whose lives were disrupted by Hurricane Katrina. We extend our hope that families will be reunited, lives will continue to be saved and, in time, homes and towns will be rebuilt.

Once again, when it mattered most, West Virginians have risen to the occasion. Hurricane Katrina dealt us a big blow last week, and reaction to this disaster will probably be analyzed long after our people have recovered and our cities have been reconstructed. But it is with great certainty that I tell you no one will question the swift reaction of West Virginia, among the first states to roll up its sleeves and roll out its resources.

West Virginia has had its share of devastating floods in recent years and has learned how to rapidly organize its agencies following an emergency. Because of this, we were able to mobilize quickly in response to the calls of help from the governors.

Three West Virginia Air National Guard C–130 cargo planes flew in 200 evacuees from New Orleans late Saturday and early Sunday. Most of these evacuees are now housed at the Camp Dawson Army Training Site in Preston County. As of Monday morning, five C–130 Hercules cargo planes from West Virginia stand ready in Texas to bring back about 400 evacuees from the Houston Astrodome.

Six crews from our State's Air National Guard—four from the Charleston-based 130th Airlift Wing, which just two weeks ago was saved from the chopping block by the BRAC Commission, and two from the Martinsburg-based 167th Airlift Wing—have been sent to aid storm victims.

In addition to these ongoing National Guard efforts, our Secretary of Military Affairs and Public Safety Jim Spears, the National Guard and the State Police continue to work directly with the homeland security officials in Texas, Louisiana, and Mississippi on formulating an action plan to assist victims who have lost their homes and are in desperate need of a place to stay.

Our citizens, too, have wasted no time in pitching in. They never do.

Marshall University has waived all application and late fees for students displaced by Hurricane Katrina who wish to take classes during the fall semester.

Marshall students, faculty and staff have begun making plans for a relief effort for victims of Katrina. Thunder Relief 2005 will be a joint effort in response to the devastation from the disaster in Louisiana, Alabama, Mississippi and Florida. All donations raised from the effort will go to the American Red Cross. And at the medical school, Dr. Robert B. Walker is serving as a liaison officer for any medical personnel in hurricane-stricken areas who need to get Marshall's assistance in transferring patients or providing medical or other required public health resources.

In my hometown of Beckley, West Virginia, the Beckley Christian Ministerial Alliance, spearheaded by the Rev. David F. Allen, is collecting donations from area congregations through the month of September, with a presentation of the donations to the Red Cross scheduled for September 30.

There are other countless community and individual efforts going on across our state: Fish fries, barbecues and spaghetti dinners in small towns, bucket brigades at stoplights, donations from widows on fixed budgets, from children with piggy-banks full of carefully saved pennies. A drop in the bucket might only be a drop, but when it's all added up, our residents are giving a little hope to those who need it the most.

As a West Virginian, I am proud of the way both our State leaders and residents have responded to this disaster. Like any good neighbor, they opened their doors and their hearts to those in need. Our friends to the South can count on West Virginia.

IN HONOR OF MAYOR DAN ALBERT

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. FARR. Mr. Speaker, there is a rumor in Monterey, California, that when the Portola expedition arrived there in June, 1770, Mayor Dan Albert was there to welcome them to the City. Mayor Albert has served the people of Monterey for so long that we forget that there was a time when he was not part of local government. He and his wife Joanne are also dear friends to me and my wife Shary. So I rise today to honor not only a public servant of the highest caliber, but also a friend of many years.

Dan Albert is serving his tenth two-year term as Mayor of Monterey. He has held the position of Mayor longer than anyone in Monterey's 225 year history. Mayor Albert was elected to the City Council in 1979 and elected Mayor in 1986. Prior to that time, he served on the City of Monterey Parks and Recreation Commission for several years. He is a former member and Chair of the Local Agency Formation Commission (LAFCO), the one local position that he and I have both held.

But length of service is not everything, as my colleagues know. The value to a community comes through what it continues to receive from its longstanding public officials. By that measure, Dan Albert is worth his weight in gold. When first elected to the City Council, Monterey was in the economic doldrums. The fishing industry had disappeared, the tourism industry was weak and the military economic activity was being continually threatened. What a difference 25 years of real leadership makes. The BRAC Commission just reaffirmed the indispensable role that Monterey plays in supporting the Defense Language Institute and Naval Postgraduate School. Monterey is the center of a thriving regional tourism economy. Its convention center, Window on the Bay Park, Aquarium, and coastal recreation trail all draw and enrich visitors from at home and abroad. And the City of Monterey is a national model for the participation of its citizens in neighborhood preservation and enhancement. All of these trends, and many others, have Dan Albert's quiet leadership at their center. It is a legacy that has made a permanent mark on Monterey.

Mayor Albert retired after 37 years from his position as teacher at Monterey High School. During his time at Monterey High he coached the Monterey High varsity football team for 23 years. Mayor Albert and his wife, Joanne, are lifetime residents of the city and both attended Monterey High School. They have four grown children and ten grandchildren.

Finally, I want to mention something that is not often said of politicians. Danny Albert is polite. He is always gracious; always friendly. He treats all those around him with dignity, respect and a charming humor. Which is not to say that he doesn't fight hard for his city. As a former football coach, he knows how to block, tackle, and score touchdowns for Monterey. But he does so with a style that preserves the conversation and promotes mutual respect and comity.

TRIBUTE TO A LEADER, GEN. JOHN W. HANDY, COMMANDER, U.S. TRANSPORTATION COMMAND AND AIR MOBILITY COMMAND

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. SAXTON. Mr. Speaker, it is my honor and privilege today to pay tribute to a leader and warrior, GEN John W. Handy, Commander, United States Transportation Command, USTRANSCOM, and Commander, Air Mobility Command, AMC. General Handy is retiring after honorably serving this great Nation for over 38 years. It has been a distinguished career.

General Handy was commissioned in the U.S. Air Force in 1967 and received his pilot wings in 1968. He has accumulated over 5,000 hours piloting just about every mobility aircraft in the U.S. Air Force, to include the C–7A Caribou, the C–130 Hercules, the C–141 Starlifter, the C–37 Gulfstream V, the C–9 Nightingale, the KC–10 Extender, and the Nation's newest mobility airlifter, the C–17 Globemaster III. His hands-on performance, sound judgment, and expertise made him an exceptional Air Force leader.

General Handy commanded the 21st Air Force at McGuire Air Force Base. He created and commanded AMC's Tanker Airlift Control Center. He also commanded two airlift wings and a maintenance squadron. He previously served as the Director of Operations and Logistics for USTRANSCOM; the Air Force's Director of Programs and Evaluations; the Deputy Chief of Staff, Installations and Logistics, Headquarters U.S. Air Force, Washington, DC; and Vice Chief of Staff, Headquarters U.S. Air Force, Washington, DC. It is clear and widely

accepted that General Handy is the preeminent mobility and logistics expert in the Department of Defense.

In November 2001 General Handy assumed command of US TRANS COM at Scott Air Force Base, Illinois. USTRANSCOM is one of nine unified combatant commands and executes mobility combat operations through its three component commands: The Air Force's IAMC, the Navy's Military Sealift Command, MSC, and the Army's Military Surface Deployment and Distribution Command, SDDC. General Handy has had the unique distinction of simultaneously commanding both USTRANSCOM and its air component command, AMC. USTRANSCOM provides the synchronized transportation, distribution, and sustainment which projects and maintains our national power. As a global combatant commander, General Handy has made supporting the American warfighter his top priority.

Since the tragic events of September 11, 2001, USTRANSCOM, under General Handy's leadership, has moved over 2.4 million passengers, 6.4 million short tons of cargo, and 2.8 billion gallons of fuel in support of the Global War on Terrorism, including Operation Noble Eagle, Operation Enduring Freedom, and Operation Iraqi Freedom. To put this in perspective, the passenger movement is equivalent to moving the entire population of Kansas while the cargo movement is equivalent to moving over 70 Washington Monuments halfway around the world. General Handy, an avid NASCAR racing fan, is fond of stating the amount of fuel moved could run the Nextel Cup Series for the next 19,473 years.

America truly has a military deployment and distribution system that is unmatched anywhere in the world. America's military might moves with USTRANSCOM, but so too does its heart. As quick as we are to defend this great nation, Americans are just as quick to assist those in need; and when we do, we turn to the remarkable capabilities of USTRANSCOM. Under General Handy's command, USTRANSCOM has provided humanitarian relief to hurricane victims in the United States, earthquake victims in Iran, and tsunami victims in South Asia, just to name a few. The medicines, supplies, equipment, and personnel that USTRANSCOM delivered to these and other natural disasters ultimately saved lives and eased human suffering.

In addition to conducting the largest military movement since World War II and providing unparalleled humanitarian relief, General Handy has made it a priority to transform our Nation's deployment and distribution system, ensuring our ability to project national power where needed with the greatest speed and agility, the highest efficiency, and the most reliable level of trust and accuracy. As the USTRANSCOM commander, General Handy actively took on the role of the Distribution Process Owner for DOD, charged with improving efficiency and interoperability across the entire DOD supply chain. His initiative to develop Joint Deployment and Distribution Operations Centers, JDDOCs, in each of the regional combatant commands continues to improve combat capability and save valuable resources. Regional Combatant Commanders can now plug into the DOD supply chain system, track their requirements, and prioritize their actions. The net result is that troops and equipment are now arriving to the battlefield faster and at less cost. While meeting the needs of the warfighter, General Handy's Distribution Process Owner improvements have generated almost one-half billion dollars in cost avoidances and savings in the global war on terror.

General Handy will be the first to tell you he did not accomplish these feats alone. General Handy has led the way in seeking collaborative joint solutions to today's complex combat issues. Those who worked for him and with him, military and civilians from every branch of Service, will miss his leadership and mentorship. They'll miss the stories and humor he used to get his message across. We in Congress will miss his straightforward approach and sound counsel. The nation will miss his devotion to duty, ceaseless drive for improvement, and unwavering support to the American warfighter.

General Handy will be remembered as the man who brilliantly led our Nation's mobility forces during the Global War on Terrorism. I know we speak on behalf of our colleagues and a grateful nation in saying thank you to General Handy and his wife, Mickey, for their years of service and sacrifice. General Handy, we wish you well in all your future endeavors and pray that those who follow in your footsteps may continue the legacy of unprecedented support to our great Nation. Good luck and Godspeed.

CONFERENCE REPORT ON H.R. 2361, DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 28, 2005

Ms. McCOLLUM of Minnesota. Mr. Speaker, I rise in support of the conference agreement on the Department of Interior Appropriations, H.R. 2361, because it addresses urgent needs within our veterans' health care system. Last month, the Department of Veterans Affairs (VA) announced a $1.3 billion shortfall in funding for veterans' medical care, and it is estimated that in FY 2006 this shortfall could grow. This is unacceptable. With thousands of new veterans entering our health care system every year—including those that have fought in Iraq, Afghanistan and the global war on terrorism—we must provide the resources they need and deserve, as well as continuing to provide for those who came before them. This bill provides $1.5 billion in emergency funding in FY 2005 for veterans health care and keeps our promise to those who have so honorably served our nation.

This bill also provides a $5 million increase for the National Endowment for the Arts. I support this investment in our artistic resources. It enhances the richness of Minnesota and our nation's cultural legacy and allows participation in the arts by many who would not otherwise have the opportunity.

Regrettably, this bill falls short on supporting the federal programs that conserve our environment and protect the public's health. This bill cuts funding for the Clean Water State Revolving Loan Fund by 17 percent. This fund allows states to allocate funds for local water and sewage treatment projects. St. Paul Regional Water Services recently applied for Clean Water funds for a water filtration project and were denied because there wasn't enough funding.

Funding for the National Park Service is also cut by three percent. These dollars are used to protect our national treasures like Voyageurs, Yosemite and Yellowstone National Parks. The maintenance backlog at our National Parks has increased from $4.9 billion in 2000, when President Bush pledged to eliminate the backlog, to $7.1 billion today. We should give the Park Service the resources to maintain these national treasures instead of slipping farther and farther behind in unmet maintenance needs.

I am pleased to support our nation's honored veterans. Unfortunately, while this bill could have done so much more to keep our families and communities strong and healthy and protect our nation's cherished natural resources for generations to come, this Congress failed to make the environment and public health a priority.

NATIONAL HEALTH CENTER WEEK

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. WELLER. Mr. Speaker, I rise today to support the goals and ideals of National Health Center Week. I also wish to recognize the Will County Community Health Center which is one of Illinois' largest and most comprehensive public health agencies. The Will County Community Health Center has served Will County in my 11th Congressional District since 1942 and became a Federally Qualified Health Center in 1997. They annually care for more than 48,000 medically underserved county residents.

On July 25, 2005, House Resolution 289, of which I am co-sponsor, passed the U.S. House of Representatives. House Resolution 289 reads as follows:

Whereas community, migrant, public housing, and homeless health centers are nonprofit, community owned and operated health providers and are vital to the Nation's communities;

Whereas there are more than 1,000 such health centers servicing more than 15,000,000 people in over 3,600 communities;

Whereas such health centers have provided cost-effective, high quality health care to the Nation's poor and medically underserved (including the working poor, the uninsured, and many high-risk and vulnerable populations), acting as a vital safety net in the Nation's health delivery system;

Whereas these health centers provide care to 1 of every 7 uninsured individuals, 1 of every 9 Medicaid beneficiaries, 1 of every 7 people of color, and 1 of every 9 rural Americans, all of whom would otherwise lack access to health care;

Whereas these health centers are engaged with other innovative programs in primary and preventive care to reach out to over 621,000 homeless persons and more than 709,000 farm workers;

Whereas these health centers make health care responsive and cost-effective by integrating the delivery of primary care mammograms, and glaucoma screenings;

Whereas in communities served by these health centers, infant mortality rates have been reduced over the past 4 years even as infant mortality rates across the country have risen;

Whereas these health centers are built by community initiative, and run by the patients they serve;

Whereas Federal grants provide seed money empowering communities to find partners and resources to recruit doctors and needed health professionals;

Whereas Federal grants on average contribute 25 % of such a health center's budget, with the remainder provided by State and local governments, Medicare, Medicaid, private contributions, private insurance, and patient fees;

Whereas there are more than 100 health centers that receive no Federal grant funding, yet continue to serve their communities regardless of their patients' ability to pay;

Whereas health centers tailor their services to fit the special needs and priorities of their communities, working together with schools, businesses, churches, community organizations, foundations, and State and local governments;

Whereas health centers contribute to the health and well-being of their communities by keeping children healthy and in school and helping adults remain productive and on the job;

Whereas health centers encourage citizen participation and provide jobs for nearly 100,000 community residents; and

Whereas National Health Center Week raises awareness of the health services provided by health centers: Now, therefore be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of National Health Center Week; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe the week with appropriate ceremonies and activities.

Mr. Speaker, I urge this body to identify and recognize Health Departments in their own districts whose actions have so greatly benefitted and strengthened America's families and communities.

PERSONAL EXPLANATION

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. PICKERING. Mr. Speaker, on Thursday, July 21, 2005, the U.S. House of Representatives considered numerous amendments to H.R. 3199, a bill to reauthorize the Patriot Act. While I did vote on a number of these amendments earlier in the day and week, I had to depart D.C. on the afternoon of July 21, 2005, and travel to New Orleans to attend and testify before a Base Realignment and Closure meeting. I was granted an official leave of absence by unanimous consent on July 22, 2005 (see 151 Cong. Rec. H6376–01). I was absent during consideration of the following votes. If present, I would have voted the following:

1. Rollcall vote No. 409 (Berman Amendment)—No.

2. Rollcall vote No. 410 (Schiff Amendment)—Yes.

3. Rollcall vote No. 411 (Hart Amendment)—Yes.

4. Rollcall vote No. 412 (Jackson-Lee Amendment)—No.

5. Rollcall vote No. 413 (Boucher Amendment)—No.

6. Rollcall vote No. 414 (Final Passage)—Yes.

Thank you, Mr. Speaker.

PERSONAL EXPLANATION

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 6, 2005

Mr. PICKERING. Mr. Speaker, on Tuesday, September 6, 2005, the U.S. House of Representatives considered the following pieces of legislation: (1) H. Res. 360—Commemorating the 60th anniversary of V–J Day and the end of World War II in the Pacific; and (2) S.J. Res. 19—A joint resolution calling upon the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act. Unfortunately, I was absent and unable to vote for these two pieces of legislation, as I was attending to and assisting my constituents and their needs in the Third Congressional District of Mississippi after the devastating destruction caused by Hurricane Katrina on Monday, August 29, 2005. I have requested an official leave of absence for this time. If present, I would have voted "aye" for both resolutions.

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate agreed to S. Res. 233, Hurricane Katrina Resolution.

Senate

Chamber Action

Routine Proceedings, pages S9607–S9692

Measures Introduced: Eight bills and two resolutions were introduced as follows: S. 1610–1617, S. Res. 233, and S. Con. Res. 52. **Pages S9645–46**

Measures Reported:

S. 1410, to reauthorize the Neotropical Migratory Bird Conservation Act. (S. Rept. No. 109–132) **Page S9644**

Measures Passed:

Use of Capitol Catafalque: Senate agreed to S. Con. Res. 52, providing for the use of the catafalque situated in the crypt beneath the Rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building for the late honorable William H. Rehnquist, Chief Justice of the United States. **Page S9630**

Hurricane Katrina Resolution: By a unanimous vote of 94 yeas (Vote No. 221), Senate agreed to S. Res. 233, expressing the condolences of the Nation to the victims of Hurricane Katrina, commending the resiliency of the people of the States of Louisiana, Mississippi, and Alabama, and committing to stand by them in the relief and recovery efforts. **Pages S9630–31**

Native Hawaiian Government Reorganization Act—Cloture Vote Vitiation: A unanimous-consent agreement was reached providing that the Senate vitiate the vote on the motion to invoke cloture on the motion to proceed to consideration of S. 147, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity. **Page S9607**

Death Tax Permanency Act—Cloture Vote Vitiation: A unanimous-consent agreement was reached providing that the Senate vitiate the vote on the motion to invoke cloture on the motion to proceed to consideration of H.R. 8, to make the repeal of the estate tax permanent. **Page S9607**

Executive Reports of Committees: Senate received on Wednesday, August 31, 2005 during the adjournment of the Senate, the following executive report of a committee:

Report to accompany U.N. Convention Against Transnational Organized Crime (Treaty Doc. 108–16) (Ex. Rept. 109–4) **Pages S9644–45**

Notification to the Senate: Senate received a communication from Associate Justice of the Supreme Court of the United States, the Honorable Antonin Scalia, notifying the Senate of the death of the Chief Justice of the United States, the late Honorable William H. Rehnquist. **Page S9691**

Nominations Received: Senate received the following nominations:

John G. Roberts, Jr., of Maryland, to be Chief Justice of the United States.

James M. Andrew, of Georgia, to be Administrator, Rural Utilities Service, Department of Agriculture.

Michael W. Wynne, of Florida, to be Secretary of the Air Force.

Donald C. Winter, of Virginia, to be Secretary of the Navy.

Delores M. Etter, of Maryland, to be an Assistant Secretary of the Navy.

Orlando J. Cabrera, of Florida, to be an Assistant Secretary of Housing and Urban Development.

Jeffrey D. Jarrett, of Pennsylvania, to be an Assistant Secretary of Energy (Fossil Energy).

Santanu K. Baruah, of Oregon, to be Assistant Secretary of Commerce for Economic Development.

Lyons Gray, of North Carolina, to be Chief Financial Officer, Environmental Protection Agency.

Clay Lowery, of Virginia, to be a Deputy Under Secretary of the Treasury.

John E. Maupin, Jr., of Tennessee, to be a Member of the Social Security Advisory Board for a term expiring September 30, 2010.

Ellen R. Sauerbrey, of Maryland, to be an Assistant Secretary of State (Population, Refugees, and Migration).

Jacqueline Ellen Schafer, of the District of Columbia, to be an Assistant Administrator of the United States Agency for International Development.

Mark McKinnon, of Texas, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2008.

Brenda LaGrange Johnson, of New York, to be Ambassador to Jamaica.

Alexander R. Vershbow, of the District of Columbia, to be Ambassador to the Republic of Korea.

David B. Dunn, of California, to be Ambassador to the Togolese Republic.

Thomas A. Shannon, Jr., of Virginia, to be an Assistant Secretary of State (Western Hemisphere Affairs).

Thomas O. Barnett, of Virginia, to be an Assistant Attorney General.

James S. Halpern, of the District of Columbia, to be a Judge of the United States Tax Court for a term of fifteen years.

Emilio T. Gonzalez, of Florida, to be Director of the Bureau of Citizenship and Immigration Services, Department of Homeland Security.

John M. Molino, of Virginia, to be an Assistant Secretary of Veterans Affairs (Policy and Planning).

Lisette M. Mondello, of Texas, to be an Assistant Secretary of Veterans Affairs (Public and Intergovernmental Affairs).

George J. Opfer, of Virginia, to be Inspector General, Department of Veterans Affairs.

3 Air Force nominations in the rank of general.

38 Army nominations in the rank of general.

1 Coast Guard nomination in the rank of admiral.

Routine lists in the Air Force. **Page S9692**

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

John G. Roberts, Jr., of Maryland, to be an Associate Justice of the Supreme Court of the United States, which was sent to the Senate on July 29, 2005. **Page S9692**

Messages From the House: **Page S9634**

Executive Communications: **Pages S9634–44**

Additional Cosponsors: **Pages S9646–48**

Statements on Introduced Bills/Resolutions: **Pages S9648–91**

Additional Statements: **Pages S9632–33**

Authority for Committees to Meet: **Page S9691**

Record Votes: One record vote was taken today. (Total—221) **Page S9631**

Adjournment: Senate convened at 12 noon, and by unanimous consent adjourned at 6:24 p.m., until 10:30 a.m., on Wednesday, September 7, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S9630.)

Committee Meetings

(Committees not listed did not meet)

GAS PRICES

Committee on Energy and Natural Resources: Committee concluded a hearing to examine gasoline prices and factors contributing to current high prices such as global oil demand, constraints on refinery capacity, and increased speculation in the futures market, after receiving testimony from Rebecca Watson, Assistant Secretary of the Interior for Land and Minerals Management; Guy F. Caruso, Administrator, Energy Information Administration, Department of Energy; James A. Overdahl, Chief Economist, Commodity Futures Trading Commission; Bob Slaughter, National Petrochemical and Refiners Association, Washington, D.C.; William S. Shipley III, Shipley Stores, LLC, York, Pennsylvania, on behalf of the National Association of Convenience Stores and the Society of Independent Gasoline Marketers of America; Robert L.Darbelnet, AAA, Heathrow, Florida; and John Dowd, Sanford C. Bernstein and Co., LLC, New York, New York.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 17 public bills, H.R. 3647–3663; and 4 resolutions, H. Con. Res. 233, and H. Res. 422–424, were introduced. **Pages H7672–73**

Additional Cosponsors: **Pages H7673–74**

Reports Filed: There were no reports filed today.

Suspensions: The House agreed to suspend the rules and pass the following measures:

Commemorating the 60th anniversary of V–J Day and the end of World War II in the Pacific: H. Res 360, commemorating the 60th anniversary of V–J Day and the end of World War II in the Pacific, by a ⅔ yea-and-nay vote of 394 yeas with none voting "nay", Roll no. 454; and **Pages H7650–55, H7659**

Recognizing the 30th anniversary of the Helsinki Final Act: S.J. Res. 19, amended, a joint resolution calling upon the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act, by a ⅔ yea-and-nay vote of 393 yeas to one nay, Roll no. 455. **Pages H7655–58, H7659–60**

Recess: The House recessed at 3:02 p.m. and reconvened at 6:30 p.m. **Page H7658**

Member Sworn—Second Congressional District of Ohio: Representative-elect Jean Schmidt presented herself in the well of the House and was administered the Oath of Office by the Speaker. **Page H7658**

Moment of Silence: The House observed a moment of silence in memory of the victims of Hurricane Katrina. **Page H7659**

Communication from Associate Justice Antonin Scalia: Justice Scalia formally notified the House of the death of the Chief Justice of the United States, William H. Rehnquist. **Page H7660**

Expressing the profound sorrow of the House of Representative on the death of the Honorable William H. Rehnquist: The House agreed to without objection H. Res. 422, expressing the profound sorrow of the House of Representatives on the death of the Honorable William H. Rehnquist, Chief Justice of the United States. **Page H7660**

Providing for the use of the catafalque situated in the crypt beneath the Rotunda of the Capitol: The House agreed to without objection S. Con. Res 52, providing for the use of the catafalque in the crypt beneath the Rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building for the late honorable William H. Rehnquist, Chief Justice of the United States. **Page H7660**

Senate Message: Messages received from the Senate today appear on pages H7647 and H7658.

Senate Referrals: S. 172 was referred to the Committee on Energy and Commerce; S. 397 was held at the desk; and S. 501 was referred to the Committee on Transportation and Infrastructure. **Page H7670**

Recess: The House recessed at 7:23 p.m. and reconvened at 10:41 p.m. **Page H7661**

Quorum Calls—Votes: There were two yea-and-nay votes, and there were no Recorded votes. There were no quorum calls. **Pages H7659, H7659–60**

Adjournment: The House met at 2 p.m. and adjourned at 11:44 p.m.

Committee Meetings

MANUFACTURING TECHNOLOGY COMPETITIVENESS ACT

Committee on Rules: Testimony was heard from Chairman Boehlert and Representatives Ehlers, Carnahan and Larson of Connecticut, but action was deferred on H.R. 250, Manufacturing Technology Competitiveness Act of 2005.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D865)*

H.R. 3512, to provide an extension of administrative expenses for highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century. Signed on July 30, 2005. (Public Law 109–42)

H.R. 3423, to amend the Federal Food, Drug, and Cosmetic Act with respect to medical device user fees. Signed on August 1, 2005. (Public Law 109–43)

H.R. 38, to designate a portion of the White Salmon River as a component of the National Wild and Scenic Rivers System. Signed on August 2, 2005. (Public Law 109–44)

H.R. 481, to further the purposes of the Sand Creek Massacre National Historic Site Establishment

Act of 2000. Signed on August 2, 2005. (Public Law 109–45)

H.R. 541, to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries. Signed on August 2, 2005. (Public Law 109–46)

H.R. 794, to correct the south boundary of the Colorado River Indian Reservation in Arizona. Signed on August 2, 2005. (Public Law 109–47)

H.R. 1046, to authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming. Signed on August 2, 2005. (Public Law 109–48)

H.J. Res. 59, expressing the sense of Congress with respect to the woman suffragists who fought for and won the right of women to vote in the United States. Signed on August 2, 2005. (Public Law 109–49)

S. 571, to designate the facility of the United States Postal Service located at 1915 Fulton Street in Brooklyn, New York, as the ''Congresswoman Shirley A. Chisholm Post Office Building''. Signed on August 2, 2005. (Public Law 109–50)

S. 775, to designate the facility of the United States Postal Service located at 123 W. 7th Street in Holdenville, Oklahoma, as the ''Boone Pickens Post Office''. Signed on August 2, 2005. (Public Law 109–51)

S. 904, to designate the facility of the United States Postal Service located at 1560 Union Valley Road in West Milford, New Jersey, as the ''Brian P. Parrello Post Office Building''. Signed on August 2, 2005. (Public Law 109–52)

H.R. 3045, to implement the Dominican Republic-Central America-United States Free Trade Agreement. Signed on August 2, 2005. (Public Law 109–53)

H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006. Signed on August 2, 2005. (Public Law 109–54)

H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006. Signed on August 2, 2005. (Public Law 109–55)

S. 45, to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices. Signed on August 2, 2005. (Public Law 109–56)

S. 1395, to amend the Controlled Substances Import and Export Act to provide authority for the Attorney General to authorize the export of controlled substances from the United States to another country for subsequent export from that country to a second country, if certain conditions and safeguards are satisfied. Signed on August 2, 2005. (Public Law 109–57)

H.R. 6, to ensure jobs for our future with secure, affordable, and reliable energy. Signed on August 8, 2005. (Public Law 109–58)

H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs. Signed on August 10, 2005. (Public Law 109–59)

H.R. 1132, to provide for the establishment of a controlled substance monitoring program in each State. Signed on August 11, 2005. (Public Law 109–60)

H.R. 3645, making emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005. Signed on September 2, 2005. (Public Law 109–61)

CONGRESSIONAL PROGRAM AHEAD

Week of September 7 through September 10, 2005

Senate Chamber

On *Wednesday,* at 12 noon Senate expects to vote on a resolution relative to the death of Chief Justice of the Supreme Court, William H. Rehnquist.

On *Thursday,* Senate expects to begin consideration of H.R. 2862, Science, State, Justice, Commerce, Appropriations.

During the balance of the week, Senate expects to consider any other cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Banking, Housing, and Urban Affairs: September 8, to hold hearings to examine the Commodity Futures Modernization Act of 2000 and recent market developments, 10 a.m., SD–538.

Committee on Foreign Relations: September 8, to hold hearings to examine the nominations of Robert A. Mosbacher, of Texas, to be President of the Overseas Private Investment Corporation, Robert B. Holland III, of Texas, to be United States Executive Director of the International Bank for Reconstruction and Development, and Jan E. Boyer, of Texas, to be United States Alternate Executive Director of the Inter-American Development Bank, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: September 8, committee will meet to discuss rebuilding lives and communities regarding Hurricane Katrina, 10 a.m., SD–430.

September 8, Full Committee, business meeting to consider proposed Higher Education Amendment Acts of 2005, proposed Defined Benefit Security Act of 2005, and Title VII to proposed 2005 Spending Reconciliation Bill, 3 p.m., SD–430.

Committee on the Judiciary: September 8, business meeting to consider pending calendar business, 9:30 a.m., SD–226.

Select Committee on Intelligence: September 7, to receive a closed briefing regarding certain intelligence matters, 1:30 p.m., SH–219.

House Committees

Committee on Agriculture, September 7, to review. Kelo v. City of New London U.S. Supreme Court decision and H.R. 3405, Strengthening the Ownership of Private Property Act of 2005, 10 a.m., 1300 Longworth.

Committee on Appropriations, September 7, Subcommittee on Foreign Operations, Export Financing, and Related Programs, hearing on Iraq Reconstruction, 10 a.m., 2359 Rayburn.

Committee on Energy and Commerce, September 7, hearing on Recovering from Hurricane Katrina, 11 a.m., 2123 Rayburn.

September 8, Subcommittee on Environment and Hazardous Materials, hearing entitled ''Electronic Waste: An Examination of Current Activity, Implications for Environmental Stewardship, and the Proper Federal Role,'' 1 p.m., 2322 Rayburn.

Committee on Government Reform, September 7, Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing entitled ''Women and Cancer—Where Are We in Prevention, Early Detection and Treatment of Gynecologic Cancers?'' 10 a.m., 2154 Rayburn.

Committee on Homeland Security, September 7, Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity, hearing entitled ''The London Bombings: Protecting Civilian Targets from Terrorist Attacks,'' 10 a.m., 311 Cannon.

September 8, Subcommittee on Prevention of Nuclear and Biological Attack, hearing entitled ''WMD Terrorism and Proliferant States,'' 11 a.m., room to be announced.

Committee on International Relations, September 8, hearing entitled ''The U.S. and India: An Emerging Entente?'' 10:30 a.m., 2172 Rayburn.

Committee on the Judiciary, September 8, Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing entitled ''Review of U.S. Patent and Trademark Office operations, including analysis of Government Accountability Office, Inspector General, and National Academy of Public Administration Reports,'' 1 p.m., 2141 Rayburn.

September 8, Subcommittee on Immigration, Border Security, and Claims, to mark up H.R. 1219, Security and Fairness Enhancement for America Act of 2005, 10:30 a.m., followed by an oversight hearing entitled ''Sources and Methods of Foreign Nationals in Economic and Military Espionage,'' 11:30 a.m., 2141 Rayburn.

Committee on Small Business, September 8, Subcommittee on Workforce, Empowerment, and Government Programs, hearing entitled ''Freedom in the Workplace—An Examination of a National Right to Work Law,'' 10 a.m., 311 Cannon.

Permanent Select Committee on Intelligence, September 8, executive, Briefing on Global Updates/Hotspots, 9 a.m., H–405 Capitol.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED NINTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 4 through July 31, 2005

	Senate	*House*	*Total*
Days in session	101	87	..
Time in session	768 hrs., 58′	665 hrs., 9′	..
Congressional Record:			
Pages of proceedings	9,591	7,614	..
Extensions of Remarks	..	..	..
Public bills enacted into law	9	33	42
Private bills enacted into law	..	..	..
Bills in conference	5	4	..
Measures passed, total	337	392	729
Senate bills	93	14	..
House bills	46	148	..
Senate joint resolutions	2	..	..
House joint resolutions	4	6	..
Senate concurrent resolutions	14	6	..
House concurrent resolutions	25	56	..
Simple resolutions	153	162	..
Measures reported, total	*155	*205	360
Senate bills	120	2	..
House bills	13	120	..
Senate joint resolutions	2	..	..
House joint resolutions	..	2	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	5	..
Simple resolutions	19	76	..
Special reports	10	5	..
Conference reports	..	6	..
Measures pending on calendar	120	62	..
Measures introduced, total	1,904	4,360	6,264
Bills	1,602	3,644	..
Joint resolutions	22	63	..
Concurrent resolutions	50	232	..
Simple resolutions	230	421	..
Quorum calls	3	1	..
Yea-and-nay votes	220	204	..
Recorded votes	..	248	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

* These figures include all measures reported, even if there was no accompanying report. A total of 121 reports have been filed in the Senate, a total of 216 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 4 through July 31, 2005

Civilian nominations, totaling 349, disposed of as follows:	
Confirmed	195
Unconfirmed	147
Withdrawn	5
Returned to White House	2
Other Civilian nominations, totaling 1,379, disposed of as follows:	
Confirmed	1,139
Unconfirmed	240
Air Force nominations, totaling 8,300, disposed of as follows:	
Confirmed	5,829
Unconfirmed	2,471
Army nominations, totaling 4,684, disposed of as follows:	
Confirmed	4,663
Unconfirmed	21
Navy nominations, totaling 2,113, disposed of as follows:	
Confirmed	2,108
Unconfirmed	5
Marine Corps nominations, totaling 1,300, disposed of as follows:	
Confirmed	1,298
Unconfirmed	2

Summary

Total nominations carried over from the First Session	0
Total nominations received this Session	18,125
Total confirmed	15,232
Total unconfirmed	2,886
Total withdrawn	5
Total returned to the White House	2

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED NINTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 4 through August 31, 2005

	Senate	*House*	*Total*
Days in session	101	87	..
Time in session	768 hrs., 58′	665 hrs., 9′	..
Congressional Record:			
Pages of proceedings	9,591	7,614	..
Extensions of Remarks	..	..	..
Public bills enacted into law	14	46	60
Private bills enacted into law	..	..	..
Bills in conference	5	4	..
Measures passed, total	337	392	729
Senate bills	93	14	..
House bills	46	148	..
Senate joint resolutions	2	..	..
House joint resolutions	4	6	..
Senate concurrent resolutions	14	6	..
House concurrent resolutions	25	56	..
Simple resolutions	153	162	..
Measures reported, total	*163	*205	368
Senate bills	127	2	..
House bills	14	120	..
Senate joint resolutions	2	..	..
House joint resolutions	..	2	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	5	..
Simple resolutions	19	76	..
Special reports	10	5	..
Conference reports	..	6	..
Measures pending on calendar	120	62	..
Measures introduced, total	1,904	4,360	5,962
Bills	1,602	3,644	..
Joint resolutions	22	63	..
Concurrent resolutions	50	232	..
Simple resolutions	230	421	..
Quorum calls	3	1	..
Yea-and-nay votes	220	204	..
Recorded votes	..	248	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

* These figures include all measures reported, even if there was no accompanying report. A total of 131 reports have been filed in the Senate, a total of 216 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 4 through August 31, 2005

Civilian nominations, totaling 349, disposed of as follows:

Confirmed	195
Unconfirmed	147
Withdrawn	5
Returned to White House	2

Other Civilian nominations, totaling 1,379, disposed of as follows:

Confirmed	1,139
Unconfirmed	240

Air Force nominations, totaling 8,300, disposed of as follows:

Confirmed	5,829
Unconfirmed	2,471

Army nominations, totaling 4,684, disposed of as follows:

Confirmed	4,663
Unconfirmed	21

Navy nominations, totaling 2,113, disposed of as follows:

Confirmed	2,108
Unconfirmed	5

Marine Corps nominations, totaling 1,300, disposed of as follows:

Confirmed	1,298
Unconfirmed	2

Summary

Total nominations carried over from the First Session	0
Total nominations received this Session	18,125
Total confirmed	15,232
Total unconfirmed	2,886
Total withdrawn	5
Total returned to the White House	2

Next Meeting of the SENATE

10:30 a.m., Wednesday, September 7

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 12 noon), Senate expects to vote on a resolution expressing the sense of the Senate relative to the death of William Rehnquist, Chief Justice of the Supreme Court.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, September 7

House Chamber

Program for Wednesday: Consideration of Suspensions: (1) H.R. 1215, Green Chemistry Research and Development Act of 2005; (2) H.R. 230, National Small Business Regulatory Assistance Act of 2005; and (3) H.R. 3207, Second-stage Small Business Development Act of 2005. Begin consideration of H.R. 250, Manufacturing Technology Competitiveness Act of 2005.

Extensions of Remarks, as inserted in this issue

HOUSE

Aderholt, Robert B., Ala., E1752
Baca, Joe, Calif., E1753, E1754, E1755
Brown-Waite, Ginny, Fla., E1753, E1754, E1755, E1756, E1756, E1756, E1757, E1757
Butterfield, G.K., N.C., E1756
DeLauro, Rosa L., Conn., E1758, E1759
Duncan, John J., Jr., Tenn., E1752
Farr, Sam, Calif., E1749, E1756, E1761
Kanjorski, Paul E., Pa., E1749, E1751
Kildee, Dale E., Mich., E1759
Kind, Ron, Wisc., E1760
Kolbe, Jim, Ariz., E1753
LaHood, Ray, Ill., E1759
McCollum, Betty, Minn., E1757, E1759, E1762
McCotter, Thaddeus G., Mich., E1749, E1750, E1751, E1753
Michaud, Michael H., Me., E1756
Miller, Jeff, Fla., E1750
Moran, Jerry, Kans., E1760
Paul, Ron, Tex., E1758, E1760
Pickering, Charles W. ''Chip'', Miss., E1763, E1763
Rahall, Nick J., II, W.Va., E1761
Roybal-Allard, Lucille, Calif., E1758
Sánchez, Linda T., Calif., E1757
Saxton, Jim, N.J., E1761
Scott, David, Ga., E1751
Serrano, José E., N.Y., E1755
Sherman, Brad, Calif., E1752
Stark, Fortney Pete, Calif., E1749
Tancredo, Thomas G., Colo., E1751
Weller, Jerry, Ill., E1762

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through *GPO Access*, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the *Congressional Record* is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through *GPO Access* at www.gpo.gov/gpoaccess. Customers can also access this information with WAIS client software, via telnet at swais.access.gpo.gov, or dial-in using communications software and a modem at 202–512–1661. Questions or comments regarding this database or *GPO Access* can be directed to the *GPO Access* User Support Team at: E-Mail: gpoaccess@gpo.gov; Phone 1–888–293–6498 (toll-free), 202–512–1530 (D.C. area); Fax: 202–512–1262. The Team's hours of availability are Monday through Friday, 7:00 a.m. to 5:30 p.m., Eastern Standard Time, except Federal holidays. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $252.00 for six months, $503.00 per year, or purchased as follows: less than 200 pages, $10.50; between 200 and 400 pages, $21.00; greater than 400 pages, $31.50, payable in advance; microfiche edition, $146.00 per year, or purchased for $3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to 866–512–1800 (toll free), 202–512–1800 (D.C. area), or fax to 202–512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.