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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. DENT).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
March 9, 2006.

I hereby appoint the Honorable CHARLES W. DENT to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

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

''Whoever meditates on the law of the Lord will bring forth much fruit at harvest time.''

Lord God, who can bring forth blessings from just deeds, listen to our prayer this day. Give us the wisdom to take time to meditate upon Your revelation, Your law. Help us to find knowledge in prayerful reflection and be assured of Your love, especially in times of difficulty.

Your law holds nature and all peoples together.

May lawmakers today reflect the mindset and gracious manner revealed in Your loving commands. And may their work contain the depth of justice and the expansive embrace of human goodness that You reveal to Your people, by giving them Your law which lasts until now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. 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 pro tempore. Will the gentleman from Nevada (Mr. PORTER) come forward and lead the House in the Pledge of Allegiance.

Mr. PORTER 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.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 10 one-minute speeches on each side.

THE UAE AND OUR PORTS

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

Mr. KELLER. Mr. Speaker, putting the UAE in charge of our ports is as crazy as outsourcing our Border Patrol to Saudi Arabia.

We have two Achilles heels: our Mexican border and our seaports.

The UAE says that they are our friends. Here is some straight talk: the UAE gave us two terrorists on 9/11. They provided the money for the attacks of 9/11. They recognized the Taliban on 9/11. They refused to freeze Osama bin Laden's assets after 9/11. They have voted against us at the U.N. 90 percent of the time since 9/11. And today they announced that they will threaten the United States of America if we block this transaction. If these are our friends, what the heck does an enemy look like?

Mr. Speaker, we have but one choice: block this ports deal. We should not outsource our national security to anyone.

PRESIDENT'S BUDGET OUT OF TOUCH WITH PRIORITIES OF AMERICAN PEOPLE

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

Ms. WATSON. Mr. Speaker, President Bush is now touting the line item veto as the magic formula to get our deficit under control. Then why does the President not begin by actually sending Congress a balanced budget?

For 5 years now, one of the President's main priorities has been to provide billions in tax breaks to his friends in the pharmaceutical and insurance industry, the oil and gas industry, and America's wealthiest elite. When the President provides these tax breaks to his friends, he increases the deficit and prevents the Federal Government from being able to properly address the concerns of hardworking Americans.

There is no doubt the President has lost control of the deficit, piling mountains of debt on the backs of our children and grandchildren. Under President Bush, a projected 10-year $5.6 trillion surplus has turned into a $3.3 trillion deficit. This year the deficit is expected to reach $423 billion, the largest deficit in history. And yet the President suggests making his tax breaks to his friends permanent.

RECOMMENDATIONS TO LOWER HEALTH CARE COSTS

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

Mr. MURPHY. Mr. Speaker, according to the Centers for Disease Control, every 6 minutes someone in this country dies from an infection they picked up in a hospital. That is 90,000 people and a total cost of $50 billion. Yet when hospitals adhere to patient safety measures, they can dramatically reduce these infections.

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A hospital in Oklahoma performed 400 surgeries without an infection. A hospital in Pittsburgh reduced these infections greatly and saved millions of dollars. A hospital in St. Louis received savings of $1.5 million.

I am pleased that the Energy and Commerce Committee will take up this issue and hold hearings on this in a couple of weeks. We need to take action and save lives. At this time when we get so concerned about so many issues in America, is it not time that Congress tackled these issues head-on and worked out such issues as pay-for-performance incentives through Medicare and Medicaid to greatly reduce infections and save thousands of lives?

To learn more on this, people can look at my Web site at murphy.house.gov.

URGING COMPREHENSIVE LOBBYING REFORM

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

Mr. EMANUEL. Mr. Speaker, while Republicans are doing their best to distance themselves from their lobbying scandal, they just cannot seem to shake off Jack Abramoff.

Jack Abramoff recently told Vanity Fair: ''Any important Republican who comes out and says they didn't know me is certainly lying.''

While President Bush denies knowing him, Jack Abramoff says he knew President Bush well enough to joke with him about weight lifting. Former Speaker Gingrich said he didn't know Jack Abramoff well; yet Jack Abramoff said, ''I have more pictures of Newt Gingrich than I do of my wife.''

Senator CONRAD Burns, Jack Abramoff says: ''Every appropriation we wanted we got. Our staffs were as close as they could be. They practically used Signatures as their cafeteria.''

And to add insult to injury, in January, Senator SANTORUM, the architect of the K Street Project and a Republican point person on lobbying reform, vowed to stop his weekly lobbyist meetings; yet we now find he continues to do them.

It is just business as usual here in Washington. Mr. Speaker, the Republicans may be lip-syncing reform, but clearly the ''for sale'' sign is still up on the West Lawn.

It is time for a change. It is time to change the culture of corruption in Washington, a culture that has real costs for the American people. We can do better. We need to do better.

MEDICARE PROGRAM NOT CONFUSING

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

Ms. FOXX. Mr. Speaker, today I would like to discuss the Medicare part D prescription drug plan, a historic program that renews our commitment to our Nation's seniors.

This plan gives seniors choices for prescription drug coverage that will cost less while offering more benefits. It has brought Medicare, a program created 40 years ago, into the 21st century. Millions of seniors who were without access to drugs are now getting them and many are saving thousands of dollars a year.

Clearly, people have liked what they have heard about the program as sign-ups for the third week of February amounted to 546,000 and the week before numbered 543,000. All told, almost 26 million people have signed up so far.

The Democrats say that seniors are confused by this program. I am feeling a little bit confused myself, and here is why: Democrats are holding town halls for the sole purpose of criticizing this plan while at the same time telling seniors they should consider signing up. Well, I guess I can understand why they are confused.

Mr. Speaker, there is nothing confusing about a program that will help Medicare beneficiaries pay for their prescription drugs while at the same time saving them money.

MISPLACED PRIORITIES AND FISCAL MISMANAGEMENT

(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, when future generations of Americans look back at this time in our Nation's history, they will have to conclude that this Republican Congress and White House has been the most fiscally irresponsible in our Nation's history.

In 5 years we have turned a projected $5.6 trillion surplus into a projected $3.5 trillion of deficit, a $9 trillion fiscal reversal. Seventy-seven percent of it is attributable to tax cuts, most of which benefit the wealthy, and to the so-called war on terrorism.

And why do I say the so-called ''war on terrorism''? Because in this budget, this President's budget, he would provide tax cuts for the top 1 percent of Americans, greater than the entire amount of money he wants to spend on homeland security. And when you consider the fact that half of America's students do not even graduate from high school today, you have to ask why the amount of money he gives to the top 1 percent of Americans is almost twice as much as the entire amount of money he wants to spend on the education budget; and it is almost three times what he would spend on veterans health care.

This is misplaced priorities and fiscal mismanagement.

PROTECTING AMERICA'S CHILDREN

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

Mr. FOLEY. Mr. Speaker, let me first thank my colleagues on the Appropriations Committee for voting overwhelmingly to put the port deal on ice. We are not anti-Arab. We want disclosure. We want certainty of transactions. We want no secrecy on these particular deals.

I also want to thank them for their courageous vote and excellent vote on H.R. 3132, the Children's Safety and Violent Crime Reduction Act. Overwhelmingly passed by voice vote, that measure is on its way to the other Chamber to set up for the first time a national sex offender registry, getting background checks on foster care parents so we know if we are putting our kids with appropriate individuals, a national database requiring bracelet monitoring for sex offenders.

We track library books better than we do sexual predators. It is time we get this right. This bill does that. It puts in law guarantees that will protect our kids. It is high time we passed this measure. I thank Senator FRIST, John Walsh, among others, who have brought this to the forefront of the national conscience, and I urge we get that bill to the President's desk before we lose another child.

THE RISING COST OF HEALTH CARE

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

Mr. PRICE of Georgia. Mr. Speaker, the Centers for Medicare and Medicaid Services has released a report that details what most of us already knew, that health care costs are rising and they are rising at an increasing rate.

The bureaucrats and the Members of Congress talk about SGR, they talk about pay-for-performance, and they talk about CPT codes. What is left out of the discussion is that which is most important, and that is the patient.

As a physician for over 25 years, I know that the current health care road we are on continues to move us in the wrong direction. A patient-centered system is necessary if we are to increase access to quality care.

I ask my colleagues here in this Chamber to take a bipartisan approach to solving this issue: look at the numbers; read the reports; and, above all, listen to the American people. They are the families and the small businesses and the employers who are trying to provide health care coverage.

America has the ingenuity, but we must also have the will to make the decisions necessary to get us on the right road in health care.

WIRELESS PRIVACY AMENDMENT

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

Mr. PITTS. Mr. Speaker, yesterday was a good day for the millions of

Americans who own a cell phone. For several years, wireless phone customers have had more and more reason to question the privacy of their cell phone numbers. Right now a database of cell phone numbers is being compiled by the industry so that companies can offer wireless directory assistance in the future, but most Americans would rather not have their personal cell phone number made available to just anyone.

Yesterday after 2 years of effort on this issue, the Energy and Commerce Committee unanimously approved my amendment to put the power back into the hands of consumers. The amendment simply forbids wireless phone companies from disclosing the cell phone number of any customer without prior express authorization from the customer. Just common sense.

America is counting on us to do something about this, and we have the power to do so. Let us bring this important legislation to the floor and protect Americans' privacy rights.

AMERICA'S SECURITY

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, as we come to the floor this morning, there is a common theme. It is all about America's security, from cell phones to ports to reauthorizing the PATRIOT Act. Our goal is to keep America secure and put the focus on America's security agenda, our economic security.

And tomorrow we will have new numbers out, and we know they are going to be strong for our unemployment rates, for our productivity growth, for new jobs creation. We are looking forward to those announcements.

This body continues to focus on the moral security of this great Nation: our retirement security; our energy security; and, yes, our national security. And I congratulate the Members of this body and thank our leadership for reauthorizing the PATRIOT Act this week. Our focus: keep America secure so that future generations have the opportunity to live those big dreams that today they dream.

□ 1015

POSITIVE NEWS ABOUT THE MEDICARE PRESCRIPTION DRUG PROGRAM

(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, the Centers for Medicare and Medicaid Services recently reported that 61 percent of all Medicare beneficiaries in South Carolina have prescription drug coverage, and that almost 50 percent of the beneficiaries of the Second Congressional District where Orangeburg Prep is located have prescription drug coverage.

Since November 15, more than 25 million people have chosen to participate in this new program and are now enjoying substantial savings on the cost of their prescription drugs compared to what they used to have to pay or did not pay with no coverage. The Sun News recently reported that Mary Simms of Lexington registered for the new benefit with her plan that now just costs her $15 a month, where she used to spend $80 on her prior plan.

As the enrollment process continues, I encourage seniors throughout my State to join the millions of other Americans who are now benefiting from this valuable program which will enable them to live healthier, happier and longer lives.

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

TRIBUTE TO SERGEANT HENRY PRENDES

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

Mr. PORTER. Mr. Speaker, in Nevada we faced one of our worst nightmares a few weeks ago. One of our heroes, a law enforcement officer, a Metropolitan Police Department officer, Sergeant Henry Prendes, was shot down and brutally killed. He responded to a domestic violence call as a law enforcement officer, and as he appeared on the scene, a gentleman was waiting for him with an automatic weapon, and with over 50 rounds, brutally murdered Mr. Prendes.

Yesterday, in the Children's Safety and Violent Crime Reduction Act, in the act there was a provision that would memorialize Mr. Prendes for his efforts as a great American hero, a loving father and a loving husband. In the bill, it provides for a mandatory 30-year sentence for anyone that brutally murders a law enforcement or public safety officer or who conspires or attempts to kill.

This is an example of getting tough on crime. It is time to say enough is enough, and I applaud this House of Representatives for passing the act yesterday.

Also in the act was another provision that I provided, which was for additional background checks and faster and streamlined background checks for school teachers across this Nation.

RECOGNIZING JASON McELWAIN AND THE GREECE ATHENA HIGH SCHOOL TROJANS

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

Mr. REYNOLDS. Mr. Speaker, today I rise to recognize an outstanding young man, his supportive teammates and an inspirational performance on the basketball court.

In a matter of just 4 minutes, Jason McElwain and the Greece Athena High School Trojans showed us all the power of dedication, teamwork and perseverance. Jason also placed his heart and soul into helping the Trojans as team manager, and although never getting a chance to play, became an indispensable teammate.

Jason has also been challenged every day by autism, a disability that, while difficult, has not undercut Jason's goal or his support for the team. In turn, Jason's teammates, led by Coach Jim Johnson, have embraced him and believed in him, becoming his greatest friends and supporters.

This teamwork and mutual respect was never clearer than on the night of February 15. With only 4 minutes remaining in the final game of the regular season, Jason made his remarkable debut for the Trojans. He went on to make six 3-pointers and finished with 20 points.

A true hero and the true meaning of the word teamwork was discovered that night on the hardwood in Greece. And 2 weeks later, that teamwork propelled the Trojans to the very top as they won their sectional championship. Jason's perseverance and his teammates' support serve as a great example to us all.

Mr. Speaker, in recognition of their remarkable achievement, I ask this honorable body to join me in honoring Jason McElwain and the Greece Athena High School Basketball Trojans.

PROVIDING FOR CONSIDERATION OF H.R. 2829, OFFICE OF NATIONAL DRUG CONTROL POLICY REAUTHORIZATION ACT OF 2005

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 713 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 713

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 2829) to reauthorize the Office of National Drug Control Policy Act. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. Notwithstanding clause 11 of rule XVIII, no

amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. DENT). The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my friend the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, this structured rule under consideration provides 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform.

It waives all points of order against consideration of the bill and provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read.

It waives all points of order against the committee amendment in the nature of a substitute and makes in order only those amendments printed in the Rules Committee report accompanying this resolution.

This rule provides that the amendments made in order may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read and shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent. They shall not be subject to amendment, and shall not be subject to demand for division of the question in the House or in the Committee of the Whole.

Finally, this rule waives all points of order against the amendments printed in the report, and provides one motion to recommit with or without instructions.

Mr. Speaker, I rise today in support of this rule and its underlying important legislation reauthorizing the Office of National Drug Control Policy, which was created in 1998 to be the primary shaper, coordinator and proponent of Federal efforts to end drug abuse in our communities across America.

By supporting this legislation to reauthorize the ONDCP's activities for the next 5 years, Congress will reaffirm its support for national programs to combat the consequences of drug abuse in the National Youth Anti-Drug Media Campaign and the High-Intensity Drug Trafficking Area Program known as HIDTA. It also makes the development and implementation of Federal drug policy more streamlined, efficient and accountable.

H.R. 2829 accomplishes this goal by implementing a number of meaningful reforms to ONDCP and to our national drug control strategy. It provides the director of the ONDCP with a rank equal to Cabinet secretaries. While not affecting the President's ability to undermine the makeup of his Cabinet, it will ensure that the director will be able to interact with other department heads as an equal peer as this person coordinates our national drug policies.

This legislation also reaffirms the role of the ONDCP director as the principal coordinator of national drug policy and enhances effectiveness and accountability in drug treatment by requiring a uniform system of drug treatment evaluation based on results. It also enhances the national antidrug abuse media campaign, preserves and strengthens the High-Intensity Drug Trafficking Area Program and places a greater emphasis on providing resources to critical emerging drug threats that face our country.

Mr. Speaker, we know that the war on drugs is an ongoing struggle, but one that is also where we are seeing improvement, real improvements with positive real-world effects for American families. As President Bush outlined in his State of the Union address, there has been a 19 percent decline in overall drug teen use over the last 5 years, which translates into about 700,000 fewer young people using drugs. I think that is significant. This did not happen by accident.

But despite the fact that illegal drug use for 8th, 10th and 12th graders has been trending down since 2001, American teens still engage in risky drug-related behavior far too frequently. Nationwide, each day approximately 7,500 children between the ages of 12 and 17 try alcohol for the first time and over 30 percent of high school students report having ridden in a car with a friend who has been drinking.

Even more alarmingly, each day about 3,500 teens try marijuana for the first time, 3,500 teens try marijuana for the first time every day, and one in four children have been offered drugs at school.

Most disturbing of all, 12 million Americans age 12 and older have tried what is called methamphetamines, known as meth, a drug known principally for its equally addictive and destructive qualities.

We all know that the battle to keep our kids drug-free starts at home. Over two-thirds of teens say that the greatest risk for them in using marijuana is upsetting their parents, and we know that children who are not regularly monitored by their parents are four times more likely to use illicit drugs.

Congress has an important role to play in the process of protecting our Nation's families and communities from the devastating effects of drug use and drug addiction. This legislation will allow the ONDCP to continue fighting on the domestic front in the war on drugs through comprehensive efforts like what we call the Major Cities Initiative, which targets drug abuse in large metropolitan areas that have the highest rates of current illicit drug use by developing inventories of Federal, State and local resources for prevention, treatment and law enforcement.

By passing this legislation, the ONDCP will also be empowered to continue its involvement in a number of education programs and outreach activities whose results are backed by sound scientific data which have dramatically helped to reduce drug addiction across America.

This legislation will also allow ONDCP to continue its fight on the international front of the war on drugs. America has gotten a little bit better in choking off the supply for drugs through fostering a closer working relationship with countries, including our neighbors to the south, including Mexico, where marijuana cultivation fell almost 25 percent between 2003 and 2004 and opium poppy cultivation dropped about 27 percent during that same time.

In Colombia, the coca crop has declined by more than one-third from its high point of expansion in 2001, a pattern that holds true for the other large Andean coca-growing countries of Peru and Bolivia.

Mr. Speaker, unfortunately, America can by no means declare victory in the war on drugs. Many challenges lie ahead in teaching our children to simply say no and abstain from using drugs, in protecting our communities from crime and domestic upheavals caused by drug use and in disrupting international markets that bring to and provide this country with illegal drugs.

□ 1030

But progress is being made in no small part due to the actions taken by this Congress, my colleagues who care very immensely and deeply about the children and families of our home districts, and due to this administration to continue the fight for our communities, our children, and our future.

I urge all of my colleagues to support this rule and the underlying legislation.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my friend for yielding me the time.

Mr. Speaker, I rise today to speak on the restrictive rule and the underlying legislation reauthorizing the Office of National Drug Control Policy.

As our colleague from Texas has already noted, the rule makes in order 15 amendments to be offered by Members from both sides of the aisle. But what he did not mention is that the rule blocks 10 other amendments which were considered yesterday in the Rules Committee. It blocks them from being offered on the floor today.

Included in the 10 blocked amendments is a proposal offered by my good friend, Representative BEAN, that would have required the Government Accounting Office to examine the unintended effects of hyperactive disorder drugs.

At a time when more and more children and adults are being diagnosed with some form of attention deficit disorder, this study could go a long way towards helping all of us better understand the problem. Yet my friends in the majority on the Rules Committee blocked this amendment from being considered. Perhaps it is because they do not want to address the issue, or perhaps it is because they are trying to defeat Representative BEAN in November. Whatever the reason, the House will not have the opportunity to consider this important amendment today because the rule prohibits it.

The rule also does not permit Representative WATERS from offering her amendment, which would have required the ONDCP to develop objectives for reducing drug overdoses and the spread of HIV/AIDS and hepatitis. Her commonsense amendment, too, is blocked from consideration under the rule. So while this rule is certainly more generous than most of those in the past, it is not by any stretch of the imagination open.

Mr. Speaker, I am not going to dwell on the specifics of this legislation, which we all agree is important and necessary. I do, however, wish to speak briefly about the issues facing our communities, mine specifically, due to drug abuse and our failed efforts to rehabilitate abusers.

A little history, first. In 1971, President Nixon declared the so-called modern-day ''war on drugs.''

He characterized drug abuse as ''America's Public Enemy No. 1.'' He argued that drug addiction is a public problem. Since then, since 1971, Congress has attempted to pass laws, or passed laws, that cracked down on drug usage and harshly punished those who used these addictive poisons.

Though our intentions have largely been sincere, we have yet to institute policies that reflect a comprehensive understanding of this continuing problem. In America's black communities, minimum sentencing guidelines instituted by Congress and State legislatures for drug offenders and for other nonviolent crimes have had a lasting effect that will linger for generations to come.

Consider this: under current Federal law, the mandatory minimum sentence for being caught with 1 ounce of crack cocaine, a drug that the statistics show is more likely to be used by blacks than anyone else in our country, that mandatory minimum is longer than the mandatory minimum sentence for being caught with the exact same amount of powder cocaine, a drug that the statistics have shown is more likely to be used by whites than anyone else.

Even more, mandatory sentencing guidelines prohibit judges from using reasonable discretion to rehabilitate and not incarcerate the persons that are abusers. As a direct result of these draconian and discriminatory laws, black men in America are nearly 10 times more likely to be incarcerated for drug use than white males, notwithstanding the fact that they had the same amount; it was just nuanced as crack or powder cocaine.

Tens of thousands of black children are growing up in America in single-parent households, often plagued by poverty. Sure, drug usage is certainly a component of that problem. But the senseless mandatory locking up of first-time nonviolent drug offenders has done more to tear black and white families apart in America than almost anything else.

Drug prevention programs, such as those authorized in the underlying legislation, are important, as is the Office of National Drug Control Policy. The 1990 designation of south Florida as a High Intensity Drug Trafficking Area has been very useful in directing Federal resources into our region to stop or attempt to stop the flow of drugs into the State and country.

I supported efforts under different programs, different administrations, Republican and Democratic, when I was a Federal judge two decades ago. I continue to support them today.

Nevertheless, I refuse to accept that our drug policies have had the positive effect that so many in this body claim. Drugs are still easily accessible on our streets and in our schools, and our drug laws are senseless, outdated, and in dire need of revision.

Mr. Speaker, I look forward to a day when the Members of this body will be willing to have a meaningful debate about the successes and the failures of Federal drug policies and mandatory minimum sentencing guidelines. Only then will we fully recognize how big a failure our policies have been and take the necessary, indeed the appropriate, steps, to rehabilitate, not write off drug abusers.

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

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

Mr. Speaker, back in 1997 when I was elected to Congress, I was aware of the drug issue as it related to not only my district but, in general, to Texas and the country. And I became engaged in working with a group of Members who were intensely interested in understanding, developing a process, a policy, and a regular format for discussing drug use in America, those people who would bring drugs into the country, understanding how we stopped it, how we rehabilitated people, how we worked with law enforcement, how we dealt with the entire issue of policy from top to bottom.

One of those leaders at that time who continues to be one today will be our next speaker. He is a gentleman who intensely cares about the issue. He has traveled internationally, South America, around the world, to become an expert on not only drugs but also those things that surround drugs.

As we know, terrorism and terrorists make money off the money that comes from users in the United States of America. And so I am pleased to have at this time the gentleman who is the vice-chairman of the Criminal Justice and Drug Policy Subcommittee for Government Reform and the main author of this bill.

Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. SOUDER).

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

Mr. SOUDER. Mr. Speaker, I rise in support of this rule. In background with this, I would like to make a couple of comments about ONDCP and the drug issues before commenting on the amendments in particular.

We are, right now, over in the Government Reform Committee passing the 2006 Congressional Drug Control Budget and Policy Assessment. If you want to go to the Government Reform Web site, look under our subcommittee, Criminal Justice, Drug Policy and Human Services, which I chair, ranking member ELIJAH CUMMINGS and I have put together a unanimous report that I believe will be adopted unanimously through the full committee as well, that outlines, Department by Department, the budgets and our concerns with the national drug control policy.

There are five major concerns in this overall budget policy assessment that you will see reflected both in the underlying bill today in ONDCP and the amendments that are coming to the floor.

First is the appalling lack of a methamphetamine strategy coming out of ONDCP and this administration. Individual agencies such as DEA have worked on methamphetamines, but there is an appalling lack of national strategy you will see in amendment after amendment today on the floor, fully supported by myself and Congressman CUMMINGS.

And we worked helping draft many of these amendments. The frustration is

incredible in this body and in the Senate, and that is reflected in today's debate and in this report; also interdiction assets, the frustration at an OMB-driven clause in the Homeland Security Department that would have separated narcotics from terrorism. Narcotics are the number one cause of terrorism deaths in America.

On September 11, 2001, 3,500 people died because of terrorism. That fall, 7,500 people died with narcotics abuse and the terrorism associated with that in the United States.

The next year, 30,000 people died in 2002. In 2003, 30,000 people died. In 2004, 30,000 people died. Already 7,500 people, approximately, have died in the United States. 105,000 people have died related to drug terrorism and abuse in America since 9/11.

We need to understand that while we have to watch for the major terrorist attacks in America, we are fighting terrorism in family homes, on the streets, and in neighborhoods on a daily basis in every suburban area, every rural area, and every urban center of the United States.

The Office of National Drug Control Policy, the so-called drug czar's office, was a creation of Congress. Senator BIDEN started it in the Senate. It was not something that the administration willingly did.

The administration today says they do not like this bill. Why do they not like this bill? They opposed it in my committee, but it passed unanimously. They opposed it in the Government Reform Committee. It passed unanimously. It was accepted by the joint referrals, and it went to the Judiciary Committee.

They came up with four proposals they did not like in it. It turned out that three, unbeknownst to them, and quite frankly showing some of our frustration with the drug czar's office, they did not even realize that three of the four amendments that they were objecting to were asked for by the Judiciary Committee, and now they were asking the Judiciary Committee to challenge that.

Of course, Chairman SENSENBRENNER did not take the amendments and knock them out; they were his in the Judiciary Committee. The fourth was the Dawson Community Act that was added to protect witnesses that was added by ELIJAH CUMMINGS, the ranking Democrat of my subcommittee, and had been supported earlier by the administration. Then they wanted to knock it out.

Right up until the Rules Committee, they were still trying to demote the drug czar from a Cabinet-level equivalency position. How can he give advice, and how can he review the budgets, as this act requires of the State Department, of the Defense Department, of the Department of Homeland Security if he does not have Cabinet status? It makes no sense.

They are continually trying to undermine the attempts that we have had here. Over the past few years we have worked together in trying to move this bill. This bill moved unanimously through the House the last session of Congress. We believe we now have a bill that we will work through with the Senate as we work with the Republicans and the Democrats in the other body.

And we believe this bill will become law if not unanimously, nearly unanimously. There are 15 amendments today. Some amendments did not directly relate to this bill. But if Members want votes on some of these, that will be fine. We are prepared to accept, I believe, 13 of the 15 amendments, one we believe we can work out in conference. We are opposing one.

□ 1045

This is a bipartisan bill. And for those who have been concerned about meth, there is a lot in this bill related to meth that will force their hands. But the amendments today will make it clear that the United States Congress wants some action out of this administration on meth. It is bipartisan. It is suburban, rural, and urban and it is time that we started to act aggressively.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Appropriations Committee.

Mr. OBEY. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I am asking the House to vote down the previous question on this rule today so that the House might have an opportunity to consider two provisions which were dealt with in the Appropriations Committee yesterday. As we all know, this country has been rocked with stories about the potential purchase of port facilities in this country by a foreign corporation. I am not quite sure what the policy ought to be, but I do know that we ought to have a policy.

In fact, this country needs to have an overall policy with respect to the question of foreign investment in this country in general, but we do not. What we have discovered in this episode is that when a company such as the port terminal that has been discussed in newspapers, when a company like that is purchased by another foreign entity, it is only at the option of the two parties who have an economic interest that our government is even informed that the transaction is taking place. That is why our President had to tell the Nation that he did not have a clue about this port transaction.

Well, our President ought to have a clue and we ought to have a process that guarantees that he will be informed and that process should not rely on the voluntary action of the parties who stand to make money in the deal.

Yesterday in the Appropriations Committee we had an amendment adopted by Mr. LEWIS, the chairman, which threw out the Dubai port deal. But the committee in that process declined to support the Sabo amendment which would have tried to establish a process under which this country would be guaranteed that our government would always know when such a transaction is being contemplated. And it would have set up a process which would have assured a time certain for Presidential action and would have given the Congress a role to play in that process.

Without the action of the Sabo amendment, we are simply, on an ad hoc basis, taking one action to forbid one port from being purchased by a foreign party but we are still leaving the country open to other deals about which our government could know nothing. I do not think there are 10 people in the Congress who knew, for instance, that a Chinese corporation had taken over the port at Long Beach. It would be nice if our Government knew things like that.

The only way that we are going to get something like this done is if we force the Congress to face the entire issue. And it seems to me that this bill is a handy vehicle for doing that. I know that people will say, ''Well, you are trying to attach a matter to a bill that does not have anything to do with the matter at hand.'' I would simply say I have learned plenty from the majority leadership of this House about how to do that in the past few years, and I think we need to take advantage of that learning at this point to deal with what is a very serious problem facing our country on this question.

We need to have a policy on this so that we do not look as we did yesterday, like a bunch of chickens flying in all directions the minute an issue becomes controversial. We need to have a long-term policy to deal with this issue. The Sabo amendment, as it amends the Lewis amendment in the Appropriations Committee yesterday, would do that. And this bill before us today would be a decent venue to discuss that in a broad fashion, which is why I would urge defeat of the previous question so that we might be afforded the opportunity to offer such an amendment and have the House work its will on it.

Mr. SESSIONS. Mr. Speaker, the opportunity to hear from the vice chairman of the Committee on Government Reform about this important issue today, about ONDCP, is important. Today we have an opportunity to hear from the youngest member of the Republican leadership, newly elected chairman of our policy committee; a young man who is from Florida; a young man who has been in the thick of the battle of seeing not only the devastation of drugs but also what communities and what effective law enforcement can do in combating drugs. He is a young man who has an opinion. He is bringing that opinion to the Republican policy committee. Mr. Speaker, I yield 5 minutes to the gentleman

from Florida (Mr. PUTNAM), my colleague from the Rules Committee.

Mr. PUTNAM. I thank the gentleman for the time.

Mr. Speaker, drugs are a scourge. It is a scourge that is not just an inner-city problem. It has spread like a cancer into our small towns, our suburban areas, farming communities, areas that used to view the war on drugs with a certain jaundiced eye as being somebody else's problem.

In Florida, unfortunately, we have been on the cutting edge of this war, beginning with the cocaine cowboys of the eighties, the dope runners who would use our airstrips and grassy areas to bring things in from the Caribbean and from Central America, and we have seen how it has ripped apart our communities.

We have seen how it has filled our schools with children with severe learning disabilities and developmental difficulties because of decisions that their parents made in using these terrible drugs, these highly addictive and dangerous chemicals. We have seen the costs that it has on society, and it is nothing short of a national tragedy. So I am pleased that there is such bipartisan concern for dealing with this scourge.

I am heartened by the bipartisan number of amendments that are being offered to try and improve upon this work of really giving the ONDCP the authority and the teeth that they need to continue to go after this. This Congress is working together to curtail the dangerous proliferation of drugs, and particularly that of methamphetamines. Meth abuse is where we really see a tremendous amount of growth outside of the cities, outside of those traditional areas where we have associated drug use.

My home district in central Florida is not what you would stereotypically think of as a high-drug trafficking area, a high-crime area. It is an area of suburban bedroom communities for larger cities and rolling citrus hills and cattle ranches. The largest city has less than 80,000 people in it. And yet it is, unfortunately, on the short list of major production areas for methamphetamine because of its rural nature, because they can have these labs in the middle of nowhere, where the stench from the creation of that terrible drug is not noticed.

In fact, the DEA says that meth has become the most dangerous drug problem of small-town America. They note that young people ages 12 to 14 who live in small towns are 104 percent more likely to use meth than young people living in larger cities. What a frightening statistic for people who think that they are escaping big-city problems when they move to smaller towns. Meth abuse is most prevalent in these rural areas, as we said, because you can set these labs up anywhere without detection, the more rural the area is.

My district has seen a huge spike in meth abuse, meth production, since the nineties, which has a direct correlation to rising crime rates, overcrowded prisons and an impact on local law enforcement and local schools.

I appreciate the work of the Meth Caucus here in this Congress for continuing to bring attention to this epidemic of methamphetamine abuse. It is imperative that our Congress ensure that the Federal Government start treating this national problem with the same urgency and the same commitment that our State and local governments and grassroots advocacy groups have been treating it with for years.

I urge my colleagues to support the rule. I appreciate the hard work of Mr. SOUDER and Mr. SESSIONS and all the folks who have put so much into this, and I urge Members to support the underlying bill as well.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I will be asking Members to vote ''no'' on the previous question so I can amend this rule to allow a vote today to block the President's plan to turn over our Nation's ports to a government-run company in Dubai.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

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

There was no objection.

Mr. HASTINGS of Florida. My amendment provides that immediately after the House adopts this rule, it will bring up legislation that does two things, undergirding what my good friend, the ranking member of the Appropriations Committee, Mr. OBEY, mentioned in his remarks earlier.

First, it stops the President from moving forward with his deal to transfer operations at a number of our Nation's busiest ports, including the Port of Miami immediately south of my district, to the Government of Dubai state-owned Dubai Ports World. This is the identical language that was offered in the Appropriations Committee yesterday by Chairman LEWIS and later adopted by the committee on yesterday.

Secondly, the legislation would strengthen the process by which our government reviews future foreign takeovers. Specifically, it would require that all foreign transactions that could result in foreign control of any entity engaged in interstate commerce to undergo a thorough review that mandates the direct involvement of the President and the Congress. Whatever Members believe about the Dubai agreement, the House should be guaranteed an up-or-down vote on whether or not we want to turn control of a significant number of our Nation's ports over to a company that is owned by a foreign government.

This administration, without consulting the Congress, negotiated a secret backroom deal to turn the management of our vital ports over to a foreign entity. The House must be involved in this process that directly affects our national security now and in the future. We are sent to Washington to protect this Nation and its citizens. We owe it to them to make sure this type of deal is never allowed to slip through the system again.

I want to emphasize that this vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the agenda of the Republican majority. A ''no'' vote will allow those of us concerned about the safety and security of America's ports to offer an alternative plan right here and right now.

□ 1100

It is a vote to consider homeland security priorities for the American people which the majority today has refused to consider.

I urge all Members to vote ''no'' on the previous question so we can bring up legislation that gives Congress the right to cast a vote and be heard on this matter of significant national security. I wish to repeat that: I urge all Members, both sides, to vote ''no'' on the previous question so we can bring up legislation so that we can do our job that gives Congress the right, just the right, to cast a vote and to be heard on this matter of significant national security.

Vote ''no'' on the previous question.

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

Mr. SESSIONS. Mr. Speaker, the opportunity to be on the floor today to talk about the ONDCP, the Office of National Drug Control Policy, and the reauthorization of that important act is why we are here today, and I do understand that the gentleman from Florida and the gentleman from Wisconsin have some very strong feelings about some other issues that are not germane to the discussion of ONDCP.

I would also note that I am sure there will be a discussion today as we adjourn between the leadership parties, as they always meet on the floor to talk about thoughts, issues and ideas; and I am sure part of that discussion is going to be about the process that has been discussed through the Appropriations Committee, where there appears to be bipartisan agreement on moving forward on that important legislation.

However, today, I encourage all my friends and colleagues on both sides of the aisle to maintain their focus on what the attempt is today, and that is to support the rule that reauthorizes ONDCP on behalf of America's families and for our future.

Mr. Speaker, I would like to conclude my remarks by reminding my colleagues that defeating the previous question is an exercise in futility because the minority wants to offer an amendment that would otherwise be

ruled out of order as nongermane. So their vote or the request is really one without substance.

The previous question vote itself is simply a procedural motion to close debate on this rule that we are speaking about and proceed to vote on its adoption. The vote has no substantive policy implications whatsoever. Mr. Speaker, at this point I will insert in the RECORD an explanation of the previous question.

THE PREVIOUS QUESTION VOTE: WHAT DOES IT MEAN?

House Rule XIX (''Previous Question'') provides in part that:

There shall be a motion for the previous question, which, being ordered, shall have the effect of cutting off all debate and bringing the House to a direct vote on the immediate question or questions on which it has been ordered.

In the case of a special rule or order of business resolution reported from the House Rules Committee, providing for the consideration of a specified legislative measure, the previous question is moved following the one hour of debate allowed for under House Rules.

The vote on the previous question is simply a procedural vote on whether to proceed to an immediate vote on adopting the resolution that sets the ground rules for debate and amendment on the legislation it would make in order. Therefore, the previous question has no substantive legislative or policy implications whatsoever.

The material previously referred to by Mr. HASTINGS of Florida is as follows:

PREVIOUS QUESTION ON H. RES. 713—RULE PROVIDING FOR CONSIDERATION OF H.R. 2829

At the end of the resolution add the following new sections:

''SEC. 2. Immediately upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House a bill consisting of the text specified in Section 3 to prohibit the merger, acquisition, or takeover of Peninsular and Oriental Steam Navigation Company by Dubai Ports World and for other purposes. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) 60 minutes of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services; and (2) one motion to recommit with or without instructions.''

SEC. 3. The text referred to in section 2 is as follows:

A BILL

To prohibit the merger, acquisition, or takeover of Peninsular and Oriental Steam Navigation Company by Dubai Ports World and for other purposes.

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

SEC. 1. (a) None of the funds made available in this Act or any other act may be used to take any action under section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) or any other provision of law to approve or otherwise allow the acquisition of any leases, contracts, rights, or other obligations of P&O Ports by Dubai Ports World or any other legal entity affiliated with or controlled by Dubai Ports World.

(b) Notwithstanding any other provision of law or any prior action or decision by or on behalf of the President under section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170), the acquisition of any leases, contracts, rights, or other obligations of P&O Ports by Dubai Ports World or any other legal entity affiliated with or controlled by Dubai Ports World is hereby prohibited and shall have no effect.

(c) The limitation in subsection (a) and the prohibition in subsection (b) applies with respect to the acquisition of any leases, contracts, rights, or other obligations on or after January 1, 2006.

(d) In this section:

(1) The term ''P&O Ports'' means P&O Ports, North America, a United States subsidiary of the Peninsular and Oriental Steam Navigation Company, a company that is a national of the United Kingdom.

(2) The term ''Dubai Ports World'' means Dubai Ports World, a company that is partly owned and controlled by the Government of the United Arab Emirates.

SEC. 2. (a) Notwithstanding any other provision of law and any prior action or decision by or on behalf of the President, the President shall exercise the authority under Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) to prohibit the merger, acquisition, or takeover of P&O Ports by Dubai Ports World.

(b) INVESTIGATION OF CERTAIN TRANSACTIONS FOR NATIONAL SECURITY IMPLICATIONS.—Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended to read as follows:

''SEC. 721. INVESTIGATION OF CERTAIN TRANSACTIONS FOR NATIONAL SECURITY IMPLICATIONS.

''(a) INVESTIGATIONS.—

''(1) IN GENERAL.—Upon receiving written notification, as prescribed by regulations under this section, of any merger, acquisition, or takeover proposed or pending on or after the date of the enactment of this section by or with any foreign person which could result in foreign control of any person engaged in interstate commerce in the United States, the President, acting through the President's designee and the Committee on Foreign Investment in the United States shall conduct an investigation to determine the effects, if any, of the proposed or pending merger, acquisition, or takeover on the national security of the United States.

''(2) TIMING.—Any investigation required under paragraph (1) shall be completed before the end of the 75-day period beginning on the date of the receipt by the President or the President's designee of written notification of the proposed or pending merger, acquisition, or takeover.

''(b) CONFIDENTIALITY OF INFORMATION.—

''(1) IN GENERAL.—Any information or documentary material filed with the President or the President's designee pursuant to this section shall be exempt from disclosure under section 552 of title 5, United States Code, and no such information or documentary material may be made public, except as may be relevant to any administrative or judicial action or proceeding.

''(2) AVAILABILITY TO THE CONGRESS.—No provision of paragraph (1) shall be construed as preventing the disclosure of any information or documentary material to either House of Congress or to any duly authorized committee or subcommittee of the Congress.

''(c) COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.—

''(1) ESTABLISHMENT.—The Committee on Foreign Investment in the United States established pursuant to Executive Order No. 11858 (hereafter in this section referred to as the 'Committee') shall be a multi-agency committee to carry out this section and such other assignments as the President may designate.

''(2) MEMBERSHLP.—The Committee shall be comprised of the following members:

''(A) The Secretary of the Treasury.

''(B) The Secretary of State.

''(C) The Secretary of Defense.

''(D) The Secretary of Homeland Security.

''(E) The Attorney General.

''(F) The Secretary of Commerce.

''(G) The Director of the Office of Management and Budget.

''(H) The United States Trade Representative.

''(I) The Chairman of the Council of Economic Advisors.

''(J) The Director of the Office of Science and Technology Policy.

''(3) CHAIRPERSON.—The Secretary of the Treasury shall be the Chairperson of the Committee.

''(4) OTHER MEMBERS.—The Chairperson of the Committee shall involve the heads of such other Federal agencies, the Assistant to the President for National Security Affairs, and the Assistant to the President for Domestic Policy in any investigation under subsection (a) as the Chairperson determines to be appropriate on the basis of the facts and circumstances of the transaction under investigation.

''(5) ROLE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.—The Director of National Intelligence shall provide appropriate intelligence analysis and intelligence briefings to the Committee.

''(d) ACTION BY THE PRESIDENT.—

''(1) IN GENERAL.—No proposed or pending acquisition, merger, or takeover, of a person engaged in interstate commerce in the United States by or with foreign persons may occur unless the President, on the basis of an investigation and report by the Committee, finds that such acquisition, merger or takeover, will not threaten to impair the national security of the United States, as defined by regulations prescribed pursuant to this section, and approves the transaction.

''(2) ENFORCEMENT.—The President shall direct the Attorney General to seek appropriate relief, including divestment relief, in the district courts ofthe United States in order to implement and enforce—

''(A) any finding, action, or determination under this section of disapproval of an acquisition, merger, or takeover; or

''(B) any conditions imposed on any approval of any acquisition, merger, or takeover.

''(3) FINALITY OF DETERMINATIONS.—All actions and determinations under this section shall be final and not subject to judicial review.

''(e) FINDINGS BY THE PRESIDENT.—

''(1) IN GENERAL.—A finding under this section of impairment or threatened impairment to national security shall be based on credible evidence that leads the President to believe that—

''(A) the foreign interest exercising control might take action that threatens to impair the national security; and

''(B) other provisions of law do not provide adequate and appropriate authority for the President to protect the national security.

''(2) FACTORS TO BE CONSIDERED.—Any investigation under this section shall take into account the following factors:

''(A) Domestic production needed for projected national defense requirements.

''(B) The capability and capacity of domestic industries to meet national defense requirements, including the availability of human resources, products, technology, materials, and other supplies and services.

''(C) The control of domestic industries and commercial activity by foreign citizens as it affect the capability and capacity of the United States to meet the requirements of national security.

''(D) The potential effects of the proposed or pending transaction on sales of military

goods, equipment, or technology to any country—

''(i) identified by the Secretary of State—

''(I) under section 6(j) of the Export Administration Act of 1979, as a country that supports terrorism;

''(II) under section 6(l) of the Export Administration Act of 1979, as a country of concern regarding missile proliferation; or

''(III) under section 6(m) of the Export Administration Act of 1979, as a country of concern regarding the proliferation of chemical and biological weapons; or

''(ii) listed under section 309(c) of the Nuclear Non-Proliferation Act of 1978 on the 'Nuclear Non-Proliferation-Special Country List' (15 C.F.R. Part 778, Supplement No. 4) or any successor list.

''(E) The potential effects on the proposed or pending transaction on United States international technological leadership in areas affecting United States national security.

''(f) REPORT TO THE CONGRESS.—Upon making any determination to approve or disapprove any merger, acquisition, or takeover by or with any foreign person which could result in foreign control of any person engaged in interstate commerce in the United States, the President shall immediately transmit to the Secretary of the Senate and the Clerk of the House of Representatives a written report of the President's determination under this section to approve or disapprove such merger, acquisition, or takeover, including a detailed explanation of the finding made and factors considered.

''(g) CONGRESSIONAL ACTION.—

''(1) IN GENERAL.—If the determination of the President contained in the report transmitted to the Congress under subsection (f) is that the President will approve any merger, acquisition, or takeover under subsection (d) and not later than 30 days after the date on which Congress receives the report, a joint resolution described in paragraph (2) is enacted into law, then the President shall take such action under subsection (d) as is necessary to prohibit the merger, acquisition, or takeover, including, if such acquisition has been completed, directing the Attorney General to seek divestment or other appropriate relief in the district courts of the United States.

''(2) JOINT RESOLUTION DESCRIBED.—For purposes of paragraph (1), the term 'joint resolution' means a joint resolution of the Congress, the sole matter after the resolving clause of which is as follows: 'That the Congress disapproves the determination of approval of the President contained in the report submitted to Congress pursuant to section 721(f) of the Defense Production Act of 1950 on _____.', with the blank space being filled with the appropriate date.

''(3) COMPUTATION OF REVIEW PERIOD.—In computing the 30-day period referred to in paragraph (1), there shall be excluded any day described in section 154(b) of the Trade Act of 1974.

''(h) REGULATIONS.—The President shall direct the issuance of regulations to carry out this section. Such regulations shall, to the extent possible, minimize paperwork burdens and shall to the extent possible coordinate reporting requirements under this section with reporting requirements under any other provision of Federal law.

''(i) EFFECT ON OTHER LAW.—No provision of this section shall be construed as altering or affecting any existing authority, power, process, regulation, investigation, enforcement measure, or review provided by any other provision of law.

''(j) TECHNOLOGY RISK ASSESSMENTS.—In any case in which an assessment of the risk of diversion of defense critical technology is performed by the Committee or any other designee of the President, a copy of such assessment shall be provided to any other designee of the President responsible for reviewing or investigating a merger, acquisition, or takeover under this section.

''(k) BIENNIAL REPORT ON CRITICAL TECHNOLOGIES.—

''(1) IN GENERAL.—In order to assist the Congress in its oversight responsibilities with respect to this section, the President and such agencies as the President shall designate shall complete and furnish to the Congress, not later than May 1, 2007, and upon the expiration of every 2 years thereafter, a report, both in classified and unclassified form, which—

''(A) evaluates whether there is credible evidence of a coordinated strategy by 1 or more countries or companies to acquire United States companies involved in research, development, or production of critical technologies for which the United States is a leading producer; and

''(B) evaluates whether there are industrial espionage activities directed or directly assisted by foreign governments against private United States companies aimed at obtaining commercial secrets related to critical technology.

''(2) DEFINITION.—For the purposes of this subsection, the term 'critical technologies' means technologies identified under title VI of the National Science and Technology Policy, Organization, and Priorities Act of 1976 or other critical technology, critical components, or critical technology items essential to national defense or security identified pursuant to this section.

''(1) BIENNIAL REPORT ON CRITICAL INFRASTRUCTURE.—In order to assist the Congress in its oversight responsibilities, the President and such agencies as the President shall designate shall complete and furnish to the Congress, not later than 90 days after the date of enactment of this subsection and upon the expiration of every 2 years thereafter, a report, both in classified and unclassified form, which—

''(1) lists all critical infrastructure, as defined under subtitle B of Title II of Public Law 107–296, that is owned, controlled or dominated by an alien, a foreign corporation, or a foreign government;

''(2) evaluates whether there is credible evidence of a coordinated strategy by 1 or more countries or companies to acquire United States critical infrastructure; and

''(3) evaluates whether there are industrial espionage activities directed or directly assisted by foreign governments against private United States companies controlling critical infrastructure.''.

(b) APPROPRIATION.—

(1) IN GENERAL.—There is hereby appropriated to the Secretary of the Treasury as an additional amount for ''Salaries and Expenses'' for operation of the Committee on Foreign Investments in the United States, $10,000,000.

(2) EMERGENCY DESIGNATION.—The amount appropriated in this subsection is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

(3) TRANSFER AUTHORITY.—Any amount appropriated in this subsection may be transferred to any agency that is a core member of the Committee on Foreign Investments in the United States in order for such agency to carry out its member responsibilities.

(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall apply to the review and investigation of any acquisition, merger, or takeover which is or becomes subject to section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) (as in effect immediately before the date of the enactment of this Act or on or after such date) that has not become final before the date of the enactment of this Act.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda to offer an alternative plan.

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

The SPEAKER pro tempore (Mr. DENT). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 223, nays 195, not voting 14, as follows:

[Roll No. 33]

YEAS—223

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Crenshaw
Cubin
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DeLay
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Diaz-Balart, L.
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Drake
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Emerson
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Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
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Knollenberg
Kolbe
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LaHood
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LaTourette
Leach
Lewis (CA)
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Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
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Myrick
Neugebauer
Ney
Northup
Nunes
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Otter
Oxley
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Pearce
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Peterson (PA)
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Pickering
Pitts
Poe
Pombo
Porter
Price (GA)
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Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Stupak
Sullivan
Tancredo
Taylor (NC)
Terry
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Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
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Weller
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Whitfield
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Allen
Andrews
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Baldwin
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Becerra
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Boyd
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Brown, Corrine
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Clay
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Conyers
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Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
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DeFazio
DeGette
Delahunt
DeLauro
Dicks
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Edwards
Emanuel
Engel
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Etheridge
Farr
Fattah
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Frank (MA)
Gerlach
Gordon
Green, Al
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Grijalva
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Holden
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Inslee
Israel
Jackson (IL)
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Jefferson
Johnson, E. B.
Jones (OH)
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Miller (NC)
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Oberstar
Obey
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Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
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Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
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Sanders
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Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Wexler
Woolsey
Wu
Wynn

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Conaway
Costa
Davis (FL)
Evans
Fitzpatrick (PA)
Ford
Gonzalez
McKinney
Norwood
Salazar
Shays
Sweeney
Weiner

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DENT) (during the vote). There are 2 minutes remaining in this vote.

□ 1128

Mr. TOWNS and Mr. MORAN of Virginia changed their vote from ''yea'' to ''nay.''

Mr. GOHMERT changed his vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. CONAWAY. Mr. Speaker, today, March 9, 2006, I missed rollcall vote No. 33, H. Res. 713, on ordering the previous question to provide for consideration of the bill (H.R. 2829) to reauthorize the Office of National Drug Control Policy Act. Had I been present, I would have voted "yea" on rollcall vote 33.

PERSONAL EXPLANATION

Mr. STUPAK. Mr. Speaker, this morning, we voted on the previous question on the rule for H.R 2829, the Office of National Drug Control Policy. At the time that the vote was called, I was in the Energy and Commerce Committee participating in a hearing regarding the Department of Energy Budget. In my rush to go from the hearing to the House floor and for more meetings, I inadvertently voted "yes" on the previous question rather than "no" as I had intended.

While I know that my vote would not have changed the outcome of the previous question vote, I feel strongly that the House should be allowed the opportunity to consider legislation that would block the Dubai port deal and strengthen the review process for future foreign port deals I would like the RECORD to reflect that I intended to vote "no".

The SPEAKER pro tempore (Mr. REHBERG). The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SOUDER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2829.

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

There was no objection.

OFFICE OF NATIONAL DRUG CONTROL POLICY REAUTHORIZATION ACT OF 2005

The SPEAKER pro tempore. Pursuant to House Resolution 713 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2829.

□ 1129

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 2829) to reauthorize the Office of National Drug Control Policy Act, with Mr. BONNER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Indiana (Mr. SOUDER) and the gentleman from Maryland (Mr. CUMMINGS) each will control 30 minutes.

The Chair recognizes the gentleman from Indiana.

□ 1130

Mr. SOUDER. Mr. Chairman, I yield 4 minutes to the gentleman from Virginia (Mr. TOM DAVIS), chairman of the Committee on Government Reform.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I rise today in strong support of H.R. 2829, the Office of National Drug Control Policy Reauthorization Act. Since its inception, the Office of National Drug Control Policy, better known as ONDCP, has been the cornerstone of drug policy in America, improving the lives of all Americans by reducing the presence of drugs in our society. This office has been producing results Americans need and want. Teen drug use is on the decline, and ONDCP deserves much of the credit for that.

ONDCP's success means we are faced not with the question of whether to reauthorize it, but how best to do so. The many positive signs and trends reported in this year's National Drug Control Strategy clearly demonstrate the difference the office can make with adequate resources and sound policy.

Drug use and abuse is a national crisis that affects the health of all of our citizens, and because of this ONDCP must remain an active body in the executive office. In order to win the war on drugs, we need to address the problem of drugs in our society from every single angle. This legislation gives ONDCP the appropriate resources to stop drug use before it starts, heal drug users, and disrupt drug markets.

We all know that drugs affect people from all walks of life. Addiction does not discriminate. A strong national drug policy is in the interest of every American. Mr. Chairman, this bill we bring to the floor today was crafted in true bipartisan fashion. It is a product of careful negotiations and strong bipartisan agreement. We aim to provide the best possible support for the administration and Director Walters in implementing the President's strategy, making a strong office even stronger.

We sought to make ONDCP more efficient by reducing outdated reporting and structural requirements required by law. The bill also improves ONDCP and its programs by enhancing effectiveness and accountability in drug treatment and requiring greater diligence in addressing our Nation's methamphetamine epidemic.

We also gave significant attention to reforms of the National Youth Anti-Drug Media Campaign and the HIDTA program to make them more effective. Both of these programs have grown in ways that were not originally intended, and the bill reflects the desire to ensure the programs remain accountable and dedicated to their core purposes.

This bill recognizes the media campaign as an effective prevention tool and important element of the Federal Government's commitment to reducing teen drug use. We have all seen the well-known advertisements on subjects such as drugs and terrorism, the consequences of marijuana use and parenting skills. These advertisements carry important messages to youth about the consequences of abuse and remind parents of the importance of keeping kids away from drugs. The media campaign works, and the message is being heard. It is preventing drug abuse before it starts.

When it comes to addressing the complex dilemma of drug addiction, prevention is only one part of the equation. Treatment of substance abuse and addiction is also essential. Because addiction has so many dimensions and disrupts multiple aspects of an individual's life, treatment is never easy. Drug users need the support of family, friends, and institutions to help guide them in treatment and recovery. This bill gives ONDCP the tools to maintain and strengthen programs so Americans who need help can receive it and begin on a path to recovery.

It also recognizes an important part of helping the addict is to remove the supply of drugs from our society. I have been to Colombia with Chairman SOUDER on numerous occasions. It is apparent to me that ONDCP is making every effort to attack the economic basis of the drug trade by disrupting markets at home and abroad. We need to continue to wage war on the supply side of the drug equation while reaffirming our commitment to addressing the demand side as well.

I want to thank Chairman SOUDER, Ranking Member CUMMINGS, and my ranking member, HENRY WAXMAN, for their leadership and hard work on this reauthorization legislation. I am happy we could reach bipartisan agreement on this bill since there is no place for partisanship in protecting our children against drugs. This bipartisanship was reflected in a unanimous vote to pass this bill out of our committee.

I am confident that we have put together a cohesive, effective piece of legislation that gives ONDCP the necessary tools to reduce elicit drug use, manufacturing, trafficking, drug-related crime and violence and drug-related health consequences.

America's families need this legislation. I urge support of all of my colleagues for H.R. 2829 to reauthorize the Office of National Drug Control Policy.

Mr. CUMMINGS. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. WAXMAN), the ranking member of the Committee on Government Reform.

Mr. WAXMAN. Mr. Chairman, I rise to support H.R. 2829, which reauthorizes the Office of National Drug Control Policy, ONDCP, including its National Youth Anti-Drug Media Campaign and High Intensity Drug Trafficking Areas, HIDTA, programs.

I want to begin by acknowledging the efforts of Mr. SOUDER and Mr. CUMMINGS, the chairman and the ranking member of the Subcommittee on Criminal Justice, Drug Policy and Human Resources. They have worked tirelessly to develop this legislation. They are true leaders in the fight against drug abuse. I would like to recognize Chairman DAVIS as well for the bipartisan way he has approached this issue.

Drug use is an enormous problem in our Nation, ruining lives, filling our prisons and sometimes terrorizing our communities. Many people are not even aware how drugs adversely affect them. In addition to those addicted and their families, drug abuse affects all of us. Theft and violent crime are closely tied to drug abuse. In addition, billions of dollars are spent on health care due to drug abuse, a burden to the entire Nation.

In order to combat illegal drug use, the Federal Government must attack from different avenues using many agencies of the government. For example, the State Department works with other countries. The Drug Enforcement Agency enforces drug laws. The Department of Health and Human Services must deal with breaking addiction. ONDCP's mandate is to coordinate all of these efforts in a comprehensive strategy, coordinating with State, local, and international governments and institutions.

The bill before us today ensures that there is one place in the Federal Government that combats all aspects of the drug problem through drug prevention, treatment, enforcement, interdiction, and supply reduction. ONDCP has a vital role to play in our efforts to reduce the use of illegal drugs. I urge my colleagues to vote ''yes'' on passage of this legislation.

Mr. SOUDER. Mr. Chairman, I yield 4 minutes to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Chairman, let me thank Chairman SOUDER and Mr. CUMMINGS, and let me draw your attention to a specific section of the bill that I think is troubling not only to most Members of Congress but law enforcement throughout our country, and that is the increasing use and production of methamphetamines. This is a uniquely dangerous drug that is extremely addictive and ruins its victims. ''Methamphetamine suddenly becomes this thing in their life that they cannot do without,'' stated Attorney General Alberto Gonzales. ''In terms of damage to children and to our society, meth is now the most dangerous drug in America.''

Consider the following facts: meth is the number one drug problem for the majority of county law enforcement agencies. According to the National Association of Counties, 58 percent of counties report that meth has become their top anti-drug priority for law enforcement. In many areas, meth cases are swamping hospital emergency rooms. In one NACO survey, 47 percent of hospitals said meth is the top illicit drug involved in patient presentation. The great majority of these patients are uninsured, placing a tremendous added burden on already strained emergency rooms.

As the meth epidemic spreads, other crimes are bred. Wherever meth gains a foothold, substantial increases in property crime are seen as addicts desperately seek cash to fund their addiction. In affected areas, a 62 percent increase in domestic violence due to meth has been reported.

Meth is a major cause of child abuse and neglect. Domestic meth labs create environments hazardous to children. A nationwide survey of child welfare officials has reported an increase of out-of-home placements because of meth just in the last year alone. In California, the figure is 80 percent.

Many States, and now the Federal Government through the Methamphetamine Epidemic Control Act, have taken decisive steps to strangle domestic meth production by cutting off the supplies of essential precursor chemicals like pseudoephedrine.

And with the passage of this law, we will also implement the following: require greater diligence on methamphetamine. The bill will require future installments of the National Drug Control Strategy to place greater emphasis on identifying emerging threats and properly preparing strategies to respond to such threats. This applies the lesson learned from the meth epidemic, which was allowed to spread from a regional to a national problem before any Federal response was made.

In this bill, we will target meth production through HIDTA. No less than $15 million will be specifically set aside for law enforcement initiatives against meth trafficking.

Those provisions alone show why this bill is so critically important in its reauthorization. This will help law enforcement and counties, and we pray it will help families, because if you have seen any of the articles about the abuse of methamphetamines, you see how a thriving human being became addicted to this drug and has devastated their life and their future.

So we work together in a bipartisan way to see if we can help local governments eradicate this scourge among our society. I thank Chairman SOUDER and the ranking member, Mr. CUMMINGS, for their team effort on solving some drug problems that face this country.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as we stand here debating this important legislation before us today, illegal drug abuse, drug addiction, and drug-related violence are exacting an enormous toll on our society, destroying lives, tearing apart families and devastating entire communities. Nationwide, drug abuse will contribute to the loss of 50,000 lives, and more than 20,000 Americans will die as a direct consequence of illegal drug use this year alone.

In addition to the human toll, illegal drug abuse results in billions of dollars in cost to our Nation in health care costs and lost economic productivity, placing an enormous burden on the American people, State and local governments, businesses and other institutions.

This set of circumstances is simply intolerable in a compassionate Nation, and it is our duty as the people's representatives to formulate laws and policies to reduce the scope and severity of this problem.

To be sure, America's drug problem is national in scope and has international dimensions. But its impact, first of all, is personal and local. In one way or another, every one of us and everyone we know is touched by this problem. Unfortunately, I see the tragedy of drug abuse and drug violence play out all too starkly in my own inner-city Baltimore neighborhood and in the communities of Baltimore and Howard counties that I represent. I have made a deliberate choice to continue to live where I do because I am determined to see our efforts here make a difference in my community for the benefit of the people I call my friends and neighbors and people like them across this great Nation.

Mr. Chairman, no single event is more emblematic of the severe problems that inner-city Baltimoreans face than the horrific arson murder of Carmell and Angela Dawson and their five children in 2002. In the wee morning hours of October 16, 2002, a young drug dealer, upset with Angela Dawson's unrelenting efforts to report drug distribution activities occurring in front of her family's home, threw a fire bomb through the Dawsons' ground-floor window. The fire set the home ablaze, took seven lives, and sent a chilling message to the community: Don't snitch, don't cooperate with the police, and don't dare fight back.

The legislation we are considering today is a vital component of our Federal commitment to fight back against illegal drugs by mounting a comprehensive, coordinated effort to combat all aspects of the drug problem through drug prevention, treatment, enforcement, interdiction and supply reduction.

The Office of National Drug Control Policy, the drug czar's office, was created in 1988 and has been reauthorized twice, in 1993 and 1998. Its basic mandate is to coordinate and support the efforts of drug control agencies located in eight different Departments.

□ 1145

H.R. 2829 would reauthorize the drug czar's office and three key programs administered by it: the High Intensity Drug Trafficking Areas program, HIDTA; the Counterdrug Technology Assessment Center, CTAC; and the National Youth Anti-Drug Media Campaign. HIDTA, CTAC, and the Media Campaign all play an important part in executing key aspects of the National Drug Control Strategy, and they deserve to be reauthorized.

H.R. 2829 was ordered reported by the Government Reform, Energy and Commerce, and Judiciary committees by voice vote with the bipartisan support of committee members. I am confident that this bill will strengthen ONDCP, its component programs, and our national comprehensive anti-drug effort by providing for increased interagency communication and cooperation, enhanced program and contractor accountability, and continuous evaluation of anti-drug programs and initiatives. This will result in more effective collaboration and let the administration, Congress, and the American people know in objective terms what approaches are working and what needs to be improved or rethought.

H.R. 2829 includes key bipartisan provisions that I strongly support, and most notably, the Dawson Family Community Protection Act. As amended by the manager's amendment adopted by the Judiciary Committee, this legislation, which I introduced with Chairman SOUDER in both the 108th and 109th Congresses, would annually provide at least $7 million in HIDTA funds to support neighborhood safety and community cooperation with police in areas severely affected by violent drug-trafficking activity.

The Dawson provisions underscore the importance of the HIDTA program, which provides vital Federal funding to support uniquely flexible and effective collaboration between Federal, State, and local agencies. H.R. 2829 includes provisions to preserve and strengthen the HIDTA program in its current form and in its current location within ONDCP. This is in stark contrast to the administration's proposal, set forth in the President's fiscal year 2007 budget request, to reduce HIDTA funding and move HIDTA to the Department of Justice. H.R. 2829 reiterates Congress's intent that HIDTA should remain where it can be most effective.

H.R. 2829 also includes provisions to ensure that programs to expand access to drug treatment are adequately supported in the Federal drug control budget and further requires ONDCP to develop comprehensive strategies to address the severe threats posed by South American heroin, Afghan heroin, and drug smuggling across the Southwest border. In addition, H.R. 2829 calls for a comprehensive strategy for sharing and coordinating counterdrug intelligence and provides for increased coordination of interdiction assets and efforts.

With regard to the Media Campaign, the bill authorizes increased funding, recognizes pro bono advertising as the program's central component, provides for greater contractor accountability, requires testing and evaluation of ads before they appear on the air, and requires an independent evaluation of the campaign's impact on preventing and reducing illicit drug use by youth.

All in all, I believe this legislation advances the bipartisan, and I do emphasize that, bipartisan goal of supporting a strong, comprehensive, and coherent Federal anti-drug effort.

As the ranking minority member of the Government Reform's Subcommittee on Criminal Justice, Drug Policy and Human Resources, I want to express my deep appreciation for the bipartisan support of Government Reform Committee Chairman TOM DAVIS of Virginia; ranking member HENRY WAXMAN; and Drug Policy Subcommittee Chairman MARK SOUDER. And I join them in strongly urging our colleagues to support this very important legislation.

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

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

Across America, individuals, families, and communities continue to be devastated by the scourge of drug abuse. It remains one of the most pressing and unforgiving problems our country faces.

Some have made comments, including on the floor earlier this morning, that we have made no progress in the war on drugs. That simply is not true. What we tend to do is go up and down as we do in any kind of battle. I do not believe we will ever get rid of the scourge of drug abuse any more than I believe we will get rid of what I believe is at its core, sin in other parts of America, whether it is spouse abuse, child abuse, rape.

But if we press and if we aggressively work together, we can reduce it. The fact is that when we backed off in the early 1990s and saw the Federal intervention dollars go down in the Andean region and the interdiction dollars go down, and the joke was even in prominent officials as ''I didn't inhale,'' we saw drug use go up so much that we have to reduce it 50 percent from 1993 until now to get back to where we were in 1992. That dramatic rise and falling, again, is somewhat typical of what has happened in American history in drug abuse.

We have had some steady progress in key indicators. There is not meth abuse if you can get at marijuana use because all meth users use marijuana. Marijuana is the gateway drug, along with tobacco and alcohol in high school, of all other narcotics abuse. Right now we are facing a meth epidemic in the United States that clearly, I believe, this administration has not responded to nearly aggressively enough. We also have prescription drug abuse. Oxycontin and other prescription drugs are actually causing the most deaths from any drug abuse in the United States. We have to be eternally vigilant.

This bill, introduced by TOM DAVIS, the distinguished chairman of the Government Reform Committee, and me, along with the distinguished ranking member of the subcommittee, ELIJAH CUMMINGS, and the full committee ranking member, HENRY WAXMAN, is a forceful and bipartisan recommitment to our broad national efforts to control drug abuse and to renew our support for a strong Office of National Drug Control Policy.

Let me explain a couple of points about this. The ONDCP, Office of National Drug Control Policy, is often called the ''drug czar.'' It was created by Congress. It was not created by an administration. It was taken somewhat unwillingly by an administration years ago, and now we are up for reauthorization. We attempted to reauthorize this several years ago. It passed the House unanimously, but never got through the Senate at the end of the year. We are now coming back with a bill that is bipartisan and bicameral. I believe that this bill now can move through the Senate.

It is important to remember a couple of reasons why it is important to authorize agencies, not just to appropriate. What has happened in this interim without an authorization is that the administration has attempted to gut the HIDTA program. They have attempted to wipe out many other programs. I believe they have lacked a national meth strategy. I believe that, in addition, they have failed to give better guidance to safe and drug-free schools and then proposed to zero it out; failed to give better guidance to State and local law enforcement and then proposed to zero out those programs.

What happens when you do not have an authorization bill is that it gives complete discretion to the administration to spend whatever funds we allocate in whatever way they choose. This was a Department created by the United States Congress, by both parties, by both Houses, and it is important we give guidance. When an administration refuses to respond to an issue like meth and refuses to use the office in the way Congress intended, you move from a bill that was the original authorization, like this, to a bill like this. In other words, you do get more micromanagement.

We have actually eliminated a number of subboards and appointments and things that were irrelevant, but there is much more direct guidance to try to make sure that you do not just criticize programs but that the drug czar, the director of ONDCP, directly gives guidance, whether it be on heroin in Afghanistan, whether it be in Colombia; that this will preserve the success of, for example, the High Intensity Drug Trafficking Areas programs. If we pass this reauthorization bill, they will not be able to wipe it out or move it to other Departments.

The administration's proposal the last 2 years has been unanimously opposed by every HIDTA director in America. Every single HIDTA in America has opposed the administration's proposed changes. This authorization would keep HIDTA where it belongs. It will refocus the National Youth Anti-Drug Media Campaign. This bill clarifies the purposes of the campaign. Some of this we have worked out with the administration in the Partnership for a Drug-Free America, where they were at odds a number of years ago and they have implemented some of these changes; but we have now put it into law, because, remember, this is a 5-year reauthorization. This administration basically has 2 years to go. This is really outlining where the next administration is going to work in anti-drug policy, not just the current administration.

It will strengthen the Southwest border counternarcotics strategy. Many of us feel that there has been a lack of a coordinated Southwest border narcotics strategy, to say the least; and this bill will prescribe that there has to be a counternarcotics strategy. We will also target the methamphetamine epidemic. This bill requires at least $15 million to be dedicated to combating meth in the HIDTAs.

We will also see a whole series of amendments. The United States Congress last year began asking for, and this year, a meth strategy. We have not had a meth strategy. We have had pathetic attempts, small attempts, at a meth strategy. But we have not had a national meth strategy. Amendment after amendment today, with the support of this subcommittee, will show the intensity of how this body feels on methamphetamines.

It will also rationalize the General Counter-Drug Intelligence Plan. We have had overlaps on intelligence that have been totally unacceptable and a waste of taxpayer dollars. It will elevate the rank and status of the ONDCP director. Because the director is tasked with coordinating drug control of numerous agencies, including Cabinet-level Departments, this bill designates that he has the same rank and status as a Cabinet officer. You cannot suggest to the State Department or the Defense Department that they are not doing enough, for example, in Afghanistan if you do not have equal status. It is absurd to think a staff person in the White House could have the same clout as a fellow Cabinet member in reviewing budgets, at least most of the time. This does not interfere with the President's authority to determine the makeup of his Cabinet, but it does ensure that the director will be able to work with the Department heads on an equal basis.

It will improve effectiveness and accountability in drug treatment. There is page after page to try to make sure that our drug treatment programs and that SAMSA work directly with the ONDCP director to do that and it does not become arbitrary. We have had some very disappointing lack of communication from the ONDCP director with SAMSA, and this will help correct that.

It also requires international drug control certification, which we believe is important. It will deal with Colombia, Afghanistan, including microherbicides.

We have many different amendments inside this bill that have been put together by Members of both parties. It is a truly bipartisan effort. When people say we cannot work together, here

is a truly bipartisan effort with the input of members from multiple committees. The reason this is in the Government Reform Committee is that 20-some subcommittees have jurisdiction over narcotics; and years ago when this office was created, it was put under Government Reform, normally an oversight committee but here with authorizing; and an increasing number of things were put under the drug czar so that we could coordinate it, and this bill will reestablish this because we have been frustrated that there has not been such clear coordination. This bill will mandate more directly that it is done.

I believe we have had some successes. We are having success in Colombia. Afghanistan, we are going backwards, but we are fighting hard. I believe that the DEA has done some good work in meth, but we need a lot more in meth. We need our national ad campaign and our HIDTAs to focus more on the meth epidemic. We have other different problems, and I believe that this bill is a comprehensive, bipartisan, bicameral way to try to address this.

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

Mr. CUMMINGS. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from New Jersey (Mr. PASCRELL), who has been a leader in our efforts to address this problem of drug addiction in our country and certainly throughout the world.

Mr. PASCRELL. Mr. Chairman, I thank the gentleman for yielding.

Mr. SOUDER and Mr. CUMMINGS deserve a tremendous amount of credit.

I look at this problem, as a former mayor, as a criterion, one of the major criteria, for homeland security. If we cannot secure our neighborhoods, if we cannot secure our towns, small and large, against the poison of illicit drugs, which take many of our own sons and daughters every year, then we are never going to be able to address foreign terrorism on our shores.

□ 1200

So I thank you, and I thank you. I thank Mr. DAVIS and Mr. WAXMAN. I believe in a zero-tolerance policy, but we don't have a sense of urgency. Mr. SOUDER, I think you put it better than I could ever put it. This is an urgent problem, certainly nothing that started yesterday morning. It has been upon us.

The war on drugs is the original war on terror, one that we are fighting, and reauthorizing the Office of National Drug Control Policy is the least we can do, the least we can do, to continue the fight. I think it is a noble fight.

Illegal drug trafficking and use is a cancer on our society that destroys people, families, and even destroys neighborhoods. The bill takes a positive step in helping to restore the foundations of our community by authorizing more than $1.1 billion over 4 years to fight drug trafficking in high-intensity areas. I happen to live in one of those high-intensity areas, North Jersey/New York. This is an important investment that can be used by local, county, State and Federal agencies to collaborate information and root out the dealers and the traffickers.

In 2004, as a member of the Select Committee on Homeland Security, Secretary Ridge appeared before us. We were talking about terror and elevating the alerts, if you remember the debates we had at that time and the color schemes, et cetera, et cetera, which, by the way, we still have. And I asked Secretary Ridge, who I had a great deal of respect for, I thought he did a good job with the cards that he was dealt; I asked him the question, ''Secretary Ridge, you were Governor of a State. Have you ever seen the terror on the faces of families and people who live in neighborhoods that are infested by drugs? Have you ever seen that terror?''

He said, ''I know exactly where you are going, Congressman, because homeland security should be a place where we make our stand as well.''

Families are being ruined. This bill increases funding for the National Youth Anti-Drug Media Campaign, I think a successful program. The bill earmarks money for the Dawson Family Community Protection Act, which would focus on providing avenues for citizens to report drug trafficking in at-risk neighborhoods without putting their lives on the line.

This is an urgent problem, Mr. Chairman. This is a very urgent problem. When you see how many of our own kids are dying, and adults, I might say, during the year, and compare that against the tragedy of 9/11, we must address both of these problems to bring sanity back to our neighborhoods and back to our families.

There is an urgency here. Is there an urgency down the street, Mr. SOUDER and Mr. CUMMINGS?

Mr. SOUDER. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Florida (Mr. MICA), a former chairman of the subcommittee. He and I both were senior staffers in the other body and have worked on this issue for a long time. I appreciate his leadership in fighting narcotics throughout the United States.

Mr. MICA. Mr. Chairman, I want to thank the chair of this important subcommittee, Mr. SOUDER, for his leadership in bringing to the floor today probably one of the most important pieces of legislation that we will consider in this entire session of Congress. Not only do I thank him for his leadership and being a long-term soldier in this battle, but also the gentleman from Maryland (Mr. CUMMINGS), the ranking member, whom I have had the privilege to work with, who is also dedicated to dealing with this scourge on our Nation.

I say ''scourge on our Nation,'' because we just heard the previous speaker, the gentleman from New Jersey, talk about what illegal narcotics and drug abuse, substance abuse, has done to our Nation.

We have statistics. There are more than 20,000 American drug casualties a year. If we look at just the 3 years we have had the conflict in Iraq and Afghanistan, we have lost some 2,000 of our troops in service. We have lost more than 20,000 per year in our streets and neighborhoods, and those are only the recorded statistics. It is not all of the victims of crime and the murders. These are people who have died just from drug overdose in our communities, and many of them are our young people, the future of our Nation lost.

The cost in jails, incarceration, I am told 60 percent of those behind bars are there because of substance abuse. The social costs on all of our social agencies across this Nation is high.

Again, there is probably no greater social challenge that we have than the ravages of substance and drug abuse, child abuse, spouse abuse, all types of acts that we see that are almost unspeakable because of the effects of illegal narcotics.

I will say that President Bush and John Walters have done an excellent job in a number of areas. They set out measurable and accountable goals, and some of them have been achieved. We have seen a dramatic reduction in youth drug abuse. But we have a constant change in the challenge.

I know working with Mr. SOUDER and Mr. CUMMINGS, we have seen the crack epidemic. We saw the heroin epidemic that ravaged Baltimore and other cities, great cities across the Nation. We have seen designer drugs. Now we see the meth scourge. So we have to have a flexible and adaptable policy. Hopefully this plan and the 5-year reauthorization provides that.

It is not always how much we spend, it is how we spend it. I think this administration has also focused attention on High Intensity Drug Trafficking Area designations, HIDTA, which we have done over the years, and we have set some of those in stone, and we keep funding them year after year. We need to look at how we spend that, how much we spend and where we put the resources for high-intensity approaches to going after problems that do shift and change. I think that is an important debate. I am not crazy about moving it over to the Department of Justice, but I do think we need a more accountable HIDTA program.

In conclusion, though, we do have a changing threat. We have seen some successes, as I said, with our youth. Plan Colombia, which we fought for during the nineties, we finally got implemented. It is an incredible success. We have some challenges to look forward to, the disruption in South America with people like Morales in Bolivia, whose policies raise great questions about the progress we have made in controlling illegal narcotics.

But we do know from our experience that we have to have a plan, we have to spend our money wisely, and hopefully

this reauthorization does that. We do know that we must focus on good education programs, up-to-date prevention programs, interdiction, strong enforcement programs, and then treatment programs that we also have measurable results from.

So I am pleased to join my colleagues in speaking for this reauthorization, and I hope that the final product will do even more in addressing this serious problem our society faces.

Mr. CUMMINGS. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH), who is a member of our committee and who has worked on this issue, and is also a former mayor and very familiar with the drug issue in our country and in our cities.

Mr. KUCINICH. Mr. Chairman, I thank the gentleman from Maryland for the opportunity to address this.

We are all concerned about drug policy and about drug control policy. We are concerned about the impact drug addiction has on individual lives and families. We are concerned about the ripple effects of addiction on communities.

But I would just like to make this observation as we prepare to vote on this bill: We have to be careful in our strategy to ensure that we do not mistake victims for enemies. We make a mistake when students are punished both through the legal system and then by denying them critical education provisions, as the drug provision of the Higher Education Act does. The recent scaling back of that provision by this Congress is a step in the right direction, but we must do more. Denying students the opportunity for a higher education does not solve the Nation's drug problems, nor does it provide drug treatment.

We also make a mistake when we rely on randomized student drug testing to prevent addiction and abuse of drugs. Instead of focusing our efforts on educating our children about drugs and engaging them in the decisions about their lives and futures, drug testing assumes all youth are the same. Drug testing may be right in certain situations with reasonable evidence and a court order, but randomized testing renders all youths suspect and treats them as criminals. High expectations for our children may reap great rewards, but what will we sow with the expectation of deception? So we have to focus our efforts on helping our children, not punishing them, and we cannot allow the war on drugs to become a war on children.

I am sure there are many provisions of the bill before us that are aimed at helping many communities, but I just wanted to make this observation in general about our policies, so that as we get into a broader discussion on other legislation, that we pay close attention to the policies that we are considering or are enacting in our schools.

Mr. SOUDER. I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, I yield 13 minutes to my distinguished colleague from the great State of Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentleman from Maryland for yielding, and I thank him for his leadership, along with Mr. WAXMAN and Mr. SOUDER, who I have had the pleasure of working with on these issues, both from the perspective of interdiction, along the ''third border,'' but also from the perspective of homeland security as it relates to the northern and southern borders.

I rise to acknowledge and appreciate the great amount of work that has gone into this legislative initiative, and particularly as it relates to the reauthorization of the Office of National Drug Control Policy.

I recall that one of my first introductions to the severity of drug usage and the willingness to work full time on this issue was the opportunity to visit with Mr. CUMMINGS in his area, the city of Baltimore, which he was not reticent to let us know that there was a problem, and a problem, of course, that was connected to HIV/AIDS, and he has been working without ceasing to make great strides in the city of Baltimore. Mr. CUMMINGS, I want to congratulate you both for introducing Members of Congress to the crisis early on, as well your leadership in this area.

So I don't take away from this legislative initiative the importance of stemming the rising tide of drug usage. In fact, we had thought, I think, in some years past that there was a curving down. But for those who are listening to this debate and the many drug treatment centers around America and the addicted persons, I know that they are willing to admit that we still have a concern and a crisis, and the reauthorization of this particular agency is important for the work that it does.

In particular, as cochair of the Congressional Children's Caucus, I see a frightening rise in the utilization of addictive substances by our children, particularly ages 12 to 17. We have seen a rising increase in the number of girls that are participating in drug usage, whether or not it is alcohol, starting in middle school; and we know that if you start taking substances like alcohol in middle school, by the time you reach the high school level you are addicted and we have a problem.

□ 1215

We know also that the scourge of cigarettes, though we find that the usage overall may be going down, is still attractive to children. You say no and they want to say yes.

And then, of course, as a member of the House Judiciary Committee, we have consistently fought against the rising tide, the violent tide of methamphetamine use that started in our rural America, creeps into our cities; and the stories of blown up methamphetamine labs is a rage across America.

In fact, I remember one of the first legislative initiatives that I passed was to stand against or to stop the use of a date-rape drug which was being made in bathtubs across America.

So this is an important response to that, and I hope that we will have an opportunity to accept my amendment on the floor that hopes to provide an assessment of where we are as it relates to intervention; to Federal and State programs that deal with assessing the use of drugs by children ages 12 to 17, a very simple premise; and as well wants to give greater guidance to Federal, State and local authorities as to how they intervene, what is the value, the success story.

I hope my colleagues will join me with that support. It is clearly a road map to help us be more effective. I also want to make mention of the fact that this is a homeland security issue, because I believe Mr. SOUDER participated in hearings dealing with utilization of drugs as money that can be laundered for terrorist activity.

We are particularly focused on those areas in our borders around America. So we need to stop the violent tide of drugs. In fact, as a member of the Subcommittee on Immigration, we know that there are the combination of the smugglers of drugs with the huge cartels and the smugglers of human beings. They are intermixed and intertwined. They are there to do nothing but ill and evil. So these are important overlapping areas. I thank this committee for its leadership.

Let me mention an area, however, that I want to focus on, and I want to associate myself with Mr. KUCINICH and his concerns about the early incarceration, or trying juveniles as adults. That is why I want to have this assessment, because I believe it is important to be guided in the right procedures or right processes for our children, whether or not jail time, whether trying them as an adult is more effective than the intervention and good programs that are necessary.

Frankly, I think the good programs weigh more in stopping the tide of the utilization of drugs by our children. There should be some consideration to that.

And then let me, in conclusion, bring up Tulia, Texas, where, a, if you will, rogue cop was able to charge many, many of our constituents in Tulia, Texas, with false charges of drug use. In fact, most of the city found themselves charged with drug offenses down in the court house. This was a horrible episode of the utilization of the High Intensity Drug Trafficking Areas program.

This was an abuse that is beyond our appreciation. I am grateful to the Congressional Black Caucus and various leaders of that caucus who saw the injustices. No, we are not here to promote the proliferation of drug use, but we are here to cite some of the failings of the rogue activities that come out of the High Intensity Drug Trafficking Areas program, where there were innocent individuals who were, if you will,

networked in, fish-netted in, conspiratorially grabbed into this whole drug conspiracy, mothers and uncles, brothers. Sometimes whole families were wrapped up in, indicted, tried and convicted, many of whom were serving jail time until we were able to get our hands on the investigation, lawyers were able to intervene, and the rogue cop was exposed and all of his testimony was discovered to be false.

So there needs to be an oversight and a concern about whether or not these are effective uses of our dollars and whether or not we can effectively have oversight, so that, yes, the drug dealers who are poisoning our community, real drug dealers, the cartels, the smugglers of drugs, the producers of methamphetamine labs, the sellers of prescription drugs for children to use and others, the abuse of cough medicine, all of that is important to be able to highlight, to indict, try and convict, but not to go in and use a fishnet, rely only on the testimony of a rogue cop and have no other evidence to be utilized and to break the backs, the hearts of families, and to destroy a community.

And so I hope that as we move this legislation forward, we will be able to be focused on the good items that are here, the direction that we can go with our children with an amendment that I have on the assessment of our programs; and, of course, Mr. CUMMINGS, thank you for the concern that when people are under this particular legislation, there is a basis for fairness and accuracy in any charges being made and that people are not singled out because of the color of their skin because they are associated with drug use.

With that, let me thank my colleagues for this legislation. I hope my words will be considered as we continue to debate this legislation and fight the war on drugs in a united and positive and successful manner.

Mr. SOUDER. Mr. Chairman, I continue to reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

In closing, Mr. Chairman, this is a very, very important piece of legislation. I think it was Mr. PASCRELL who said that we must act with a sense of urgency. And he was absolutely right. As we stand here today, there are so many people who are becoming addicted to drugs; there are people who are literally robbing their own relatives and robbing their neighbors to get the funds for drugs.

There are even people who are seeking drug treatment and finding it difficult to get that treatment. But what we have tried to do here today through this bill is to address this problem as best we could. One of the things that I must express appreciation for is Mr. SOUDER's candor with regard to this whole issue. Consistently, even when there were instances where the President's priorities seemed to be, and ONDCP's priorities seemed to be, a little out of line with the things that we felt should be done to most effectively and efficiently address this problem, Mr. SOUDER, every step of the way stood up and said, look, we are going to do what is right.

We worked together very cooperatively. I really do appreciate it. It does mean a lot to me as a Member of this great body. I can say to all of our Members that this is legislation that we all should vote for. It should be a unanimous vote. I urge all Members to vote for the bill.

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

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, there are a couple of comments I want to make in closing general debate here. One is, just for the record, though it is not part of this legislation, we have clearly corrected the misinterpretation of the student loan bill.

The Clinton administration had falsely interpreted the House legislation. The Bush administration continued to do that. It has been corrected. You only lose a student loan if you commit a drug crime while you have the loan.

That is the least that the taxpayers should expect; and even then, if you go to drug treatment and test clean, you can get your loan back. Even then, if you get convicted, not arrested, but convicted of a drug crime, you still can get it back after 2 years, or if you go through drug treatment and get clean.

The third time after you commit a drug crime and get convicted, then you lose your student loan. This is the least that the taxpayers should expect.

We also have this constant debate whether it is a war or a disease. Former drug czar Barry McCaffrey always said he felt it was both, and I agree. Because with heart disease you do not see doctors getting assassinated on the street. You do not see heart surgeons getting shot in deals about heart surgery.

Also it is a controllable disease. You do not have the equivalent of Alcoholics Anonymous or narcotics anonymous for Alzheimer's. But it is a disease. That is why treatment is very important. That is why the prevention programs are very important.

I appreciated Congressman PASCRELL, and actually it was Congressman CUMMINGS who first said that narcoterrorism is something that we live with every day.

As I said earlier, tragically, 3,500 people were killed on 9/11. But that fall, 7,500 died because of illegal narcotics; 30,000 in 2002; 30,000 in 2003; 30,000 in 2004; roughly 7,500 in the first quarter of this year 105,000 people have died.

While we get obsessed with every little thing going on in homeland security, we have terror on our streets, in our homes, and in our neighborhoods every day. We cannot forget and divert funds from the daily threat of narcoterrorism in the United States as we do this.

I want to again refer to the Government Reform Subcommittee report that was unanimously adopted today. You can find it on the Web site of the Criminal Justice Subcommittee under Government Reform, 154 pages, 607 footnotes. If you tap the footnote, you can get the actual source.

There you can get a full view of the whole narcotics policies, whether it is in HHS, Department of Justice, Defense, State Department. It is part of what we do in our committee.

The ONDCP, the direct bill in front of us, has two major functions. One is directly under the control of the so-called drug czar, the director of ONDCP. It is a national media campaign, the High Intensity Drug Trafficking Areas, and the Counterdrug Technology Assessment Center.

In addition, the drug czar reviews all budgets of all agencies with narcotics and has broad authority to make sure that we have a coordinated national drug policy, and this bill strengthens that.

This bill was not easily put together. I want to thank first off the Members of both parties. We have had an extraordinary working relationship and have become very close friends, Mr. CUMMINGS and I, but other members of our committee, too. We have had well-attended subcommittee hearings.

We have held field hearings as well as hearings in Washington. Our staff, particularly Nick Coleman, who has just recently left to go to the U.S. Attorney's Office, has visited almost every HIDTA in America.

We as Members have visited HIDTA directors here and have gone out and visited the different HIDTAs. Marc Wheat, the staff director; Dennis Kilcoyne; Jim Kaiser; Tony Haywood from the minority staff have worked hard in developing this comprehensive legislation.

Mr. CUMMINGS and I both thank our staff, because they help make us look good. In a bill this complicated, working with every agency in the Federal Government basically, in a bipartisan way, is not easy to do.

Mr. Chairman, I urge all Members to support this legislation.

Mr. SCHIFF. Mr. Chairman, I rise today in support of the Office of National Drug Control Policy Reauthorization Act, and I was pleased that the House Judiciary Committee adopted two amendments that I offered and that they are part of the base bill.

Street drug markets, such as open air drug dealing at the corner and at drug houses, are a serious public safety problem. Often located in poor, minority, and disadvantaged communities, they cause severe harm by easing initiation into drug use, supporting addiction, and by drawing youth into the drug trade.

My first amendment, which is designated Sec. 14 of H.R. 2829, provided for demonstration programs by local partnerships to shut down illicit drug market hot-spots by deterring drug dealers or altering the dynamic of drug sales. This provision authorizes funding for demonstration programs that seek to coordinate an effective intervention using a credible,

deterrent message. This would encourage criminal justice agencies to collaborate with researchers and social welfare agencies to analyze local conditions and develop strategic, problem-solving interventions.

Such an approach was proven successful in High Point, NC. Upon identifying the drug market and its small group of active dealers, law enforcement carefully monitored and documented drug activity and probation/parole violations through surveillance and drug buys. Offenders with any violent criminal history were immediately arrested. Non-violent offenders, on the other hand, were confronted by law enforcement, city officials, service organizations and their families with a strong deterrent message. They were given a choice between facing immediate legal action or ceasing dealing and receiving rehabilitative services.

Consequently, the drug market promptly collapsed with minimal police intervention or crime displacement. Within one year of implementation, the drug crime rate of High Point fell by 34% and the violent crime rate was cut in half.

Sec. 14 of this bill authorizes $10 million for the next three years to fund demonstration programs supporting these interagency collaborations. The agencies would be responsible for evaluating the effectiveness of the strategic intervention, and the Director would be responsible for submitting to Congress a report identifying the best practices in drug market eradication.

My second amendment, which is designated Sec. 15 of H.R. 2829, provided for demonstration programs by local partnerships to coerce abstinence in chronic hard-drug users under community supervision through the use of drug testing and sanctions. This provision authorizes funding for demonstration programs that seek to reduce the use of illicit drugs by chronic hard-drug users living in the community while under the supervision of the criminal justice system.

Approximately 80 percent of the Nation's cocaine is consumed by a relatively small group of chronic users (approximately 4 million). Three-quarters of these users are under the supervision of the criminal justice system. By deterring these users, we would be able to reduce the nation's cocaine consumption by 60 percent—and these numbers are similar for other hard drugs, such as heroin and meth.

Coerced abstinence is a highly effective means for targeting these users. This model is based on predictable, frequent drug testing and known, non-negotiable, immediate, graduated sanctions. For example, a system where a participant is tested every 72 hours and a dirty test led to an immediate, unpleasant sanction—for example, 8 hours in a jury box or 24 hours in jail. Participants are simultaneously offered incentives such as drug treatment or other rehabilitative services.

An ongoing example of this model is being used in Hawaii, where substance abuse violations are common, with meth being the drug of choice. In October 2005, one year after the program began, program participants had an 83 percent reduction in positive test results (from 21.9% for control group to 3.8% for program participants) and an 87 percent reduction in missed appointments for testing (from 10% for control group to 1.3% for program participants).

This level of effectiveness we cannot ignore. For this reason, Sec. 15 of H.R. 2829 authorizes $10 million for the next 3 years for demonstration programs that administer drug tests to individuals at least twice a week and swiftly impose a known set of graduated sanctions for non-compliance. The program must include a plan for monitoring the progress toward reducing the percentage of positive drugs and missed testing appointments, and the Director would be responsible for submitting to Congress a report identifying the best practices in reducing the use of illicit drugs by chronic hard-drug users.

I commend the Office of National Drug Control Policy for publicly committing itself to the goal of reducing illegal drug use and abuse in the United States. However, I also call on the Director to increase the allocation of funds dedicated for treatment and demand reduction efforts, which have shown to be very successful in reducing drug use. To achieve this national drug control policy that efficiently reduces drug use and abuse in the United States, we need strategies that are as smart as they are tough. This requires that we remain open to evidence-based programs and respond with innovation. I commend ONDCP for the progress it has made, ask that the Director consider these recommendations and will support this legislation, H.R. 2829, to the reauthorize the Office.

Mr. UPTON. Mr. Chairman, as we work to reauthorize the Office of National Drug Control Policy today, I'd like to pay tribute to the work and dedication of Southwest Michigan's Regional Methamphetamine Taskforces. It is through their efforts that March is Methamphetamine Awareness Month in Southwest Michigan.

The unfortunate reality is that each and every one of our communities is vulnerable to the dangers of meth—it is a highly addictive drug that does not discriminate. However, the communities of Southwest Michigan are united in their fight against this epidemic. Regional meth taskforces consisting of dedicated law enforcement officials, pharmacists, firefighters, right down to the individual neighborhood watchman, are making headway in the fight against meth. This drug epidemic must be fought on the front lines, and the troops are assembled in Southwest Michigan.

I applaud the efforts of our dedicated Regional Meth Taskforce coordinators: Heidi Bertschinger of Allegan, Liz Lenz of Barry, Kim Palchak of Branch, Jennifer Lester of Cass, Tina Harbaugh of Kalamazoo, Mike Wilson of St. Joseph, and EJ. McAndrew of Van Buren. I would also like to commend Rick Shanley of Kalamazoo for increasing public awareness of the progress that the task forces are accomplishing.

These folks, and many others who follow their lead, have worked diligently to educate communities on the dangers of this drug. Among their many contributions to our region, the taskforces have trained community members to recognize the warning signs of the meth production and addiction, conducted research used by local treatment providers and educated school groups. Our communities are better off for the efforts of our regional taskforces.

Special thanks also goes out to all of our local law enforcement officials, they face the dangers associated with meth abuse each and every day. While March is Methamphetamine Awareness Month in Southwest Michigan, this is a problem that must be addressed each and every month of the year, until it has been conquered.

Mr. MATHESON. Mr. Chairman, when I am home in Utah, I constantly hear about the prevalence of methamphetamines and the dangers to our community posed by this highly addictive drug. This legislation has some excellent measures to help the federal government better deal with the problem and I sincerely hope that it will help ONDCP to combat meth abuse.

The Office of National Drug Control Policy (ONDCP) was created in 1988 in order to establish policies, priorities, and objectives for our Nation's drug control program. Its stated goals are to reduce illicit drug use, manufacturing, and trafficking, drug-related crime and violence, and drug-related health consequences. I support this bill and am proud to vote for strengthening the agency in charge of producing the National Drug Control Strategy.

But it would be a mistake to look at this bill without also considering the need to fully fund local law enforcement. The drug problem in our nation and in my home State of Utah is so pervasive that it absolutely requires the dedication and the cooperative efforts of local, state, and federal law enforcement. I know that Utah is not alone—I've heard many of my colleagues talk today about the scourge of methamphetamines and other drugs in thousands of communities across the nation. As a result, I am gravely concerned about the President's budget proposal for funding local law enforcement.

The federal government needs to step up to the plate and properly fund law enforcement, if we are serious about national drug control policy. That's why I strongly support funding for critical law enforcement programs, such as Byrne grants, JAG grants, and the COPS program. During my time in Congress, every single person involved with law enforcement has made it a point to share with me exactly how these grants help protect Utah citizens.

As we vote today to reauthorize ONDCP, let us also remember that our commitment to safeguarding local communities. I don't think we can say enough about the men and women who use this funding to better patrol our streets, decrease the availability of drugs in our schools, and ensure that each and every citizen is safe and protected. I know that they, and their fellow officers across this nation, are committed to protecting all of us, just as I am committed to working in support of both homeland security and domestic security.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I submit the attached exchange of letters between Chairman BUCK MCKEON of the Committee on Education and the Workforce, Chairman PETER HOEKSTRA of the Permanent Select Committee on Intelligence, Chairman JAMES SENSENBRENNER of the Committee on Judiciary, and myself for the CONGRESSIONAL RECORD.

U.S. HOUSE OF REPRESENTATIVES,
PERMANENT SELECT COMMITTEE
ON INTELLIGENCE,
Washington, DC, March 3, 2006.

Hon. TOM DAVIS,
Chairman, Committee on Government Reform,
U.S. House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN: In recognition of the importance of expediting the passage of H.R. 2829, the ''Office of National Drug Control Policy Reauthorization Act of 2005,'' the Permanent Select Committee on Intelligence

hereby waives further consideration of the bill. The Committee has jurisdictional interests in H.R. 2829, including intelligence and intelligence-related provisions contained in the bill.

The Committee takes this action only with the understanding that this procedural route should not be construed to prejudice the House Permanent Select Committee on Intelligence's jurisdictional interest over this bill or any similar bill and will not be considered as precedent for consideration of matters of jurisdictional interest to the Committee in the future. In addition, the Permanent Select Committee on Intelligence will seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this legislation.

Finally, I would ask that you include a copy of our exchange of letters on this matter in the CONGRESSIONAL RECORD during the House debate on H.R. 2829. I appreciate the constructive work between our committees on this matter and thank you for your consideration.

Sincerely,

PETER HOEKSTRA,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC, March 3, 2006.

Hon. HOWARD PETER HOEKSTRA,
Permanent Select Committee on Intelligence,
U.S. House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter regarding the Permanent Select Committee's jurisdictional interest in H.R. 2829, the *Office of National Drug Control Policy Reauthorization Act of 2005*. As you have stated, your committee has a valid jurisdiction interest in the intelligence and intelligence-related provisions contained in the bill.

Thank you for waiving further consideration of H.R. 2829. I agree that waiving further consideration of this bill does not prejudice the jurisdiction of the Permanent Select Committee nor should it be considered as precedent for matters of jurisdictional interest in the future. In addition, I will support your request for conferees from your committee should a House-Senate conference on this or similar legislation be convened.

As you have requested, I will include a copy of your letter and this response in the CONGRESSIONAL RECORD during consideration of the legislation on the House floor. Thank you for your assistance as I work towards the enactment of H.R. 2829.

Sincerely,

TOM DAVIS,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND THE WORKFORCE,
Washington, DC, March 3, 2006.

Hon. TOM DAVIS,
Chairman, Committee on Government Reform,
U.S. House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to consideration of H.R. 2829, the *Office of National Drug Control Policy Reauthorization Act of 2005*, which the Committee on Government Reform reported on November 18, 2005. The bill was referred to the Committee on Government Reform and in addition to the Permanent Select Committee on Intelligence and the Committees on Education and the Workforce, Energy and Commerce, and the Judiciary. In the bill as reported by the Committee on Government Reform, Title II, the *Clean Sports Act*, specifically the provisions relating to high schools and collegiate athletics (proposed sections 21 U.S.C. §§725, 729, and 730) is within the jurisdiction of the Committee on Education and the Workforce.

Given the fact that the bill as reported by the Committee on the Judiciary on March 2, 2006, which does not contain the Clean Sports Act, will be the base text considered by the House, I do not intend to ask for continued referral of H.R. 2829. However, I do so only with the understanding that this procedural route should not be construed to prejudice the Committee on Education and the Workforce's jurisdictional interest and prerogative on these provisions or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future. Furthermore, should these or similar provisions be considered in a conference with the Senate, I would expect members of the Committee on Education and the Workforce be appointed to the conference committee on these provisions.

Finally I would ask that you include a copy of our exchange of letters in the CONGRESSIONAL RECORD during the consideration of this bill. If you have questions regarding this matter, please do not hesitate to call me. I thank you for your consideration.

Sincerely,

HOWARD P. ''BUCK'' MCKEON,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC, March 3, 2006.

Hon. HOWARD P. ''BUCK'' MCKEON,
Chairman, Committee on Education and the Workforce,
U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your recent letter regarding the Education and the Workforce Committee's jurisdictional interest in H.R. 2829, the Office of National Drug Control Policy Reauthorization Act of 2005. As you have stated, the provisions relating to high schools and collegiate athletics in Title II, the Clean Sports Act, as reported by my Committee are within the jurisdiction of the Committee on Education and the Workforce.

Thank you for not requesting the continued referral of H.R. 2829. It is correct that the version of H.R. 2829, as reported by the Committee on the Judiciary, that will be considered in the House does not contain the Clean Sports Act or other provisions related to collegiate and high school athletics. I agree that not considering this bill in committee does not prejudice the jurisdiction of the Committee on Education and Workforce Committee nor should it be considered as precedent for matters of jurisdictional interest in the future. In addition, I would support your request for conferees from your Committee should a House-Senate conference on these or similar provisions be convened.

As you have requested, I will include a copy of your letter and this response in the CONGRESSIONAL RECORD during consideration of the legislation on the House floor. Thank you for your assistance as I work towards the enactment of H.R. 2829.

Sincerely,

TOM DAVIS,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC, March 3, 2006.

Hon. F. JAMES SENSENBRENNER,
Chairman, Committee on the Judiciary,
U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to consideration of H.R. 2829, the ''Office of National Drug Control Policy Reauthorization Act of 2005,'' on the House floor. The bill was referred to the Committee on Government Reform and in addition to the Permanent Select Committee on Intelligence and the Committees on Education and the Workforce, Energy and Commerce, and the Judiciary.

Thanks to your cooperation and diligent efforts to improve H.R. 2829, the bill, as reported by the Committee on the Judiciary, represents the legislative text that will be the basis for consideration by the House. I have therefore agreed to make in order the version of the bill reported by your committee. However, I do so only with the understanding that this procedural route should not be construed to prejudice the jurisdictional interest and prerogatives of the Committee on Government Reform and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future.

I respectfully request your confirmation of our mutual understanding. I will include a copy of our exchange of letters in the CONGRESSIONAL RECORD during the consideration of this bill. If you have questions regarding this matter, please do not hesitate to call me.

Sincerely,

TOM DAVIS,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, March 7, 2006.

Hon. TOM DAVIS,
Chairman, Committee on Government Reform,
U.S. House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to the consideration of H.R. 2829, the ''Office of National Drug Control Policy Reauthorization Act of 2005,'' on the floor. I agree that the version of H.R. 2829 reported by the Committee on the Judiciary represents the text that should be considered on the House floor, and it is my understanding that the Committee on Rules will make in order the version of the bill reported by the Committee on the Judiciary. I agree that this procedural. route does not prejudice the jurisdictional interests of the Committee on Government Reform.

Thank you for your attention to this matter and for your Committee's diligent work on this important legislation.

Sincerely,

F. JAMES SENSENBRENNER, Jr.,
Chairman.

Mr. STARK. Mr. Chairman, I rise in opposition to H.R. 2829, the Office of National Drug Control Policy Reauthorization. Other than the TSA making grandmothers take off their shoes and infants discard their milk bottles prior to boarding airplanes, the War on Drugs might go down in history as the most ineffective program in the history of the United States.

We spend over $40 billion per year on the drug war and at least another $30 billion to keep over one million Americans in prison on drug charges. Yet, study after study shows that drugs are as readily available as ever and drug use rates have remained unchanged for the last decade. Incarcerating one person costs at least $30,000 per year, while a comprehensive residential drug treatment program costs about $7,000. Treating drug addiction as a criminal rather than medical problem is not only scientifically unsound—it's a waste of money.

If we're going to spare no dollar in the war on drugs, then let's have quality education and after-school options for every child in America. And let's reverse the diabolical and failed policy of denying college loans to students with prior drug offenses. Americans with drug problems obviously need more—not fewer—opportunities to change their lives for the better.

I urge my colleagues to join me in opposing this senseless, wasteful Office of National Drug Control Policy. Let's redirect these dollars to programs that work rather than ''tough on crime'' soundbites and countless useless government reports that do nothing to reduce drug use or addiction.

Mr. SOUDER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. BASS). All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 2829

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Office of National Drug Control Policy Reauthorization Act of 2005''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Amendment of Office of National Drug Control Policy Reauthorization Act of 1998.
Sec. 3. Repeal of termination provision.
Sec. 4. Amendments to definitions.
Sec. 5. Amendments relating to establishment of Office of National Drug Control Policy and designation of officers.
Sec. 6. Amendments relating to appointment and duties of Director and Deputy Director.
Sec. 7. Amendments relating to coordination with other agencies.
Sec. 8. Development, submission, implementation, and assessment of National Drug Control Strategy.
Sec. 9. High Intensity Drug Trafficking Areas Program.
Sec. 10. Funding for certain High Intensity Drug Trafficking Areas.
Sec. 11. Amendments relating to Counter-Drug Technology Assessment Center.
Sec. 12. National youth antidrug media campaign.
Sec. 13. Drug interdiction.
Sec. 14. Awards for demonstration programs by local partnerships to shut down illicit drug market hot-spots by deterring drug dealers or altering the dynamic of drug sales.
Sec. 15. Awards for demonstration programs by local partnerships to coerce abstinence in chronic hard-drug users under community supervision through the use of drug testing and sanctions.
Sec. 16. Authorization of appropriations.
Sec. 17. Technical amendments and repeal.
Sec. 18. Requirement for disclosure of Federal sponsorship of all Federal advertising or other communication materials.
Sec. 19. Policy relating to syringe exchange programs.

SEC. 2. AMENDMENT OF OFFICE OF NATIONAL DRUG CONTROL POLICY REAUTHORIZATION ACT OF 1998.

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 Office of National Drug Control Policy Reauthorization Act of 1998 (Public Law 105–277; 21 U.S.C. 1701 et seq.).

SEC. 3. REPEAL OF TERMINATION PROVISION.

Section 715 (21 U.S.C. 1712) is repealed, and the law shall read as if such section was never in effect.

SEC. 4. AMENDMENTS TO DEFINITIONS.

(a) AMENDMENTS TO DEFINITIONS.—Section 702 (21 U.S.C. 1701) is amended—

(1) in paragraph (1)—

(A) by striking ''and'' at the end of subparagraph (F);

(B) by striking the period at the end of subparagraph (G) and inserting '', including the testing of employees;''; and

(C) by adding at the end the following:

''(H) interventions for drug abuse and dependence; and

''(I) international drug control coordination and cooperation with respect to activities described in this paragraph.'';

(2) in paragraph (6), by adding before the period at the end: '', including any activities involving supply reduction, demand reduction, or State and local affairs'';

(3) in paragraph (7)—

(A) by striking ''Agency'' and inserting ''agency'';

(B) by striking ''National Foreign Intelligence Program,'' and inserting ''National Intelligence Program,''; and

(C) by inserting a comma before ''or Tactical'';

(4) in paragraph (9), by striking ''implicates'' and inserting ''indicates'';

(5) in paragraph (10)—

(A) by adding ''National Drug Control Program agencies and'' after ''among'' in subparagraph (B);

(B) by striking ''and'' at the end of subparagraph (B);

(C) by striking the period at the end of subparagraph (C) and inserting a semicolon; and

(D) by adding at the end the following:

''(D) domestic drug law enforcement, including domestic drug interdiction and law enforcement directed at drug users; and

''(E) coordination and enhancement of Federal, State, and local law enforcement initiatives to gather, analyze, and disseminate information and intelligence relating to drug control among domestic law enforcement agencies.'';

(6) in paragraph (11)—

(A) by inserting before the semicolon in subparagraph (A) the following: '', including—

''(i) law enforcement outside the United States; and

''(ii) source country programs, including economic development programs primarily intended to reduce the production or trafficking of illicit drugs'';

(B) by striking subparagraph (B) and inserting the following:

''(B) facilitating and enhancing the sharing of foreign and domestic information and law enforcement intelligence relating to drug production and trafficking among National Drug Control Program agencies, and between those agencies and foreign law enforcement agencies; and'';

(C) by striking ''; and'' at the end of subparagraph (C) and inserting a period; and

(D) by striking subparagraph (D); and

(7) by adding at the end the following:

''(12) APPROPRIATE CONGRESSIONAL COMMITTEES.—Except where otherwise provided, the term 'appropriate congressional committees' means the Committee on the Judiciary, the Committee on Appropriations, and the Caucus on International Narcotics Control of the Senate and the Committee on Government Reform, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives.

''(13) LAW ENFORCEMENT.—The term 'law enforcement' or 'drug law enforcement' means all efforts by a Federal, State, or local government agency to enforce the drug laws of the United States or any State, including investigation, arrest, prosecution, and incarceration or other punishments or penalties.''.

(b) CONFORMING AMENDMENTS.—Section 703(b)(3) (21 U.S.C. 1702(b)(3)) is amended—

(1) in subparagraph (A), by striking ''(G)'' and inserting ''(I)''; and

(2) in subparagraph (C)—

(A) by striking ''through (C)'' and inserting ''through (E)'';

(B) by striking ''and subparagraph (D) of section 702(11)''; and

(C) by adding before the period at the end the following: '', and sections 707 and 708 of this Act''.

SEC. 5. AMENDMENTS RELATING TO ESTABLISHMENT OF OFFICE OF NATIONAL DRUG CONTROL POLICY AND DESIGNATION OF OFFICERS.

(a) RESPONSIBILITIES.—Paragraph (4) of section 703(a) (21 U.S.C. 1702(a)) is amended to read as follows:

''(4) evaluate the effectiveness of the national drug control policy and the National Drug Control Program agencies' programs, by developing and applying specific goals and performance measurements.''.

(b) RANK OF DIRECTOR.—Section 703(b) (21 U.S.C. 1702(b)) is amended in paragraph (1) by adding before the period the following: '', who shall hold the same rank and status as the head of an executive department listed in section 101 of title 5, United States Code''.

(c) DEPUTY DIRECTORS.—Section 703(b) (21 U.S.C. 1702(b)) is amended in paragraph (3)—

(1) by striking ''Office—'' and inserting ''Office the following additional Deputy Directors—''; and

(2) in subparagraph (B), by striking ''who shall'' and inserting the following: ''who shall have substantial experience and expertise in drug interdiction operations and other supply reduction activities, and who shall serve as the United States Interdiction Coordinator and''.

SEC. 6. AMENDMENTS RELATING TO APPOINTMENT AND DUTIES OF DIRECTOR AND DEPUTY DIRECTOR.

(a) DESIGNATION OF OTHER OFFICERS.—Section 704(a)(3) (21 U.S.C. 1703(a)(3)) is amended—

(1) by striking ''permanent employee'' and inserting ''officer or employee''; and

(2) by striking ''serve as the Director'' and inserting ''serve as the acting Director''.

(b) RESPONSIBILITIES OF DIRECTOR.—Section 704(b) (21 U.S.C. 1703(b)) is amended—

(1) in paragraph (4), by striking ''Federal departments and agencies engaged in drug enforcement,'' and inserting ''National Drug Control Program agencies,'';

(2) in paragraph (7), by inserting after ''President'' the following: ''and the appropriate congressional committees'';

(3) in paragraph (13), by striking ''(beginning in 1999)'';

(4) in paragraph (14)—

(A) by striking ''Appropriations'' and all that follows through ''Senate'' and inserting ''appropriate congressional committees''; and

(B) by striking ''and'' after the semicolon at the end;

(5) in paragraph (15), by striking subparagraph (C) and inserting the following:

''(C) supporting the substance abuse information clearinghouse administered by the Administrator of the Substance Abuse and Mental

Health Services Administration and established in section 501(d)(16) of the Public Health Service Act by—

''(i) encouraging all National Drug Control Program agencies to provide all appropriate and relevant information; and

''(ii) supporting the dissemination of information to all interested entities;''; and

(6) by inserting at the end the following:

''(16) shall coordinate with the private sector to promote private research and development of medications to treat addiction;

''(17) shall seek the support and commitment of State and local officials in the formulation and implementation of the National Drug Control Strategy;

''(18) shall monitor and evaluate the allocation of resources among Federal law enforcement agencies in response to significant local and regional drug trafficking and production threats;

''(19) shall submit an annual report to Congress detailing how the Office of National Drug Control Policy has consulted with and assisted State and local governments with respect to the formulation and implementation of the National Drug Control Strategy and other relevant issues; and

''(20) shall, within one year after the date of the enactment of the Office of National Drug Control Policy Reauthorization Act of 2005, report to Congress on the impact of each Federal drug reduction strategy upon the availability, addiction rate, use rate, and other harms of illegal drugs.''.

(c) SUBMISSION OF DRUG CONTROL BUDGET REQUESTS.—Section 704(c)(1) is amended by adding at the end the following:

''(C) CONTENT OF DRUG CONTROL BUDGET REQUESTS.—A drug control budget request submitted by a department, agency, or program under this paragraph shall include all requests for funds for any drug control activity undertaken by that department, agency, or program, including demand reduction, supply reduction, and State and local affairs, including any drug law enforcement activities. If an activity has both drug control and nondrug control purposes or applications, the department, agency, or program shall estimate by a documented calculation the total funds requested for that activity that would be used for drug control, and shall set forth in its request the basis and method for making the estimate.''.

(d) NATIONAL DRUG CONTROL BUDGET PROPOSAL.—Section 704(c)(2) is amended in subparagraph (A) by inserting before the semicolon: ''and to inform Congress and the public about the total amount proposed to be spent on all supply reduction, demand reduction, State and local affairs, including any drug law enforcement, and other drug control activities by the Federal Government, which shall conform to the content requirements set forth in subparagraph (C) of paragraph (1) of this subsection''.

(e) REVIEW AND CERTIFICATION OF NATIONAL DRUG CONTROL PROGRAM BUDGET.—Section 704(c)(3) (21 U.S.C. 1703(c)(3)) is amended—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively;

(2) by inserting after subparagraph (B) the following new subparagraph:

''(C) SPECIFIC REQUESTS.—The Director shall not confirm the adequacy of any budget request that—

''(i) requests funding for Federal law enforcement activities that do not adequately compensate for transfers of drug enforcement resources and personnel to law enforcement and investigation activities not related to drug enforcement as determined by the Director;

''(ii) requests funding for law enforcement activities on the borders of the United States that do not adequately direct resources to drug interdiction and enforcement as determined by the Director;

''(iii) requests funding for drug treatment activities that do not provide adequate result and accountability measures as determined by the Director;

''(iv) requests funding for any activities of the Safe and Drug Free Schools Program that do not include a clear antidrug message or purpose intended to reduce drug use;

''(v) requests funding to enforce section 484(r)(1) of the Higher Education Act of 1965 (20 U.S.C. 1091(r)(1)) with respect to convictions for drug-related offenses not occurring during a period of enrollment for which the student was receiving any Federal grant, loan, or work assistance;

''(vi) requests funding for drug treatment activities that do not adequately support and enhance Federal drug treatment programs and capacity, as determined by the Director;

''(vii) requests funding for fiscal year 2007 for activities of the Department of Education, unless it is accompanied by a report setting forth a plan for providing expedited consideration of student loan applications for all individuals who submitted an application for any Federal grant, loan, or work assistance that was rejected or denied pursuant to 484(r)(1) of the Higher Education Act of 1965 (20 U.S.C. 1091(r)(1)) by reason of a conviction for a drug-related offense not occurring during a period of enrollment for which the individual was receiving any Federal grant, loan, or work assistance; and

''(viii) requests funding for the operations and management of the Department of Homeland Security that does not include a specific request for funds for the Office of Counternarcotics Enforcement to carry out its responsibilities under section 878 of the Homeland Security Act of 2002 (6 U.S.C. 458).'';

(3) in subparagraph (D)(iii), as so redesignated, by inserting ''and the appropriate congressional committees'' after ''House of Representatives''; and

(4) in subparagraph (E)(ii)(II)(bb), as so redesignated, by inserting ''and the appropriate congressional committees'' after ''House of Representatives''.

(f) REPROGRAMMING AND TRANSFER REQUESTS.—Section 704(c)(4)(A) (21 U.S.C. 1703(c)(4)(A)) is amended by striking ''$5,000,000'' and inserting ''$1,000,000''.

(g) POWERS OF DIRECTOR.—Section 704(d) (21 U.S.C. 1703(d)) is amended—

(1) in paragraph (8)(D), by striking ''have been authorized by Congress;'' and inserting ''authorized by law;'';

(2) in paragraph (9)—

(A) by inserting ''notwithstanding any other provision of law,'' after ''(9)''; and

(B) by striking ''Strategy; and'' and inserting ''Strategy and notify the appropriate congressional committees of any fund control notice issued;'';

(3) in paragraph (10), by striking ''(22 U.S.C. 2291j).'' and inserting ''(22 U.S.C. 2291j) and section 706 of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1); and''; and

(4) by adding at the end the following new paragraph:

''(11) not later than August 1 of each year, submit to the President a report, and transmit copies of the report to the Secretary of State and the appropriate congressional committees, that—

''(A) provides the Director's assessment of which countries are major drug transit countries or major illicit drug producing countries as defined in section 481(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e));

''(B) provides the Director's assessment of whether each country identified under subparagraph (A) has cooperated fully with the United States or has taken adequate steps on its own to achieve full compliance with the goals and objectives established by the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances and otherwise has assisted in reducing the supply of illicit drugs to the United States; and

''(C) provides the Director's assessment of whether application of procedures set forth in section 490 of the Foreign Assistance Act of 1961 (22 U.S.C. 2291j), as provided in section 706 of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1), is warranted with respect to countries the Director assesses have not cooperated fully.''.

(g) FUND CONTROL NOTICES.—Section 704(f) (21 U.S.C. 1703(f)) is amended by adding at the end the following:

''(4) CONGRESSIONAL NOTICE.—A copy of each fund control notice shall be transmitted to the appropriate congressional committees.

''(5) RESTRICTIONS.—The Director shall not issue a fund control notice to direct that all or part of an amount appropriated to the National Drug Control Program agency account be obligated, modified, or altered in any manner contrary, in whole or in part, to a specific appropriation or statute.''.

(h) TECHNICAL AMENDMENTS.—Section 704 (21 U.S.C. 1703) is amended—

(1) in subsection (g)—

(A) by striking ''National Foreign Intelligence Program'' and inserting ''National Intelligence Program''; and

(B) by inserting a comma before ''and Tactical''; and

(2) in subsection (h), by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence or the Director of the Central Intelligence Agency''.

(i) REQUIREMENT FOR SOUTH AMERICAN HEROIN STRATEGY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Drug Control Policy shall submit to the Congress a comprehensive strategy that addresses the increased threat from South American heroin, and in particular Colombian heroin and the emerging threat from opium poppy grown in Peru and often intended for transit to Columbia for processing into heroin.

(2) CONTENTS.—The strategy shall include—

(A) opium eradication efforts to eliminate the problem at the source to prevent heroin from entering the stream of commerce;

(B) interdiction and precursor chemical controls;

(C) demand reduction and treatment;

(D) alternative development programs, including direct assistance to regional governments to demobilize and provide alternative livelihoods to former members of insurgent or other groups engaged in heroin, coca, or other illicit drug production or trafficking;

(E) efforts to inform and involve local citizens in the programs described in subparagraphs (A) through (D), such as through leaflets advertising rewards for information;

(F) provisions that ensure the maintenance at current levels of efforts to eradicate coca in Colombia; and

(G) assessment of the specific level of funding and resources necessary to simultaneously address the threat from South American heroin and the threat from Colombian and Peruvian coca.

(3) TREATMENT OF CLASSIFIED OR LAW ENFORCEMENT SENSITIVE INFORMATION.—Any content of the strategy that involves information classified under criteria established by an Executive order, or whose public disclosure, as determined by the Director or the head of any relevant Federal agency, would be detrimental to the law enforcement or national security activities of any Federal, foreign, or international agency, shall be presented to Congress separately from the rest of the strategy.

(j) REQUIREMENT FOR AFGHAN HEROIN STRATEGY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of the Office of National Drug Control Policy shall submit to the Congress a comprehensive strategy that addresses the increased threat from Afghan heroin.

(2) CONTENTS.—The strategy shall include—

(A) opium crop eradication efforts to eliminate the problem at the source to prevent heroin from entering the stream of commerce;

(B) destruction or other direct elimination of stockpiles of heroin and raw opium, and heroin production and storage facilities;

(C) interdiction and precursor chemical controls;

(D) demand reduction and treatment;

(E) alternative development programs;

(F) measures to improve cooperation and coordination between Federal Government agencies, and between such agencies, agencies of foreign governments, and international organizations with responsibility for the prevention of heroin production in, or trafficking out of, Afghanistan; and

(G) an assessment of the specific level of funding and resources necessary significantly to reduce the production and trafficking of heroin.

(3) TREATMENT OF CLASSIFIED OR LAW ENFORCEMENT SENSITIVE INFORMATION.—Any content of the strategy that involves information classified under criteria established by an Executive order, or whose public disclosure, as determined by the Director or the head of any relevant Federal agency, would be detrimental to the law enforcement or national security activities of any Federal, foreign, or international agency, shall be presented to Congress separately from the rest of the strategy.

(k) REQUIREMENT FOR GENERAL COUNTERDRUG INTELLIGENCE PLAN.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, and not later than every two years thereafter, the Director of the Office of National Drug Control Policy, with the concurrence of the Director of National Intelligence, shall submit to the appropriate congressional committees, a general counterdrug intelligence plan to improve coordination, and eliminate unnecessary duplication, among the counterdrug intelligence centers and information sharing systems, and counterdrug activities of the Federal Government, including the centers, systems, and activities of the following departments and agencies:

(A) The Department of Defense, including the Defense Intelligence Agency, and the joint interagency task forces.

(B) The Department of the Treasury, including the Financial Crimes Enforcement Network (FinCEN).

(C) The Central Intelligence Agency.

(D) The National Security Agency.

(E) The Department of Homeland Security, including the United States Coast Guard, the bureau of Customs and Border Protection, and the bureau of Immigration and Customs Enforcement.

(F) The Department of Justice, including the National Drug Intelligence Center (NDIC); the Drug Enforcement Administration, including the El Paso Intelligence Center (EPIC); the Federal Bureau of Investigation; the Organized Crime Drug Enforcement Task Force; and the Regional Information Sharing System.

(G) The Office of National Drug Control Policy, including the High Intensity Drug Trafficking Areas Program.

(H) The Counterdrug Intelligence Executive Secretariat.

(2) PURPOSE.—The purpose of the plan under paragraph (1) is to maximize the effectiveness of the centers and activities referred to in that paragraph in achieving the objectives of the National Drug Control Strategy promulgated under 21 U.S.C. 1705. In order to maximize such effectiveness, the plan shall—

(A) articulate clear and specific mission statements (including purpose and scope of activity) for each counterdrug intelligence center, system, and activity, including the manner in which responsibility for counterdrug intelligence activities will be allocated among the counterdrug intelligence centers and systems;

(B) specify each government agency (whether Federal, State, or local) that participates in each such center, system, and activity, including a description of the extent and nature of that participation;

(C) specify the relationship between such centers, systems, and activities;

(D) specify the means by which proper oversight of such centers, systems, and activities will be assured;

(E) specify the means by which counterdrug intelligence and information will be forwarded effectively to all levels of officials responsible for United States counterdrug policy; and

(F) specify mechanisms to ensure that State and local law enforcement agencies are apprised of counterdrug intelligence and information acquired by Federal law enforcement agencies in a manner which—

(i) facilitates effective counterdrug activities by State and local law enforcement agencies; and

(ii) provides such State and local law enforcement agencies with the information relating to the safety of officials involved in their counterdrug activities.

(3) DEFINITIONS.—As used in this subsection—

(A) the term ''center'' refers to any center, office, task force, or other coordinating organization engaged in counterdrug intelligence or information analyzing or sharing activities;

(B) the term ''system'' refers to any computerized database or other electronic system used for counterdrug intelligence or information analyzing or sharing activities; and

(C) the term ''appropriate congressional committees'' means the following:

(i) The Committee on Appropriations, the Committee on Foreign Relations, the Committee on the Judiciary, the Committee on Homeland Security and Governmental Affairs, the Caucus on International Narcotics Control, and the Select Committee on Intelligence of the Senate.

(ii) The Committee on Appropriations, the Committee on International Relations, the Committee on the Judiciary, the Committee on Government Reform, the Committee on Homeland Security, and the Permanent Select Committee on Intelligence of the House of Representatives.

(4) LIMITATION.—The general counterdrug intelligence plan shall not—

(A) change existing agency authorities or the laws governing interagency relationships, but may include recommendations about changes to such authorities or laws; or

(B) include any information about specific methods of obtaining, or sources of, intelligence or information, or any information about specific individuals, cases, investigations, or operations.

(5) CLASSIFIED OR LAW ENFORCEMENT SENSITIVE INFORMATION.—Any content of the general counterdrug intelligence plan that involves information classified under criteria established by an Executive order, or whose public disclosure, as determined by the Director of the Office of National Drug Control Policy, the Director of National Intelligence, or the head of any Federal Government agency whose activities are described in the plan, would be detrimental to the law enforcement or national security activities of any Federal, State, or local agency, shall be presented to Congress separately from the rest of the report.

(l) REQUIREMENT FOR SOUTHWEST BORDER COUNTERNARCOTICS STRATEGY.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, and every two years thereafter, the Director of National Drug Control Policy shall submit to the Congress a Southwest Border Counternarcotics Strategy.

(2) PURPOSES.—The Southwest Border Counternarcotics Strategy shall—

(A) set forth the Government's strategy for preventing the illegal trafficking of drugs across the international border between the United States and Mexico, including through ports of entry and between ports of entry on that border;

(B) state the specific roles and responsibilities of the relevant National Drug Control Program agencies (as defined in section 702 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701)) for implementing that strategy; and

(C) identify the specific resources required to enable the relevant National Drug Control Program agencies to implement that strategy.

(3) CONSULTATION WITH OTHER AGENCIES.—The Director shall issue the Southwest Border Counternarcotics Strategy in consultation with the heads of the relevant National Drug Control Program agencies.

(4) LIMITATION.—The Southwest Border Counternarcotics Strategy shall not change existing agency authorities or the laws governing interagency relationships, but may include recommendations about changes to such authorities or laws.

(5) REPORT TO CONGRESS.—The Director shall provide a copy of the Southwest Border Counternarcotics Strategy to the appropriate congressional committees (as defined in section 702 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701)), and to the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate.

(6) TREATMENT OF CLASSIFIED OR LAW ENFORCEMENT SENSITIVE INFORMATION.—Any content of the Southwest Border Counternarcotics Strategy that involves information classified under criteria established by an Executive order, or whose public disclosure, as determined by the Director or the head of any relevant National Drug Control Program agency, would be detrimental to the law enforcement or national security activities of any Federal, State, or local agency, shall be presented to Congress separately from the rest of the strategy.

(m) REQUIREMENT FOR SCIENTIFIC STUDY OF MYCOHERBICIDE IN ILLICIT DRUG CROP ERADICATION.—Not later than 90 days after the date of enactment of this Act, the Director of the Office of National Drug Control Policy shall submit to the Congress a report that includes a plan to conduct, on an expedited basis, a scientific study of the use of mycoherbicide as a means of illicit drug crop elimination by an appropriate Government scientific research entity, including a complete and thorough scientific peer review. The study shall include an evaluation of the likely human health and environmental impacts of such use. The report shall also include a plan to conduct controlled scientific testing in a major drug producing nation of mycoherbicide naturally existing in the producing nation.

SEC. 7. AMENDMENTS RELATING TO COORDINATION WITH OTHER AGENCIES.

Section 705 (21 U.S.C. 1704) is amended—

(1) in subsection (a)(1)(A), by striking ''abuse'';

(2) in subsection (a)(2)(A), by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence'';

(3) in subsection (a)(2)(B), by striking ''Director of Central Intelligence'' and inserting ''Director of National Intelligence and the Director of the Central Intelligence Agency'';

(4) by amending paragraph (3) of subsection (a) to read as follows:

''(3) REQUIRED REPORTS.—

''(A) SECRETARIES OF THE INTERIOR AND AGRICULTURE.—The Secretaries of Agriculture and Interior shall, by July 1 of each year, jointly submit to the Director, the appropriate congressional committees, the Committee on Agriculture and the Committee on Resources of the House of Representatives, and the Committee on Agriculture and the Committee on Energy and Natural Resources of the Senate, an assessment of the quantity of illegal drug cultivation and manufacturing in the United States on lands owned or under the jurisdiction of the Federal Government for the preceding year.

''(B) ATTORNEY GENERAL.—The Attorney General shall, by July 1 of each year, submit to the

Director and the appropriate congressional committees information for the preceding year regarding the number and type of—

''(i) arrests for drug violations;

''(ii) prosecutions for drug violations by United States Attorneys; and

''(iii) seizures of drugs by each component of the Department of Justice seizing drugs, as well as statistical information on the geographic areas of such seizures.

''(C) SECRETARY OF HOMELAND SECURITY.—The Secretary of Homeland Security shall, by July 1 of each year, submit to the Director, the appropriate congressional committees, and the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate, information for the preceding year regarding—

''(i) the number and type of seizures of drugs by each component of the Department of Homeland Security seizing drugs, as well as statistical information on the geographic areas of such seizures; and

''(ii) the number of air and maritime patrol hours undertaken by each component of that Department primarily dedicated to drug supply reduction missions.

''(D) SECRETARY OF DEFENSE.—The Secretary of Defense shall, by July 1 of each year, submit to the Director, the appropriate congressional committees, the Committee on Armed Services of the House of Representatives, and the Committee on Armed Services of the Senate, information for the preceding year regarding the number of air and maritime patrol hours primarily dedicated to drug supply reduction missions undertaken by each component of the Department of Defense.'';

(5) in subsection (b)(2)(B), by striking ''Program.'' and inserting ''Strategy.''; and

(6) in subsection (c), by striking ''in'' and inserting ''on''.

SEC. 8. DEVELOPMENT, SUBMISSION, IMPLEMENTATION, AND ASSESSMENT OF NATIONAL DRUG CONTROL STRATEGY.

Section 706 (21 U.S.C. 1705) is amended to read as follows:

''SEC. 706. DEVELOPMENT, SUBMISSION, IMPLEMENTATION, AND ASSESSMENT OF NATIONAL DRUG CONTROL STRATEGY.

''(a) TIMING, CONTENTS, AND PROCESS FOR DEVELOPMENT AND SUBMISSION OF NATIONAL DRUG CONTROL STRATEGY.—

''(1) IN GENERAL.—Not later than February 1 of each year, the President shall submit to Congress a National Drug Control Strategy, which shall set forth a comprehensive plan for reducing illicit drug use and the consequences of illicit drug use in the United States by reducing the demand for illegal drugs, limiting the availability of illegal drugs, and conducting law enforcement activities with respect to illegal drugs.

''(2) CONTENTS.—

''(A) IN GENERAL.—The National Drug Control Strategy submitted under paragraph (1) shall include the following:

''(i) Comprehensive, research-based, long-range, and quantifiable goals for reducing illicit drug use and the consequences of illicit drug use in the United States.

''(ii) Annual quantifiable objectives for demand reduction, supply reduction, and law enforcement activities, specific targets to accomplish long-range quantifiable reduction in illicit drug use as determined by the Director, and specific measurements to evaluate progress toward the targets and strategic goals.

''(iii) A strategy to reduce the availability and purity of illegal drugs and the level of drug-related crime in the United States.

''(iv) An assessment of Federal effectiveness in achieving the National Drug Control Strategy for the previous year, including a specific evaluation of whether the objectives and targets for reducing illicit drug use for the previous year were met and reasons for the success or failure of the previous year's Strategy.

''(v) A general review of the status of, and trends in, international, State, and local drug control activities to ensure that the United States pursues well-coordinated and effective drug control at all levels of government.

''(vi) A general review of the status of, and trends in, demand reduction activities by private sector entities and community-based organizations, including faith-based organizations, to determine their effectiveness and the extent of cooperation, coordination, and mutual support between such entities and organizations and Federal, State, and local government agencies.

''(vii) An assessment of current illicit drug use (including inhalants and steroids) and availability, impact of illicit drug use, and treatment availability, which assessment shall include—

''(I) estimates of drug prevalence and frequency of use as measured by national, State, and local surveys of illicit drug use and by other special studies of nondependent and dependent illicit drug use;

''(II) illicit drug use in the workplace and the productivity lost by such use; and

''(III) illicit drug use by arrestees, probationers, and parolees.

''(viii) An assessment of the reduction of illicit drug availability, as measured by—

''(I) the quantities of cocaine, heroin, marijuana, methamphetamine, ecstasy, and other drugs available for consumption in the United States;

''(II) the amount of marijuana, cocaine, heroin, methamphetamine, ecstasy, and precursor chemicals and other drugs entering the United States;

''(III) the number of illicit drug manufacturing laboratories seized and destroyed and the number of hectares of marijuana, poppy, and coca cultivated and destroyed domestically and in other countries;

''(IV) the number of metric tons of marijuana, heroin, cocaine, and methamphetamine seized and other drugs; and

''(V) changes in the price and purity of heroin, methamphetamine, and cocaine, changes in the price of ecstasy, and changes in tetrahydrocannabinol level of marijuana and other drugs.

''(ix) An assessment of the reduction of the consequences of illicit drug use and availability, which shall include—

''(I) the burden illicit drug users place on hospital emergency departments in the United States, such as the quantity of illicit drug-related services provided;

''(II) the annual national health care cost of illicit drug use; and

''(III) the extent of illicit drug-related crime and criminal activity.

''(x) A general review of the status of, and trends in, of drug treatment in the United States, by assessing—

''(I) public and private treatment utilization; and

''(II) the number of illicit drug users the Director estimates meet diagnostic criteria for treatment.

''(xi) A review of the research agenda of the Counterdrug Technology Assessment Center to reduce the availability and abuse of drugs.

''(xii) A summary of the efforts made by Federal agencies to coordinate with private sector entities to conduct private research and development of medications to treat addiction by—

''(I) screening chemicals for potential therapeutic value;

''(II) developing promising compounds;

''(III) conducting clinical trials;

''(IV) seeking, where appropriate, Food and Drug Administration approval for drugs to treat addiction;

''(V) marketing, where appropriate, the drug for the treatment of addiction;

''(VI) urging physicians, where appropriate, to use the drug in the treatment of addiction; and

''(VII) encouraging, where appropriate, insurance companies to reimburse the cost of the drug for the treatment of addiction.

''(xiii) Such additional statistical data and information as the Director considers appropriate to demonstrate and assess trends relating to illicit drug use, the effects and consequences of illicit drug use, supply reduction, demand reduction, drug-related law enforcement, and the implementation of the National Drug Control Strategy.

''(xiv) A supplement reviewing the activities of each individual National Drug Control Program agency during the previous year with respect to the National Drug Control Strategy and the Director's assessment of the progress of each National Drug Control Program agency in meeting its responsibilities under the National Drug Control Strategy.

''(B) CLASSIFIED INFORMATION.—Any contents of the National Drug Control Strategy that involve information properly classified under criteria established by an Executive order shall be presented to Congress separately from the rest of the National Drug Control Strategy.

''(C) SELECTION OF DATA AND INFORMATION.—In selecting data and information for inclusion under subparagraph (A), the Director shall ensure—

''(i) the inclusion of data and information that will permit analysis of current trends against previously compiled data and information where the Director believes such analysis enhances long-term assessment of the National Drug Control Strategy; and

''(ii) the inclusion of data and information to permit a standardized and uniform assessment of the effectiveness of drug treatment programs in the United States.

''(3) PROCESS FOR DEVELOPMENT AND SUBMISSION.—

''(A) CONSULTATION.—In developing and effectively implementing the National Drug Control Strategy, the Director—

''(i) shall consult with—

''(I) the heads of the National Drug Control Program agencies;

''(II) Congress;

''(III) State and local officials;

''(IV) private citizens and organizations, including community- and faith-based organizations, with experience and expertise in demand reduction;

''(V) private citizens and organizations with experience and expertise in supply reduction;

''(VI) private citizens and organizations with experience and expertise in law enforcement; and

''(VII) appropriate representatives of foreign governments;

''(ii) with the concurrence of the Attorney General, may require the El Paso Intelligence Center to undertake specific tasks or projects to implement the National Drug Control Strategy;

''(iii) with the concurrence of the Director of National Intelligence and the Attorney General, may request that the National Drug Intelligence Center undertake specific tasks or projects to implement the National Drug Control Strategy; and

''(iv) may make recommendations to the Secretary of Health and Human Services on research that supports or advances the National Drug Control Strategy.

''(B) COMMITMENT TO SUPPORT STRATEGY.—In satisfying the requirements of subparagraph (A)(i), the Director shall ensure, to the maximum extent possible, that State and local officials and relevant private organizations commit to support and take steps to achieve the goals and objectives of the National Drug Control Strategy.

''(C) RECOMMENDATIONS.—Recommendations under subparagraph (A)(iv) may include recommendations of research to be performed at the National Institutes of Health, including the National Institute on Drug Abuse, or any other appropriate agency within the Department of Health and Human Services.

''(D) INCLUSION IN STRATEGY.—The National Drug Control Strategy under this subsection

shall include a list of each entity consulted under subparagraph (A)(i).

''(4) SUBMISSION OF REVISED STRATEGY.—The President may submit to Congress a revised National Drug Control Strategy that meets the requirements of this section—

''(A) at any time, upon a determination by the President, in consultation with the Director, that the National Drug Control Strategy in effect is not sufficiently effective; or

''(B) if a new President or Director takes office.

''(b) PERFORMANCE MEASUREMENT SYSTEM.—Not later than February 1 of each year, the Director shall submit to Congress, as part of the National Drug Control Strategy, a description of a national drug control performance measurement system that—

''(1) develops 2-year and 5-year performance measures and targets for each National Drug Control Strategy goal and objective established for reducing drug use, drug availability, and the consequences of drug use;

''(2) describes the sources of information and data that will be used for each performance measure incorporated into the performance measurement system;

''(3) identifies major programs and activities of the National Drug Control Program agencies that support the goals and annual objectives of the National Drug Control Strategy;

''(4) evaluates the contribution of demand reduction and supply reduction activities implemented by each National Drug Control Program agency in support of the National Drug Control Strategy;

''(5) monitors consistency of drug-related goals and objectives among the National Drug Control Program agencies and ensures that each agency's goals, objectives, and budgets support and are fully consistent with the National Drug Control Strategy; and

''(6) coordinates the development and implementation of national drug control data collection and reporting systems to support policy formulation and performance measurement, including an assessment of—

''(A) the quality of current drug use measurement instruments and techniques to measure supply reduction and demand reduction activities;

''(B) the adequacy of the coverage of existing national drug use measurement instruments and techniques to measure the illicit drug user population, and groups that are at risk for illicit drug use; and

''(C) the adequacy of the coverage of existing national treatment outcome monitoring systems to measure the effectiveness of drug abuse treatment in reducing illicit drug use and criminal behavior during and after the completion of substance abuse treatment; and

''(7) identifies the actions the Director shall take to correct any inadequacies, deficiencies, or limitations identified in the assessment described in paragraph (6).

''(c) MODIFICATIONS.—A description of any modifications made during the preceding year to the national drug performance measurement system described in subsection (b) shall be included in each report submitted under subsection (a).''.

SEC. 9. HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM.

Section 707 (21 U.S.C. 1706) is amended to read as follows:

''SEC. 707. HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—There is established in the Office a program to be known as the High Intensity Drug Trafficking Areas Program (in this section referred to as the 'Program').

''(2) PURPOSE.—The purpose of the Program is to reduce drug trafficking and drug production in the United States by—

''(A) facilitating cooperation among Federal, State, and local law enforcement agencies to share information and implement coordinated enforcement activities;

''(B) enhancing intelligence sharing among Federal, State, and local law enforcement agencies;

''(C) providing reliable intelligence to law enforcement agencies needed to design effective enforcement strategies and operations; and

''(D) supporting coordinated law enforcement strategies which maximize use of available resources to reduce the supply of illegal drugs in designated areas and in the United States as a whole.

''(b) DESIGNATION.—The Director, upon consultation with the Attorney General, the Secretary of the Treasury, the Secretary of Homeland Security, heads of the National Drug Control Program agencies, and the Governor of each applicable State, may designate any specified area of the United States as a high intensity drug trafficking area. After making such a designation and in order to provide Federal assistance to the area so designated, the Director may—

''(1) obligate such sums as are appropriated for the Program;

''(2) direct the temporary reassignment of Federal personnel to such area, subject to the approval of the head of the department or agency that employs such personnel;

''(3) take any other action authorized under section 704 to provide increased Federal assistance to those areas; and

''(4) coordinate activities under this section (specifically administrative, recordkeeping, and funds management activities) with State and local officials.

''(c) PETITIONS FOR DESIGNATION.—The Director shall establish regulations under which a coalition of interested law enforcement agencies from an area may petition for designation as a high intensity drug trafficking area. Such regulations shall provide for a regular review by the Director of the petition, including a recommendation regarding the merit of the petition to the Director by a panel of qualified, independent experts.

''(d) FACTORS FOR CONSIDERATION.—In considering whether to designate an area under this section as a high intensity drug trafficking area, the Director shall consider, in addition to such other criteria as the Director considers to be appropriate, the extent to which—

''(1) the area is a significant center of illegal drug production, manufacturing, importation, or distribution;

''(2) State and local law enforcement agencies have committed resources to respond to the drug trafficking problem in the area, thereby indicating a determination to respond aggressively to the problem;

''(3) drug-related activities in the area are having a significant harmful impact in the area, and in other areas of the country; and

''(4) a significant increase in allocation of Federal resources is necessary to respond adequately to drug-related activities in the area.

''(e) ORGANIZATION OF HIGH INTENSITY DRUG TRAFFICKING AREAS.—

''(1) EXECUTIVE BOARD AND OFFICERS.—To be eligible for funds appropriated under this section, each high intensity drug trafficking area shall be governed by an Executive Board. The Executive Board shall designate a chairman, vice chairman, and any other officers to the Executive Board that it determines are necessary.

''(2) RESPONSIBILITIES.—The Executive Board of a high intensity drug trafficking area shall be responsible for—

''(A) providing direction and oversight in establishing and achieving the goals of the high intensity drug trafficking area;

''(B) managing the funds of the high intensity drug trafficking area;

''(C) reviewing and approving all funding proposals consistent with the overall objective of the high intensity drug trafficking area; and

''(D) reviewing and approving all reports to the Director on the activities of the high intensity drug trafficking area.

''(3) BOARD REPRESENTATION.—None of the funds appropriated under this section may be expended for any high intensity drug trafficking area, or for a partnership or region of a high intensity drug trafficking area, if that area's, region's or partnership's Executive Board does not apportion an equal number of votes between representatives of participating Federal agencies and representatives of participating State and local agencies. Where it is impractical for a equal number of representatives of Federal agencies and State and local agencies to attend a meeting of an Executive Board in person, the Executive Board may use a system of proxy votes or weighted votes to achieve the voting balance required by this paragraph.

''(4) NO AGENCY RELATIONSHIP.—The eligibility requirements of this section are intended to ensure the responsible use of Federal funds. Nothing in this section is intended to create an agency relationship between individual high intensity drug trafficking areas and the Federal Government.

''(f) USE OF FUNDS.—The Director shall ensure that no Federal funds appropriated for the Program are expended for the establishment or expansion of drug treatment programs, and shall ensure that not more than five percent of the Federal funds appropriated for the Program are expended for the establishment of drug prevention programs.

''(g) COUNTERTERRORISM ACTIVITIES.—

''(1) ASSISTANCE AUTHORIZED.—The Director may authorize use of resources available for the Program to assist Federal, State, and local law enforcement agencies in investigations and activities related to terrorism and prevention of terrorism, especially but not exclusively with respect to such investigations and activities that are also related to drug trafficking.

''(2) LIMITATION.—The Director shall ensure—

''(A) that assistance provided under paragraph (1) remains incidental to the purpose of the Program to reduce drug availability and carry out drug-related law enforcement activities; and

''(B) that significant resources of the Program are not redirected to activities exclusively related to terrorism, except on a temporary basis under extraordinary circumstances, as determined by the Director.

''(h) ROLE OF DRUG ENFORCEMENT ADMINISTRATION.—The Director, in consultation with the Attorney General, shall ensure that a representative of the Drug Enforcement Administration is included in the Intelligence Support Center for each high intensity drug trafficking area.

''(i) ANNUAL HIDTA PROGRAM BUDGET SUBMISSIONS.—As part of the documentation that supports the President's annual budget request for the Office, the Director shall submit to Congress a budget justification that includes the following:

''(1) The amount requested for each high intensity drug trafficking area with supporting narrative descriptions and rationale for each request.

''(2) A detailed justification for each funding request that explains the reasons for the requested funding level, how such funding level was determined based on a current assessment of the drug trafficking threat in each high intensity drug trafficking area, how such funding will ensure that the goals and objectives of each such area will be achieved, and how such funding supports the National Drug Control Strategy.

''(j) EMERGING THREAT RESPONSE FUND.—

''(1) IN GENERAL.—The Director may expend up to 10 percent of the amounts appropriated under this section on a discretionary basis, to respond to any emerging drug trafficking threat in an existing high intensity drug trafficking area, or to establish a new high intensity drug trafficking area or expand an existing high intensity drug trafficking area, in accordance with the criteria established under paragraph (2).

''(2) CONSIDERATION OF IMPACT.—In allocating funds under this subsection, the Director shall consider—

''(A) the impact of activities funded on reducing overall drug traffic in the United States, or minimizing the probability that an emerging drug trafficking threat will spread to other areas of the United States; and

''(B) such other criteria as the Director considers appropriate.

''(k) EVALUATION.—

''(1) INITIAL REPORT.—Not later than 90 days after the date of the enactment of this subsection, the Director shall, after consulting with the Executive Boards of each designated high intensity drug trafficking area, submit a report to Congress that describes, for each designated high intensity drug trafficking area—

''(A) the specific purposes for the high intensity drug trafficking area;

''(B) the specific long-term and short-term goals and objectives for the high intensity drug trafficking area;

''(C) the measurements that will be used to evaluate the performance of the high intensity drug trafficking area in achieving the long-term and short-term goals; and

''(D) the reporting requirements needed to evaluate the performance of the high intensity drug trafficking area in achieving the long-term and short-term goals.

''(2) EVALUATION OF HIDTA PROGRAM AS PART OF NATIONAL DRUG CONTROL STRATEGY.—For each designated high intensity drug trafficking area, the Director shall submit, as part of the annual National Drug Control Strategy report, a report that—

''(A) describes—

''(i) the specific purposes for the high intensity drug trafficking area; and

''(ii) the specific long-term and short-term goals and objectives for the high intensity drug trafficking area; and

''(B) includes an evaluation of the performance of the high intensity drug trafficking area in accomplishing the specific long-term and short-term goals and objectives identified under paragraph (1)(B).

''(l) ASSESSMENT OF DRUG ENFORCEMENT TASK FORCES IN HIGH INTENSITY DRUG TRAFFICKING AREAS.—Not later than 180 days after the date of enactment of this subsection, and as part of each subsequent annual National Drug Control Strategy report, the Director shall submit to Congress a report—

''(1) assessing the number and operation of all federally funded drug enforcement task forces within each high intensity drug trafficking area; and

''(2) describing—

''(A) each Federal, State, and local drug enforcement task force operating in the high intensity drug trafficking area;

''(B) how such task forces coordinate with each other, with any high intensity drug trafficking area task force, and with investigations receiving funds from the Organized Crime and Drug Enforcement Task Force;

''(C) what steps, if any, each such task force takes to share information regarding drug trafficking and drug production with other federally funded drug enforcement task forces in the high intensity drug trafficking area;

''(D) the role of the high intensity drug trafficking area in coordinating the sharing of such information among task forces;

''(E) the nature and extent of cooperation by each Federal, State, and local participant in ensuring that such information is shared among law enforcement agencies and with the high intensity drug trafficking area;

''(F) the nature and extent to which information sharing and enforcement activities are coordinated with joint terrorism task forces in the high intensity drug trafficking area; and

''(G) any recommendations for measures needed to ensure that task force resources are utilized efficiently and effectively to reduce the availability of illegal drugs in the high intensity drug trafficking areas.

''(m) ASSESSMENT OF INTELLIGENCE SHARING IN HIGH INTENSITY DRUG TRAFFICKING AREAS—PROGRAM.—Not later than 180 days after the date of the enactment of this subsection, and as part of each subsequent annual National Drug Control Strategy report, the Director shall submit to Congress a report—

''(1) evaluating existing and planned intelligence systems supported by each high intensity drug trafficking area, or utilized by task forces receiving any funding under the Program, including the extent to which such systems ensure access and availability of intelligence to Federal, State, and local law enforcement agencies within the high intensity drug trafficking area and outside of it;

''(2) the extent to which Federal, State, and local law enforcement agencies participating in each high intensity drug trafficking area are sharing intelligence information to assess current drug trafficking threats and design appropriate enforcement strategies; and

''(3) the measures needed to improve effective sharing of information and intelligence regarding drug trafficking and drug production among Federal, State, and local law enforcement participating in a high intensity drug trafficking area, and between such agencies and similar agencies outside the high intensity drug trafficking area.

''(n) COORDINATION OF INTELLIGENCE SHARING WITH ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCE PROGRAM.—The Director, in consultation with the Attorney General, shall ensure that any drug enforcement intelligence obtained by the Intelligence Support Center for each high intensity drug trafficking area is shared, on a timely basis, with the drug intelligence fusion center operated by the Organized Crime Drug Enforcement Task Force of the Department of Justice.

''(o) USE OF FUNDS TO COMBAT METHAMPHETAMINE TRAFFICKING.—

''(1) IN GENERAL.—

''(A) REQUIREMENT.—The Director shall ensure that, of the amounts appropriated for a fiscal year for the Program, at least $15,000,000 is allocated to combat the trafficking of methamphetamine in areas designated by the Director as high intensity drug trafficking areas.

''(B) ACTIVITIES.—In meeting the requirement in subparagraph (A), the Director shall transfer funds to appropriate Federal, State, and local governmental agencies for employing additional Federal law enforcement personnel, or facilitating the employment of additional State and local law enforcement personnel, including agents, investigators, prosecutors, laboratory technicians, chemists, investigative assistants, and drug prevention specialists.

''(2) APPORTIONMENT OF FUNDS.—

''(A) FACTORS IN APPORTIONMENT.—The Director shall apportion amounts allocated under paragraph (1) among areas designated by the Director as high intensity drug trafficking areas based on the following factors:

''(i) The number of methamphetamine manufacturing facilities discovered by Federal, State, or local law enforcement officials in the area during the previous fiscal year.

''(ii) The number of methamphetamine prosecutions in Federal, State, or local courts in the area during the previous fiscal year.

''(iii) The number of methamphetamine arrests by Federal, State, or local law enforcement officials in the area during the previous fiscal year.

''(iv) The amounts of methamphetamine or listed chemicals (as that term is defined in section 102(33) of the Controlled Substances Act (21 U.S.C. 802(33)) seized by Federal, State, or local law enforcement officials in the area during the previous fiscal year.

''(v) Intelligence and predictive data from the Drug Enforcement Administration showing patterns and trends in abuse, trafficking, and transportation in methamphetamine and listed chemicals (as that term is so defined).

''(B) CERTIFICATION.—Before the Director apportions any funds under this paragraph to a high intensity drug trafficking area, the Director shall certify that the law enforcement entities responsible for clandestine methamphetamine laboratory seizures in that area are providing laboratory seizure data to the national clandestine laboratory database at the El Paso Intelligence Center.

''(p) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office of National Drug Control Policy to carry out this section—

''(1) $280,000,000 for fiscal year 2007;

''(2) $290,000,000 for each of fiscal years 2008 and 2009; and

''(3) $300,000,000 for each of fiscal years 2010 and 2011.''.

SEC. 10. FUNDING FOR CERTAIN HIGH INTENSITY DRUG TRAFFICKING AREAS.

(a) SHORT TITLE.—This section may be cited as the ''Dawson Family Community Protection Act''.

(b) FINDINGS.—Congress finds the following:

(1) In the early morning hours of October 16, 2002, the home of Carnell and Angela Dawson was firebombed in apparent retaliation for Mrs. Dawson's notification of police about persistent drug distribution activity in their East Baltimore City neighborhood.

(2) The arson claimed the lives of Mr. and Mrs. Dawson and their 5 young children, aged 9 to 14.

(3) The horrific murder of the Dawson family is a stark example of domestic narco-terrorism.

(4) In all phases of counter-narcotics law enforcement—from prevention to investigation to prosecution to reentry—the voluntary cooperation of ordinary citizens is a critical component.

(5) Voluntary cooperation is difficult for law enforcement officials to obtain when citizens feel that cooperation carries the risk of violent retaliation by illegal drug trafficking organizations and their affiliates.

(6) Public confidence that law enforcement is doing all it can to make communities safe is a prerequisite for voluntary cooperation among people who may be subject to intimidation or reprisal (or both).

(7) Witness protection programs are insufficient on their own to provide security because many individuals and families who strive every day to make distressed neighborhoods livable for their children, other relatives, and neighbors will resist or refuse offers of relocation by local, State, and Federal prosecutorial agencies and because, moreover, the continued presence of strong individuals and families is critical to preserving and strengthening the social fabric in such communities.

(8) Where (as in certain sections of Baltimore City) interstate trafficking of illegal drugs has severe ancillary local consequences within areas designated as high intensity drug trafficking areas, it is important that supplementary High Intensity Drug Trafficking Areas Program funds be committed to support initiatives aimed at making the affected communities safe for the residents of those communities and encouraging their cooperation with local, State, and Federal law enforcement efforts to combat illegal drug trafficking.

(c) FUNDING FOR CERTAIN HIGH INTENSITY DRUG TRAFFICKING AREAS.—Section 707 (21 U.S.C. 1706), as amended by section 9, is further amended by adding at the end the following new subsection:

''(q) SPECIFIC PURPOSES.—

''(1) IN GENERAL.—The Director shall ensure that, of the amounts appropriated for a fiscal year for the Program, at least $7,000,000 is used in high intensity drug trafficking areas with severe neighborhood safety and illegal drug distribution problems.

''(2) REQUIRED USES.—The funds used under paragraph (1) shall be used—

''(A) to ensure the safety of neighborhoods and the protection of communities, including

the prevention of the intimidation of potential witnesses of illegal drug distribution and related activities; and

''(B) to combat illegal drug trafficking through such methods as the Director considers appropriate, such as establishing or operating (or both) a toll-free telephone hotline for use by the public to provide information about illegal drug-related activities.''.

SEC. 11. AMENDMENTS RELATING TO COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER.

(a) CHIEF SCIENTIST.—Section 708(b) (21 U.S.C. 1707(b)) is amended—

(1) in the heading by striking ''DIRECTOR OF TECHNOLOGY.—'' and inserting ''CHIEF SCIENTIST.—''; and

(2) by striking ''Director of Technology,'' and inserting ''Chief Scientist,''.

(b) ADDITIONAL RESPONSIBILITIES OF DIRECTOR.—Section 708(c) (21 U.S.C. 1707(c)) is amended to read as follows:

''(c) ADDITIONAL RESPONSIBILITIES OF THE DIRECTOR OF NATIONAL DRUG CONTROL POLICY.—

''(1) IN GENERAL.—The Director, acting through the Chief Scientist shall—

''(A) identify and define the short-, medium-, and long-term scientific and technological needs of Federal, State, and local law enforcement agencies relating to drug enforcement, including—

''(i) advanced surveillance, tracking, and radar imaging;

''(ii) electronic support measures;

''(iii) communications;

''(iv) data fusion, advanced computer systems, and artificial intelligence; and

''(v) chemical, biological, radiological (including neutron, electron, and graviton), and other means of detection;

''(B) identify demand reduction (including drug prevention) basic and applied research needs and initiatives, in consultation with affected National Drug Control Program agencies, including—

''(i) improving treatment through neuroscientific advances;

''(ii) improving the transfer of biomedical research to the clinical setting; and

''(iii) in consultation with the National Institute on Drug Abuse and the Substance Abuse and Mental Health Services Administration, and through interagency agreements or grants, examining addiction and rehabilitation research and the application of technology to expanding the effectiveness or availability of drug treatment;

''(C) make a priority ranking of such needs identified in subparagraphs (A) and (B) according to fiscal and technological feasibility, as part of a National Counterdrug Research and Development Program;

''(D) oversee and coordinate counterdrug technology initiatives with related activities of other Federal civilian and military departments;

''(E) provide support to the development and implementation of the national drug control performance measurement system established under subsection (b) of section 706;

''(F) with the advice and counsel of experts from State and local law enforcement agencies, oversee and coordinate a technology transfer program for the transfer of technology to State and local law enforcement agencies; and

''(G) pursuant to the authority of the Director of National Drug Control Policy under section 704, submit requests to Congress for the reprogramming or transfer of funds appropriated for counterdrug technology research and development.

''(2) PRIORITIES IN TRANSFERRING TECHNOLOGY.—

''(A) IN GENERAL.—The Chief Scientist shall give priority, in transferring technology under paragraph (1)(F), based on the following criteria:

''(i) the need of potential recipients for such technology;

''(ii) the effectiveness of the technology to enhance current counterdrug activities of potential recipients; and

''(iii) the ability and willingness of potential recipients to evaluate transferred technology.

''(B) INTERDICTION AND BORDER DRUG LAW ENFORCEMENT TECHNOLOGIES.—The Chief Scientist shall give priority, in transferring technologies most likely to assist in drug interdiction and border drug law enforcement, to State, local, and tribal law enforcement agencies in southwest border areas and northern border areas with significant traffic in illicit drugs.

''(3) LIMITATION ON AUTHORITY.—The authority granted to the Director under this subsection shall not extend to the direct management of individual projects or other operational activities.

''(4) REPORT.—On or before July 1 of each year, the Director shall submit a report to the appropriate congressional committees that addresses the following:

''(A) The number of requests received during the previous 12 months, including the identity of each requesting agency and the type of technology requested.

''(B) The number of requests fulfilled during the previous 12 months, including the identity of each recipient agency and the type of technology transferred.

''(C) A summary of the criteria used in making the determination on what requests were funded and what requests were not funded, except that such summary shall not include specific information on any individual requests.

''(D) A general assessment of the future needs of the program, based on expected changes in threats, expected technologies, and likely need from potential recipients.

''(E) An assessment of the effectiveness of the technologies transferred, based in part on the evaluations provided by the recipients, with a recommendation whether the technology should continue to be offered through the program.''.

(c) ASSISTANCE FROM SECRETARY OF HOMELAND SECURITY.—Section 708(d) (21 U.S.C. 1707(d)) is amended by inserting '', the Secretary of Homeland Security,'' after ''The Secretary of Defense''.

SEC. 12. NATIONAL YOUTH ANTIDRUG MEDIA CAMPAIGN.

(a) IN GENERAL.—Section 709 (21 U.S.C. 1708) is amended to read as follows:

''SEC. 709. NATIONAL YOUTH ANTIDRUG MEDIA CAMPAIGN.

''(a) IN GENERAL.—The Director shall conduct a national youth anti-drug media campaign (referred to in this subtitle as the 'national media campaign') in accordance with this section for the purposes of—

''(1) preventing drug abuse among young people in the United States;

''(2) increasing awareness of adults of the impact of drug abuse on young people; and

''(3) encouraging parents and other interested adults to discuss with young people the dangers of illegal drug use.

''(b) USE OF FUNDS.—

''(1) IN GENERAL.—Amounts made available to carry out this section for the national media campaign may only be used for the following:

''(A) The purchase of media time and space, including the strategic planning for, and accounting of, such purchases.

''(B) Creative and talent costs, consistent with paragraph (2)(A).

''(C) Advertising production costs.

''(D) Testing and evaluation of advertising.

''(E) Evaluation of the effectiveness of the national media campaign.

''(F) The negotiated fees for the winning bidder on requests for proposals issued either by the Office or its designee to enter into contracts to carry out activities authorized by this section.

''(G) Partnerships with professional and civic groups, community-based organizations, including faith-based organizations, and government organizations related to the national media campaign.

''(H) Entertainment industry outreach, interactive outreach, media projects and activities, public information, news media outreach, and corporate sponsorship and participation.

''(I) Operational and management expenses.

''(2) SPECIFIC REQUIREMENTS.—

''(A) CREATIVE SERVICES.—

''(i) In using amounts for creative and talent costs under paragraph (1)(B), the Director shall use creative services donated at no cost to the Government (including creative services provided by the Partnership for a Drug-Free America) wherever feasible and may only procure creative services for advertising—

''(I) responding to high-priority or emergent campaign needs that cannot timely be obtained at no cost; or

''(II) intended to reach a minority, ethnic, or other special audience that cannot reasonably be obtained at no cost; or

''(III) the Director determines that the Partnership for a Drug-Free America is unable to provide, pursuant to subsection (d)(2)(B).

''(ii) No more than $1,500,000 may be expended under this section each fiscal year on creative services, except that the Director may expend up to $2,000,000 in a fiscal year on creative services to meet urgent needs of the national media campaign with advance approval from the Committee on Appropriations of the House of Representatives and of the Senate upon a showing of the circumstances causing such urgent needs of the national media campaign.

''(B) TESTING AND EVALUATION OF ADVERTISING.—In using amounts for testing and evaluation of advertising under paragraph (1)(D), the Director shall test all advertisements prior to use in the national media campaign to ensure that the advertisements are effective and meet industry-accepted standards. The Director may waive this requirement for advertisements using no more than 10 percent of the purchase of advertising time purchased under this section in a fiscal year and no more than 10 percent of the advertising space purchased under this section in a fiscal year, if the advertisements respond to emergent and time-sensitive campaign needs or the advertisements will not be widely utilized in the national media campaign.

''(C) EVALUATION OF EFFECTIVENESS OF MEDIA CAMPAIGN.—In using amounts for the evaluation of the effectiveness of the national media campaign under paragraph (1)(E), the Director shall—

''(i) designate an independent entity to evaluate annually the effectiveness of the national media campaign based on data from—

''(I) the Monitoring the Future Study published by the Department of Health and Human Services;

''(II) the Attitude Tracking Study published by the Partnership for a Drug Free America;

''(III) the National Household Survey on Drug Abuse; and

''(IV) other relevant studies or publications, as determined by the Director, including tracking and evaluation data collected according to marketing and advertising industry standards; and

''(ii) ensure that the effectiveness of the national media campaign is evaluated in a manner that enables consideration of whether the national media campaign has contributed to reduction of illicit drug use among youth and such other measures of evaluation as the Director determines are appropriate.

''(3) PURCHASE OF ADVERTISING TIME AND SPACE.—For each fiscal year, not less than 77 percent of the amounts appropriated under this section shall be used for the purchase of advertising time and space for the national media campaign, subject to the following exceptions:

''(A) In any fiscal year for which less than $125,000,000 is appropriated for the national media campaign, not less than 82 percent of the amounts appropriated under this section shall be used for the purchase of advertising time and space for the national media campaign.

''(B) In any fiscal year for which more than $195,000,000 is appropriated under this section, not less than 72 percent shall be used for advertising production costs and the purchase of advertising time and space for the national media campaign.

''(c) ADVERTISING.—In carrying out this section, the Director shall ensure that sufficient funds are allocated to meet the stated goals of the national media campaign.

''(d) DIVISION OF RESPONSIBILITIES AND FUNCTIONS UNDER THE PROGRAM.—

''(1) IN GENERAL.—The Director, in consultation with the Partnership for a Drug-Free America, shall determine the overall purposes and strategy of the national media campaign.

''(2) RESPONSIBILITIES.—

''(A) DIRECTOR.—The Director shall be responsible for implementing a focused national media campaign to meet the purposes set forth in subsection (a), and shall approve—

''(i) the strategy of the national media campaign;

''(ii) all advertising and promotional material used in the national media campaign; and

''(iii) the plan for the purchase of advertising time and space for the national media campaign.

''(B) THE PARTNERSHIP FOR A DRUG-FREE AMERICA.—The Director shall request that the Partnership for a Drug-Free America—

''(i) develop and recommend strategies to achieve the goals of the national media campaign, including addressing national and local drug threats in specific regions or States, such as methamphetamine and ecstasy;

''(ii) create all advertising to be used in the national media campaign, except advertisements that are—

''(I) provided by other nonprofit entities pursuant to subsection (f);

''(II) intended to respond to high-priority or emergent campaign needs that cannot timely be obtained at no cost (not including production costs and talent reuse payments), provided that any such advertising material is reviewed by the Partnership for a Drug-Free America;

''(III) intended to reach a minority, ethnic, or other special audience that cannot be obtained at no cost (not including production costs and talent reuse payments), provided that any such advertising material is reviewed by the Partnership for a Drug-Free America; or

''(IV) any other advertisements that the Director determines that the Partnership for a Drug-Free America is unable to provide.

''(C) MEDIA BUYING CONTRACTOR.—The Director shall enter into a contract with a media buying contractor to plan and purchase advertising time and space for the national media campaign. The media buying contractor shall not provide any other service or material, or conduct any other function or activity which the Director determines should be provided by the Partnership for a Drug-Free America.

''(e) PROHIBITIONS.—None of the amounts made available under subsection (b) may be obligated or expended for any of the following:

''(1) To supplant current antidrug community-based coalitions.

''(2) To supplant pro bono public service time donated by national and local broadcasting networks for other public service campaigns.

''(3) For partisan political purposes, or express advocacy in support of or to defeat any clearly identified candidate, clearly identified ballot initiative, or clearly identified legislative or regulatory proposal.

''(4) To fund advertising that features any elected officials, persons seeking elected office, cabinet level officials, or other Federal officials employed pursuant to section 213 of Schedule C of title 5, Code of Federal Regulations.

''(5) To fund advertising that does not contain a primary message intended to reduce or prevent illicit drug use.

''(6) To fund advertising containing a primary message intended to promote support for the media campaign or private sector contributions to the media campaign.

''(f) MATCHING REQUIREMENT.—

''(1) IN GENERAL.—Amounts made available under subsection (b) for media time and space shall be matched by an equal amount of non-Federal funds for the national media campaign, or be matched with in-kind contributions of the same value.

''(2) NO-COST MATCH ADVERTISING DIRECT RELATIONSHIP REQUIREMENT.—The Director shall ensure that at least 70 percent of no-cost match advertising provided directly relates to substance abuse prevention consistent with the specific purposes of the national media campaign, except that in any fiscal year in which less than $125,000,000 is appropriated to the national media campaign, the Director shall ensure that at least 85 percent of no-cost match advertising directly relates to substance abuse prevention consistent with the specific purposes of the national media campaign.

''(3) NO-COST MATCH ADVERTISING NOT DIRECTLY RELATED.—The Director shall ensure that no-cost match advertising that does not directly relate to substance abuse prevention consistent with the purposes of the national media campaign includes a clear antidrug message. Such message is not required to be the primary message of the match advertising.

''(g) FINANCIAL AND PERFORMANCE ACCOUNTABILITY.—The Director shall cause to be performed—

''(1) audits and reviews of costs of the national media campaign pursuant to section 304C of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254d); and

''(2) an audit to determine whether the costs of the national media campaign are allowable under section 306 of such Act (41 U.S.C. 256).

''(h) REPORT TO CONGRESS.—The Director shall submit on an annual basis a report to Congress that describes—

''(1) the strategy of the national media campaign and whether specific objectives of the media campaign were accomplished;

''(2) steps taken to ensure that the national media campaign operates in an effective and efficient manner consistent with the overall strategy and focus of the national media campaign;

''(3) plans to purchase advertising time and space;

''(4) policies and practices implemented to ensure that Federal funds are used responsibly to purchase advertising time and space and eliminate the potential for waste, fraud, and abuse; and

''(5) all contracts entered into with a corporation, partnership, or individual working on behalf of the national media campaign.

''(i) LOCAL TARGET REQUIREMENT.—The Director shall, to the maximum extent feasible, use amounts made available under this section for media that focuses on, or includes specific information on, prevention or treatment resources for consumers within specific local areas.

''(j) PREVENTION OF MARIJUANA USE.—

''(1) FINDINGS.—The Congress finds the following:

''(A) 60 percent of adolescent admissions for drug treatment are based on marijuana use.

''(B) Potency levels of contemporary marijuana, particularly hydroponically grown marijuana, are significantly higher than in the past, rising from under 1 percent of THC in the mid-1970s to as high as 30 percent today.

''(C) Contemporary research has demonstrated that youths smoking marijuana early in life may be up to five times more likely to use hard drugs.

''(D) Contemporary research has demonstrated clear detrimental effects in adolescent educational achievement resulting from marijuana use.

''(E) Contemporary research has demonstrated clear detrimental effects in adolescent brain development resulting from marijuana use.

''(F) An estimated 9,000,000 Americans a year drive while under the influence of illegal drugs, including marijuana.

''(G) Marijuana smoke contains 50 to 70 percent more of certain cancer causing chemicals than tobacco smoke.

''(H) Teens who use marijuana are up to four times more likely to have a teen pregnancy than teens who have not.

''(I) Federal law enforcement agencies have identified clear links suggesting that trade in hydroponic marijuana facilitates trade by criminal organizations in hard drugs, including heroin.

''(J) Federal law enforcement agencies have identified possible links between trade in cannabis products and financing for terrorist organizations.

''(2) EMPHASIS ON PREVENTION OF YOUTH MARIJUANA USE.—In conducting advertising and activities otherwise authorized under this section, the Director may emphasize prevention of youth marijuana use.

''(k) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office to carry out this section, $195,000,000 for each of fiscal years 2007 and 2008 and $210,000,000 for each of fiscal years 2009 through 2011.''.

(b) REPEAL OF SUPERSEDED PROVISIONS.—The Drug-Free Media Campaign Act of 1998 (21 U.S.C. 1801 et seq.) is repealed.

SEC. 13. DRUG INTERDICTION.

(a) IN GENERAL.—Subsections (a) and (b) of section 711 (21 U.S.C. 1710) are amended to read as follows:

''(a) UNITED STATES INTERDICTION COORDINATOR.—

''(1) IN GENERAL.—The Deputy Director for Supply Reduction in the Office shall serve as the United States Interdiction Coordinator, and shall perform the duties of that position described in paragraph (2) and such other duties as may be determined by the Director with respect to coordination of efforts to interdict illicit drugs from entering the United States.

''(2) RESPONSIBILITIES.—The United States Interdiction Coordinator shall be responsible to the Director for—

''(A) coordinating the interdiction activities of the National Drug Control Program agencies to ensure consistency with the National Drug Control Strategy;

''(B) on behalf of the Director, developing and issuing, on or before March 1 of each year and in accordance with paragraph (3), a National Interdiction Command and Control Plan to ensure the coordination and consistency described in subparagraph (A);

''(C) assessing the sufficiency of assets committed to illicit drug interdiction by the relevant National Drug Control Program agencies; and

''(D) advising the Director on the efforts of each National Drug Control Program agency to implement the National Interdiction Command and Control Plan.

''(3) STAFF.—The Director shall assign such permanent staff of the Office as he considers appropriate to assist the United States Interdiction Coordinator to carry out the responsibilities described in paragraph (2), and may also, at his discretion, request that appropriate National Drug Control Program agencies detail or assign staff to the Office of Supply Reduction for that purpose.

''(4) NATIONAL INTERDICTION COMMAND AND CONTROL PLAN.—

''(A) PURPOSES.—The National Interdiction Command and Control Plan shall—

''(i) set forth the Government's strategy for drug interdiction;

''(ii) state the specific roles and responsibilities of the relevant National Drug Control Program agencies for implementing that strategy; and

''(iii) identify the specific resources required to enable the relevant National Drug Control Program agencies to implement that strategy.

''(B) CONSULTATION WITH OTHER AGENCIES.—The United States Interdiction Coordinator

shall issue the National Interdiction Command and Control Plan in consultation with the other members of the Interdiction Committee described in subsection (b).

''(C) LIMITATION.—The National Interdiction Command and Control Plan shall not change existing agency authorities or the laws governing interagency relationships, but may include recommendations about changes to such authorities or laws.

''(D) REPORT TO CONGRESS.—On or before March 1 of each year, the United States Interdiction Coordinator shall provide a report on behalf of the Director to the appropriate congressional committees, to the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives, and to the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate, which shall include—

''(i) a copy of that year's National Interdiction Command and Control Plan;

''(ii) information for the previous 10 years regarding the number and type of seizures of drugs by each National Drug Control Program agency conducting drug interdiction activities, as well as statistical information on the geographic areas of such seizures; and

''(iii) information for the previous 10 years regarding the number of air and maritime patrol hours undertaken by each National Drug Control Program agency conducting drug interdiction activities, as well as statistical information on the geographic areas in which such patrol hours took place.

''(E) TREATMENT OF CLASSIFIED OR LAW ENFORCEMENT SENSITIVE INFORMATION.—Any content of the report described in subparagraph (D) that involves information classified under criteria established by an Executive order, or the public disclosure of which, as determined by the United States Interdiction Coordinator or the head of any relevant National Drug Control Program agency, would be detrimental to the law enforcement or national security activities of any Federal, State, or local agency, shall be presented to Congress separately from the rest of the plan.

''(b) INTERDICTION COMMITTEE.—

''(1) IN GENERAL.—The Interdiction Committee shall meet to—

''(A) discuss and resolve issues related to the coordination, oversight and integration of international, border, and domestic drug interdiction efforts in support of the National Drug Control Strategy;

''(B) review the annual National Interdiction Command and Control Plan, and provide advice to the Director and the United States Interdiction Coordinator concerning that plan; and

''(C) provide such other advice to the Director concerning drug interdiction strategy and policies as the committee determines is appropriate.

''(2) MEMBERSHIP.—The membership of the Interdiction Committee shall consist of—

''(A) the Commissioner of the bureau of Customs and Border Protection at the Department of Homeland Security;

''(B) the Assistant Secretary of the bureau of Immigration and Customs Enforcement at the Department of Homeland Security;

''(C) the Commandant of the United States Coast Guard;

''(D) the Director of the Office of Counternarcotics Enforcement at the Department of Homeland Security;

''(E) the Administrator of the Drug Enforcement Administration;

''(F) the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs;

''(G) the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict;

''(H) the Deputy Director for Supply Reduction of the Office of National Drug Control Policy, acting in his role as the United States Interdiction Coordinator;

''(I) the director of the Crime and Narcotics Center of the Central Intelligence Agency;

''(J) the Deputy Director for State and Local Affairs of the Office of National Drug Control Policy;

''(K) the Chief of the National Guard Bureau's Counterdrug Program; and

''(L) such additional persons as may be determined by the Director.

''(3) CHAIRMAN.—The Director shall designate one of the members of the Interdiction Committee to serve as chairman.

''(4) MEETINGS.—The members of the Interdiction Committee shall meet, in person and not through any delegate or representative, at least once per calendar year, prior to March 1. At the call of either the Director or the current chairman, the Interdiction Committee may hold additional meetings, which shall be attended by the members either in person, or through such delegates or representatives as they may choose.

''(5) REPORT.—Not later than September 30 of each year, the chairman of the Interdiction Committee shall submit a report to the Director and to the appropriate congressional committees describing the results of the meetings and any significant findings of the Committee during the previous 12 months. Any content of such a report that involves information classified under criteria established by an Executive order, or whose public disclosure, as determined by the Director, the chairman, or any member, would be detrimental to the law enforcement or national security activities of any Federal, State, or local agency, shall be presented to Congress separately from the rest of the report.''.

(b) CONFORMING AMENDMENT TO HOMELAND SECURITY ACT OF 2002.—Section 878 of the Homeland Security Act of 2002 (6 U.S.C. 458) is amended—

(1) in subsection (c), by striking ''Except as provided in subsection (d), the'' and inserting ''The''; and

(2) by striking subsection (d) and redesignating subsections (e), (f), and (g) as subsections (d), (e), and (f), respectively.

SEC. 14. AWARDS FOR DEMONSTRATION PROGRAMS BY LOCAL PARTNERSHIPS TO SHUT DOWN ILLICIT DRUG MARKET HOT-SPOTS BY DETERRING DRUG DEALERS OR ALTERING THE DYNAMIC OF DRUG SALES.

Sections 713 and 714 (21 U.S.C. 1711) are redesignated as sections 715 and 716, respectively, and after section 712 (21 U.S.C. 1710) insert the following new section:

''SEC. 713 AWARDS FOR DEMONSTRATION PROGRAMS BY LOCAL PARTNERSHIPS TO SHUT DOWN ILLICIT DRUG MARKET HOT-SPOTS BY DETERRING DRUG DEALERS OR ALTERING THE DYNAMIC OF DRUG SALES.

''(a) AWARDS REQUIRED.—The Director shall make competitive awards for demonstration programs by eligible partnerships for the purpose of shutting down local illicit drug market hot-spots and reducing drug-related crime through evidence-based, strategic problem-solving interventions that deter drug dealers or alter the dynamic of drug sales.

''(b) USE OF AWARD AMOUNTS.—Award amounts received under this section shall be used—

''(1) to support the efforts of the agencies, organizations, and researchers included in the eligible partnership;

''(2) to develop and field a directed and credible deterrent threat; and

''(3) to strengthen rehabilitation efforts through such means as job training, drug treatment, or other services.

''(c) ELIGIBLE PARTNERSHIP DEFINED.—In this section, the term 'eligible partnership' means a working group whose application to the Director—

''(1) identifies the roles played, and certifies the involvement of, three or more agencies or organizations, which may include—

''(A) State or local agencies (such as those carrying out police, probation, prosecution, courts, corrections, parole, or treatment functions);

''(B) Federal agencies (such as the Drug Enforcement Agency, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and United States Attorney offices); and

''(C) community-based organizations;

''(2) includes a qualified researcher;

''(3) includes a plan for identifying the impact players in, and assessing the nature and dynamic of, the local drug market and its related crime through information gathering and analysis;

''(4) includes a plan for developing an evidence-based strategic intervention aimed at quickly and sustainably eradicating the local drug market by deterring drug dealers or altering the dynamic of drug sales; and

''(5) includes a plan that describes the methodology and outcome measures proposed for evaluating the impact of that strategic intervention on drug sales, neighborhood disorder, and crime.

''(d) REPORTS TO CONGRESS.—

''(1) INTERIM REPORT.—Not later than June 1, 2009, the Director shall submit to Congress a report that identifies the best practices in drug market eradication, including the best practices identified through the activities funded under this section.

''(2) FINAL REPORT.—Not later than June 1, 2010, the Director shall submit to Congress a report on the demonstration programs funded under this section, including on the matters specified in paragraph (1).

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2007 through 2009.''.

SEC. 15. AWARDS FOR DEMONSTRATION PROGRAMS BY LOCAL PARTNERSHIPS TO COERCE ABSTINENCE IN CHRONIC HARD-DRUG USERS UNDER COMMUNITY SUPERVISION THROUGH THE USE OF DRUG TESTING AND SANCTIONS.

After section 713, as inserted by section 14 of this Act, insert the following new section:

''SEC. 714. AWARDS FOR DEMONSTRATION PROGRAMS BY LOCAL PARTNERSHIPS TO COERCE ABSTINENCE IN CHRONIC HARD-DRUG USERS UNDER COMMUNITY SUPERVISION THROUGH THE USE OF DRUG TESTING AND SANCTIONS.

''(a) AWARDS REQUIRED.—The Director shall make competitive awards to fund demonstration programs by eligible partnerships for the purpose of reducing the use of illicit drugs by chronic hard-drug users living in the community while under the supervision of the criminal justice system.

''(b) USE OF AWARD AMOUNTS.—Award amounts received under this section shall be used—

''(1) to support the efforts of the agencies, organizations, and researchers included in the eligible partnership;

''(2) to develop and field a drug testing and graduated sanctions program for chronic hard-drug users living in the community under criminal justice supervision; and

''(3) to assist individuals described in subsection (a) by strengthening rehabilitation efforts through such means as job training, drug treatment, or other services.

''(c) ELIGIBLE PARTNERSHIP DEFINED.—In this section, the term 'eligible partnership' means a working group whose application to the Director—

''(1) identifies the roles played, and certifies the involvement of, two or more agencies or organizations, which may include—

''(A) State or local agencies (such as those carrying out police, probation, prosecution, courts, corrections, parole, or treatment functions);

''(B) Federal agencies (such as the Drug Enforcement Agency, the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and United States Attorney offices); and

''(C) community-based organizations;

''(2) includes a qualified researcher;

''(3) includes a plan for using judicial or other criminal justice authority to administer drug tests to individuals described in subsection (a) at least twice a week, and to swiftly and certainly impose a known set of graduated sanctions for non-compliance with community-release provisions relating to drug abstinence (whether imposed as a pre-trial, probation, or parole condition or otherwise);

''(4) includes a strategy for responding to a range of substance use and abuse problems and a range of criminal histories;

''(5) includes a plan for integrating data infrastructure among the agencies and organizations included in the eligible partnership to enable seamless, real-time tracking of individuals described in subsection (a);

''(6) includes a plan to monitor and measure the progress toward reducing the percentage of the population of individuals described in subsection (a) who, upon being summoned for a drug test, either fail to show up or who test positive for drugs.

''(d) REPORTS TO CONGRESS.—

''(1) INTERIM REPORT.—Not later than June 1, 2009, the Director shall submit to Congress a report that identifies the best practices in reducing the use of illicit drugs by chronic hard-drug users, including the best practices identified through the activities funded under this section.

''(2) FINAL REPORT.—Not later than June 1, 2010, the Director shall submit to Congress a report on the demonstration programs funded under this section, including on the matters specified in paragraph (1).

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2007 through 2009.''.

SEC. 16. AUTHORIZATION OF APPROPRIATIONS.

Section 716 (21 U.S.C. 1711), as redesignated by section 14 of this Act, is amended—

(1) by striking ''title,'' and inserting ''title, except activities for which amounts are otherwise specifically authorized by this title,''; and

(2) by striking ''1999 through 2003'' and inserting ''2007 through 2011''.

SEC. 17. TECHNICAL AMENDMENTS AND REPEAL.

(a) AMENDMENT TO PUBLIC HEALTH SERVICE ACT TO REPLACE OBSOLETE REFERENCES.—Section 464P(c) of the Public Health Service Act (42 U.S.C. 285o–4(c)) is amended—

(1) in paragraph (1), by striking ''under section 1002 of the Anti-Drug Abuse Act of 1988 (21 U.S.C. 1501)'' and inserting ''under section 703 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1702)''; and

(2) in paragraph (2), by striking ''under section 1005 of the Anti-Drug Abuse Act of 1988 (21 U.S.C. 1504)'' and inserting ''under section 706 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1705)''.

(b) REPEAL OF SPECIAL FORFEITURE FUND.—Section 6073 of the Asset Forfeiture Amendments Act of 1988 (21 U.S.C. 1509) is repealed.

SEC. 18. REQUIREMENT FOR DISCLOSURE OF FEDERAL SPONSORSHIP OF ALL FEDERAL ADVERTISING OR OTHER COMMUNICATION MATERIALS.

Section 712 is amended to read as follows:

''SEC. 712. REQUIREMENT FOR DISCLOSURE OF FEDERAL SPONSORSHIP OF ALL FEDERAL ADVERTISING OR OTHER COMMUNICATION MATERIALS.

''(a) REQUIREMENT.—Each advertisement or other communication paid for by the Office, either directly or through a contract awarded by the Office, shall include a prominent notice informing the target audience that the advertisement or other communication is paid for by the Office.

''(b) ADVERTISEMENT OR OTHER COMMUNICATION.—In this section, the term 'advertisement or other communication' includes—

''(1) an advertisement disseminated in any form, including print or by any electronic means; and

''(2) a communication by an individual in any form, including speech, print, or by any electronic means.''.

SEC. 19. POLICY RELATING TO SYRINGE EXCHANGE PROGRAMS.

Section 703(a) (21 U.S.C. 1702(a)) is amended by adding at the end the following:

''When developing the national drug control policy, any policy of the Director relating to syringe exchange programs for intravenous drug users shall be based on the best available medical and scientific evidence regarding their effectiveness in promoting individual health and preventing the spread of infectious disease, and their impact on drug addiction and use. In making any policy relating to syringe exchange programs, the Director shall consult with the National Institutes of Health and the National Academy of Sciences.''.

The Acting CHAIRMAN. No amendment to the committee amendment in the nature of a substitute is in order except those printed in House Report 109–387. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. SOUDER

Mr. SOUDER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 printed in House Report 109–387 offered by Mr. SOUDER:

Page 145, strike lines 3 through 9.

Page 145, line 10, strike ''(vi)'' and insert ''(v)''.

Page 145, line 15, strike ''(vii)'' and insert ''(vi)''.

Page 146, line 5, strike ''(viii)'' and insert ''(vii)''.

Page 148, line 19, strike ''(g)'' and insert ''(h)''.

Page 149, line 7, strike ''(h)'' and insert ''(i)''.

Page 149, strike lines 9 through 18 and insert the following:

(1) by amending subsection (g) to read as follows:

''(g) INAPPLICABILITY TO CERTAIN PROGRAMS.—The provisions of this section shall not apply to the National Intelligence Program, the Joint Military Intelligence Program, and Tactical and Related Activities unless such program or an element of such program is designated as a National Drug Control Program—

''(1) by the President; or

''(2) jointly by—

''(A) in the case of the National Intelligence Program, the Director and the Director of National Intelligence; or

''(B) in the case of the Joint Military Intelligence Program and Tactical and Related Activities, the Director, the Director of National Intelligence, and the Secretary of Defense. ''; and

(2) by amending subsection (h) to read as follows:

''(h) CONSTRUCTION.—Nothing in this Act shall be construed as derogating the authorities and responsibilities of the Director of National Intelligence or the Director of the Central Intelligence Agency contained in the National Security Act of 1947 (50 U.S.C. 401 et seq.), the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.), or any other law.''.

Page 149, line 19, strike ''(i)'' and insert ''(j)''.

Page 151, line 14, strike ''(j)'' and insert ''(k)''.

Page 153, line 3, strike ''(k)'' and insert ''(l)''.

Page 158, line 7, strike ''(l)'' and insert ''(m)''.

Page 160, line 14, strike ''(m)'' and insert ''(n)''.

Page 183, line 18, strike ''The'' and insert the following: ''Subject to the availability of appropriations, the''.

Page 187, line 22, insert after ''Director'' the following: '', in consultation with the Director of National Intelligence,''.

Page 202, line 12, strike ''No'' and insert the following: ''Subject to the availability of appropriations, no''.

Page 204, line 21, strike ''For'' and insert the following: ''Subject to the availability of approprations, for''.

Page 217, strike lines 14 through 19, and insert the following:

Director, the Director of National Intelligence, or the head of any Federal Government agency the activities of which are described in the plan, would be detrimental to the law enforcement or national security activities of any Federal, State, or local agency, shall be presented to Congress separately from the rest of the report.

The Acting CHAIRMAN. Pursuant to House Resolution 713, the gentleman from Indiana (Mr. SOUDER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the manager's amendment makes technical and conforming changes to account for changes in the law within the jurisdiction of those committees that waived formal business meetings on H.R. 2829, the Office of National Drug Control Policy Reauthorization Act of 2005.

On page 145, the manager's amendment strikes the mandatory restrictions on certification of budgets related to enforcement in certain contexts of section 484(r)(1) of the Higher Education Act, more popularly known as the Drug-Free Student Loan provision.

The provision made students convicted of drug offenses temporarily not eligible to receive student loans. However, a significant problem had arisen in the Department of Education, beginning during the Clinton administration and continuing during the current administration, because they have misinterpreted the clear language of that statute to improperly deny loans to students whose drug convictions predated their enrollment in school.

□ 1230

Section 8021 of the Deficit Reduction Act, Public Law 109–171, signed into law on February 8, 2006, contained language that altered the interpretation of a provision included in the Higher Education Act, and therefore obviated

the need to address this matter in H.R. 2829.

The manager's amendment changes made on pages 149, 187, and 217 and the related conforming amendments are based on technical recommendations made by the Office of the Director of National Intelligence through the House Permanent Select Committee on Intelligence. The technical amendments were thought desirable to make the ONDCP authorization reflect changes made by the Intelligence Reform and Terrorism Prevention Act of 2004, Public Law 108–458, and related authorizations.

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

The Acting CHAIRMAN. Is the gentleman from Maryland opposed to the amendment?

Mr. CUMMINGS. No. As as matter of fact, I support the amendment, Mr. Chairman.

The Acting CHAIRMAN. Without objection, the gentleman from Maryland may control 5 minutes.

There was no objection.

Mr. CUMMINGS. Mr. Chairman, I support the amendment. I think it is a step in the right direction. There are so many young people who find themselves getting into difficulty with drugs. The fact is when it predated their getting Federal funding for schooling, that is one thing; it is another thing when it happens during the time that they are getting the Federal funding. I would like to see it all eliminated, but the fact still remains that I think this is a good amendment. It is a step in the right direction. It is one that I have heard a lot of concern. Every time I do a town hall meeting on scholarships, this issue comes up. I support the gentleman's amendment.

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

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to point out again the effect of taking that language out means the bill is now silent on the drug loan provision. The other changes had to do with the Intelligence Committee and other committees that waived jurisdiction.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. SOUDER

The Acting CHAIRMAN. Does any Member rise to offer amendment number 2, designated to be offered by the gentleman from Washington or a designee?

Mr. SOUDER. I will introduce the Baird amendment. I am a cosponsor of the Baird amendment.

The Acting CHAIRMAN. Is the gentleman the designee of the gentleman from Washington?

Mr. SOUDER. Yes, I am acting as his designee.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 printed in House Report 109–387 offered by Mr. SOUDER:

At the end of the bill, add the following new section (and conform the table of contents accordingly):

SEC. 20. INTERNATIONAL SUMMIT ON METHAMPHETAMINE THREAT.

(a) SUMMIT REQUIREMENT.—The Director of the Office of National Drug Control Policy in the Executive Office of the President shall, in consultation with the Secretary of State, the Attorney General, the Secretary of Homeland Security, the Secretary of Health and Human Services, and the United States Trade Representative, seek to convene an international summit on the threat of methamphetamine and synthetic drug precursor chemicals.

(b) PARTICIPATION OF OTHER COUNTRIES.—The Director shall seek to convene the summit with the participation and involvement of government leaders at the highest level from all countries that are direct sources of precursor chemicals and from all countries that are affected by methamphetamine production, trafficking, and use, to intensify and coordinate an effective international response in order to prevent methamphetamine production and precursor diversion.

(c) INTERNATIONAL AGREEMENTS.—The Director shall encourage the negotiation, drafting, and ratification of multilateral or bilateral agreements that may contain information-sharing treaties concerning provisions for precursor importation and exportation and additional provisions for annual assessments of medical and scientific needs of each signatory country.

(d) MATTERS ADDRESSED BY THE SUMMIT.—The summit may address the following:

(1) The greater involvement of international policing and customs organizations, such as Interpol, the United Nations Office on Drugs and Crime, and the World Customs Organization.

(2) Expanding resources and hired persons to track international shipments of ephedrine, pseudoephedrine, and other precursor substances as controlled by the International Narcotics Control Board.

(3) Working with the private sector and Federal agencies, as well as the World Health Organization, to support the research and development of substances that can effectively replace primary precursors used in the manufacture of synthetic drugs.

(e) DEADLINE.—The Director shall seek to convene the summit not later than 12 months after the date of the enactment of this Act and follow-up summits in subsequent years as the Director finds necessary.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director $1,000,000 to carry out this section.

The Acting CHAIRMAN. Pursuant to House Resolution 713, the gentleman from Indiana (Mr. SOUDER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, I ask unanimous consent to give my time to the gentleman from Washington (Mr. BAIRD).

The Acting CHAIRMAN. Without objection, the gentleman from Washington will control the time in support of the amendment.

There was no objection.

The Acting CHAIRMAN. The gentleman from Washington is recognized for 5 minutes.

Mr. BAIRD. Mr. Chairman, I yield myself such time as I may consume.

I thank my friend and colleague, the gentleman from Indiana (Mr. SOUDER). I appreciate the courtesy and I appreciate very much his leadership on this legislation and on the broad issue of methamphetamine in general.

Our Nation is truly safer for the efforts of Mr. SOUDER, and it has been a pleasure to work with him on the amendment we offer today. I also want to compliment my good friend and colleague, Mr. CARDOZA of California, and Ms. HOOLEY from Oregon.

Recent articles, a series in the Oregonian and also a Frontline special, have articulated the challenges that we face in fighting methamphetamine due to international supply of the methamphetamine precursor, pseudoephedrine and ephedrine.

We have done good work just recently with the passage of the Combat Meth Act to curtail the supply coming directly into the United States, but transshipment of pseudoephedrine, ephedrine, and other precursors is a terrific problem that is really leading to the supply increases that we are seeing on our streets.

The good news on the meth front is that we are seeing a reduction of the local clandestine labs. The bad news is that the international trafficking has increased. Indeed, recent DEA reports show that the purity of methamphetamine on the streets has reached the 70 percent level. Now, we know from clinical and historical data that what happens in that case is an increase in the number of addictions, an increase in the number of drug-related crimes, of hospital admissions, et cetera.

For that reason, we are offering today's amendment, and what it does is quite simple. It asks the administration to conduct an international summit to work with the other methamphetamine precursor producing countries to try to reach international accords that would curtail the production and shipment of pseudoephedrine and ephedrine and other precursors that would ultimately be manufactured into methamphetamine. It is a commonsense amendment. I think this is a drug that we can actually defeat if we can choke off the air supply of the precursors.

PARLIAMENTARY INQUIRY

Mr. SOUDER. Mr. Chairman, parliamentary inquiry. Has anyone claimed the time in opposition?

The Acting CHAIRMAN. No.

Mr. SOUDER. Mr. Chairman, I rise to claim the time in opposition to the amendment, although I do not oppose the amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I do not oppose this amendment and we are willing to accept this amendment. This amendment seeks to strengthen the bill by highlighting the problem of methamphetamine. I think it is very important that this House continue to go on record every day possible, every amendment possible.

Again, the gentleman from Washington has been the founder of the Meth Caucus and Congressman LARSEN, Congressman CANNON, and Congressman CALVERT in the Meth Caucus have been active in doing this. I think it is important to look at an international summit.

Clearly, as we dealt with the major methamphetamine bill that is part of the antiterrorism bill, we realize that as we get control of pseudoephedrine behind the counter, this becomes much more of an international problem. In Oklahoma, which was the first State, really, to enact tough legislation, they have seen crystal meth come in behind and become a scourge on their State. We see it in Oregon and Washington, other States around the country. As you crack down on the so-called ''mom and pop labs'' and the ''Nazi labs'' you move to crystal meth. That is better for local law enforcement but bad for the individuals because it is even more potent.

Crystal meth is coming from an international market. It started over in Asia. There are nine basic facilities in the world, the Czech Republic has closed theirs, but Germany as well as China and India. Much of it comes across our border from Mexico, and without cooperation on an international basis, without working with the U.N. antinarcotics efforts, we cannot tackle this in the United States.

We have attempted to put up walls in the Combat Meth Act. We had things for the spot market. We had new measuring things and so on, but ultimately that is just trying to put up a wall around the United States. We have to figure out how we are going to cooperatively work with India, China, and Mexico and other countries.

Mr. Chairman, I yield the balance of my time to the gentleman from Maryland (Mr. CUMMINGS).

The Acting CHAIRMAN. The gentleman from Maryland (Mr. CUMMINGS) is recognized for 2½ minutes.

Mr. CUMMINGS. Mr. Chairman, I want to thank the gentleman for yielding. First of all, I want to compliment Mr. BAIRD and the other cosponsors of this amendment. There is no doubt about it, Mr. SOUDER and I, over and over again we see, as the ranking members of our subcommittee, so many of our members coming to us and telling us about the problems with methamphetamines in their districts. We have traveled across the country and listened to the testimony of various members and police and law enforcement folks and people who are trying to address this problem. And it is, in fact, a growing problem.

While we have seen a lot of emphasis put on it, I think that this amendment goes very far to try to shine even more light on this tragic problem. And one of the things that we found so interesting about the whole methamphetamine situation, it is a little different than other drugs in that you have to have a clean-up. We spent a lot of money for clean-up. And we find many instances where children are tremendously affected because they have to be placed in foster care programs, because they have to be literally taken out of the house, the house usually has all kinds of problems, and they end up basically with no parents that are available to take care of them.

So it has been a tremendous strain on our law enforcement agencies, our foster care agencies. I see this as a step in the right direction, and I would trust that we would support this amendment. I want to thank Mr. SOUDER for yielding.

Mr. BAIRD. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Oregon (Ms. HOOLEY) who has been a champion of the meth issue and has been a leader in passing legislation that would help combat this drug.

Ms. HOOLEY. I thank my colleague for yielding me time and for all the hard work that has gone on with methamphetamine, and I rise today in support of the Baird-Cardoza-Hooley amendment.

As meth has spread across this Nation, more and more States are taking action to cut off pseudoephedrine sales to meth makers who cannot make the poison without this common cold medication. But when 65 percent of the meth in this country comes from Mexico drug cartels, we cannot solve this problem through domestic means alone.

This amendment requires that our drug office join with other affected countries to coordinate an effective international response in order to prevent methamphetamine production and precursor diversion.

In a revealing investigation, the Oregonian newspaper determined that Mexico imports roughly 100 tons of pseudoephedrine more than is needed to fill its need for cold medicine. The rest, narcotic officials guess, is diverted from legitimate uses and turned into meth. Since roughly 200 tons of pseudoephedrine is needed to produce all the meth sold in the United States, this pseudoephedrine from Mexico can produce half of our Nation's supply of this deadly drug.

This amendment will bring together international leaders so they can work together and collaborate on a broad-based strategy that will not only keep meth away from our communities and families but would limit production and use of this deadly drug worldwide. I urge the support of this amendment.

Mr. BAIRD. Mr. Chairman, I thank the gentlewoman for her eloquent remarks and for her leadership. In closing, I would like to reiterate my gratitude for Mr. SOUDER. He has been a champion of this issue. I also want to acknowledge, as he did, the Caucus to Control and Fight Methamphetamine, which is cochaired by my dear friend, RICK LARSEN from Washington State, along with LEN BOSWELL from Iowa, CHRIS CANNON, and KEN CALVERT.

It is truly a bipartisan, nationwide effort. And now what we need to do with this amendment is expand that effort internationally. If we can stop the international supply of these precursors, our communities will be safer, our families will be safer, and a lot of people whose lives would be ruined will never have to suffer that tragic fate.

I am grateful for the support of Mr. SOUDER for this amendment and I urge its passage.

Mr. CARDOZA. Mr. Chairman, I rise in strong support of the amendment before us today calling for a global meth conference.

I commend Mr. Baird for working to bring this amendment to the floor. The amendment closely mirrors the bipartisan "Sense of the Congress" resolution I introduced in November calling for an international methamphetamine conference to develop a global strategy to control the trafficking of meth and its precursor chemicals.

I also would like to thank Chairman SOUDER of the Drug Policy Subcommittee for his support from the beginning of a global meth conference and his leadership on the Methamphetamine Epidemic Elimination Act which is set to be signed into law as part of the PATRIOT Act.

In my district in California's Central Valley, the meth epidemic has exacted a brutal toll on the environment, our children, and our communities. In the past 5 years alone, 15,000 children have been found at meth labs, not to mention the unknown number of children subjected to meth related domestic violence, abuse, and neglect.

Mr. Chairman, controlling the global trade in meth and its precursor chemicals, ephedrine and pseudoephedrine, is a critical part of any comprehensive strategy to fight the meth epidemic. A global meth conference is a logical next step that complements the international regulation provisions of the Meth Elimination Act.

It is about time that we develop a worldwide strategy to reduce illegal trade in meth and its precursor chemicals and stop the devastating impact that methamphetamine use is having on our children and our communities.

I urge my colleagues to vote "yes" on the amendment.

Mr. BAIRD. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

The amendment was agreed to.

□ 1245

AMENDMENT NO. 3 OFFERED BY MR. BOOZMAN

Mr. BOOZMAN. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN (Mr. BASS). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 printed in House Report 109–387 offered by Mr. BOOZMAN:

Page 168, line 17, strike ''and''.

Page 168, line 19, strike the period at the end and insert ''; and''.

Page 168, after line 19, insert the following:

''(IV) the effect of illicit drug use on children of substance abusers.

Page 170, line 12, insert after ''drug use'' the following: ''(including the effects on children of substance abusers)''.

At the end of the bill add the following new section (and conform the table of contents accordingly):

SEC. 20. STUDY ON DRUG COURT HEARINGS IN NONTRADITIONAL PLACES.

(a) FINDING.—Congress finds that encouraging drug courts and schools to enter into partnerships that allow students to see the repercussions of drug abuse by non-violent offenders may serve as a strong deterrent and promote demand reduction.

(b) STUDY.—The Director of the Office of National Drug Control Policy shall conduct a study on drug court programs that conduct hearings in nontraditional public places, such as schools. At a minimum, the study shall evaluate similar programs in operation, such as the program operated in the Fourth Judicial District Drug Court, in Washington County, Arkansas.

(c) REQUIREMENT.—At the same time the President submits to Congress the National Drug Control Strategy due February 1, 2007, pursuant to section 706 of the Office of National Drug Control Policy Reauthorization Act of 1998, the President shall submit to Congress a report on the study conducted under subsection (b). The report shall include an evaluation of the results of the study and such recommendations as the President considers appropriate.

(d) DEMAND REDUCTION.—In this section, the term ''demand reduction'' has the meaning provided in section 702(1) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701(1)).

The Acting CHAIRMAN. Pursuant to House Resolution 713, the gentleman from Arkansas (Mr. BOOZMAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. BOOZMAN. Mr. Chairman, I yield myself such time as I may consume.

I appreciate this opportunity to offer an amendment which will strengthen the hand of Congress in the future as we work to protect the most vulnerable children in our society and as we work to deter the abuse of drugs in our culture.

This amendment would provide for two simple actions by ONDCP. First, the amendment would require the director of ONDCP to include in the National Drug Control Strategy statistical data and information to demonstrate and assess trends relating to the effects of illicit drug use on children of substance abusers. This information will assist Congress, as well as States, local governments and private groups, as we work to protect these children.

As we all know, one of the greatest tragedies of drug abuse is the terrible effect these crimes have on the most vulnerable members of society, children. Children of substance abusers are the innocent victims of drug abuse, and research shows that these children are much more likely to become drug abusers themselves when they reach adolescence or adulthood. Congress should do all it can to protect these innocent children, while we have the chance; and no effective National Drug Control Strategy would be complete without considering the effects on children of substance abusers and how we can help prevent the cycle of drug abuse.

We all know from experience that children who have grown up in homes in this sort of condition are much more likely to use drugs themselves. In Arkansas, State, local, and private groups are working hard to assist meth-endangered children, kids, who are some of the most vulnerable, of substance abusers. Several years ago, I visited with a high school young lady whose parent had recently committed suicide as a result of being high on meth. He was a truck driver. He had been on the drug for many, many years; and she was being a model student. There was really nothing, there was no agency, there was no help for her. So, again, I think this is very, very important and something that would be great if we could study and then use that information to go further.

The second part of this amendment requires the director of ONDCP to conduct a study on drug court programs that hold hearings in nontraditional public places, such as schools. As you all know, the mission of a drug court is to provide an alternative to incarceration for nonviolent persons convicted of alcohol or other drug-related charges. In order to reduce demand and deter our kids from getting involved in illegal drugs, we must make sure they understand the consequences of drug abuse. We spend a lot of time and money talking to kids about the repercussions of drug abuse, but this type of program allows us to show them the consequences.

In my congressional district, I have seen firsthand the strong impact that such a program has had on school-age kids. Judge Mary Ann Gunn of the Fourth Judicial District Drug Court in Washington County, Arkansas, has been taking her program into the schools for several years with the strong support of school administrators and the community. She uses the opportunity to visit with students about the drug problem, and it has had a profound effect on many kids. Experience has shown that her program is a strong deterrent for young people, and it strongly promotes demand reduction among our youth.

In conclusion, I urge my colleagues to join me in this effort to reduce the harm experienced by children of substance abusers and to study drug court programs that could be a tremendous deterrent to young people nationwide. These two items may seem small, but they are critical steps in saving future generations from the harm caused by drug abuse.

I commend Chairman SOUDER for his work on this very important bill. I appreciate the hard work that he and his staff and the other members of the committee, both Democrat and Republican, have put into this effort.

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

The Acting CHAIRMAN. Who seeks time in opposition to the bill?

Mr. CUMMINGS. Mr. Chairman, I ask unanimous consent to use the time in opposition to support the amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Acting CHAIRMAN. The gentleman from Maryland is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

I just want to thank the gentleman for this amendment. It is a very important amendment, and I have no doubt that it makes the bill a better bill.

One of the things we have seen in my district and all over the country is that there are these cycles of drug addiction; and I think one of the saddest things, and I saw this as a lawyer, too, when I practiced, is to represent a parent and then a few years later see a child come in. They both have been drug users. So the cycle of drug addiction keeps going around and around. So I think that is a very, very important piece to look at, how the children are affected.

As far as the nontraditional places with regard to drug courts is concerned, I think that is another good idea. I think what happens too often is that you have young people who will experiment or they get involved, but there are even a lot of times you do not think about consequences. They do not think about how they may have to very well come in contact with our judicial system. I think that this is an excellent way that we need to look at that, figure out ways by which we might do that; and I support the gentleman's amendment.

Mr. SOUDER. Mr. Chairman, will the gentleman yield?

Mr. CUMMINGS. I yield to the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, I also strongly support this amendment. I appreciate the gentleman from Arkansas being one of the first Members to really push us to focus on methamphetamines. His district has been hard hit. Early on it was featured in People magazine. We did a congressional hearing in our subcommittee in his district where we heard from everyone, from drug court to people who were working directly with children and the impact on children.

At another hearing in Minnesota, at the request of a number of Members, we heard in Ramsey County, which is St. Paul, that they went from zero to 80 percent of the kids in child custody in the welfare department being addicts of meth. From nothing to 80 percent, in 6 months.

When methamphetamine hits your area, it takes over and overwhelms your juvenile systems, overwhelms the child custody system, and overwhelms the criminal system. I very much appreciate this amendment.

I thank the gentleman for yielding.

Mr. CUMMINGS. Mr. Chairman, I yield back.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas (Mr. BOOZMAN).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. CHABOT

Mr. CHABOT. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 printed in House Report 109–387 offered by Mr. CHABOT:

Page 161, after line 2, insert the following:

(n) REQUIREMENT TO SUBMIT NATIONAL SYNTHETIC DRUGS ACTION STRATEGY.—Not later than 120 days after the date of the enactment of this Act, the Director of National Drug Control Policy shall submit to Congress the National Synthetic Drugs Action Strategy outlined in the National Synthetic Drugs Action Plan submitted by the Director in October 2004.

(o) REQUIREMENT FOR STUDY OF STATE PRECURSOR CHEMICAL CONTROL LAWS.—

(1) STUDY.—The Director of National Drug Control Policy shall conduct a study of State laws with respect to precursor chemical controls.

(2) REPORT.—Not later than six months after the date of the enactment of this Act, the Director of National Drug Control Policy shall submit a report to Congress on the results of the study under paragraph (1), including—

(A) a comparison of the State laws studied and the effectiveness of each such law; and

(B) a list of best practices observed with respect to such laws.

(p) REQUIREMENT FOR STUDY OF DRUG ENDANGERED CHILDREN PROGRAMS.—

(1) STUDY.—The Director of National Drug Control Policy shall conduct a study of methamphetamine-related activities that are conducted by different Drug Endangered Children programs administered by States.

(2) REPORT.—Not later than six months after the date of the enactment of this Act, the Director of National Drug Control Policy shall submit to Congress a report on the results of the study under paragraph (1). Such report shall include—

(A) an analysis of the best practices of the activities studied; and

(B) recommendations for establishing a national policy to address drug endangered children, based on the Drug Endangered Children programs administered by States.

(3) DEFINITIONS.—In this subsection—

(A) the term ''methamphetamine-related activity'' means any activity related to the production, use, or effects of methamphetamine; and

(B) the term ''drug endangered children'' means children whose physical, mental, or emotional health are at risk because of the production, use, or effects of methamphetamine by another person.

At the end of the bill, add the following new sections (and conform the table of contents accordingly):

SEC. 20. NATIONAL METHAMPHETAMINE INFORMATION CLEARINGHOUSE.

(a) SHORT TITLE.—This Act may be cited as the ''National Methamphetamine Information Clearinghouse Act of 2005''.

(b) DEFINITIONS.—In this section—

(1) the term ''Council'' means the National Methamphetamine Advisory Council established under subsection (c)(2)(A);

(2) the term ''drug endangered children'' means children whose physical, mental, or emotional health are at risk because of the production, use, or effects of methamphetamine by another person;

(3) the term ''National Methamphetamine Information Clearinghouse'' or ''NMIC'' means the information clearinghouse established under subsection (c)(1); and

(4) the term ''qualified entity'' means a State or local government, school board, or public health, law enforcement, nonprofit, or other nongovernmental organization providing services related to methamphetamine.

(c) ESTABLISHMENT OF CLEARINGHOUSE AND ADVISORY COUNCIL.—

(1) CLEARINGHOUSE.—There is established, under the supervision of the Director of National Drug Control Policy, an information clearinghouse to be known as the National Methamphetamine Information Clearinghouse.

(2) ADVISORY COUNCIL.—

(A) IN GENERAL.—There is established an advisory council to be known as the National Methamphetamine Advisory Council.

(B) MEMBERSHIP.—The Council shall consist of 10 members appointed by the Director of National Drug Control Policy—

(i) not fewer than three of whom shall be representatives of law enforcement agencies;

(ii) not fewer than four of whom shall be representatives of nongovernmental and nonprofit organizations providing services related to methamphetamine; and

(iii) one of whom shall be a representative of the Department of Health and Human Services.

(C) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for three years. Any vacancy in the Council shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) NMIC REQUIREMENTS AND REVIEW.—

(1) IN GENERAL.—The NMIC shall promote sharing information regarding successful law enforcement, treatment, environmental, social services, and other programs related to the production, use, or effects of methamphetamine and grants available for such programs.

(2) COMPONENTS.—The NMIC shall include—

(A) a toll-free number; and

(B) a website that—

(i) provides information on the short-term and long-term effects of methamphetamine use;

(ii) provides information regarding methamphetamine treatment programs and programs for drug endangered children, including descriptions of successful programs and contact information for such programs;

(iii) provides information regarding grants for methamphetamine-related programs, including contact information and links to websites;

(iv) allows a qualified entity to submit items to be posted on the website regarding successful public or private programs or other useful information related to the production, use, or effects of methamphetamine;

(v) includes a restricted section that may only be accessed by a law enforcement organization that contains successful strategies, training techniques, and other information that the Council determines helpful to law enforcement agency efforts to combat the production, use or effects of methamphetamine;

(vi) allows public access to all information not in a restricted section; and

(vii) contains any additional information the Council determines may be useful in combating the production, use, or effects of methamphetamine.

(3) REVIEW OF POSTED INFORMATION.—

(A) IN GENERAL.—Not later than 30 days after the date of submission of an item by a qualified entity, the Council shall review an item submitted for posting on the website described in paragraph (2)(B)—

(i) to evaluate and determine whether the item, as submitted or as modified, meets the requirements for posting; and

(ii) in consultation with the Director of National Drug Control Policy, to determine whether the item should be posted in a restricted section of the website.

(B) DETERMINATION.—Not later than 45 days after the date of submission of an item, the Council shall—

(i) post the item on the website described in paragraph (2)(B); or

(ii) notify the qualified entity that submitted the item regarding the reason such item shall not be posted and modifications, if any, that the qualified entity may make to allow the item to be posted.

(4) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated—

(A) for fiscal year 2007—

(i) $1,000,000 to establish the NMIC and Council; and

(ii) such sums as are necessary for the operation of the NMIC and Council; and

(B) for each of fiscal years 2008 through 2011, such sums as are necessary for the operation of the NMIC and Council.

SEC. 21. REPORT ON SCHOOL DRUG TESTING.

(a) REPORT REQUIREMENT.—The Director of National Drug Control Policy shall prepare a report on drug testing in schools. The report shall include a list of secondary schools that have initiated drug testing from among those schools that have attended conferences on drug testing sponsored by the Office of National Drug Control Policy.

(b) DEADLINE.—Not later than 120 days after the date of the enactment of this Act, the Director of National Drug Control Policy shall submit to Congress the report required under subsection (a).

SEC. 22. REPORT ON METHAMPHETAMINE EPIDEMIC.

(a) REPORT REQUIREMENT.—The Director of National Drug Control Policy shall prepare a report on methamphetamine usage in the United States. The report shall describe the usage by zip code based on information obtained from industrial and school drug testing and seizures of clandestine laboratories.

(b) DEADLINE.—Not later than 120 days after the date of the enactment of this Act, the Director of National Drug Control Policy shall submit to Congress the report required under subsection (a).

SEC. 23. REPORT ON ONDCP PERFORMANCE BONUSES.

(a) REPORT REQUIREMENT.—The Director of National Drug Control Policy shall prepare a report on performance bonuses at the Office of National Drug Control Policy. The report shall include a list of employees who received performance bonuses, and the amount of such bonuses, for the period beginning on October 1, 2004, and ending on the date of submission of the report.

(b) DEADLINE.—Not later than 120 days after the date of the enactment of this Act, the Director of National Drug Control Policy shall submit to Congress the report required under subsection (a).

The Acting CHAIRMAN. Pursuant to House Resolution 713, the gentleman from Ohio (Mr. CHABOT) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. CHABOT. Mr. Chairman, I yield myself such time as I may consume.

I rise today in support of a bipartisan amendment that I have drafted with several Members of the Meth Caucus to address the national methamphetamine epidemic our Nation faces. I have offered this amendment along with Representatives BOSWELL, CALVERT, CANNON and LARSEN of Washington; and I would like to thank all of these gentlemen for their leadership in not only drafting this amendment but in working very hard in this fight against drugs in our country.

Specifically, I wanted to highlight the provisions of the amendment that would create a National Methamphetamine Information Clearinghouse. Several communities in my State have expressed the need to obtain and share information related to methamphetamine abuse and addiction. The national database would promote sharing of best practices among the law enforcement, prevention, treatment, and social services communities.

The database will be governed by an advisory council comprised of members from a variety of agencies and organizations. This council will be responsible for monitoring these submissions to the clearinghouse and making sure that information found on the site is accurate, up to date and useful.

The methamphetamine problem has grown at a dramatic rate and is now considered the most significant drug abuse problem in the country, surpassing marijuana. The impact of this problem has hit local law enforcement and communities with dramatic, direct, and collateral consequences.

The National Association of Counties recently published a survey that shows that 60 percent of responding counties stated that methamphetamine was their largest drug problem, 60 percent of these. Sixty-seven percent reported increases in meth-related arrests.

I will continue to support measures such as these and the Meth Elimination Act that was included in the PATRIOT Act to crack down on meth users and give local law enforcement and the public at large tools to help fight this national epidemic.

I would like to thank all those sponsors, Mr. BOSWELL and others who have been very active in this effort, for being cosponsors and supporters of this particular legislation.

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

The Acting CHAIRMAN. Who seeks time in opposition to the bill?

Mr. CUMMINGS. Mr. Chairman, I ask unanimous consent to use the time in opposition to support the amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The Acting CHAIRMAN. The gentleman from Maryland (Mr. CUMMINGS) is recognized for 10 minutes.

Mr. CUMMINGS. Mr. Chairman, I fully support this amendment, and I yield 3½ minutes to the gentleman from Iowa (Mr. BOSWELL) who is a member of the Meth Caucus and has been just a tremendous leader with regard to this issue and so many others, too.

Mr. BOSWELL. Mr. Chairman, I thank the gentleman from Maryland for yielding me the time. I appreciate it very much, and I would like to thank the gentleman from Ohio (Mr. CHABOT) for his willingness to work with the cochairs of the Meth Caucus. It has been exhilarating that we can get something done; and the Meth Caucus, with your help, is making strides. I appreciate it very much.

I would also like to thank the gentleman from Indiana (Mr. SOUDER) for his strong leadership on this issue.

Mr. Chairman, I represent Iowa. Sometimes we have referred to it as the Belt Buckle of the Heartland. Iowa is a small State, one that prides itself on a shared sense of community and responsibility, one that values a solid education and a hard day's work. When one thinks of Iowa, they might imagine vast fields of corn or soybeans, or they might imagine a small-town Main Street.

Unfortunately, they might also imagine meth. A couple of years ago, the meth epidemic in Iowa was highlighted in a documentary by HBO called ''Crank.'' This detailed the meth problem of three Iowa families and showed the complete destruction this drug causes. This documentary shows how meth had taken hold in Iowa, but it just as easily could have been filmed in Missouri, Illinois, California, Washington, Oregon, Oklahoma, Nebraska, or any other State in the Union that has seen meth steadily infiltrate our communities.

I am sure everyone in this great House has heard the stories from their districts about meth. Meth does not care how much money you have, what kind of education you have, where you live, what color your skin is, how old you are, how young you are. Meth is quite simply an equal-opportunity destroyer. I am sure all of my colleagues here have seen all the pictures repeatedly shown by the gentleman from Nebraska (Mr. OSBORNE) which have shown the life of this young woman and how she deteriorated so fast.

I rise today in strong support of the Chabot-Boswell-Calvert-Cannon-Larsen amendment. This amendment will strengthen the ONDCP reauthorization bill by highlighting the continued commitment of this House in our national fight against methamphetamine.

Meth presents unique challenges to law enforcement, social services, and public health agencies. As such, the Congress must have extensive information on this epidemic from across the Nation. I believe this amendment will move us in that direction. By commissioning the reports outlined in this amendment, the Congress will be able to increase the information available to it on a wide range of issues, from the differing State precursor control laws to the Drug Endangered Children programs that have become all too valuable to the people we represent.

Furthermore, we must have the ability to quickly share information with Federal, State, and local governments. The National Methamphetamine Information Clearinghouse created by this amendment will provide us with the one-stop shop we need to share information on best practices in areas such as law enforcement, treatment, prevention, and social services.

The proposals in this amendment before you were crafted with close bipartisan cooperation and consultation. When dealing with the issue of meth, I have found this is the only approach to take. This drug does not care what side of the aisle you are on.

Mr. Chairman, I ask my colleagues to support this important amendment.

Mr. CHABOT. Mr. Chairman, I yield such time as he might consume to the gentleman from Indiana (Mr. SOUDER), who has been such a strong leader in the fight against drugs in this country.

□ 1300

Mr. SOUDER. Mr. Chairman, I want to thank my distinguished colleague from Ohio on the Judiciary Committee for his great work on this and so many other issues, on constitutional issues and on crime issues in this country, and I want to put this amendment a little bit in context.

First, we have a very strong Meth Caucus in this House, led by Congressman LARSEN, Congresswoman BOSWELL, Congressman CALVERT, and Congressman CANNON. Congressman CALVERT was one of the early leaders because in California we saw these super labs, just like in Washington State and Oregon. Actually, they started in Hawaii. Moved from Asia into Hawaii, into the west coast, into the Plaines, then into the Great Lakes States. It has now moved through the whole country.

Part of the reason the Meth Caucus is so frustrated and you will see so many amendments today, and even in the overriding bill, is because of an exasperation that while this is tearing up the grass roots, the Congress of Counties in the United States has said it is the number one drug problem in America; we have the HIDTAs coming in and saying it is, State and local law enforcement coming in and saying it is, the emergency rooms reflecting that, yet there has been no coordinated anti-meth strategy.

The challenge we have when we do a bill like this, which is a 5-year bill, which may mean at different times that oxycontin may be the problem, crack is in other cities and heroin is in other cities, that you try not to micromanage any particular drug in a 5-year bill. But what has happened here is, because the Office of ONDCP in particular, as well as HHS for the most part, have had a tin ear and not responded, this bill is going to have a lot more micromanagement in it than you normally would in a 5-year authorization.

I believe methamphetamine will be around in 5 years. I don't believe we are going to get rid of it in 5 years. It originally was in the form of crack and was not that widespread. But as it spread, whether it is mom-and-pop labs or crystal meth, it will be here for 5 years. But this would not be necessary if they already had a clearinghouse. I can't believe we don't already have a clearinghouse. It wouldn't be necessary if we already had in the schools different programs like this amendment is prescribing.

The administration this morning said they oppose this bill because it ties their hands too much. I am sorry, when you do not respond to the crisis in America, when the American people are rising up in every county, every law enforcement organization, this is exactly what we need to do in legislation when you do not respond.

I strongly support this amendment and I hope the entire Congress will support this amendment.

Mr. CHABOT. Mr. Chairman, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Washington (Mr. LARSEN), another leader in the Meth Caucus.

Mr. LARSEN of Washington. Mr. Chairman, I rise in support of this amendment today, and I want to thank my fellow Meth Caucus cochairs, Mr. BOSWELL, Mr. CALVERT, and Mr. CANNON, and also the gentleman from Ohio (Mr. CHABOT) for their work in drafting this critical amendment.

Methamphetamine is a highly dangerous drug that is wreaking havoc on families and communities throughout this country. The drug's use is spreading across the United States. And while meth produced in home-grown labs has actually decreased in certain parts of the country, meth use has exploded with the availability of crystal meth from superlabs from places like Mexico.

Meth impacts every aspect of our community, every aspect of our neighborhoods, of our businesses, of the environment, and of our children. According to a 2005 survey by the National Association of Counties, 58 percent of the counties across the country reported meth as their greatest drug problem. The Federal Government needs to treat our Nation's meth problem with the same urgency and commitment that our State and local governments have been treating it for years.

We must provide for local law enforcement, treatment professionals, and prevention experts with the tools they need to combat this deadly drug. Our amendment is a step in the right direction. For the past several years, the Meth Caucus has worked to engage the Office of National Drug Control Policy on this issue. We have tried to get their attention that meth requires a strong, comprehensive Federal policy. While some gains have been made, ONDCP must take meth more seriously and devote more resources to its eradication.

Our amendment calls on ONDCP to increase reporting on several critical meth issues, including State Drug Endangered Children programs and State laws and access to meth precursors. These reports will help us develop a coherent and comprehensive national strategy to fight meth. It is also creates the National Methamphetamine Information Clearinghouse to provide current information to Federal, State, and local agencies about meth's trafficking, abuse, treatment, and abuse prevention.

I want to conclude quickly by thanking the gentleman from Indiana (Mr. SOUDER) for working with us to craft this important amendment. I also want to thank him for his willingness to work with the Meth Caucus to get good meth policy passed. I urge my colleagues to vote ''yes'' on this amendment.

Mr. CUMMINGS. Mr. Chairman, may I inquire as to how much time we have?

The Acting CHAIRMAN (Mr. MILLER of Florida). The gentleman has 5 minutes remaining.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume. Let me just say this.

I want to congratulate Mr. CHABOT and all the members of the Meth Caucus, because I think they have done, I know that they have done an outstanding job. I certainly congratulate Mr. SOUDER, too.

We have seen meth and the effects of meth, and I can tell you that while I am from the inner city of Baltimore, I have seen the effect that crack cocaine and heroin and various other drugs have had on populations; but I was, to be very frank with you, a bit shocked at the effects of methamphetamines. I think the thing that struck me tremendously was the fact that these drugs could be easily manufactured and that somebody could actually, literally, look at a Web site and put together these drugs and the next thing you know you have got quite a few people using them.

We had testimony that came forward during one of our field hearings in Indiana, I think it was, where they were talking about how one person would learn how to create the lab, and then the next thing you know, they teach somebody else, and they teach somebody else, and the next thing you have a whole string of them.

I give Mr. SOUDER and all the members of our subcommittee a lot of credit. We try to address all of these problems, whether it is meth in the rural areas of our great country, or whether it is crack cocaine in urban areas. And here, this is another effort, as I said a little earlier, for us to address the problems of drugs in our country and the fact that it is destroying so many families, so many communities, and so many people.

A lot of people don't realize it, but when somebody becomes addicted to a drug, it not only affects them but it affects their families and it affects support agencies and it affects their entire neighborhood. And we have seen those effects.

So with that, Mr. Chairman, I support this amendment and I congratulate the sponsors.

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

Mr. CHABOT. Mr. Chairman, I yield myself such time as I may consume, and I will be very brief, but I want to thank all the Members that have been so involved in passing this particular amendment and working on the entire bill. There are an awful lot of people, I think, in the House that realize what a scourge drugs are in this country and particularly in the last few years with methamphetamine.

This bill, whereas it is not a panacea, it will not solve the problem, it is at least a step in the right direction, and I want to thank my colleagues for their support.

Mr. CALVERT. Mr. Chairman, I rise in strong support of this bipartisan amendment which will strengthen the Office of National Drug Control Policy's, and in turn our nation's, efforts against methamphetamine—the deadliest and most devastating drug that faces our communities today. As a founding member and Co-Chair of the Congressional Caucus to Fight and Control Methamphetamine, commonly know as the Meth Caucus, I have seen our Caucus membership enrollment grow just as the meth epidemic has grown.

From a couple dozen Members representing Western states in 2001 to 140 today, the Meth Caucus membership hails from all regions of this country and across the political spectrum. Even the Senate has established their own Meth Caucus which is modeled after the House caucus. Each of these Members recognize the meth epidemic that is ravaging our communities on so many levels—from its toll on individual users, to the significant social costs it thrusts onto our law enforcement, prisons, hospitals, social and child welfare systems, and the environment.

As Mr. CHABOT stated, the amendment, through commissioned studies and reports, will provide information critical to assisting the Administration and the Congress in developing necessary and up-to-date policies to address the meth epidemic. In addition, the amendment would create an online National Methamphetamine Information Clearinghouse to serve law enforcement and the broader community with a forum for sharing of ''best practices'' information regarding successful anti-meth programs and activities. These measures will only strengthen the reauthorization bill and ensure that the Federal response to the meth epidemic does not waver.

I would like to express many thanks to Congressman SOUDER for his support on this amendment. He has been, with his staff, relentless in their work to improve federal drug control policy and I appreciate their readiness and eagerness to involve the Meth Caucus in their activities. I also want to thank Congressman CHABOT and his staff for shepherding this important amendment to the floor, and also my fellow Meth Caucus Co-Chairs, Representatives CANNON, LARSEN and BOSWELL and their staff for their constant vigilance on this

issue and their efforts to make this one of the most proactive and effective Caucus' in the House. I strongly urge my colleagues to vote in favor of the amendment and the reauthorization bill.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. CHABOT).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. CHABOT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. CUELLAR

Mr. CUELLAR. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 printed in House Report 109–387 offered by Mr. CUELLAR:

Page 161, after line 2, insert the following:

(n) STUDY OF PERSONS KIDNAPPED, KILLED, AND MISSING ALONG THE BORDER BETWEEN THE UNITED STATES AND MEXICO.—

(1) IN GENERAL.—The Director of National Drug Control Policy shall study the specific impact on citizens of the United States of violence related to drug-trafficking along the international border between the United States and Mexico.

(2) REPORT.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Director of National Drug Control Policy shall submit to Congress a report, including recommendations on methods to solve the offenses described in such paragraph and to reduce the occurence of such offenses.

(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $1,000,000 for each of fiscal years 2007 through 2011.

The Acting CHAIRMAN. Pursuant to House Resolution 713, the gentleman from Texas (Mr. CUELLAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CUELLAR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to thank Mr. SOUDER and Mr. CUMMINGS, and I also rise in favor of this particular bill. I want to thank Mr. SOUDER for the leadership he has taken on this very important bill that is so important to us and, again, Mr. CUMMINGS, also for the work you both have been doing, your leadership and your bipartisan approach.

I also want to thank my colleague from Texas (Ms. JACKSON-LEE) for cosponsoring this amendment. My amendment to H.R. 2829 directs a study on the incidence of kidnapped, killed, and missing Americans along the United States-Mexican border. Within 180 days, the commission will submit a report to the U.S. Congress with recommendations on how to prevent these types of crime.

According to the FBI, 41 Americans have been kidnapped in Mexico since August of 2004. Two have been killed, some have been returned, but there are still 22 missing Americans that we have not been able to find answers to.

Last year, we witnessed a positive reaction from our country when we mobilized the resources to find the missing American in Aruba. It is my hope that we can also give the same type of attention to the missing Americans along the U.S.-Mexican border where many more people have gone missing.

I fully understand that the Office of National Drug Control Policy is not an enforcement or investigative agency, but I believe, very strongly, that this office can be another group of minds that can help us try to find initiatives to help prevent American citizens from suffering the same or similar fate in the future.

Since I have taken office, I have been asked by many of the mothers and fathers and the children of the missing Americans to help resolve the status of their loved ones. I believe that if we bring in many resources together that we can help to ensure we put a stop to these crimes, and hopefully give the families of these missing Americans some closure.

Again, congratulations to Mr. SOUDER for the leadership that he has taken, and Mr. CUMMINGS also, for coming together in a bipartisan approach. I believe this amendment is acceptable to both Mr. SOUDER and Mr. CUMMINGS.

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

Mr. SOUDER. Mr. Chairman, I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume. I strongly support this amendment by the gentleman from Texas. Without a doubt, our number one challenge is the southwest border, whether it is meth, whether it is cocaine, whether it is heroin, or whether it is marijuana.

The biggest bust in my hometown's history in Fort Wayne, Indiana, was in Laredo, headed up to Fort Wayne, and a very organized thing. We have had multiple hearings in El Paso, but I remember at one of the hearings in El Paso, the prisons in El Paso are full of people trying to ship drugs to other parts of the country, and they do not even arrest people with under 200 pounds anymore because their prisons are full. When we challenged that, he said, what are we supposed to do in Texas? Our prisons are full of people running drugs to Indiana and Maryland and Florida and everywhere else in the United States. There is only so much we can do.

Many problems along the border are related to immigration questions, but I do not think the violence in the southwest border is related to people coming up to work in manufactured housing in Indiana. The problem with violence at the southwest border is pretty directly related to drug trafficking; the assassinations we have seen on both sides of the border and how that spills in. Sometimes it is accidental, sometimes it is shootouts, sometimes it is kidnappings, sometimes it relates to people in law enforcement and other times it is individuals; whether it is at that Tohono O'odham reservation in Arizona that has been overrun, or whether it is ranches that have been overrun, or whether literally in El Paso it is assassinations that have occurred inside the city.

The drug czar's office does have the ability to do this kind of study. They are the overarching agency. We may also need to look, just like we need to look at legislation on these tunnels, what specific legislation may need to come from this, but first we need to know what the facts are. I appreciate the gentleman bringing the amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I thank the gentleman for yielding me this time, and I wanted to just state that I wholeheartedly support the amendment. I think it makes a great bill an even better bill, and I thank the gentleman for sponsoring it.

Mr. SOUDER. Mr. Chairman, I yield such time as he may consume to the gentleman from Texas to close.

Mr. CUELLAR. Yes, I want to thank Mr. SOUDER and Mr. CUMMINGS once again for their leadership on this very important issue.

Mr. SOUDER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. CUELLAR).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 printed in House Report 109–387 offered by Mr. FILNER:

Page 159, after line 5, insert the following new paragraph (and redesignate subsequent paragraphs accordingly):

(3) SPECIFIC CONTENT RELATED TO DRUG TUNNELS BETWEEN THE UNITED STATES AND MEXICO.—The Southwest Border Counternarcotics Strategy shall include—

(A) a strategy to end the construction and use of tunnels and subterranean passages that cross the international border between the United States and Mexico for the purpose of illegal trafficking of drugs across such border; and

(B) recommendations for criminal penalties for persons who construct or use such a tunnel or subterranean passage for such a purpose.

The Acting CHAIRMAN. Pursuant to House resolution 713, the gentleman

from California (Mr. FILNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Chairman, I yield myself such time as I may consume.

I want to thank Chairman SOUDER and Ranking Member CUMMINGS for bringing us this bill, and I have an amendment based on my experience as the Congressman that represents the whole California-Mexico border.

Just a few weeks ago, we discovered almost a mile-long tunnel, half on each side of the border, in my district. We all like to take credit for things in our district, but this is one that I do not take credit for.

□ 1315

It was a very sophisticated tunnel the way it was constructed, the way it was shored up, the way it drained water, and it was even air-conditioned. We found 2 tons of marijuana that was left behind. Who knows what went through that tunnel, whether it was people, drugs or potentially weapons of mass destruction?

Thinking about that and looking at the reaction we had in San Diego over those tunnels, I thought we should slightly amend this bill to authorize the ONDCP to coordinate with all relevant agencies to combat border tunnels that are used to smuggle drugs, people, and could potentially be used to smuggle terrorists and their weapons, specifically between California and Mexico.

It gives the office authority to join in the development and implementation of a strategy to fight these subterranean border tunnels and requires that the office submit to Congress a recommendation for penalties for those involved either in digging or using these tunnels.

We have been dealing with this issue over many years. Eight tunnels between San Diego and Tijuana have been discovered this year alone, and there have been over 20 tunnels discovered in the last decade.

We know that with all of the fences that we are building, double fences, triple fences, walls, what we have here is an easy way under all of those fences that we are building. So we need to have a far more coordinated policy. There is not even a law against tunneling under the border! There are laws for smuggling and for other parts of the crime, but not specifically for tunneling under our international border. So we have to take note of them. We have to concentrate and focus our efforts. We have to understand that terrorism can find a whole new approach to getting into the United States through these tunnels underneath our international border. They are a threat to us and America. They allow drugs and people to come through.

These are busy times for the Border Patrol, the customs agents, immigration folks; but if we are going to send these agencies to fight a war on drugs, to fight a war against illegal behavior, we have to send them the proper tools. I believe this amendment will do it.

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

Mr. SOUDER. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I do not oppose this amendment.

The Acting CHAIRMAN (Mr. MILLER of Florida). Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

I rise to support this amendment. I do not oppose this amendment. I think it is a good amendment. It is a phenomenon we have dealt with for some time, and I appreciate Mr. FILNER's long, aggressive leadership with how best to deal with the southwest border in his district. We have worked together on border questions.

This has recently been in the news because there have been more tunnels discovered in the last period than we have had for some time. The gentleman is absolutely correct, it does not do any good to build fences if you dig tunnels underneath them. Some of these tunnels have gone into other businesses, some into homes, some into open areas. It has shown a gap in our legislation.

I am working with Chairman DREIER who is taking the lead on a bill similar to Senator FEINSTEIN and Senator KYL's bill to try to come up with appropriate laws that we need regarding these tunnels.

Clearly, if you catch the ton of marijuana going through, that is clearly a violation of the law; but even the tunnel itself and digging the tunnel under an international border should have stiff penalties.

I spoke yesterday with the Assistant Secretary of the Department of Homeland Security, Julie Myers, and she is head of ICE and has been working directly with them in trying to do more of the tunnel enforcement. They have stepped up DHS efforts, and Assistant Secretary Myers is fully aware of this. We need to develop whatever legislation is required.

What we need is our ONDCP director, and ideally he would have already submitted proposals to us. This says come up with proposals, and it gives him authority to develop implementation of a strategy and coordinate the other agencies. Some of this may be Department of Justice, EPA. That is why we have an Office of National Drug Control Policy to coordinate the different agencies that may be involved in this tunnel.

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

Mr. FILNER. Mr. Chairman, I yield myself such time as I may consume.

I want to thank the chairman for his leadership on these issues, for coming personally to the border to see the situation. Through my district, Mr. Chairman, every day 300,000 people go back and forth legally. That is the movement of a major amount of people, and we have to do that efficiently. But within that amount of movement, people take advantage with illegal movement. That is what we have to try to get at. We have to try to get at the illegal while making it efficient for all of those people going back and forth for trade, shopping, family visits, for schooling, for cultural visits. We have to allow that to continue efficiently while stopping, in a more efficient fashion, the illegal activity.

I thank both Mr. CUMMINGS and Mr. SOUDER for their support.

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

Mr. SOUDER. Mr. Chairman, I yield the balance of my time to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I think this is a wonderful and very appropriate amendment. I think many Americans were shocked when they learned of this tunnel. As Mr. FILNER said, heaven knows what may have gone through it.

But I see another benefit, not only dealing with the drug issue, but certainly we are concerned about making sure that our homeland is properly secure. As he said, 300,000 to 400,000 people go across the borders legitimately every day. The fact with someone or any persons coming up with this scheme by which to go around the system that we have created, it cries out for ONDCP to look at it and I am sure other agencies are looking at it, too.

I support the amendment and thank the gentleman for offering it.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. FILNER).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. GRAVES

Mr. GRAVES. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 printed in House Report 109–387 offered by Mr. GRAVES:

At the end of the bill, add the following new section (and conform the table of contents accordingly):

SEC. 20. REPORT ON GOVERNMENT-SPONSORED METHAMPHETAMINE CONFERENCE.

(a) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Director of the Office of National Drug Control Policy shall submit to Congress a report explaining the rationale and circumstances leading to the sponsorship by the Department of Health and Human Resources, and the participation by employees of such department, in a conference conducted by the Harm Reduction Coalition and the Harm Reduction Project on August 19th and 20th, 2005, in Salt Lake City, Utah, titled the ''1st National Conference on Methamphetamine, HIV, and Hepatitis Science & Response''.

(b) ADDITIONAL MATTERS COVERED.—The report shall include a description of the management and reporting systems of the Office of National Drug Control Policy that are in

place or that will be put in place to ensure that the policy of the Federal Government is consistently supportive of efforts to prevent the use of methamphetamine.

The Acting CHAIRMAN. Pursuant to House Resolution 713, the gentleman from Missouri (Mr. GRAVES) and the gentleman from Maryland (Mr. CUMMINGS) each will control 5 minutes.

The Chair recognizes the gentleman from Missouri (Mr. GRAVES).

Mr. GRAVES. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I do not have to tell you about the epidemic abuse of methamphetamine that has swept this country. It has devastated States such as mine. Missouri has one of the worst meth problems in the country. From 1995 to 2002, Missouri reported a 97.4 percent increase in methamphetamine-related admissions to emergency rooms. In 2003, Missouri had the highest number of meth lab seizures in the country.

Missouri is not alone. Meth abuse impacts every community; there is no State where meth cannot be found. In 2005 alone, approximately 5,000 meth labs were seized by law enforcement officials. This serious epidemic requires a serious response, and I believe we have to ensure that all agencies are vigorously fighting the meth epidemic.

This includes agencies such as Department of Health and Human Services. HHS sponsored and participated in a conference promoting the ideology of reducing the negative impact of drugs, or the safe use of drugs, rather than stopping the use of illegal drugs.

We need to take seriously the meth epidemic sweeping our Nation. Now is not the time to be lax on drug enforcement. We need to take a hard approach to fight this menace and ensure that the administration and agencies are taking the meth epidemic seriously and supporting efforts to prevent drug abuse, not the safe use.

My amendment is very simple. My amendment will demand that the Office of National Drug Control Policy conduct a report to explain how it happened that the Department of Health and Human Services sponsored this pro-meth conference and what management and reporting systems the Office of National Drug Control Policy will change to ensure that the Department of Health and Human Services is anti-meth and supportive of efforts fighting the meth epidemic.

I ask all Members to support this amendment. This is a serious issue in combating a very dangerous drug, and obviously the meth epidemic.

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

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

The Graves amendment requires ONDCP to produce a study on why the Department of Health and Human Services provided sponsorship support and sent HHS employees to a 2005 conference on methamphetamine and harm reduction.

In my opinion this amendment is totally unnecessary. The information sought could be obtained through regular oversight channels, and the request does not belong in an authorization statute. In addition, the amendment is an implicit ideological attack on harm-reduction efforts, such as needle exchange programs.

The purpose of needle exchange programs is to reduce the risk of transmission of HIV among injection drugs users. The amendment presupposes that needle exchange and prevention are incompatible, and that HHS participation in a harm-reduction conference cannot be constructive. That assumption is simply false.

HHS, the National Institutes of Health, the World Health Organization, and other health organizations have conducted comprehensive reviews of the research on needle exchange. Their research establishes the following conclusions: Needle exchange programs reduce the risk of transmission of HIV among injection drug users; they do not increase or encourage drug use; and they can be an important bridge to treatment aimed at achieving abstinence from drug use. Needle exchange can be an effective component of a strong, comprehensive drug reduction program. HHS and its drug prevention agencies have valuable expertise. HHS can and should provide information on treatment and prevention in settings where those subjects are discussed. For those reasons, I oppose the amendment.

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

Mr. SOUDER. Mr. Chairman, I ask unanimous consent that the gentleman from Missouri (Mr. GRAVES) be able to reclaim the balance of his time.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GRAVES. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment is very simple. It is not going to take much. It will just ask that the National Office on Drug Control Policy explain to us their participation in this conference and show us that they are serious about the fight on drugs, they are serious about fighting this epidemic. It gives a report to Congress. That is all it does.

I would like an explanation for this action. I would like an explanation for what took place. Again, it is a very simple amendment, and I do not think it is asking too much.

Mr. GRAVES. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, we will include for the RECORD a series of letters that we have written to Secretary Leavitt. One of the panels on this conference was: We Do Not Need a War on Methamphetamine.

Another title was: You Don't Have to Be Clean and Sober or Even Want to Be.

Sexual topics were also there. Harm Reduction: Tweaking Tips For Party Boys; Barebacking: A Harm Reduction Approach Without Condoms; Harm Reduction: Unprotected Sex, Gay Men and Barebacking.

It was awful, done with our tax dollars. But what is particularly outrageous, when we look at narcotics, is how can our Department of HHS be participating in something named ''We Don't Need a War on Methamphetamine.'' That is why we are asking ONDCP to investigate this.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

Again, I reiterate. I think there are other ways to get this information. What is said during these conferences is not the responsibility of HHS, and I just think when we are in a situation where we are trying to make sure that we use our tax dollars efficiently and effectively, to go at trying to acquire this kind information through this method, an amendment on a very significant bill, I think is just inappropriate.

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

□ 1330

Mr. GRAVES. Mr. Chairman, I yield myself such time as I may consume.

That is exactly what we are trying to do, Mr. Chairman, is just ask that taxpayer dollars be used responsibly and not for conferences such as this. We need to fight drugs, not show people that they can be used in a safe manner. I think that is ridiculous.

Mr. SOUDER. Mr. Chairman, I submit these letters to further illustrate the matter raised by Mr. GRAVES.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC, August 12, 2005.

Hon. MICHAEL O. LEAVITT,
Secretary, Department of Health and Human Services, Washington, DC.

It has been my understanding, from several sources, that the Department of Health and Human Services has been the principal barrier preventing the Administration from formulating a policy to address the methamphetamine epidemic. And now I have learned that the Department of Health and Human Services is a primary sponsor of a conference controlled by the Harm Reduction Coalition and the Harm Reduction Project in your home state of Utah, on August 19 and 20, 2005.

I find this all to be deeply offensive.

I am enormously frustrated with your Department for dithering on the meth issue while the rest of America fights an epidemic that is viciously tearing apart families and communities throughout the country.

A foundational premise of the so-called ''harm reduction'' ideology promoted at the HHS-sponsored conference is that we should not be fighting a ''war on drugs,'' but rather limiting drugs' harmful effects. Harm reduction is, in fact, a vehicle drug legalization proponents have hijacked to pave the way to their ultimate objective.

Any claim that your Department is unaware of the pro-legalization agenda and ''soft'' approach to illegal narcotics of the

harm reduction advocates is utterly implausible. This agenda is readily apparent from the conference topics sprinkled throughout the program, as well as the very websites of the assorted harm reduction organizations sponsoring and participating in the conference.

Shockingly, Major Session IV of the HHS-sponsored Harm Reduction Coalition and Harm Reduction Project conference next week is entitled, ''We Don't Need a 'War' on Methamphetamine.''

Other conference topics include, ''You Don't Have to Be Clean & Sober. Or Even Want to Be!'' and sexual topics consistent with the harm reduction ideology that shuns an abstinence-based approach for at-risk communities: ''Tweaking Tips for Party Boys,'' and two sessions on engaging in sex without condoms, ''Barebacking: A Harm Reduction Approach,'' and ''Without Condoms: Harm Reduction, Unprotected Sex, Gay Men and Barebacking.

Among the speakers and moderators at this conference sponsored by your Department, five are identified in the program as representatives of the Drug Policy Alliance, giving seven presentations at the conference. The Drug Policy Alliance describes itself as ''the nation's leading organization working to end the war on drugs.'' Along with its major donor George Soros, the Drug Policy Alliance helped produce It's Just a Plant, a pro-marijuana children's book. Marsha Rosenbaum, who is also presenting at the HHS-sponsored conference, wrote the epilogue for this disturbing book.

Both the Harm Reduction Coalition and the Harm Reduction Project are partners with the Drug Policy Alliance for its upcoming 2005 International Drug Policy Reform Conference. According to the Alliance's conference materials regarding who should attend this meeting: ''Anyone who believes the war on drugs is doing more harm than good!''

The program for the HHS-sponsored conference next week also includes a ''Special Thank You'' to a handful of people, including HHS employee Dr. Glen Hanson, of the National Institute on Drug Abuse (NIDA). As you know, NIDA's mission is ''to lead the Nation in bringing the power of science to bear on drug abuse and addiction.'' To what end is the Department's goal to ''lead the nation'' with harm reduction and drug legalization partners?

Luciano Colonna, Executive Director of the Harm Reduction Project and host of the DHHS-sponsored conference, and one reported as briefing your aides in advance of the conference, is quoted as stating that, ''For a lot of people, meth use is a rite of passage and it really does increase sexual pleasure.''

That Administration officials from your Department are consulting with harm reduction advocates such as Colonna, and sponsoring conferences controlled by the harm reduction network, completely undermines the work of the President, the Congress, and the men and women who work in law enforcement across the nation who are trying desperately to fight the meth epidemic.

Please provide the following materials no later than 5:00 p.m. Tuesday, August 16, 2005:

(1) An official statement of why the Department of Health and Human Services is sponsoring the August 19–20 Harm Reduction conference in Salt Lake City, and how such participation furthers the Administration's stated goal of reducing drug use.

(2) The names of all Department of Health and Human Services staff attending the August 19–20 Harm Reduction conference in Salt Lake City, and their contact information so we may conduct staff interviews.

Please provide the following materials no later than 5:00 p.m. Friday, August 26, 2005:

(1) All documents relating to the Department of Health and Human Services' involvement, including its role as a primary sponsor, for the August 19–20 Harm Reduction conference in Salt Lake City. See the attachment for a full definition of ''documents'' and ''relating to.''

Mr. Secretary, I have steadily worked for enhanced treatment and prevention funding and expanded treatment options. I was the House sponsor of the Drug Addiction Treatment Expansion Act just signed by President Bush. Treatment and prevention are not the issue here.

The issue is that the Administration has not yet put forth a strategy to address the meth epidemic, and your Department bears much of the responsibility for that failure. To procrastinate further while supporting the very people who advocate relaxed drug laws is unconscionable.

Sincerely,

MARK E. SOUDER,
Chairman, Subcommittee on Criminal Justice, Drug Policy and Human Resources, Government Reform Committee.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC, August 19, 2005.

Hon. MICHAEL O. LEAVITT,
Secretary, Department of Health and Human Services, Washington, DC.

Your August 17, 2005 response to my letter regarding the sponsorship by the Department of Health and Human Services (HHS) of this week's Harm Reduction Coalition/Harm Reduction Project ''methamphetamine'' conference in Salt Lake City, Utah, simply does not answer the questions I asked. In fact, it raises many more serious questions.

First, and most importantly, I am incredulous that, even as you insist that HHS is not ''sponsoring'' the conference, you admit that HHS provided taxpayer dollars for it, and that you are sending six employees to participate in it. I would like to learn how it is that you differentiate between providing financing and employees for an event, and ''sponsoring'' it.

In fact, I am inclined to agree with one of the event's primary organizers, Mr. Luciano Colonna, who told a reporter, ''They [HHS] were a sponsor and still are sponsors. If they weren't sponsors, why didn't they just say that nationally when attacked by Souder last week?'' I further note that, as of Friday, August 19, 2005 at 9 a.m., the first day of the conference, your Department's name remains on the conference program.

Your Department's support for, and participation in, this conference has already served to confer undeserved legitimacy on the drug legalization proponents who organized it. HHS participation and public sponsorship of the conference influenced the judgment of other government entities. For example, Oklahoma state agencies originally planned to send officials to the conference in large part because of the federal government's sponsorship.

Second, you did not respond to the second stated request of my letter asking for the names of all HHS staff attending the Harm Reduction Conference. This request stands and is reiterated at the end of this letter.

I am, moreover, bewildered by your assertion that six Centers for Disease Control (CDC) employees will attend the conference ''to learn how to reduce methamphetamine use.'' This conference, as the organizers clearly state, concerns so-called ''harm reduction'', that is, drug use maintenance. That is quite different from drug use reduction.

I believe that your Department's participation in this conference is a slap in the face to the federal, state, and local law enforcement, child welfare services, treatment and prevention, and other personnel who work so hard to stop meth trafficking, abuse, and addiction, and to clean up the wreckage left by this terrible drug.

To give you a specific example, Danni Lentine, one of the CDC employees, will be moderating a panel discussion at the conference entitled, ''Demythologizing Methamphetamine Manufacture: Don't Believe the Hype'' on Saturday, August 20. The very title of this ''discussion'' suggests that the law enforcement and child welfare services personnel, who have provided moving testimony to my Subcommittee of the deadly health hazards posed to police officers and children at meth lab sites, are perpetrating a ''myth''. That, Mr. Secretary, is disturbing, particularly when the Administration has proposed drastic cutbacks in federal programs that help state and local law enforcement agencies find and deal with meth lab sites.

Yesterday, you joined Attorney General Alberto Gonzalez and Director John Walters of the Office of National Drug Control Policy, and announced your support for the Administration's anti-meth proposals. Your words, however, ring rather hollow when your Department is providing aid and support for the very people who undermine antimeth policies.

I am attaching the same questions I put to you last week. I request that you provide the answers as soon as possible.

Thank you for your attention to this serious matter.

Sincerely,

MARK E. SOUDER,
Chairman, Subcommittee on Criminal Justice, Drug Policy and Human Resources.

Mr. GRAVES. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. MILLER of Florida). The question is on the amendment offered by the gentleman from Missouri (Mr. GRAVES).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MS. HOOLEY

Ms. HOOLEY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 printed in House Report 109–387 offered by Ms. HOOLEY:

Page 161, after line 2, insert the following new subsection:

(n) REQUIREMENT FOR METHAMPHETAMINE STRATEGY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of the Office of National Drug Control Policy shall submit to Congress a comprehenisve strategy that addresses the increased threat from methamphetamine.

(2) MATTERS COVERED.—The strategy shall include—

(A) interdiction and precursor chemical controls;

(B) demand reduction and treatment;

(C) alternative development programs;

(D) efforts to prevent the diversion of precursor chemicals on an international level; and

(E) an assessment of the specific level of funding and resources necessary to significantly to reduce the production and trafficking of methamphetamine.

(3) TREATMENT OF CLASSIFIED OR LAW ENFORCEMENT SENSITIVE INFORMATION.—Any content of the strategy that involves information classified under criteria established by an Executive order, or whose public disclosure, as determined by the Director or the head of any relevant Federal agency, would be detrimental to the law enforcement or national security activities of any Federal, foreign, or international agency, shall be presented to Congress separately from the rest of the strategy.

The Acting CHAIRMAN. Pursuant to House Resolution 713, the gentlewoman from Oregon (Ms. HOOLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Oregon.

Ms. HOOLEY. Mr. Chairman, I yield myself such time as I may consume.

I would like to thank Chairman SOUDER for all of his incredibly hard work that he has done on methamphetamine and all the work he has done in committee.

In my three decades of public service, I do not think I have ever seen a problem as pervasive or as damaging as the methamphetamine epidemic that is sweeping our country. This epidemic is tearing apart families, neighborhoods, communities. More and more States are taking action to cut off pseudoephedrine sales to methamphetamine manufacturers who cannot make this poison without this common-cold medication.

While a number of States, including Oregon, have enacted tough rules to control the availability of pseudoephedrine, this has become a national problem. The States need strong Federal support if we are going to have a fighting chance against this epidemic, and yet this administration and ONDCP have not focused on the drug as they should.

The meth epidemic is impacting all of us. Children in particular can face some of the most devastating effects, with tens of thousands of children suffering the consequences of their family meth habit. When parents crash after speeding on meth, their children are left to fend for themselves, sometimes for days. Parents can become abusive, and their children are exposed to highly toxic chemicals. The cost is overwhelming both in terms of human lives and financial resources needed to take care of our children.

Meth also brings increased crime to a community. A district attorney in Clackamas County, which is in my district, estimates that 99 percent of all ID thefts and 90 percent of all property crimes are related to meth.

This amendment would require the Office of National Drug Control Policy to submit to Congress a comprehensive strategy to address the increased threat of methamphetamine. The strategy would include interdiction and precursor chemical controls, demand reduction and treatment, efforts to prevent the diversion of precursor chemicals on an international level, and an assessment of the funding and resources necessary to significantly reduce the production and trafficking of methamphetamine.

ONDCP must make fighting meth a top priority, and this amendment would ensure that they did. The spreading of methamphetamine is a multifaceted problem ranging from the mom-and-pop labs to the sophisticated illegal drug factories in foreign countries. It is one that requires a multifaceted solution. We must take action to control the supply of, and access to, its ingredients both on a domestic and international level, which we have begun to do with the Combat Meth Act. But we also need to reduce the demand for this drug by educating our youth about the dangers of methamphetamine and ensure that addicts get the treatment they need.

The stated role of the Office of National Drug Control Policy is to establish policies, priorities, and objectives for the Nation's drug-control program. Their job is to reduce illicit drug use, manufacturing, and trafficking, drug-related crime and violence, and drug-related health consequences; and yet they refuse to devote the resources or attention that is needed to fight our meth epidemic while more and more Americans become addicted to this deadly drug.

As any cop in America will tell you, methamphetamine is destroying our communities; and fighting the production and importation of this dangerous drug has been one of my top priorities as a Member of Congress. It is long past time for ONDCP to join in the fight, and this amendment will require them to do so, so we have a fighting chance in this battle.

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

Mr. SOUDER. Mr. Chairman, I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Without objection, the gentleman from Indiana (Mr. SOUDER) will control the time in opposition.

There was no objection.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

I do not oppose this amendment. It is an excellent amendment. It requires ONDCP in 90 days to come up with a comprehensive strategy addressing the threat of methamphetamine.

In this bill we already require a coordinated strategy to combat South American and Afghan heroin, which we have not had. We already require a Southwest border narcotics strategy, which has not been effective.

But there has been nothing on meth, and this not only requires a strategy for the supply side, how it gets in internationally through the border, but the demand side as well. The National Ad Campaign has basically been absent, part of the ONDCP, on the meth issue; yet we have reduced the funding here. But this House clearly showed they would increase the funding on the National Ad Campaign if they put it in meth, and then they wonder why they cannot get more dollars for the National Ad Campaign.

We have had to do meth hot spots to try to address that at the grass-roots. That was opposed by the administration. We have now authorized that as part of the terrorism bill in the Combat Meth Act. An amazing individual in the State of Montana has put together a private sector program that is more effective in fighting meth than we have been able to come up with in the public sector.

This amendment will help direct and force the Department of ONDCP, the drug czar's office, to address in a coordinated way meth strategy.

I commend the gentlewoman from Oregon. The Portland Oregonian has been a champion nationally and internationally in identifying this. She has championed this issue in Oregon; as well Congressman WALDEN in the eastern side of Oregon that has been hit so hard; and we really appreciate all the efforts of those in the Northwest as this drug rips through the rest of the country, into Congressman PETERSON of Pennsylvania's district. Titusville, Pennsylvania is the capital of meth in Pennsylvania, ripping into North Carolina. We are doing a hearing with Congressman MCHENRY in the next few weeks. As we see it march into the East, this has now become a national problem; and we appreciate the leadership from the Northwest.

Mr. Chairman, I yield the balance of my time to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I too stand in support of Ms. HOOLEY's amendment. We have spent a tremendous amount of time in our subcommittee on methamphetamine. We see it as a problem that is spreading in many instances like wildfire. And I want to thank Ms. HOOLEY for her leadership and for the amendment.

We have expressed on numerous occasions to the drug czar the fact that we see methamphetamine and addressing the methamphetamine problem should be a major, major priority. And I think that this just helps us along the way with regard to addressing this very significant problem, and again I congratulate the gentlewoman and support this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Ms. HOOLEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Oregon will be postponed.

AMENDMENT NO. 9 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 printed in House Report 109–387 offered by Ms. JACKSON-LEE of Texas:

Section 6 is amended by adding at the end the following new subsection:

(n) REQUIREMENT FOR AN ASSESSMENT OF ILLICIT DRUG AND ALCOHOL USE BY CHILDREN, AND APPROPRIATE INTERVENTION METHODS.—

(1) IN GENERAL.—The Director of National Drug Control Policy shall complete an assessment of report materials, studies, and statistics with respect to the 5-year period before the date of enactment of this Act, to determine the extent to which children who are 12 to 17 years of age—

(A) experiment with and regularly use marijuana, alcohol, cigarettes, prescription drugs without a prescription, designer drugs (such as ecstasy), and other illicit drugs (such as cocaine); and

(B) have access to intervention services or programs, including drug testing, counseling, rehabilitation, legal representation, and other services or programs associated with prevention, treatment, and punishment of substance abuse.

(2) ASSESSMENT PROCEDURE.—In completing the assessment under paragraph (1), the Director—

(A) shall consider relevant public health and academic research materials and studies, and may also consider relevant statistics concerning illicit drug and alcohol use, and criminal convictions related to such use; and

(B) shall make findings, based on the information considered under subparagraph (A), regarding the nature and extent of illicit drug and alcohol use among children who are 12 to 17 years of age, and the availability of preventative, intervention, and rehabilitation services and programs to such children.

(3) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Director shall submit a report to Congress regarding the assessment under this subsection and the findings under paragraph (2)(B). Such report shall include, with respect to children who are 12 to 17 years of age, the following information:

(A) Services and programs that have been effective in preventing such children from experimenting with and beginning the regular use of illicit drugs and alcohol.

(B) The extent to which chronic drug and alcohol use occurs in such children.

(C) The extent to which schools and other public institutions provide intervention for such children who are chronic users of illicit drugs and alcohol, the specific roles such schools and institutions play, and the extent to which such interventions are successful.

(D) Additional resources schools and other public institutions need to provide successful intervention to such children, including funding.

(E) The role of Federal agencies in providing intervention to such children who are chronic users of illicit drugs and alcohol, and the extent to which Federal agency intervention is successful.

(F) Additional resources Federal agencies need to provide successful intervention to such children, including funding.

(G) The role of the Federal, State, and local criminal justice systems in providing intervention to such children who are chronic users of illicit drugs and alcohol, and the extent to which criminal justice interventions are successful.

The Acting CHAIRMAN. Pursuant to House Resolution 713, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

I want to acknowledge again Mr. SOUDER and Mr. CUMMINGS and certainly the members of the full committee, ranking member Waxman and Chairman DAVIS. We can all have our approaches to dealing with this fast-moving drug crisis in America, and it would seem that in 2006 we might be using other language other than ''drug crisis,'' because I recall the Select Committee on Narcotics. I was not a Member of this body, but it had a very high profile. That committee, of course, chaired by Congressman RANGEL, was at a time when drug use in urban centers of America was at a fast-moving pace.

My amendment is one that seeks to be a tool for intervention, a guidepost for the right kinds of programs that can affect our youth. This is an amendment that in its simplicity says that we know that drug use among the ages of 12 to 17, and in many instances girls, is going up. The data is clear. We also know that there are many programs, a lot funded by this agency, of course, but we also need to have a complete understanding of the assessment of these programs, how they can be effective in local, State, and Federal governments.

Mr. Chairman, a recent Washington Post article from this past February describes how girls are trying alcohol and drugs at higher rates than boys. The National Survey on Drug Use and Health found that 730,000 girls between the ages of 12 and 17 started smoking cigarettes in 2004, compared with 565,000 boys; and 675,000 girls started using marijuana, compared with 577,000 boys; 14.4 percent of girls and 12.5 percent of boys in this study reported misusing prescription drugs; 1.5 million girls started drinking alcohol in 2004, compared to 1.28 million boys.

We also know that our particular communities have seen that at least, if it has not increased, it is still the same. There were 20,692 drug-related arrests in Houston, Texas, in 2003. In their lifetime, 32.9 percent of female and 48.9 percent of male Houston-area high school students will have a lifetime use of marijuana. In 2000 there were 115,589 Federal arrests made, 28 percent for drug offenses; 10.8 percent of youth 12 to 17 years old have used drugs in the past month alone. Among State prisoners, 83.9 percent were involved in alcohol or drugs at the time of their offenses; 53 percent of high school seniors reported using an illicit drug at least once in their lives.

These numbers are good for the record, but they impact people's lives. And frankly I believe that we have an opportunity to assess and report back to Congress on the programs that have been effective in preventing or responding to drug and alcohol use, the extent to which chronic use occurs in children, the extent to which schools and public institutions play a role in these programs, and the role of the Federal Government in these programs and the role of the criminal justice system.

Let me say that I am very grateful that this bill is silent on the issue dealing with scholarships because, unfortunately, we know that children and young people have used drugs but have straightened their lives up because of these intervention programs, and we want to make sure that they are not then thwarted and stopped from being able to finish their education. This, however, is a program that assesses the right kind of intervention. Certainly we know that we have drug courts. We want to know how effective they are. We know there is an amendment that has focused on that.

This focuses on, really, the kinds of programs that may be offered by nonprofits, the faith community, local governments so that funding can be both direct, correct, and effective.

Our children are our greatest resource. We are finding that they are victims, but also they are ripe for the target. They are ripe for amphetamines. They are ripe for over-the-counter drugs such as cough medicine. They are ripe for raiding their parents' prescription drugs in their medicine cabinet at home. So I am hoping that we can join together and understand the usage of these drugs, the alcohol in particular.

Now, let me make note of the fact that we know that smoking cigarettes or cigarettes and alcohol are legal aspects of potential addiction, but we believe that still the programs that deal with those elements, cigarette smoking, alcohol, are likewise equally involved in the idea of intervention and assessment of what programs work.

Let me conclude by simply saying a life saved, a life off the beaten path put on the straight path, is an investment in America's future. I believe this amendment helps us understand how to invest in America's future.

□ 1345

Mr. SOUDER. Mr. Speaker, I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN (Mr. MILLER of Florida). Without objection, the gentleman from Indiana is recognized for 5 minutes.

There was no objection.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I have some serious reservations with this amendment, not with the goals, but whether many of these studies are not already being conducted. We have tried to work with the gentlewoman from Texas to sort that through. I have agreed to support this amendment and accept this

amendment on the condition that we will continue to work in conference and to the degree there is not duplication, because I agree with two fundamental underlying points. One is that we have seen a rise in drug use among girls and women; in methamphetamine in particular we have seen a startling rise. Secondly, in our prisons, we need to continue to look at that.

I believe there are a number of private sector studies in addition to what ONDCP does that will reach much of that data. But I share her goals, and will continue to work in conference to do that.

Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I strongly, by the way, support this amendment. Ms. JACKSON-LEE talked about a recent Washington Post article from February 10 describing how girls are trying alcohol and drugs at a higher rate than boys, and then she went on to talk about the national survey on drug use and how it found that some 730,000 girls between the ages of 12–17 started smoking cigarettes in 2004, and it got compared with 565,000 boys, and then the 675,000 girls starting to use marijuana compared to 577,000 boys. It seems that there is something going on here that we definitely need to look at.

I know the chairman will work in conference to try to make sure that we address all of these problems. I would definitely support the amendment.

Mr. SOUDER. Mr. Chairman, I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the distinguished gentleman from Maryland, Mr. CUMMINGS, and I want to thank the chairman very much.

I look forward to making sure as we work our way to conference and through conference that we, too, have an effective amendment that addresses the concerns that we are all mutually concerned about: this ascending rate of usage by girls and boys, but by girls, and, of course, making sure we have an assessment of the effective programs. I look forward to working with the chairman, and I thank the chairman very much.

Mr. Chairman, and fellow members of the committee, I would like to draw your attention to an amendment that I think is crucial in ensuring the effectiveness of our Office of National Drug Control Policy domestically. A recent Washington Post article from February 10 described how girls are trying alcohol and drugs at higher rates than boys. The National Survey on Drug Use and Health found that 730,000 girls between the ages of 12 and 17 started smoking cigarettes in 2004, compared with 565,000 boys, and 675,000 girls started using marijuana, compared with 577,000 boys. In this study, 14.4 percent of girls and 12.5 percent of boys reported misusing prescription drugs. In 2004, 1.5 million girls started drinking alcohol compared with 1.28 million boys.

This is appalling, and saddening, and my amendment would directly address this by asking the Director of the ONDCP to assess the drug usage by children, as well as the existing preventive and treatment programs.

We can't let our children poison themselves—but in order to take decisive and effective action, we must know more about what the current situation is, and inform our decisionmaking. I hope you will agree that this is an urgent issue, and that this amendment begins the search for a solution.

Thank you for your consideration and your support, and thank you Mr. Chairman.

Rebuttal to the argument that the National Youth Media Campaign addresses this issue and the amendment would be redundant:

This amendment first and foremost requires the ONDCP to document and produce solid research on the occurrence of this problem nationwide. At this point in time, we have a single survey and anecdotal evidence. I think it is crucial to get the ONDCP to take responsibility for this issue and begin to inform decisionmakers.

The amendment specifies items to assess that were not considered by the National Survey on Drug Use and Health such as the role of Federal, State, and local criminal justice systems in providing interventions.

I would like to believe that the ONDCP can be considered an authority on matters having to do with drug use and abuse by children, and this amendment simply asks for an assessment and a report to Congress on the matter.

There were 20,692 drug related arrests in Houston in 2003 (ONDCP).

In their lifetime, 32.9 percent of females and 48.9 percent of male Houston area high school students will have a lifetime use of marijuana (ONDCP).

In 2000, there were 115,589 federal arrests made—28 percent for drug offenses.

In the past month alone, 10.8 percent of youth 12–17 years old have used drugs.

Among State prisoners, 83.9 percent were involved with alcohol and drugs at the time of their offense.

Fifty-three percent of high school seniors reported using an illicit drug at least once in their lives.

White House office of National Drug Control Policy—130 member group led by John Walters.

Some estimates say that the U.S. consumes 60 percent of the illicit drugs in the world.

Fiscal year 2007 budget request—35 percent for reducing demand of drugs, 65 percent for crackdown of supplies.

Mr. SOUDER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. DANIEL E. LUNGREN OF CALIFORNIA

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 printed in House Report 109–387 offered by Mr. DANIEL E. LUNGREN of California.

Page 161, after line 2, insert the following:

(n) MODEL STATE DRUG LAWS.—

(1) IN GENERAL.—The Director of the Office of National Drug Control Policy shall provide for a corporation that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code to—

(A) advise States on establishing laws and policies to address alcohol and other drug issues, based on the model State drug laws developed by the President's Commission on Model State Drug Laws in 1993; and

(B) revise such model State drug laws and draft supplementary model State laws to take into consideration changes in the alcohol and drug abuse problems in the State involved.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $1,500,000 for each of fiscal years 2007 through 2011.

The Acting CHAIRMAN. Pursuant to House Resolution 713, the gentleman from California (Mr. DANIEL E. LUNGREN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, in 1992, while serving as California's attorney general, I was privileged to be appointed by President George H.W. Bush to be a commissioner on the President's Commission on Model State Drug Laws. This was a congressionally established commission that was charged with creating a model code of laws to help States effectively address alcohol and other drug abuse.

This commission conducted a thorough process which included five public hearings, 25 working sessions, travels around the country for that purpose, and input from hundreds of individuals and organizations working at the State and local levels, to address substance abuse.

The result of that commission was 44 model drug laws and policies which offered a comprehensive continuum of responses and services to address substance abuse problems. We had people from various disciplines in the mental health arena, in the law enforcement arena, in the educational arena, in the social services arena, all coming together to see whether or not they could come up with a continuum of responses to this terrible problem.

Since fiscal year 1995, Congress has provided funding for a nonprofit entity to advise States on laws and policies to address alcohol and other drug issues using as its base the model acts crafted by the President's Commission on Model State Drug Laws, to revise these model State drug laws and to draft supplementary model acts to meet changes in State substance abuse problems. They actually work with the States. They work with local governments to come up with these comprehensive approaches.

Having these services available to the States has been an enormous asset in combating substance abuse as States introduce and pass newer enhanced drug laws, create new guidelines and

policies, coordinate funding streams to use resources effectively and efficiently and develop or strengthen multidisciplinary partnerships at the State and local level. That is absolutely necessary if we are going to make real progress on this war on drugs and war on other types of substance abuse. Just look at the number of States that addressed methamphetamine-related problems through legislation this past year alone. Many of them benefited from the services I mentioned.

Because effective and cost-efficient State drug laws and policies are vital components of a strong national effort to address substance abuse, this amendment is offered to authorize appropriations of $1.5 million for each of the fiscal years 2007 through 2011 to better ensure that these key functions in assisting States are retained in the national drug control effort.

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

Mr. SOUDER. Mr. Speaker, I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Without objection, the gentleman from Indiana is recognized for 5 minutes.

There was no objection.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I do not oppose this amendment. I think it is an excellent amendment. Mr. LUNGREN of California, who I like to think of as the Charlie Weis of Congress in the sense that since he has come in, he has helped organize us in homeland security and organize us in narcotics issues based on his experience as attorney general, and once again showing why the University of Notre Dame produces such great graduates who grasp the issue.

He has worked at the State level. We need clearer model State drug laws. We need to establish laws that are effective. I appreciate his leadership in this effort in multiple committees, on the Judiciary and Homeland Security.

Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Speaker, we certainly join in support of the amendment. We think it is a good amendment.

Mr. SOUDER. Mr. Chairman, I yield back the balance of my time.

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. DANIEL E. LUNGREN).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. LYNCH

Mr. LYNCH. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 printed in House Report 109–387 offered by Mr. LYNCH:

At the end of the bill, add the following (and make such conforming changes as may be necessary to the table of contents):

SEC. 20. STUDY ON PRESCRIPTION DRUGS ASSOCIATED WITH IATROGENIC ADDICTION.

(a) IN GENERAL.—The Director of the Office of National Drug Control Policy shall request the Institute of Medicine of the National Academy of Sciences to enter into an agreement under which the Institute agrees to conduct a study examining certain aspects of prescription drugs associated with iatrogenic addiction, including oxycodone hydrochloride controlled-release tablets.

(b) REQUIREMENTS.—The study conducted pursuant to this section shall evaluate—

(1) the rate and impact of iatrogenic addiction associated with the use of prescription drugs described in subsection (a); and

(2) the relative addictiveness of prescription drugs described in subsection (a) when compared with other opioids and other substances included in schedule I or II of the schedules of controlled substances established by section 202 of the Controlled Substances Act (21 U.S.C. 812).

(c) REPORT.—The Director of the Office of National Drug Control Policy shall ensure that the agreement under subsection (a) provides for the submission of a report to the Congress, not later than one year after the date of the enactment of this Act, on the results of the study conducted pursuant to this section.

The Acting CHAIRMAN. Pursuant to House Resolution 713, the gentleman from Massachusetts (Mr. LYNCH) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. LYNCH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first of all, I want to thank the gentleman from Indiana and the gentleman from Maryland on their leadership on this issue.

Mr. Chairman, the amendment that I have offered simply requests that the Director of the Office of National Drug Control Policy ask the Institute of Medicine at the National Academy of Sciences to conduct a study to examine certain aspects of iatrogenic addiction, which is associated with prescription drugs like OxyContin.

Back in September, our Subcommittee on Regulatory Affairs For Government Reform held a field hearing in Boston and it regarded the regulation of prescription drugs such as OxyContin. One of the primary concerns raised at those hearings by the experts was that they testified that the lack of information on the addictiveness of these type of drugs has created a great problem in society.

For this reason, the amendment calls for a study that would first look at the rate and impact of iatrogenic addiction; that is, addiction to properly prescribed prescription drugs, which is associated with the use of prescription drugs like OxyContin.

Iatrogenic addiction is addiction which occurs as a result of prescribed medical care. These are the accidental addicts, who, through no fault of their own, become hopelessly addicted to drugs like OxyContin, and in effect these individuals become customers for life.

Because there are some legitimate medicinal uses for some of these painkillers, it is increasingly difficult to balance the need of those people who are desperately in need of these drugs, to try to balance that against the problems of addiction. For this reason, it is necessary to have the information on addictiveness of drugs associated with iatrogenic addiction, including OxyContin.

I want to relate briefly, Mr. Chairman, a story of a young woman, and this is just one example of thousands, a young woman in my district from a good family who went to the dentist's office with tooth pain.

After the tooth extraction, she was given a prescription of OxyContin, and, after completing that, exhausting that prescription, she went back again for an additional prescription. Sometime thereafter, she went back in, complaining of additional tooth pain and had another tooth extracted, and again was given another prescription of OxyContin. It happened a third time.

To make a long story short, I met this young woman during an effort to create a detox center in my district, and she confesses now in rehab that she had become addicted to the first couple of prescriptions and she went back, falsely claiming tooth pain, just so she could get additional prescriptions for OxyContin. She became hopelessly addicted to OxyContin through no fault of her own.

Another observation in my own district, it is quite common, traveling to pharmacies in the malls or drugstores in my local downtown area, it is not uncommon to see big signs in the front windows of my pharmacies that say, ''We do not carry OxyContin on the premises.'' In other words, please don't rob us.

There have been so many robberies trying to acquire this drug of addicts that now the pharmacies are just saying we don't carry it on the premises, do not rob us. I think it is a sad statement of the addictive quality of this drug and also our inability to police it.

At this point, there are no studies that help us understand why certain people become addicted, while others don't, to drugs like OxyContin. By conducting this study, we will be better able to understand how the brain interacts with this drug.

Secondly, the study will look at the relative addictiveness of prescription drugs such as OxyContin when compared with other pain killers as well as other controlled substances under Schedule I and Schedule II of the Controlled Substances Act.

Mr. Chairman, I want to thank Mr. SOUDER and Mr. CUMMINGS again for their leadership on this effort. I think they too are shining examples of bipartisanship on an issue that is very important to the American people.

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

Mr. SOUDER. Mr. Chairman, I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Without objection, the gentleman from Indiana is recognized for 5 minutes.

There was no objection.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am not opposed to this amendment, it is an excellent amendment, and I wanted to address the subject for a few minutes.

Mr. LYNCH has been a leader in this, as he has also been in the steroids battle, in the committee. I appreciate that. Chairwoman CANDICE MILLER conducted a hearing in his district on this subject. We worked together as committees, although I could not be at the hearing.

We also conducted a hearing on OxyContin down in Orlando. OxyContin has also hit my districts hard. There was a series of bank robberies and other robberies of pharmacies in the area, I think 19 total, that when people become addicted to this or become distributors of it, it can lead to other sorts of crime and organized crime in many areas of the country.

It is a little known fact that cocaine is not the number one killer in America through drug abuse, nor is heroin, nor is methamphetamine. It is abuse of prescription drugs. It is very hard for us, and we are going to see, as we make progress on methamphetamines through our control of pseudoephedrine and trying to get better control of the border at least someday in the future on crystal methamphetamine and some of the other drugs, that legal drugs are going to be possibly our biggest challenge.

One of the struggles with this, as we found out in the hearing in Orlando, that many of the medical community, not only are we fighting the pharmaceutical community, as we did in the methamphetamine bill and pseudoephedrine, we are also fighting the medical community.

Here we got in a very testy exchange about how we define pain control, and that comes as to how we regulate this, and what constitutes one person's pain control may not be another's, and it becomes an excuse for having no regulations on OxyContin.

□ 1400

So we had therapists opposed to us; we had certain medical communities opposed to us, who may have legitimate uses. But the bottom line is that we have an epidemic of abuse occurring with this and other prescription drugs.

We do not need to hear how not to regulate it. What we need to work with these industries is how best to regulate it, and part of that is getting a study on accuracy of how this addiction works. I appreciate the gentleman's leadership with this. I will support this amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I, too, support this amendment. I want to thank Mr. LYNCH for his leadership. OxyContin is something that we have taken a look at, and we realize that it has had, as Mr. LYNCH has described, just all kinds of damaging effects. I think that the good thing is that this gives us an opportunity to get more information about it, because I think it is almost impossible to truly make good policy unless you have an adequate amount of information. So I think this will be helpful to our subcommittee as we move forward in trying to address this issue. The interesting thing that we note is it seems as if from time to time, and depending on the area in the country, certain drugs seem to become the drug of the time.

And so what we are constantly trying to do is make sure that we have every bit of detail that we possibly can so that we can create the kind of policies to effectively counter the abuse of certain drugs.

So, again, I applaud Mr. LYNCH. Thank you for bringing this to us. I thank you for yielding me time.

Mr. SOUDER. Reclaiming the balance of my time, as Mr. CUMMINGS just said, this shows the diversity of things that we tackle in our committee, in narcotics areas across the United States. We saw new shocking revelations yesterday on Barry Bonds. Masking agents are increasingly a challenge in trying to deal with steroids and other vitamin supplements and things that people are using in excess quantities to create artificial advantages in competition.

How this thing goes down to young people whose bodies cannot handle this, as we heard in our steroids hearing, watching OxyContin, which is one of the most effective painkillers being used by people, taking people's lives, and it becomes a way that people rob banks and pharmacies and violence in society, abuse of other prescription drugs.

In addition to cocaine, heroin, methamphetamines, different areas will have different things come up at different times. But we need to know the science behind it. We need to know how it affects the human brain. We need to know the best ways to fight this. We need comprehensive efforts.

That is what the Office of National Drug Control Policy is supposed to do. I commend the gentleman and support this amendment from the gentleman from Massachusetts.

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

Mr. LYNCH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the last two points in closing: we have had to in my district open up two brand-new adolescent, one adolescent boys facility to deal with this problem and one adolescent girls facility.

I have extensive waiting lists at both facilities trying to deal with this problem. I think that somewhere down the line we have to address the fundamental question in this country about how addictive, how addictive are we going to let drugs become that are sold over the counter commercially. Because, eventually, we have to realize that there is a commercial advantage to selling an addictive drug.

And those drug companies, they are creating customers for life here who have no other alternative.

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

The Acting CHAIRMAN (Mr. MILLER of Florida). The question is on the amendment offered by the gentleman from Massachusetts (Mr. LYNCH).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. PAUL

Mr. PAUL. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 printed in House Report 109–387 offered by Mr. PAUL:

At the end of the bill, add the following new section (and conform the table of contents accordingly):

SEC. 20. SUNSET.

After section 716, as redesignated by section 14 of this Act, insert the following:

"SEC. 717. SUNSET.

''This Act shall not be in effect after September 30, 2011.''.

The Acting CHAIRMAN. Pursuant to House Resolution 713, the gentleman from Texas (Mr. PAUL) and the gentleman from Indiana (Mr. SOUDER) each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. PAUL. Mr. Chairman, I yield myself 2½ minutes.

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

Mr. PAUL. Mr. Chairman, my amendment is very simple. I thought it would be very noncontroversial, because it merely sunsets our provision. We have just gone through a period of time of 2 years where there has been no authorizations, but we have done appropriations as necessary.

The amendment merely says, this act shall not be in effect after September 30, 2011. So that is 5 years, which I think is very adequate. But I would want to express my agreement with the authors of this particular bill, because we do have a very serious problem in this country with drugs.

I, as a physician, am very much aware of the seriousness of it. I also agree that prescription drugs are probably every bit as bad or much worse, because there is so much dependency on psychotropic drugs.

But, nevertheless, I come down on the side of saying no matter how good legislation like this is, it backfires; there are too many unintended consequences. In such a short period of time, all I can suggest to my colleagues is that prohibition in the ultimate sense was tried with alcohol.

And alcohol is still now a severe problem in this country. And we knew

that Prohibition produced many more problems than the alcohol itself. I think that is true with drugs. I think we have allowed ourselves to be carried away, to a large degree, because now we have laws that lack compassion. We do know, in the medical field, that marijuana can be helpful to cancer patients and AIDS patients can be helped where our drugs are not helpful; and to me this is just sad that we override State laws that permit it.

The overwhelming number of people in the country now are saying that we ought to allow marijuana to be used for very sick patients. Not too long ago, just this week, I had a meeting with a student that came from a central Asian country. He was an exchange student. He says the big subject at his school was, what is the age limit when I can drink alcohol? They would ask him that and he said, there is no age limit.

So I asked him, I said, is there a drinking problem in your country? And he says no. He says it is uneventful. It is the excitement of something being illegal that actually makes the problem a lot worse.

And even in our country, we had a grand experiment from the beginning of our country up until about 35 years ago. We had very few of these laws. Yet all we can notice now is that we have spent, in today's dollars, over $200 billion in the last 35 years, and we do not have a whole lot to show for it.

So I would grant you there is a serious problem. We should do whatever we can to help. I just do not think more legislation is required.

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

Mr. SOUDER. Mr. Chairman, I yield myself such time as I might consume. On the surface it looks fairly mild, but it is actually an attempt to eliminate the drug czar's office.

The gentleman from Texas is certainly the most principled Libertarian that we have in the Congress and probably one of the most principled Libertarians in the country. I presume he would favor sunsetting most Departments in the Federal Government. The question is, why would we single out the drug czar's office?

We have many programs that are unauthorized. That is an unfortunate thing. I believe all programs should, in fact, be authorized; and that is why we are going through this authorization. It got lost at the end of the last session in the Senate side, and we are proceeding again with Senate support.

It would be tragic if we got in the position where each Department, if Congress could not decide on the exact wording of the authorization bill, the office suddenly disappeared, and we would not have a national anti-drug media, we would not have the HIDTA programs, we would not have the technology that goes forth.

Dr. Paul and I have deep differences on the effectiveness of narcotics. We both share a skepticism in the ability of government to solve things. But I believe in the drug policy area we can at least make a difference. And I believe it is an important difference.

He and I have our deep philosophical differences on this, but I very much respect his consistent opposition, basically to most legislation that comes forth in front of Congress. But I need to oppose this amendment.

This amendment would have the effect of singling out the Office of National Drug Control Policy solely among Cabinet positions to be put under this regulation. And it could, indeed, like many other programs that we do not get reauthorization, such as juvenile justice, such as Head Start, has at times not had its authorization, we have many different programs that do not get authorized.

We would not want to fold those programs merely because the two bodies could not agree on their final wording.

I also would like to at this time, I got a copy of the administration's statement of policy of why they oppose this bill, in spite of the fact it has gone unanimously through the subcommittee, unanimously through the full committee, gone with complete support of multiple other committees in Congress.

It is, quite frankly, a relatively insulting document. It says, for example, that it infringes on the prerogatives of the executive by designating ONDCP as a Cabinet-level official. As we explained earlier, that is not what the law says it does.

It says it has to be treated like a Cabinet-level position. Which, by the way, was what Congress passed in the beginning. It was a congressional designation. The bill duplicates the drug certification process, is another one of their complaints at the State Department. That is true. But ONDCP is a narcotics agency, and they should be advising the State Department, which has multiple different concerns when they do certification. It complains about the interdiction coordinator in the Department of Homeland Security being under a national drug control strategy, which seems odd that ONDCP would be objecting to this being in their Department.

Once again, it reiterates that they want to move the HIDTAs away right now in the Justice Department from ONDCP. The reason we have them there is the State and locals were drawn into HIDTA relationship where they had a vote and could have influence in the decision-making.

The administration's proposals would gut the funding, over half of it; would take away the vote of State and local officials, all of whom said unanimously they would withdraw from the program if the administration persists with this, which was denied in both Houses last year, denied overwhelmingly again by their own people.

When the narcotics officers of America unanimously oppose this, when the High Intensity Drug Trafficking Areas unanimously oppose it, how can the administration keep sending up this type of document? They are supposed to be the leaders of the world on narcotics, not fighting every police officer in America, every State trooper in America, every HIDTA in America. I do not understand this.

It also says that we are reducing its flexibility in the National Anti-drug Media Campaign. We certainly are. Because we are frustrated that they have not dealt with the problem of methamphetamine. So that allegation happens to be true. We are reducing the flexibility because he has refused to respond to the counties of America that methamphetamine is their number one problem in America, to the HIDTAs; and particularly he has been after the methamphetamine HIDTAs that were created, the Rocky Mountain HIDTA, the Missouri HIDTA, the Iowa HIDTA.

It has been very frustrating to see this persistent, persistent, even after we passed the Methamphetamine Act this past week, even as we moved this bill through, continuing to resist the efforts of Congress to try to tackle the problems of methamphetamine.

Also they dislike that we have restricted their reprogramming ability. Yes we have restricted their reprogramming ability, because every time the local HIDTAs or others try to deal with the methamphetamine problem, they want to reprogram the money away from the problem. So we have given them most of the flexibility there.

But while some of their charges are true, they fail to point out why the House and Senate unanimously from both parties are so frustrated that we have had to go forth with this. It would be tragic if my friend from Texas's amendment passed and would not let us move forward with this bill.

Mr. PAUL. Mr. Chairman, I yield 1¾ minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I rise in support of the amendment by the gentleman from Texas that calls for the sunset of this legislation in 5 years, if enacted.

You know, I have heard a lot from the other side of the aisle about poverty programs that did not work, and I saw a lot of work to get rid of those programs.

This is a program that does not work. We need to get rid of it, and we need to get serious about doing something about drugs in America. We are sitting here talking about these HIDTAs. We are talking about advertisements while we have an unprotected border with the drug lords shooting it out with our sheriffs down in Texas and other places, bringing drugs into our country.

HIDTA does nothing to stop that. We have the deaths from overdoses from methamphetamines, crack cocaine, cocaine, pills, Ecstasy, heroin, marijuana, you name it. And we are doing nothing. America can do better than this.

Why should we keep a program without reviewing it, just put it into law forever? This is what you are trying to do. We need to sunset it. Period. As a matter of fact, I would get rid of it; it would not even be authorized. But if you insist, at least review it. Why do you want to put it in law forever without the kind of reviews that are necessary to determine its effectiveness?

□ 1415

This does not work. It is costing the American taxpayers $870 million to run this ineffective program. I think we should get rid of it, and I support the gentleman's amendment.

Mr. SOUDER. Mr. Chairman, I ask unanimous consent that each side be given 2 additional minutes.

The Acting CHAIRMAN (Mr. MILLER of Florida). Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. PAUL. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN. The gentleman from Texas has 3 minutes remaining.

Mr. PAUL. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, earlier I mentioned that prohibition was a total failure with alcohol and that it is very similar, and I think the gentleman from Indiana helped make my point. He is a bit frustrated with the enforcement of the laws on the books, and for what reason I do not know, but we certainly ought to be frustrated with the results. But the laws are difficult to enforce and I understand and sense his frustration with this.

One of the major reasons why I object to this approach is not only the cost. The cost is pretty important and I think it is pretty important to realize it does not work very well, if at all; but we also ought to look at the damage done with our mistaken thoughts that this is doing a lot of good.

Once a war is declared, whether it is a war overseas or whether it is a domestic war on some evil here, that is when the American people should look out for their civil liberties. There, the issue of privacy is attacked. So now we have a war on terrorism and we have the PATRIOT Act and all these other things that intrude on the civil rights and civil liberties of Americans, and, at the same time, not achieving a whole lot of good results.

This is what happens when there is a war on. Those people who are trying to avoid taxes, all law-abiding citizens have to obey all these laws. So as soon as there is a war, look out for your civil liberties and your privacy. The war on drugs has done a great deal of harm to our right of privacy.

Once again, I agree with the argument, there are a great deal of problems in this country with the illegal use of drugs, but what I am saying is it does not help to have this type of a war on drugs because it tends to distort things. It raises prices artificially high. It causes all kind of ramifications that actually cause more killing and dying. This is why prohibition of alcohol was stopped, because people died from drinking bad alcohol, and the gangs sold the alcohol. The same thing happens today.

Like I mentioned, that student that lived in the country, and he was 16 years old, and there were no rules or laws against teenagers drinking beer or alcohol and there was no problem. Kids did not drink. It was not exciting to do it. So there is a certain element of truth to that. Kids smoking cigarettes is against the law. You sneak off and smoke cigarettes. That happens to be what teenagers do.

So no matter how well-intended legislation like this is, it tends to have too many unintended consequences, it costs too much money. And we fail to realize that we in this country live with a greater amount of personal liberty and respect for State and local law enforcement, we had less drug problems. Think about it. Through the latter part of the 18th century, the 19th century, the early part of the 20th century, essentially no laws, and we had a lot less problems.

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

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, make no mistake about it, this amendment is whether you support the director's office or not. The fact is that we sunset everything every year, because if we do not appropriate, they do not have any dollars. If it never gets reauthorized and then you do not appropriate, it is sunsetted. We have sunset provisions in every piece of legislation we pass. All we have to do is not fund it. Then they do not have any staff. They do not have any offices. They do not have any rent.

This is a legitimate debate about whether the Federal Government should be involved in drug law enforcement.

I disagree with my colleague from Texas, across the board. We do not even agree on prohibition. Quite frankly, prohibition reduced alcohol abuse. It reduced spouse abuse. It reduced child abuse. People wanted to drink and we had a history of drinking. And it came back in mostly for political reasons, not because of all the other side reasons you have heard. In fact, it accomplished its goals; it just had a side goal, given the history of alcohol use in the United States. And ever since then we have been trying to control it even down to the point of now regulating bartenders who serve drinks to people who have consumed too much.

We still see the ravages of alcohol abuse. We see States that have passed liberal marijuana laws repealing those laws. Denmark and The Netherlands are retreating because when they legalized marijuana, it was not like the drug traffickers disappeared. They just moved to harder drugs and started to sell those. The marijuana that we see today isn't the ditch weed we used to have in Indiana or the sixties' marijuana. It is this hydroponic marijuana with 30 to 40 percent THC that sells on the streets much like crack cocaine. It has an impact on your brain much like crack cocaine.

The fact is that this is a great danger to this country, that we have made progress. The keen attitudes towards marriage have consistently declined. The cocaine in the United States has shown some movement based on what has happened in Columbia. Right now we have a problem that we cannot control the heroin out of Afghanistan. We are tackling the meth question. In fact, we have seen a broad move across the United States that has reduced drug abuse. It is important that we have a director there. We just want to see the director being more effective.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. PAUL).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. PAUL. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 13 OFFERED BY MR. REHBERG

Mr. REHBERG. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 printed in House Report 109–387 offered by Mr. REHBERG:

Page 213, after line 6, insert the following new subsection:

''(k) PREVENTION OF METHAMPHETAMINE ABUSE AND OTHER EMERGING DRUG ABUSE THREATS.—

''(1) REQUIREMENT TO USE 10 PERCENT OF FUNDS FOR METHAMPHETAMINE ABUSE PREVENTION.—The Director shall ensure that, of the amounts appropriated under this section for the national media campaign for a fiscal year, not less than 10 percent shall be expended solely for—

''(A) the activities described subsection (b)(1) with respect to advertisements specifically intended to reduce the use of methamphetamine; and

''(B) grants under paragraph (2).

''(2) GRANT AUTHORITY.—The Director may award grants to private entities for purposes of methamphetamine media projects. Any such project—

''(A) shall have as its goal the significant reduction of the prevalence of first-time methamphetamine use among young people; and

''(B) shall focus solely on the prevention of methamphetamine use, through, at a minimum, public service messages that are based on research showing what is effective in substantially reducing such use among young people, including public service messages in both print and electronic media and on websites.

''(3) AUTHORITY TO USE FUNDS FOR OTHER DRUG ABUSE UPON CERTIFICATION THAT METHAMPHETAMINE ABUSE FELL DURING FISCAL

YEAR 2007.—With respect to fiscal year 2008 and any fiscal year thereafter, if the Director certifies in writing to Congress that domestic methamphetamine laboratory seizures (as reported to the El Paso Intelligence Center of the Drug Enforcement Administration) decreased by at least 75 percent from the 2006 level, the Director may apply paragraph (1)(A) for that fiscal year with respect to advertisements specifically intended to reduce the use of such other drugs as the Director considers appropriate.

Page 213, line 7, strike ''(k)'' and insert ''(l)''.

The Acting CHAIRMAN. Pursuant to House Resolution 713, the gentleman from Montana (Mr. REHBERG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Montana.

Mr. REHBERG. Mr. Chairman, I yield myself 2 minutes.

First of all, let me begin by thanking Mr. SOUDER for his tremendous leadership on this issue, and in taking a look at this amendment, this is an extremely important amendment.

What the amendment does is it ensures that no less than 10 percent of the national media campaign funds will be expended on advertisements specifically intended to reduce methamphetamine use, and it allows the director to award grants to private entities.

I heard the joke not long ago that said, creativity is nice but plagiarism is a whole lot quicker. Usually plagiarism is not a good thing, but in this particular case I want to talk about a project in Montana that is worthy of copying in all the other 49 States.

Some of you computer nerds might recognize the name Siebel. Tom Siebel sold his business to Oracle, so he is out of that business. He set up a 501(c)(3) called The Meth Project in Montana. The Montana Meth Project is the first affiliate.

We are spending currently about $10 million just on methamphetamine use alone, trying to get a targeted message to 12- to 17-year-olds. Our children are using meth. We need to get to it.

It is a fabulous program. We do not need to recreate the wheel. What we do need to do is allow the director the opportunity to have the flexibility to grant monies from this program to other entities to prove that there are other advertising strategies out there.

When you go to the doctor with an illness, usually you go to a family practitioner; but when you finally find out what is wrong, you will probably go to a specialist. Methamphetamine is a cancer. We can carve out surgically the problem if we identify it. We use a rifle-shot approach if we follow a model similar to what is happening in Montana. Let me use the numbers. Within the last 6 months we have had 30,000 minutes of television, 30,000 minutes of radio advertising, print, billboards, Internet ads. We are reaching each teen in Montana, on average, 3 times a day. It is phenomenal and we are seeing the numbers drop.

These are the kinds of exciting programs that, once you make the determination that not all good ideas originate in Washington, D.C., there are ideas throughout the Nation, the rest of the country will be jealous. They will want the opportunity to copy what we have got going on in Montana.

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

The Acting CHAIRMAN. Who seeks time in opposition?

Mr. CUMMINGS. Mr. Chairman, I claim the time in opposition.

The Acting CHAIRMAN. The gentleman from Maryland is recognized for 5 minutes.

Mr. CUMMINGS. Mr. Chairman, I support this amendment. I think we have a situation where I have been a big proponent of the National Youth Anti-Drug Media Campaign, but I think we have to be very careful in how we spend our money.

There are parts of our country that are suffering tremendously with regard to methamphetamine. And I do not think it is unreasonable to take that 10 percent and make sure it is directed towards that problem. The fact still remains, and one of the things that I do like about this amendment is that if there is a decrease in the methamphetamine labs, then that money is then put back to be used for other purposes. I think that makes sense. Perhaps we ought to do that more in other legislation that we pass out of this House.

I support the gentleman. Our subcommittee has been very, very concerned about methamphetamines. This is just another way that perhaps we can prevent some of our young people from going that route.

During much of the testimony by the way that we received, there was a lot of testimony with regard to young people now looking more and more at ads, by the way, on the Internet. And I think that just as we have to adjust when we find that certain drugs become the drug of the day or the drug of the year, we have to adjust our methodology, too, and the amount of money that we are spending with regard to, like I say, a program like this for addressing methamphetamines.

I support the amendment.

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

Mr. SOUDER. Mr. Chairman, I ask unanimous consent that each side be given 5 additional minutes, given the numbers of speakers that we have on this amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. REHBERG. Mr. Chairman, I yield 1 minute to the gentleman from Missouri (Mr. GRAVES).

Mr. GRAVES. Mr. Chairman, I want to thank the gentleman from Montana (Mr. REHBERG) for working with me on this issue.

Meth abuse is prevalent in all the States and imposes a high cost on society, Mr. Chairman. Meth is highly addictive and its effects are severe and longlasting. Recent studies have demonstrated meth causes more damage to the brain than heroine, alcohol, or cocaine. Its abuse impacts not only the users but also the user's family and the general public. Thousands of children across the country have been taken away from their meth-abusing parents, placed with relatives, or shifted into the already overcrowded foster care system.

It is our duty in Congress to ensure that the public is informed and educated about the dangerous effects of this drug, and that is why I helped introduce this amendment.

This amendment is an important tool to fight the meth epidemic. It will require that at least 10 percent of the media budget for the Office of National Drug Control Policy be spent on advertising fighting meth abuse. With this minimum percentage we can ensure that the public is educated about the dangers and risks of this deadly drug and help prevent its further abuse.

Mr. CUMMINGS. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I rise in strong support of this amendment. I want to compliment Mr. REHBERG and the group of cosponsors who have all been active in the anti-meth efforts. Montana has been truly a model of what the private sector can do.

The campaign that Mr. REHBERG was talking about is so much more dramatic than what we have seen out of the Federal Government. It is extremely disappointing that we need to look at how to use this Montana model in how to get our national ad campaign engaged.

As has been pointed out, there are some risks when you designate a percentage of the national media campaign to be devoted to one particular drug. But this says if there is a reduction and there is a proven reduction, then that requirement will not be there. Plus, if the Congress of Counties in the United States say this is the number one drug problem in America, if we are hearing about it in basically in all 50 States now, but 37 States have heard about it so aggressively that they are banning pseudoephedrine or moving to ban pseudoephedrine. And we just passed a bill in the United States Congress to in effect reduce cold medicines from 120 choices down to 20 because of the ravages of meth, if we are willing to take those drastic strategies; if the county officials across the country say meth is the number one epidemic; if local law enforcement is telling us that in big cities like Minneapolis and St. Paul or Omaha or Portland that the bulk of their people that are in jail, kids in child custody, are because of meth; if small rural towns in the Midwest and the West are hard hit by meth, California has these super labs that are there; if we are seeing it move into Pennsylvania and

North Carolina and down into Florida, and now getting into New England; if this is that big of a problem, is this so outrageous to ask that 10 percent of the national ad campaign be devoted to fighting meth?

□ 1430

Where have they been? I thank the gentleman who brought this amendment forward and strongly support the amendment.

Mr. REHBERG. Mr. Chairman, I yield 1 minute to the gentleman from Arkansas (Mr. BOOZMAN), one of the sponsors.

Mr. BOOZMAN. Mr. Chairman, I thank Mr. REHBERG, and we have really enjoyed working on this. I rise also in strong support. The only reservation I have at all is perhaps 10 percent is not enough. We are dealing with a situation that in Arkansas, started in the Midwest, started in Arkansas, States like that, very rapidly spread across the country.

When I talk to anybody in enforcement in my State, they tell us that 65 to 70 percent of crime in Arkansas now is directly attributed to methamphetamine. Our shelters are full. When you use this drug for an extended period of time you tend to get paranoid. You start beating up your family, and it is at an age when the children are invariably involved because it is in your 20s to 40s.

While I was waiting to come and speak on this, I went in and talked to my MediVac folks who are out there that wanted to tell me about their issues in transporting patients. I mentioned I was going to come here and speak on this bill. They started relating story after story of transporting burn patients, children, men and women that had been injured as they were cooking meth that exploded.

So, again, I appreciate the chairman and ranking member and strongly support the amendment.

Mr. CUMMINGS. Mr. Chairman, I yield such time as he may consume to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I thank the gentleman from Maryland for the time.

I want to add that I, too, believe it should be more than 10 percent. Of course, the ONDCP director has that flexibility.

I would also like to additionally comment a little bit more on the statement of administration policy and the bill in general that shows our frustration.

I mentioned in the State Department on the certification process that the State Department has certification, but there are many other variables. In fact, that clause has been weakened to say ''demonstrably failing.'' What this says is the drug czar has to show whether these nations, such as Mexico, whether the pseudoephedrine producers such as India and China are fully cooperating, because we need to have the drug czar say what is happening on narcotics, and the State Department can make their own rulings.

Furthermore, we have a big debate about how the budget should be counted. We believe that the administration has been misrepresenting what we are actually spending on narcotics in multiple ways. For example, in prisons, they count treatment as the only part of the prisons that is counted in the drug control budget. Well, we know many people are in jail because of narcotics. It leads to us not understanding what the actual costs of what we are doing are.

Now, I support all that. I am not trying to say it should be cut, but understating it does not give Congress an accurate impression of what we are spending on narcotics. Similarly, in the Department of Homeland Security.

So we are pushing in this legislation to address a wide range of things, and this particular amendment addresses one of the most egregious problems we have had, which anybody who has been watching this full debate sees, one amendment after another coming up on meth. That is because the people are speaking out. It is not just in the rural Midwest.

It started out in Hawaii, in Honolulu, had to fumigate certain apartments because you can endanger the children and the people moving in the next time. When we did a hearing in Congressman TURNER's district in Wilmington, Ohio, that very day in Dayton, Ohio, which is a large city, they found a string of seven houses that had the drug labs internally because you can smell it. That is partly why people go to rural areas, but they found the first big bust in Dayton because they brought up a string of houses so they could not smell it, much like they do with hydroponic marijuana. This is a thing with not only the crystal meth but even the drug labs are hitting the big cities. This is something that needs to be tackled.

This is one where we can win. This is one when you show the ads, like are shown in Montana, they capture the people. They understand the danger of this drug, and what we need to do is make sure our national ad campaign includes that.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume.

Let me just say this: I think that Mr. SOUDER makes a very good point. One of the things that I think we probably need to see, and particularly our young folk, is the devastation of meth and to see what it causes people to do to themselves and the effect that it has had on communities. I am convinced that if our young people just had any idea of what happens to people when they use meth, I think some of them would turn around.

During one of our hearings, we were shown numerous pictures of young people. One picture was taken before they used meth and then another taken even sometimes two or three months later, and the difference was incredible. Many of them looked like they had aged about 10 years in about three or four, five months. Many of them looked very drawn and, I mean, just had all kinds of blisters and marks on their faces and their bodies. If there is one thing that we have learned about certain actions of young people, many of them want to continue to look good. We discovered that when we dealt with the whole issue of steroids.

So I think it is important. We have not seen the kind of reduction that we would like to see in methamphetamine use. As a matter of fact, it is pretty stable, but we would like to see it go down, and I think that this is the appropriate approach.

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

Mr. REHBERG. Mr. Chairman, I yield 1 minute to the gentleman from Iowa (Mr. KING) who has played a very, very important role in the whole meth issue, and I thank him for helping to cosponsor this.

Mr. KING of Iowa. Mr. Chairman, I want to thank Mr. REHBERG for leading on this amendment and giving me an opportunity to participate in this.

I would like to also thank the Chairman, Mr. SOUDER, for the intensive work that he has done on meth. It has been a real catalyst for all of us that have joined together on this team.

This amendment would dedicate a minimum of 10 percent of the funds to the anti-meth ad campaign to win the war on meth. Meth destroys our rural communities from the inside out. We need to make sure that people, especially our young people, get the message: meth kills.

In Iowa, we are turning the tide in the war on meth with an 80 percent reduction in the number of meth labs after passing a tough precursor law. Unfortunately, meth continues to pour in from our southern border, primarily Mexico. The dedicated dollars in this amendment will help stop young people, especially, from using meth in the first place.

Meth is more than 10 percent of the illegal drug problem in America. Spending 10 percent on this ad campaign is the minimum that we should commit.

I thank you.

Mr. CUMMINGS. Mr. Chairman, I yield back the balance of my time.

Mr. REHBERG. Mr. Chairman, I yield myself as much time as I may consume.

Mr. Chairman, I just want to thank everybody, everybody who has talked on the issue today, everybody who has been involved on this amendment and the bill as well. Mr. CUMMINGS, Mr. SOUDER, your leadership on the whole drug issue has been very important to this country.

We are lucky in Montana. We have 930,000 people. We have 147,000 square miles, and we decided to make ourselves the pilot project to see if it could work, if we could have a massive

campaign run like pretty much a political campaign. We have polling. We have focus groups. We have monitoring to see if our advertising is effective. We have both Senators, Senator BAUCUS, Senator BURNS and myself, Governor Schweitzer.

We have the State legislature, law enforcement, district courts, Supreme Court, the judges and the U.S. Marshal all involved in this issue. It is the most phenomenal program I have ever seen, and I want to welcome you to the program, and I would like to share with you, as well, if you are interested in seeing the ads, if you would like a presentation, it is the kind of program that will make a government program that is already funded here in Washington even better.

We are not trying to replace it. All we are trying to do is present the idea to the drug czar, to the administration, to the director and say if you are interested in something like this, you ought to have the ability to either grant to an organization like this or this organization. It is a 501(c)(3), so it is a not-for-profit, but it is a great idea. So what we want to do is provide the flexibility.

Forty-four percent of teens believe meth helps you lose weight. Thirty-nine percent of teens believe that meth makes you feel happy. Thirty-five percent of teens believe meth gives you more energy. Twenty-three percent of teens have close friends who use meth. It scares me to death. I have a teenage daughter. I have one coming up shortly behind. Our children will tell you they are confronted by this problem every day at school. We did not have the fear that they do of going to school and being confronted with something that you use it once and it is proven it stays in your brain for many, many years, a drug that makes you want to pull your hair out, pick your skin off. You start bleeding. You lose your teeth.

This is the kind of thing we cannot allow in our country. There are a lot of issues we deal with on a daily basis in Congress. Sometimes we name post offices. Other days we deal with issues like September 11, and on a scale of 1 to 10 this is an 11. When it comes to issues that this country needs to deal with and this Congress needs to address, this methamphetamine use and drug use within our general population, especially among some of our most vulnerable, which are our teens, 13 to 17 or 12 to 17, we have got a program we would like to share with you as a pilot project.

There are many ideas out there coming up from all over the country, and what my amendment does is give the director the flexibility to try some new and creative things and require at least a simple 10 percent of the money for advertising be spent on methamphetamine.

Again, they have come in this year for a budget request of about $120 million. So this means at least $12 million would be spent. We are spending that much almost this year in Montana. So 10 percent is not enough.

Let me point out and thank at this time the other major players in this whole arena: television stations, radio stations, newspapers, the Internet. They are all voluntarily matching dollar for dollar every dollar that is being put in the Montana meth project. This is a tremendous volunteer organization and a tremendous advertising program. I think you will like it if you see it.

Again, I hope you will support the amendment; and to all my colleagues that spoke today, that worked on this amendment, thank you for giving us the consideration that you have. Please favorably look at this amendment and vote ''yes.''

Mr. Chairman, I yield back my time.

The Acting CHAIRMAN (Mr. MILLER of Florida). The question is on the amendment offered by the gentleman from Montana (Mr. REHBERG).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. REHBERG. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Montana will be postponed.

AMENDMENT NO. 14 OFFERED BY MR. RENZI

Mr. RENZI. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 printed in House Report 109–387 offered by Mr. RENZI:

At the end of the bill, add the following new section (and conform the table of contents accordingly):

SEC. 20. REPORT ON TRIBAL GOVERNMENT PARTICIPATION IN HIDTA PROCESS.

(a) REPORT REQUIREMENT.—The Director of the Office of National Drug Control Policy shall prepare a report for Congress on the representation of tribal governments in the High Intensity Drug Trafficking Areas Program and in high intensity drug trafficking areas designated under that Program. The report shall include—

(1) a list of the tribal governments represented in the Program and a description of the participation by such governments in the Program;

(2) an explanation of the rationale for the level of representation by such governments; and

(3) recommendations by the Director for methods for increasing the number of tribal governments represented in the Program.

(b) DEADLINE.—The report prepared under subsection (a) shall be submitted not later than 1 year after the date of the enactment of this Act.

(c) DEFINITION.—In this section, the term ''High Intensity Drug Trafficking Areas Program'' means the program established under section 707 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706)

The Acting CHAIRMAN. Pursuant to House Resolution 713, the gentleman from Arizona (Mr. RENZI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. RENZI. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am fortunate to represent more Native Americans than any other district in Congress, and this amendment addresses the needs for the tribes and the Office of National Drug Control Policy to work together to combat drug trafficking throughout Indian Country.

The purpose of HIDTA is to enhance and coordinate drug control efforts among local, State, and Federal law enforcement agencies; and the HIDTA has proved to be an effective tool, and yet tribal governments need to play a greater role.

Our amendment will do just that. It requires a report from the director of the Office of National Drug Control Policy on the representation of tribal governments in the HIDTA process. The report would detail a list of tribal governments represented. It would explain the rationale for the level of tribal inclusion and would ask for recommendations to increase the number of tribal governments participating in the program.

I represent the Navajo Nation, the White Mountain Apaches, the San Carlos Apaches, the Yavapai Apaches. Their reservations alone are roughly the same size as the States of Maryland, New Jersey, Massachusetts, and Vermont all combined.

□ 1445

These large land masses provide an ideal safe haven for drug smugglers, felons on the run, and these drug dealers. The reservations consist of vast rural areas, with little or no law enforcement to help provide protection. In addition, there is an abundance of tribal youth who in the eyes of these drug dealers serve as perfect innocent drug users.

In recent years, the choice of drugs on these reservations and throughout my district has been methamphetamines. It has destroyed the rule of law among the reservation people. It is killing our tribal youth in this country. More than 90 percent of the meth that comes into Arizona comes in through Mexico, and yet we have superlabs on the reservation that produce some of the purest form of highly addictive blend of toxics that make up methamphetamine. And the meth that is produced in these superlabs on the reservation sells for cheaper value on the street than the meth that is produced off the reservation.

My colleagues, I have to thank Chairman SOUDER. He has been out to northern Arizona. He is a champion of those among Indian country, particularly on this issue as it relates to helping so many of our youth combat the drug issue. I commend his efforts and I would ask my colleagues to help us with the most impoverished of our Nation and help our tribal youth say no

to methamphetamine and be included in the HIDTA process.

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

Mr. SOUDER. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIRMAN (Mr. MILLER of Florida). Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume, and, as I said, I do not oppose this amendment. It is an excellent amendment.

We have known for a long time that drug and alcohol abuse has been particularly devastating where there is lack of job opportunities on many of the reservations of our Indian nations in America, and it has been historic in fetal alcohol syndrome and other challenges.

What is astounding to me is that the administration's Attorney General Gonzalez recently made the statement that meth is an epidemic, but the office that is supposed to control all this, the drug czar's office, continues to downplay meth and has actually said that it is not growing. Yet on the ground, none of us are hearing this.

For example, in the Indian nations, where it is relatively quiet in the sense of the national knowledge of what Mr. Just described, at a hearing in Minnesota, the U.S. Attorney was there. He is the lead for the northern tribes in Montana, Minnesota, North and South Dakota and so on, and he said that meth is tearing through the Indian nations in a way they haven't seen in other narcotics; at reservation in the southern part of Arizona, which is right on the border, and there they are right on the front lines of all kinds of narcotics as well, as the crystal meth that is going to come across.

This meth is going to move into upstate New York, where we have the reservation, the historic Mohawk reservation up on the Saint Lawrence Seaway, which once again is at a critical border point. And as we watch meth tearing through these Indian nations, we need to make sure when we put together these High Intensity Drug Trafficking Areas that are under this, that those tribal nations are included as representatives.

I appreciate the gentleman from Arizona taking the lead and making sure that as we have in these urban areas, whether it be in Arizona, whether it be in Minnesota, whether it be the Rocky Mountain HIDTA, or whether it be the northern upstate New York and other areas where we have major Indian nations, that they are included as we try to tackle drug trafficking and as we particularly get at the new scourge of methamphetamines.

Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Chairman, I thank the gentleman for yielding me this time, and I take this moment to support the amendment. I think it is a very good amendment.

Our dealings in the subcommittee with HIDTA is that HIDTA allows for all of our law enforcement agencies to come together to address the issue of drugs. And certainly where there is a problem, we want to make sure that law enforcement is there.

I have often said that we cannot deal with drugs just from a law enforcement standpoint, but we have to couple that with effective treatment and try to prevent folks from even going on drugs. But the fact is I think it is a good amendment and it makes our bill a better one.

I think that what the gentleman has done through the amendment has brought something to the attention of the committee and certainly sort of shined a little light on so that perhaps we can more effectively deal with those problems in those tribal areas.

Mr. SOUDER. Mr. Chairman, I yield myself the balance of my time, and I want to again compliment the gentleman from Arizona. The Navajo nation is in northern Arizona and spills over into New Mexico and is a huge dominant entity, and he has worked aggressively to defend their interests and to make sure they are included in efforts like this, where sometimes they are forgotten.

Oklahoma, which has been ravaged by narcotics, and as we see it go into the mountains of North Carolina, clearly the Cherokee nation and other nations are at risk with this, too. The gentleman's amendment will help in many of these areas as we try to tackle meth and other narcotics.

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

Mr. RENZI. Mr. Chairman, I yield myself the balance of my time, and I want to thank the gentleman from Maryland for his kind words and his bipartisanship on this issue. It truly is bigger than any one party.

Also, I want to again thank the chairman for coming out to Arizona and seeing it firsthand, and I will end with this message: What alcohol did to our Native Americans in the late 1800s is now what is occurring with the methamphetamine pandemic across Indian country in our Nation.

These gentlemen and their committees stand in the gap to stop that.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. RENZI).

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MR. SOUDER

Mr. SOUDER. Mr. Chairman, I claim the time on behalf of Mr. TERRY to offer his amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 printed in House Report 109–387 offered by Mr. SOUDER:

Page 143, after line 11, insert the following:

(1) Section 704(c)(2) is amended by inserting ''and the head of each major national organization that represents law enforcement officers, agencies, or associations'' after ''agency''.

Page 143, line 12, strike ''Section 704(c)(2)'' and insert the following:

(2) Section 704(c)(2).

The Acting CHAIRMAN. Pursuant to House Resolution 713, the gentleman from Indiana (Mr. SOUDER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, Congressman LEE TERRY brought this amendment to the Rules Committee, and I strongly support this amendment. One of the things I should point out is that this has been an unusual day. We have been asking for some time to be able to have a meth day. Clearly, this has turned into a meth day, as well as when we did the terrorism bill. We had methamphetamines as part of that. And the reason is because we are hearing from the grass roots and they want to tackle the methamphetamine issue.

Earlier today, interestingly, we had the Meth Caucus and others who were not able to come to the floor because there was a major press conference with DEA and other agencies to talk about the bill that we passed earlier this week, the largest methamphetamine act in the United States' history as part of the terrorism bill. And Mr. TERRY and other Members, including Coach OSBORNE and others who come to the floor regularly on meth, are over at the White House for the signing ceremony on the methamphetamine bill. So I have been here on the floor today, and some Members have been able to make it over, but this has been a meth day and beyond on the House floor, and it is meth day at the White House as well as throughout Capitol Hill.

This particular amendment directs the director of ONDCP, the ''drug czar'' to consult with the head of each major national organization that represents law enforcement officers, agencies, or associations. That would include, for example, Ron Brooks of the National Narcotics Officers Associations Coalition, the Fraternal Order of Police, the national HIDTA directors. He must consult them prior to making recommendations to the President on national budget for drug control enforcement each year.

So why would we need this kind of amendment in this bill? I would think that this is what the director does for a living. But when we had a hearing and asked why the HIDTAs were being moved to the Justice Department at this hearing, we had the director of the narcotics officers who said they hadn't been consulted. We had the director of the Chicago HIDTA, the Speaker's HIDTA, and he said he hadn't been consulted. We had the directors of the Southwest border HIDTA, and they

said they had not been consulted. We had the director of the Baltimore-Washington HIDTA, and he said he had not been consulted. We had the director of the Missouri HIDTA, the sheriff of our Whip ROY BLUNT's home area, and he said he had never been consulted.

The question is: Who did they consult? If they didn't consult the HIDTA directors, any of them, if they didn't consult the narcotics officers, if they didn't consult the police officers, on what grounds are they making recommendations to in effect gut these programs and move them to other departments? On what grounds are they proposing to wipe out the Byrne grants and the drug czar be silent or actually supportive? On what grounds are they proposing to wipe out the meth hot spots?

I think it would be just basic good procedure that the director would talk to these groups before he would make these recommendations. Yet all these groups say he has never had a meeting with them. He is not meeting with them before he makes these recommendations. I think, quite frankly, it is a sad day when the United States Congress has to put into a bill that the director meets with the people who are on the street fighting the drug war, which he should be doing as part of his job.

But I strongly commend Mr. TERRY for this amendment, because we need the director. If we are going to have a director, a drug czar who is going to make recommendations that impact State and local law enforcement all over the country, that impact our HIDTAs all over the country, we ought to at least know, and he can still make whatever recommendations he wants, and the President can still make whatever recommendations he wants, but we would like to know before that recommendation comes over that he has at least talked to the people doing the job at the grassroots level.

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

Mr. CUMMINGS. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CUMMINGS. Mr. Chairman, I yield myself such time as I may consume, and I do support this amendment.

Let me go back for a minute, though. I agree with Mr. SOUDER in that I think it is unfortunate that we have to come to the floor of the House to ask ONDCP to consult with law enforcement. There is a thin blue line. We have our officers come in and ask us for all kinds of things in our subcommittee. And I always say that these are the people who are on the front lines. They are the ones who so often have to burst into houses when they do not know what is behind that door. They are the ones who leave home so often in the morning not knowing whether they are going to return to their families. They are the ones, for example in HIDTA, who sit down with the locals and the State folk and the Federal folk and come up with all kinds of strategies. They know what they need to do the job.

I have often heard the President say that when it comes to the war in Iraq, he wants to make sure he gets advice from the people that are on the ground. These are the folk that are on the ground.

But if I had my say about this amendment, I would expand it not only to our law enforcement folk but also to those people who day after day work, for example, in the drug-free communities effort, citizens who are working hard every day sacrificing their time and their resources to make their communities better. Hopefully, this will send a message, a very strong message to the drug czar.

What has happened is we have found ourselves, and I can understand our committee's frustration, because we get policies coming down from the White House which seem contrary to the very things that the people who are on the ground say that they need and the way they would like to see us proceed. Then we have to then change the White House policy so as to fit what is the reality on the ground. There just has to be a better way.

Again, one of the things we are concerned about, and I have said it many times, I think Republicans and Democrats can agree on one major thing, and that is that we want the people's tax dollars to be spent effectively and efficiently. And when the HIDTA folks came in and said to us, person after person, HIDTA after HIDTA, that they could not understand why it was that they were being shifted to the Justice Department and part of their budget was being taken away, I never got the impression for one second that it was just about a turf war or it was about just being petty in any way.

□ 1500

But I got the impression because they deal with this every day, they wanted to make sure that they had the tools and had the atmosphere and what they do, they could most effectively and efficiently do their job.

So like I said, it is unfortunate that we have to come to this point to basically mandate that consultation take place. But so often in our society we have a tendency to talk about each other and not talk to each other. I think perhaps, just perhaps by forcing folks to come together and at least talk, we will be able to address these problems more effectively so we do not have to go through this process over and over and over again.

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

Mr. SOUDER. Mr. Chairman, I ask unanimous consent that each side be given 5 additional minutes.

The Acting CHAIRMAN (Mr. MILLER of Florida). Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SOUDER. Mr. Chairman, I yield myself such time as I may consume.

I think Mr. CUMMINGS' point is a fitting conclusion as we move to the end of this debate. Our frustration is that since there has not been an authorization, the director of ONDCP has proposed a number of changes which would greatly undermine what this Congress intended.

When we set up the High Intensity Drug Trafficking programs, the HIDTA, it was meant initially to focus on the Southwest border, which has not been particularly effective. In case anybody noticed, we do not have great control there, partly because we do not have an integrated Southwest border strategy. We have starts, we have a Southwest border HIDTA, but we need a Southwest border strategy.

In these High Intensity Drug Trafficking Areas, we move to the biggest cities and say, this is how the drugs come in and move into Indiana from Chicago and Detroit. You need the Baltimore-Washington HIDTA and the Los Angeles HIDTA, the Phoenix and the Houston HIDTAs behind the border.

Other States then saw the effectiveness. What made HIDTA effective? The idea was if the Federal Government tried to do everything through DEA, FBI, Coast Guard, Border Patrol, Customs, it would not work. Sometimes even our Federal agents were arresting each other, and we were not getting integrated with State and local law enforcement.

So the goal in HIDTA was if we put a 1 million, $2 million into an area, first off, we would require all of the Federal agents to be there and they would get half the votes, and then we would get the States and locals and they would get half the votes, and they would feel actual ownership of it. If they felt ownership, they would participate.

As the head of the Phoenix Police Department told us at a hearing, it was moved over to OCDETF. It has done wonderful work, but OCDETF talks to supposedly State and local law enforcement, but State and local law enforcement do not get a vote. So they get put on a board, and they come to a meeting once in a while. HIDTA actually gives them a vote. The head of the Phoenix Police Department said his city council asks him on a regular basis, can you justify this, can you justify that. He has kept three officers in the HIDTA because he sees how that HIDTA money gets leveraged with the State police, with the U.S. Attorney's Office, with the U.S. Marshals, with the FBI, DEA, and with everybody else.

Why, when we finally get a program that works at the State and local levels that leverages these dollars, would we gut it without even talking to the people involved? The Phoenix police chairman said he would pull his three officers out of the narcotics effort if it

was moved. So did Chicago. So did city after city. And it is so exasperating that they continue to persist on this. But it shows it has done a great job of educating the HIDTAs.

The New York City HIDTA is integrated completely with terrorism, and it is an amazing operation as we see those to links occur. The national ad campaign we are addressing throughout this bill because we think it has been effective and we need to make it more effective, and it needs to include meth.

The administration was also proposing dramatic changes to the technology center. It is one of the most valuable things to State and local law enforcement because not only do we give them goods, but it is a model for what we are trying to do on homeland security, that is, when a police department says I would like this kind of radio, night goggle, protective gear, they analyze it. In my district, take Albion, 1,500, Kendallville is 10,000 people, Fort Wayne is 230,000 people. They can go through their list and say we would like these goggles, but then it goes through a review process and they say this is probably not what you need in Albion. Unless you can make a defense, you don't get that. You have to submit what kind of drug challenges you have, what types of things you need, and the Technology Assessment Center then, off of your list, you match up what your departments need.

Everybody in homeland security gets this pool of money, and now they have all kinds of things that they may not ever need and mismatches. Now we are trying to have the State say, what is your homeland security plan; to have the locals say, what is your homeland security plan. Then in a technology center, we should have it work like in the drug czar's office, except the drug czar wants to get rid of his own Department.

It is baffling why there is this persistent goal in the administration to wipe out the things that most benefit State and local and keep the parts that are nationally under their control.

So I think this bill will comprehensively address a whole series of those concerns. I am pleased that we have been able to do this. The Meth Caucus has been bipartisan; this subcommittee has been bipartisan with Mr. CUMMINGS and the full active membership of subcommittee. We have all been able to bring a bill forth and move through the full committee unanimously. Judiciary, Energy and Commerce, Education, and Intelligence committees all participated in this process, individual Members with their amendments as well as the Meth Caucus.

I hope this bill will receive unanimous support. Three of the amendments we need a ''yes'' on. There is one amendment that would get rid of ONDCP, and I urge a ''no'' vote on that.

Mr. CUMMINGS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I want to go back to this amendment for just a second. When I think about the entire process here and our subcommittee, we realized that there are experts in the area of narcotics, and we bring them before us all the time to seek their advice. In seeking their advice, we learn a lot. One of the things that we also realize is that this world of drugs is ever-changing from day to day, from hour to hour.

We also realized, as we moved throughout the country, that there are various law enforcement methods that may be effective against one drug versus another.

I think we have a situation here when we talk about the drug czar consulting with, and that is ONDCP consulting with law enforcement, there is a certain level of respect that many of these officers have said that they simply desire, respect for what they do every day.

I think a lot of times when they come to us and they come shaking their heads, one of the things that I know our subcommittee worries about is their morale when they are out there putting their lives on the line. And I have talked to these officers. I know Mr. SOUDER has. They will say to us, we are doing the best we can with what we have got. They say in most instances, we do not have enough; but if you are going to take away some of the tools that we do have, it is going to become even more difficult for us to do our job.

Basically, what they are asking for is simply to be consulted, somebody to sit down and say, How is it going in Idaho or Baltimore, or, How is it going in California? And we have learned so much from these HIDTAs because they have an opportunity to work on all levels of government. So they can bring things I would think to the drug czar's office that the drug czar may not be aware of.

That is why I am so supportive of this amendment; but I have to say, I do feel it is very unfortunate that we have to go through this process. I would hope that perhaps by doing this it will open those doors of communication so that these great men and women who courageously put their lives on the line and who have taken a phenomenal amount of time and energy to learn law enforcement, to understand it, to understand how the drug trade works, to understand the methods of combating folks who want to violate our drug laws, that we would have the benefit, that the drug czar would have the benefit of their knowledge and expertise so when we have legislation, we can have it from the very, very best.

I must tell you that I do believe that we have some of the best law enforcement in the entire country. But again as I have said to Mr. SOUDER, I wish that it went beyond just law enforcement, because I think if we are going to address the whole issue of drugs in consultation with the drug czar, it must also be with all of those people who are out there dealing in the area of prevention, dealing in the area of interdiction, addressing our children, dealing with methamphetamines and so on.

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

Mr. SOUDER. Mr. Chairman, I ask unanimous consent that each side be given an additional 2 minutes.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SOUDER. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Chairman, I thank the gentleman from Indiana and probably the leader in Congress in helping fight our war against drugs in our communities across this Nation.

I stand with my colleagues here in discussing a problem in our towns and our neighborhoods, particularly in Nebraska, and it is methamphetamines. Also, our teenagers are experimenting with prescription drugs where they can get a hold of them.

It is our police officers and our sheriffs and then our State patrol that are on the front lines. It was they 2 years ago who were telling me that some of the gangs in Omaha that had cocaine or marijuana were changing their product of distribution away from those drugs to crystal meth made in Mexico.

Mr. SOUDER held a hearing with Mr. Walters a year ago, who was really, I am not exaggerating here, flabbergasted that some of the grant moneys that the administration had zeroed out was actually being used for task forces against methamphetamines and these gangs, and yet my police department knew about it 2 years ago.

I know that this amendment that I have drafted sounds almost nonsensical in its common sense. Why would the national director of our drug policy not be communicating with local police officers who are our front line in this battle? But the reality is they have detached themselves and are advancing a policy to move all of this over to the Justice Department where there will be even less communication with those on the ground that know exactly what is occurring in our communities and what then we must do on the national level to make sure that we arm them correctly to protect our families from these international drug lords.

This is a commonsense amendment that I would encourage all of my colleagues to support.

Mr. CUMMINGS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

The amendment was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 4 by Mr. CHABOT of Ohio.

Amendment No. 8 by Ms. HOOLEY of Oregon.

Amendment No. 12 by Mr. PAUL of Texas.

Amendment No. 13 by Mr. REHBERG of Montana.

□ 1515

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

AMENDMENT NO. 4 OFFERED BY MR. CHABOT

The Acting CHAIRMAN (Mr. MILLER of Florida). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. CHABOT) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 403, noes 2, not voting 27, as follows:

[Roll No. 34]

AYES—403

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
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)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pascrell
Pastor
Payne
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tanner
Tauscher
Taylor (MS)
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
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—2

Flake
Paul

NOT VOTING—27

Bachus
Burton (IN)
Cantor
Costa
Davis (FL)
Deal (GA)
Evans
Ford
Gingrey
Gonzalez
Honda
Jenkins
Linder
Norwood
Oxley
Pallone
Pelosi
Peterson (PA)
Price (GA)
Reynolds
Royce
Salazar
Sanchez, Loretta
Shays
Sweeney
Tancredo
Westmoreland

□ 1540

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MS. HOOLEY

The Acting CHAIRMAN (Mr. SIMPSON). The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Oregon (Ms. HOOLEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 403, noes 3, not voting 26, as follows:

[Roll No. 35]

AYES—403

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
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)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
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
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
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
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—3

Flake
Paul
Taylor (NC)

NOT VOTING—26

Bachus
Brady (TX)
Burton (IN)
Cantor
Costa
Davis (FL)
Deal (GA)
Evans
Ford
Gingrey
Gonzalez
Jenkins
Linder
Norwood
Oxley
Pallone
Peterson (PA)
Price (GA)
Salazar
Sanchez, Loretta
Shays
Sodrel
Sullivan
Sweeney
Tancredo
Westmoreland

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. SIMPSON) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1548

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 12 OFFERED BY MR. PAUL

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. PAUL) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 85, noes 322, not voting 25, as follows:

[Roll No. 36]

AYES—85

Abercrombie
Alexander
Baker
Baldwin
Barrett (SC)
Bartlett (MD)
Barton (TX)
Boustany
Boyd
Brown-Waite, Ginny
Burgess
Campbell (CA)
Capuano
Conaway
Culberson
Davis (KY)
Delahunt
Doggett
Duncan
Feeney
Flake
Foxx
Frank (MA)
Garrett (NJ)
Gillmor
Gohmert
Hayworth
Hensarling
Hinchey
Holt
Honda
Hostettler
Hunter
Inglis (SC)
Jackson (IL)
Jackson-Lee (TX)
Jindal
Johnson, E. B.
Jones (NC)
Kaptur
King (IA)
Kingston
Kolbe
Kucinich
LaHood
Lee
Lofgren, Zoe
Mack
Manzullo
Markey
McCarthy
McCaul (TX)
McCrery
McGovern
McKinney
Meehan
Miller, George
Moore (WI)
Moran (VA)
Neal (MA)
Nussle
Obey
Olver
Otter
Paul
Payne
Poe
Pombo
Rohrabacher
Royce
Rush
Ryan (WI)
Sánchez, Linda T.
Schakowsky
Scott (VA)
Sensenbrenner
Shimkus
Slaughter
Stearns
Sullivan
Tanner
Taylor (MS)
Tierney
Watson
Wilson (SC)

NOES—322

Ackerman
Aderholt
Akin
Allen
Andrews
Baca
Baird
Barrow
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Capito
Capps
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conyers
Cooper
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Forbes
Fortenberry
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hefley
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hoyer
Hulshof
Hyde
Inslee
Israel
Issa
Istook
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kirk
Kline
Knollenberg
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lowey
Lucas
Lungren, Daniel E.
Lynch
Maloney
Marchant
Marshall
Matheson
Matsui
McCollum (MN)
McCotter
McDermott
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Ney
Northup
Nunes
Oberstar
Ortiz
Osborne
Owens
Pascrell
Pastor
Pearce
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryun (KS)
Sabo
Sanders
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—25

Bachus
Burton (IN)
Cantor
Costa
Davis (FL)
Deal (GA)
Dicks
Evans
Foley
Ford
Gingrey
Gonzalez
Jenkins
Linder
Norwood
Oxley
Pallone
Peterson (PA)
Price (GA)
Salazar
Sanchez, Loretta
Shays
Sweeney
Tancredo
Westmoreland

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. There are 2 minutes remaining in this vote.

□ 1556

Mr. TAYLOR of Mississippi changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FOLEY. Mr. Chairman, on rollcall No. 36 I was unavoidably detained. Had I been present, I would have voted "No."

AMENDMENT NO. 13 OFFERED BY MR. REHBERG

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Montana (Mr. REHBERG) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 399, noes 9, not voting 24, as follows:

[Roll No. 37]

AYES—399

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

NOES—9

Delahunt
Flake
Kennedy (RI)
Moore (WI)
Moran (VA)
Paul
Scott (VA)
Velázquez
Watt

NOT VOTING—24

Bachus
Burton (IN)
Cantor
Costa
Davis (FL)
Deal (GA)
Evans
Ford
Gingrey
Gonzalez
Jenkins
Linder
Markey
Norwood
Oxley
Pallone
Peterson (PA)
Price (GA)
Salazar
Sanchez, Loretta
Shays
Sweeney
Tancredo
Westmoreland

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. SIMPSON) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1604

Mr. DELAHUNT changed his vote from "aye" to "no".

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN. There being no other amendments, the question is on the committee amendment in the nature of the substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. SIMPSON, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2829) to reauthorize the Office of National Drug Control Policy Act, pursuant to House Resolution 713, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. CUMMINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 399, noes 5, not voting 28, as follows:

[Roll No. 38]

AYES—399

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berry
Biggert
Bilirakis
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay

Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
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)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
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
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Tanner
Tauscher
Taylor (MS)
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
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—5

Frank (MA)
McDermott
Paul
Stark
Waters

NOT VOTING—28

Bachus
Berman
Bishop (GA)
Burton (IN)
Cantor
Costa
Davis (FL)
Deal (GA)
Evans
Flake
Ford
Gingrey
Gonzalez
Jenkins
Jones (NC)
Linder
Norwood
Oxley
Pallone
Peterson (PA)
Price (GA)
Salazar
Sanchez, Loretta
Shays
Smith (WA)
Sweeney
Tancredo
Westmoreland

□ 1622

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. SHAYS. Mr. Speaker, on March 9, I was in Connecticut and, therefore, missed six recorded votes.

I take my voting responsibility very seriously and would like the CONGRESSIONAL RECORD to reflect that, had I been present, I would have voted "aye" on recorded vote No. 33, "aye" on recorded vote No. 34, "aye" on recorded vote No. 35, "no" on recorded vote 36, "aye" on recorded vote 37 and "aye" on recorded vote 38.

PERSONAL EXPLANATION

Mr. JENKINS. Mr. Speaker, I was not present to cast my votes on rollcall votes 34 through 38 earlier today, March 9, 2006. Had I been present, I would have voted "aye" on the Chabot amendment—rollcall 34, "aye" on the Hooley amendment—rollcall 35, "no" on the Paul amendment—rollcall 36, "aye" on the Rehberg amendment—rollcall 37, and "aye" on final passage of H.R. 2829—rollcall 38.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I yield to my good friend, the gentleman from Ohio (Mr. BOEHNER), the distinguished majority leader, for purposes of telling us what the schedule for the coming week is.

Mr. BOEHNER. I thank my colleague for yielding.

Next week, Mr. Speaker, the House will convene on Tuesday at 12:30 for morning hour and 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to Members' offices by the end of the week. Any votes called on these measures will be rolled until 6:30 p.m.

On Wednesday and Thursday, the House will take up consideration of the emergency supplemental appropriations bill.

Finally, we will consider H.R. 1606, the Online Freedom of Speech Act. The Committee on House Administration completed consideration of this bill this morning, and we expect that the Rules Committee will take this up next week to bring it to the floor.

Mr. HOYER. I thank the gentleman. From what you have said, it is my presumption then that the Online Freedom of Speech Act will be the last order of business?

Mr. BOEHNER. It will be considered, we believe, on Wednesday, possibly Thursday, but probably on Wednesday.

Mr. HOYER. And the emergency supplemental appropriation, you say Wednesday or Thursday?

Mr. BOEHNER. Wednesday, and possibly Thursday.

Mr. HOYER. So would that mean that we might consider the Internet bill prior to the supplemental? I yield to my friend.

Mr. BOEHNER. That is a possibility.

Mr. HOYER. With respect, Mr. Leader, to the budget, I know there was some talk about doing it prior to our break, but you had indicated last week it might roll over. Do you have a guess?

Mr. BOEHNER. It appears that my guess last week was correct.

Mr. HOYER. Obviously. Can you tell us when you think the budget might come before the House? I yield to my friend.

Mr. BOEHNER. I thank my colleague for yielding.

I would hope that the House would complete its consideration of the budget in those 2 weeks that we are back after the March recess, sometime in that 2 weeks.

Mr. HOYER. So in the latter part of March or third or fourth week in March?

Mr. BOEHNER. And before April 8.

Mr. HOYER. I thank the gentleman for the information that he has given to us.

ADJOURNMENT TO MONDAY, MARCH 13, 2006 AND HOUR OF MEETING ON TUESDAY, MARCH 14, 2006

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next, and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, March 14, 2006, for morning hour debate.

The SPEAKER pro tempore (Mr. CAMPBELL of California). Is there objection to the request of the gentleman from Ohio?

There was no objection.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON WEDNESDAY, MARCH 15, 2006, FOR THE PURPOSE OF RECEIVING IN JOINT MEETING HER EXCELLENCY ELLEN JOHNSON SIRLEAF, PRESIDENT OF THE REPUBLIC OF LIBERIA

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, March 15, 2006, for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in joint meeting Her Excellency Ellen Johnson Sirleaf, President of the Republic of Liberia.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

ELECTION OF MEMBER TO COMMITTEE ON AGRICULTURE

Mr. BOEHNER. Mr. Speaker, I offer a resolution (H. Res. 715) and I ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 715

Resolved, That the following Member be and is hereby elected to the following standing committee of the House of Representatives:

Committee on Agriculture: Mr. Sodrel.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RESIGNATION OF MEMBER AND APPOINTMENT OF MEMBER TO HOUSE OFFICE BUILDING COMMISSION

The SPEAKER pro tempore laid before the House the following communication from the Hon. TOM DELAY, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, February 13, 2006.

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

DEAR MR. SPEAKER, I hereby resign my position as a member of the House Office Building Commission effective immediately.

Sincerely,

TOM DELAY,
Member of Congress.

The SPEAKER pro tempore. Pursuant to 2 U.S.C. 2001, and the order of the House of December 18, 2005, the Chair announces that on February 13, 2006, the Speaker appointed the gentleman from Ohio (Mr. BOEHNER) to the House Office Building Commission to fill the existing vacancy thereon.

□ 1630

NEW MEDICARE PRESCRIPTION DRUG BENEFIT PROGRAM A SUCCESS IN FLORIDA

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I would like to read a letter that was in today's St. Petersburg Times about the Medicare prescription drug plan. It was from a gentlewoman by the name of Lois Scheff of St. Petersburg, not in my district; but I think she echoes the comments that I have heard from my constituents. The letter says, ''It would be nice to see a positive article about the Medicare part D prescription drug plan. I believe the reason so many people are having trouble with the new prescription drug plan is that the media has been telling everyone how confusing and difficult it is to understand. If you say something often enough, people will start to believe it.''

She goes on to say, ''My experience with the new prescription drug plan has been very positive. Upon filling four of my January prescriptions, I paid about 50 percent of what I normally would have, due to certain deductibles. In February, my four prescriptions cost me less than one would have before the drug plan went into effect. The other day I filled a prescription that used to cost more than $100, and I paid 30 for it.''

She goes on to say, ''We might be elderly, but we are not stupid. Talk to the millions of us who have taken advantage of the program.''

STUDY OF SECURITY AT OUR PORTS

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, just this past week I held a press conference at the port in Houston, Texas, the Houston Port Authority, discussing the overall issue of comprehensive security at the Nation's ports. I want to remind the administration that even if you are operating at the ports, you are also privy to security.

So I rise today to comment on the so-called brokered deal that suggests that we are now going to allow an American entity to operate the particular purchases that are being made by Dubai Ports. I started out this week by saying this is not to stigmatize the Mideast or the Arab world, it is to question our confidence and commitment to security at our ports.

I question this deal. I would like to see how transparent it is. I want a complete transparency or a firewall between any foreign entity and the security of the Nation's ports. It is crucial that we do a study and assessment of how secure our ports are, and I will introduce legislation next week that calls for immediately an assessment of the Nation's ports and how secure they are.

YALE AND THE TALIBAN STUDENT

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

Mr. POE. Mr. Speaker, a former deputy foreign secretary and ambassador at large for the rogue Taliban regime is now a ''special student'' at the elitist Yale University. According to Yale's officials, they are proud to have this Taliban student.

He legally entered our country on a student visa, of all things, issued by the State Department. That seems like nonsense to me. This offensive disregard for national security is not only ridiculous, it is frightening, and it has happened before. The hijackers who flew planes into the World Trade Center on 9/11, and who crashed into the Pentagon just down the street from us, entered the United States on, yes, student visas.

What is even more incomprehensible is that Yale University is helping to educate this Taliban operative, who just 5 years ago was touring the United States for the Taliban, spreading propaganda and defending the Taliban's gospel of hate.

Mr. Speaker, the Taliban is against everything freedom-loving people advocate. They advocate public torture, false imprisonment, mistreatment of women, and promotion of worldwide anarchy. Those are not accomplishments to be proud of.

Yale would do well to admit students who are devoted to promoting peace and democracy, not those who so flagrantly advocate injustice, evil, and terror.

That is just the way it is.

UAE TAKEOVER OF U.S. PORTS

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

Mr. DEFAZIO. Mr. Speaker, so a back room deal has been cut for the UAE takeover of a number of U.S. ports. Now, just what does it mean? They do not say they are going to sell their interests. They say they are going to transfer their interests to a U.S. entity. So they are going to set up a wholly-owned and controlled subsidiary in Delaware and claim that somehow this resolves the issue?

Besides that, the issue is bigger than the UAE takeover of the U.S. port facilities. It is about other foreign takeovers of our assets. The administration is still rushing ahead to allow foreign airlines to control U.S. airlines, and there are a host of other areas where our infrastructure is up for sale.

Congress still needs to act and put in place rules to bring about the wholesale sell-off of America and its security interests.

IRAQ WAR IS AGAINST TRADITIONAL CONSERVATIVE POSITION

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

Mr. DUNCAN. Mr. Speaker, William F. Buckley has often been described as the godfather of modern-day conservatism. In 2004, he wrote that if he had known in 2002 what he now knew, that he would have opposed the war in Iraq. Last June, he wrote that if we stayed much longer there, it would soon become misapplication of pride rather than steadfastness of purpose. Now, in one of his most recent columns, Mr. Buckley wrote that, ''One can't doubt that the American objective in Iraq has failed. ''

Many conservatives said before this war started that it would mean massive foreign aid, huge deficit spending, and would place almost the entire burden of enforcing U.N. resolutions on our taxpayers and our military, when traditionally conservatives have been the biggest critics of the U.N.

The so-called neo-con architects of this unnecessary war have led people down a primrose path in the opposite direction of and very much against every traditional conservative position.

SPECIAL ORDERS

The SPEAKER pro tempo (Mr. CAMPBELL of California). 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 (Mr. CAMPBELL of California). 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.)

PASSAGE OF THE CHILDREN'S SAFETY AND VIOLENT CRIME REDUCTION ACT

Mr. PENCE. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Indiana (Mr. BURTON).

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

There was no objection.

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

Mr. PENCE. Mr. Speaker, yesterday the House of Representatives passed the Child Safety and Violent Crime Reduction Act of 2005, and I am a strong supporter of the legislation. I hail its passage. But title VI of this legislation is drawn from a bill that I introduced in the first session of the 109th Congress.

My legislation is known as the Child Pornography Prevention Act of 2005. And as the title states, the intent of my legislation is to prevent American children from becoming victims of pornography. Every one of us knows that the fuel that fires the wicked hearts of child predators is child pornography and it must be confronted in America.

Every day in this country, children are sadly exploited in pornographic enterprises, sometimes by those closest to them, believe it or not, in their homes; sometimes by commercial producers. In the home, children are forced to pose for pornographic pictures or act in pornographic videos, sometimes by family members and even friends and caretakers and other trusted individuals. Sadly, our resources in the law enforcement community inform us that these pictures and videos are posted on the Internet or surreptitiously spread to sexual predators. In the commercial arena and in Hollywood, as our cultures become more and more youth oriented and sex has become more and more prevalent, we must ensure that children are not being used in the production of prurient material and provide law enforcement with the tools to prosecute those who exploit children.

A main tenet of my legislation is the language that will fix a technicality known as home pornographers, to get at the first problem that I just described. Home pornographers have used this loophole to evade Federal prosecution in child pornography cases. These individuals will use digital cameras, Polaroid cameras, video cameras to make pornographic images of children, download them and distribute them on the Internet. My legislation first and foremost makes it clear that Federal prosecutions of home pornographers may proceed in Federal Court because their activities impact on interstate commerce.

Another element of my bill, which has become in many ways more controversial, is the addition of a new section of the criminal code, section 2257A, which adds a recordkeeping requirement that will force people in even in the entertainment industry to keep records of the names and ages of their subjects, along with proof of their identification, when they are engaged even in simulated sexual activity on screen. Anytime Hollywood uses a simulated sex act in a soap opera, a cable television show, a movie, or other production, a record must be kept to show that a child was not used even in the creation of a simulated sex act.

Heretofore, the law has only required that such records be kept in the cases of hard-core pornography, where actual sex was being performed and recorded for entertainment value. But if a child is used in a simulated sex act, the impact of such abuse on that child is, in many ways, Mr. Speaker, just as real as it would be had the production involved actual sexual contact. Therefore, my bill requires these records be kept for simulated sex. Because by doing so, certain bad actors in the entertainment industry will be deterred from using children.

Also, my bill goes a step further by requiring that records be kept even in the case of what is known as lascivious exhibition. Once again, no child should be used in either nude pictures or sexually explicit materials or even in activities that have a prurient interest. This is, again, the type of images that fuel the flames of the wicked hearts of child predators and should be stopped.

Finally, the legislation expands the ability of investigators and prosecutors to pursue the people who are used to distribute child pornography. These distributors also will be required to follow these new recordkeeping provisions, and this will provide law enforcement with a powerful tool against them as well.

Providing law enforcement with the tools to combat child pornography contained in my legislation is a much-needed and overdue step that must be taken to protect our children from those in society who have no decency and no shame.

I also commend those legitimate producers of entertainment products in the United States of America, with whom we have had dialogue and with whom we have worked in the development of this legislation. It is not my purpose in any way, Mr. Speaker, to suggest that those that are involved in the legitimate entertainment industry in this country have anything to do with the illegitimate industry that is pornography in America. Nevertheless, it is important that even in Main Street Hollywood America, that we ensure that children are not used even in the creation of entertainment materials that simulate sex acts, and our legislation will create the recordkeeping to prevent just that.

I hail the passage of the Child Pornography Prevention Act as a part of the Child Safety and Violent Crime Reduction Act. It is time to protect our kids, and yesterday this Congress took a great step toward that goal in entertainment in America.

THE FEDERAL DEBT

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

Mr. DEFAZIO. Mr. Speaker, I rise this evening to talk about the Federal

debt. Now, President Bush was going to be a fiscal conservative and we were going to have smaller government. We actually have larger government. He has, in his 5 short years in office, in concert with the Republican Congress, raised the entire debt of the United States of America by 45 percent in 5 short years.

That is some accomplishment. That figures out to $27,730 per person in the United States. But that is not enough because, actually, with a debt limit of about $8.3 trillion, we bumped up against it yet again because of the profligate borrowing by this President and the Republican Congress. So Secretary Snow has requested a fourth increase in 5 years in the national debt limit by another $781 million, which he says will tide us over for about a year.

Now, what is extraordinary is that right now the Government of the United States is teetering on the edge of default. In fact, the government has cashed in the retirement fund, the 401(k) of Federal employees, the G fund, in order to not exceed the debt limit set by Congress, because the leadership here doesn't want to admit to their profligacy. They will not allow a vote, an up-or-down vote here in the House, on raising the debt limit. So they are waiting for the Senate to sneak it into a really big bill on the Senate side, and then they can bring it back over here and pretend that they had nothing to do with it. I mean, who could have known the debt has gone up 45 percent in 5 years?

Well, it is time that they 'fessed up to what they are doing here. The fastest growing part of the Federal budget is not the entitlements which we hear so much about. We hear about those darned student loans that we cut last month so we could finance tax cuts for rich people; and those darned poor people who need health care that we cut last month to help finance tax cuts for rich people. Actually, the fastest part of the Federal deficit and budget is interest on the debt. That is true, interest on the debt, which will be $247 billion next year. One quarter of $1 trillion.

Now, that interest on the debt will not feed a single child. It will not help one young person get an education. It will not help one senior get a Medicare prescription drug benefit. It will not give one soldier help with needed equipment in the field. No, that $250 billion, a quarter of $1 trillion, will be paid out for profligacy and waste and debt.

What is even worse is, guess what, a lot of that money is not even flowing to investors here in the United States of America. This President has yet another record. He has, in 5 short years, created more foreign debt than the 42 Presidents that preceded him in office.

Now that is something. That is really something. One President, George Bush, has created more foreign debt than the 42 Presidents in more than 200 years that preceded him in office, this fiscal conservative, this small-government guy.

How has he do done it? Well, he has done it with a combination of increases in spending, a lot of corporate welfare, and tax cuts for rich people and major corporations, and subsidies to big corporations like in the energy bill, because there is not enough incentive at $60 a barrel to drill for oil; we have to borrow money, the taxpayers do, give it to the oil companies and ask them to go out and look for oil. That was sort of the core of the Bush energy bill.

Mr. Speaker, 48 percent of our public debt is now held overseas. Japan holds $687 billion, China is second and coming up fast at $300 billion, and on down the list. This is something that puts the future of our country in jeopardy. Huge amounts of our debt washing around overseas in countries that might or might not have our best interests in mind long term, and might or might not want to continue to lend us money to help finance this profligacy.

So now the President is saying that he is really serious. This time around he is really serious about it. He says we are going to address this. We are going to cut the debt in half in the next 4 years. What he does not tell people is that most of that so-called reduction of the debt is by borrowing all of the surplus that is supposed to flow into the Social Security trust fund and spending it and not counting it as part of the debt.

So as the Social Security surplus grows, he says that he is moving us toward a balanced budget. Of course someday we are going to have to honor those bonds to pay future Social Security benefits. It is time for fiscal sanity here in Washington, D.C. We need a change in the Congress and the White House to get it.

□ 1645

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

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

REMEMBERING REPRESENTATIVE WARREN ''PETE'' OLDHAM

Ms. FOXX. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from North Carolina (Mr. JONES).

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

There was no objection.

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

Ms. FOXX. Mr. Speaker, last month, the State of North Carolina lost a fine man, former North Carolina Representative Warren ''Pete'' Oldham. I had the privilege of serving with Pete in the North Carolina General Assembly. While we did not always agree on every issue, I always respected and admired him for his commitment to constituent service and doing what he believed was right. He was always a very pleasant and polite person.

Mr. Speaker, I rise today to honor Pete Oldham for a life focused upon helping others. Pete wore many hats during his life. He was a loving husband and father, an athlete, a teacher, a coach, a referee, a university official, a church leader, a public servant and a gardener.

Pete was born in Indianapolis, Indiana, to the late Reverend Philander and Minta Oldham. After serving in the Navy during World War II, he enrolled in Virginia Union University, in Richmond, Virginia, on a football scholarship. He transferred to Bluefield State College in Bluefield, West Virginia, where he graduated in 1951 with a bachelor of science degree in secondary education and majors in social studies and physical education. He then went on to receive a master of science degree in physical education in 1958 from West Virginia University, and his principal certification from North Carolina A&T State University in 1962.

Pete was a teacher and coach at Atkins High School from 1951 to 1963. He then went to work at Winston-Salem State University for over 20 years, where he retired as the school's registrar. During his time at the university, Pete always reserved time to coach high school and college students in basketball and football.

Pete was elected to the North Carolina House of Representatives in 1990 where we went on to become the co-chairman of the House Committee on Appropriations. Twelve years later, he retired from the Chamber to care for his wife who was suffering from Alzheimer's disease. He said, ''I made a vow and a commitment, and I intend to honor them.''

Pete leaves behind his loving wife, Gladys, and daughters Donna Oldham and Leslie Oldham Bolden. My thoughts and prayers are with the family during this difficult time.

Mr. Speaker, the State of North Carolina is fortunate to have been served by former Representative Warren ''Pete'' Oldham. He touched the lives of many and he will be missed.

IN HONOR OF INTERNATIONAL WOMEN'S DAY

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

Mr. SCHIFF. Mr. Speaker, I rise today in honor of International Women's Day. More than 30 years ago, March 8 was designated by the United Nations as a day to reflect upon women's struggle for equality, justice,

peace and development. In the decades since, International Women's Day has become a holiday in many countries around the world, and acts as an annual catalyst for the advancement of women.

Throughout our history, the United States has been a leader in advancing women's rights and opportunity. While much work remains here and abroad, I join many of my colleagues and constituents in saluting the contributions of women around the world.

Many of those contributions have been made through the recent election of women political leaders. Chile, Jamaica, Germany and Liberia have all elected women to head their governments in the past 6 months. Despite this encouraging trend, governments led by women remain an anomaly. Only 11 out of the more than 200 members of the United Nations have women leaders. Moreover, there remains persistent underrepresentation of women serving as legislators, parliamentarians, and government ministers. Globally, women hold only 16 percent of all seats, a disappointing increase of only 5 percent since 1975. The 109th U.S. Congress boasts 84 female Members, the highest number in our history, but women still make up only 6.4 percent of the membership of the House and Senate, well below the world's average.

Development experts and advocates have long identified education as the key to improving women's well-being. More than 180 governments committed to achieving gender equality in education by 2005 as one of eight U.N. Millennium Development Goals, but we have a long way to go.

In the developing world, 60 million girls aged 6 to 11 are not in school, which severely limits their political, physical, and social opportunities.

In developed countries, an increasing number of women are pursuing higher education, but they have been unable to secure academic employment or research funding proportionate to their male colleagues. Policymakers have become increasingly concerned about a growing shortage of men on America's college campuses, but several important departments in our universities remain disproportionately the province of men, especially at the graduate level. The percentage of women earning advanced degrees in science or engineering is especially low. Only one in four master's degrees in these fast-growing fields is awarded to a woman. Even women who do earn Ph.D.s in computer science and engineering earn, on average, $9,000 less per year than men in similar positions.

This income disparity is reflected throughout the workforce where women continue to face multiple impediments to their advancement. American women still earn an average of 25 percent less than their male colleagues, a wider wage gap than that in other developed countries, which affects women of all ages, races, and education levels. Unfortunately, the wage disparity is being narrowed at a rate of less than half a penny a year.

In the 108th Congress, I was proud to cosponsor the Paycheck Fairness Act to combat gender-based wage discrimination by requiring that employees be educated about their rights, and permitting women to seek recourse under the Equal Pay Act.

There are some positive trends. While less than one third of employers in the developing world are women, this percentage is growing, especially in the United States. Between 1997 and 2004, the number of American companies primarily owned by women grew by 23 percent, well above the 9 percent overall increase in U.S. businesses during this period.

Here and abroad, though, women remain vulnerable to violence. I was proud to cosponsor the Violence Against Women Reauthorization Act of 2005, and I have been a longtime advocate of efforts to prevent and treat domestic violence, child abuse, dating violence, and sexual assault. I have consistently advocated for greater Federal funding for research and treatment programs for breast cancer, ovarian cancer, heart disease and postpartum depression.

In acknowledging the challenges faced and overcome by women, I want to commend the sacrifices of America's brave women serving overseas, especially in Iraq. Women have served in every U.S. military conflict since the Revolution and have played an official role in the U.S. military for over 100 years. Today, women make up almost 15 percent of Active-Duty personnel. One in every seven U.S. soldiers in Iraq is a woman, and they are engaged in the conflict on a far greater scale than ever before, piloting helicopters, accompanying infantry on raids against insurgents, searching Iraqi women suspects for pistols and suicide belts. The contribution of American women has come at a high price. To date, 48 service women have been killed in Iraq and more than 300 have been wounded, but their service has inspired their compatriots on the front lines and here at home, as well as millions of women in Iraq, Afghanistan, and around the world, as symbols of women's courage and capacity. And today, we salute them and all women for their contributions.

VACATING 5-MINUTE SPECIAL ORDER

The SPEAKER pro tempore. Without objection, the 5-minute Special Order of the gentleman from Texas (Mr. POE) is vacated.

There was no objection.

THE AMERICAN FORM OF GOVERNMENT

Mr. OTTER. Mr. Speaker, I ask unanimous consent to claim the vacated time of the gentleman from Texas (Mr. POE).

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

There was no objection.

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

Mr. OTTER. Mr. Speaker, in ''The Glorious Quest,'' James R. Evans wrote, ''No historian of the future will ever be able to prove that the ideas of individual liberty practiced in the United States of America were a failure. He may be able to prove that we were not yet worthy of them. The choice is ours.''

I bring this to our attention, Mr. Speaker, because recently in a poll that was revealed by the McCormick Tribune Freedom Museum, a survey found out that on questions on the first amendment, one American in a thousand could name all five of the freedoms in the first amendment to the Constitution. However, in that same survey, 69 percent of those surveyed knew who the five members of the TV cartoon family ''The Simpsons'' was. They knew and could name all five members of the Simpson family.

I bring this to our attention because now more than ever, Mr. Evans' words ought to ring clear to us. And in that glorious quest that he talked about, educating ourselves and then using that education for political action was one of the most important things that we could do as Americans to sustain our form of government.

I bring this to our attention as well, because oftentimes I relish the opportunity to speak to students in my district, especially those in the honors government class. Invariably when I ask those students, whether they be high school seniors not too far off from casting their first vote to sustain this Republic, or to college freshmen somewhere in the curriculum, I ask them: Where do your freedoms come from? What are the source of your freedoms?

Many times they will raise their hand and say it is the first 10 amendments to the Constitution. Only one in a thousand can name the five freedoms in the First Amendment. Those students are sorely fit, I would say, to go forward and lead this great Nation under our constitutional form of government, because, as I usually explain to them, actually the 10 amendments are a document of prohibition, not a document of establishment of freedoms. That is your birthright from when you were born.

That was the great magic of the Founding Fathers. For the first time, they elevated the individual above the crown, above the king, above royalty, above all else except he who created them. For the first time, the individual was elevated higher than anyone else on this Earth.

If I might, let me briefly read from the first 10 amendments. Amendment I: The prohibition. Congress shall make no laws.

Amendment II: Shall not be infringed.

Amendment III: Without the consent of the owner.

Amendment IV: The right of the people shall not be violated.

Amendment V: No person shall be held, nor shall any person be subjected, nor shall any person be compelled, nor shall any person be deprived, nor shall any private property be taken without just compensation.

Finally, amendment VIII: Shall not be required, nor excessive fines imposed, nor crucial and unusual punishment inflicted.

These are all documents of prohibition because they recognize that the first 10 amendments were not the source of our freedom. That is our birthright. These are documents of prohibition against government action.

So if only one in a thousand can tell us what those first five freedoms are, how can they establish, then, the freedom of speech and religion and press, and freedom to address the government with our grievances; and finally, the freedom of assembly. Two of the most important elements, at one time or another, to resist our government.

So, Mr. Speaker, I conclude by pointing once again to one of the Founding Fathers, which I often do, maybe to the boredom of some, but it was Ben Franklin, as he walked out of a little church in Philadelphia, who was asked by a citizen, Mr. Franklin, what form of government have you given us?

And he said, Madam, we have given you a republic. And it will fall to each and every generation to defend, to sustain, and to improve it.

Mr. Speaker, with the results of that poll, I would tell you that we are tardy in our work and we need to pick up the speed and educate our people as to the form of government that we got.

□ 1700

The SPEAKER pro tempore (Mr. CAMPBELL of California). 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.)

ANOTHER RECORD TRADE DEFICIT

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent to claim the time of the gentlewoman from California (Ms. WOOLSEY).

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

There was no objection.

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, America's economic strength can be measured by her trade accounts, whether we are exporting more goods and services than we are importing; and if we do export more than we import, America's economic strength grows. But when America imports more than she exports, her economic muscle weakens.

This chart that I brought to the floor this evening shows that since the mid-1970s, when America began signing very unbalanced trade agreements with other countries, every single year America began to import more than she exports. This last year of 2005, we had a historic trade deficit with the world totaling over $750 billion, three quarters of $1 trillion. Indeed, it was $725 billion more in imports coming into our country than exports going out. This is not an insignificant amount. This has never happened to the United States of America before.

In January, America imported this year $68.5 billion more in goods and services than we exported. This was an all-time high just for 1 month, an increase of over 5 percent from last December. This year in agriculture alone for the first time in American history since the Pilgrims settled, the United States will import more food than we export. Think about that. Think about what that means for America's independence, our birthright of independence.

According to Alan Tonelson at the U.S. Business and Industry Council, America's condition cannot be explained by high oil prices. That makes these numbers worse, but Mr. Tonelson says the January trends spotlight the continued decline of U.S. national competitiveness in ''industries of the future,'' such as high-tech hardware and services, and throughout our vital manufacturing sector.

Today, many companies, airline companies, automotive parts companies like Delphi, a data corporation in my own district which just announced bankruptcy, all of them are teetering and a sign that imports are displacing what America used to make and send elsewhere. Today's report by the U.S. Department of Commerce suggests that the U.S. current account trade deficit for this year will probably surpass $1 trillion, $1 trillion; and that is on top of the $9 trillion of public debt that has been amassed since 2000 in our country. Truly, we are a republic teetering financially, losing our independence because somehow we have to fund these gaps in what is owed publicly and in this trade account deficit. And we are borrowing in order to make up the difference, and we owe interest on those borrowings.

In order to sustain such an unprecedented and rapidly accumulating deficit, we are dependent on this massive borrowing from abroad and selling off valuable U.S. assets just like a fire sale, like you go to a pawn shop. To sustain a deficit like these, we are dependent upon investment by foreign agents like Dubai Ports World, which is in the headlines again today.

Our country cannot be secure, cannot be secure, from the defense standpoint or financially under conditions like these. And yet after 12 years of evidence of the failure of trade agreements like NAFTA, Trade Representative Portman continues to negotiate trade deals like the CAFTA agreement. This year the administration intends to bring new trade agreements under the same failed model like the U.S.-Peru Free Trade Agreement and an agreement with Colombia. Peru, a country that employs child labor, and Colombia, where labor leaders are more likely to be killed and are, summarily, more of them than anywhere else in the world.

How can our workers compete with these conditions? How can our small business people, how can our salaried executives compete with undemocratic places, no transparent legal system, no banking system that really functions openly?

The answer is we cannot. We simply cannot. So we are outsourcing everything to these places. And that is why imports are rising faster and faster and the people in those other places cannot afford to buy what is made by the people of this country who have sustained a middle-class life-style until now. Despite modest economic growth in our country, middle-class workers are not seeing any rise in their income. That is right: inflation-adjusted income for all households except the very wealthiest is flat. This may be the first generation in America when our children do not live as well as their parents before them. And you know what? The American people know it. They know it.

This is not the American Dream. This is the American nightmare.

Please sponsor the Balancing Trade Act, H.R. 4405, that would require action by the administration when we sustain these kinds of continued trade deficits with other nations. It is time for America to become independent again. It is time for America to restore her promise to all of her people.

THE ROLE OF THE FEDERAL GOVERNMENT

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

Mr. BISHOP of Utah. Mr. Speaker, when we have the opportunity of bringing tourists to this great Hall, we show them the ceiling, the cameos of all the great lawgivers in the world, two of whom are actually Americans.

On the Speaker's left up there is George Mason, one of three people who stayed through the entire Constitutional Convention and then at the end refused to sign the document because it did not include a Bill of Rights. It was important for him because he thought that was the purpose of actually preserving individual liberty for people.

I sometimes find it unique that those great Founding Fathers, the people we venerate, Hamilton, Madison, Washington, Franklin, Dickinson, and others, refused to add a Bill of Rights. It

was not because they were opposed to individual liberty. They found an alternative form of providing that particular liberty in the structure of government that we have.

One of the unwritten foundations of our system of government and the Constitution is the concept of federalism. We eventually did add a Bill of Rights, which is misnamed. It actually should be called a ''bill of wrongs.'' It is a list of things that are wrong for the government to do no matter how many people want to do it.

But in addition to that, the Founding Fathers instilled within them a system of structure to preserve those same individual liberties. They realized that increasing the number of competitors of power is more significant than increasing the number of prohibitions listed. And what Madison said in his Federalist Papers about ambition counteracting ambition, they recognized very clearly as they established a system of government that had a horizontal separation of powers between the three branches of government but equally important to them was a vertical separation of powers between the national government and States, and the sole purpose of that structure was to preserve individual liberty.

The Federal Government has its role and function. There are certain things the Federal Government does. Well, what we bring to the table as the Federal Government is uniformity, which sometimes is a necessary need. If, indeed, uniformity is important, it is the Federal Government that can preempt States. But on the other hand, our States also bring something to the issue of governance. It is a State that can be innovative.

In one of these dissenting opinions in the 1920s, Justice Brandeis, and I will paraphrase, simply called the States the great laboratory of America where experimentation could be made without actually harming the entire country, where, indeed, creativity takes place. It is the States where justice can be maintained because there are mitigating circumstances in the lives of the individuals who make up this great Nation; and when you have a system that is uniform of one-size-fits-all, it cannot take account of all those mitigating circumstances. And, indeed, in having uniformity, we often harm people in the process of doing that.

The Federal Government is not vicious. It does not intend to do harm. But its very design of one-size-fits-all means that individual needs cannot be met and only State and local government can do that.

Our goal as the Congress should not be to create a more efficient government, a kinder and gentler way of controlling people. Our goal as the Federal Government should be to do less, to move the decisions of power from this city back to States and localities where creativity, where justice, where innovation can actually take place. If we do so, if we move those decision centers, we ennoble the spirit of this country. We empower people to solve their own problems in creative ways, and we may even learn something in the process.

In so doing, I am very grateful that the gentleman from New Jersey, who will be speaking in a minute to you, Representative GARRETT of New Jersey, has initiated a 10th Amendment Caucus aimed at trying to once again bring back those principles so we clearly understand this important lesson, the structural need that the Founding Fathers put into our system of government.

The 10th amendment, the last of the Bill of Rights, is still there. It clearly states: ''The powers not delegated to the United States by the Constitution . . . are reserved to the States respectively, or to the people.''

If we, indeed, learn that lesson, what I hope will be happening through this effort, spearheaded by Congressman GARRETT, will be an effort to illustrate, as time goes on, how the overhelpful hand of the Federal Government can actually harm people, not intentionally, but unintentionally actually harm people. We hope, as time goes on, to bring specific initiatives which will help this country reach the goal the Founding Fathers had of providing personal liberty by a strong balance of power between the national and State levels. For if Congress is willing to lose that power, the people will gain personal liberties in the process.

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

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

INTRODUCING THE CONGRESSIONAL CONSTITUTION CAUCUS' WEEKLY CONSTITUTION HOUR

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

Mr. GARRETT of New Jersey. Mr. Speaker, I come here today to announce what we begin as hopefully a regular occurrence here on the House floor. Members of the Congressional Constitution Caucus will use these opportunities to highlight for our colleagues and for the Nation the need, justification, and plan to ensure that our government is operating consistently with our Founding Fathers' intent, and that is limited, leaving most authority over domestic issues to the States, local governments, and the people themselves.

As the founder of this caucus, a caucus dedicated to the adherence of the 10th amendment, I strongly believe that this body must begin to be more squarely focused on these important constitutional principles that we have already heard tonight.

Before I begin, let me express my sincere gratitude to my friend from Utah, who has volunteered to lead this effort here on the floor, this important education effort, but has also been a consistent and long-time champion of the notion of a limited and effective and efficient Federal Government. He routinely fights to ensure that his home State and the other States as well are entrusted with the authority and oversight promised to them as each was admitted to this Union.

I look forward to working with the other members of the caucus, as well, who share the sentiment that our Federal Government has taken far too much authority over programs that State governments have traditionally been much more effective in administering. And I invite my other colleagues to join with us.

This is really as old as our Nation itself. Our founders were very clear when establishing our system of government. They intended to set up a republic of sovereign States capable of self-governing, with a small, central government with clearly defined and limited powers.

Only the powers specifically limited and set out in the Constitution are to be administered by the Federal Government. All others are to be left to the States, local governments, or to the people themselves.

Dividing sovereignty between the Federal Government and those of the States and localities prevents an unhealthy concentration of power at any one level of government, and this is something that James Madison in The Federalist No. 51 wrote is a ''double security'' for the people.

Unfortunately, throughout the last few generations in particular, the intent of the 10th amendment, that of a limited and efficient central government, has basically melted away. There are those who support a bigger, more centralized government. They believe that a government-run bureaucracy can make the best decisions for the American people. They believe the good is in higher taxes. Well, sir, I strongly disagree. As a Member of the House Budget Committee, I am very much aware of where this leads our government, an overbloated Federal Government, consumed by deficits of over $400 billion that delivers sub-par public service.

Congress on almost a daily basis allows our government to grow, to push us further into debt and to take away from the limits imposed on the historic day when the Constitution was first ratified. What every Member of Congress needs to ask themselves each time they slide their card into one of these spots and votes, they must ask, does the bill I am voting on violate the U.S. Constitution? Does it take away the rights promised to our constituents and put them in the hands of the bureaucracy here in D.C. instead?

Mr. Speaker, I remind this body, the Constitution does not only protect the rights of the people, it also protects the rights of the States. This is our responsibility, to remember them when we write, debate and vote on legislation here in this Chamber.

What I am urging here is not only a political philosophy that most would argue has drifted from the mainstream, but a most important one that has affected our budget, and a gloomy budget forecast it has been for the future.

This is what the caucus is about, these weekly information sessions. It is really well past time that we turn a critical eye on to the Federal Government. This will be how we will lower our deficit, grow our economy and ensure that America remains that ''beacon on the Hill.''

Now, aside from being informational, this caucus also seeks to make specific legislative gains in the name of governmental efficiency and constitutional adherence. We will support legislation that seeks to return power and authority back to where it belongs, to the States, to the local governments and to the people.

So, to close, I look forward to working with my friend from Utah and other members of this caucus and other Members of this body, from both sides of the aisle, as we work each week in the days and weeks ahead. We owe nothing less to our constituents and to generations, both past and future, to defend this great experiment of American republicanism and democracy.

□ 1715

The SPEAKER pro tempore (Mr. CAMPBELL of California). 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 Maryland (Mr. VAN HOLLEN) is recognized for 5 minutes.

(Mr. VAN HOLLEN 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 OFFICIAL TRUTH SQUAD ON THE HISTORY OF AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Texas (Mr. POE) is recognized for 60 minutes as the designee of the majority leader.

Mr. POE. Mr. Speaker, the Official Truth Squad tonight is going to continue the theme that has already been addressed by three of our friends, Mr. OTTER from Idaho, Mr. BISHOP from Utah and Mr. GARRETT from New Jersey. They have been talking about our history. They have been talking about the philosophy of America and who we are and what we are and what we stand for. So for the next few minutes we will be discussing our history, the American Revolution, the people who lived before us, what they thought, what they wrote, and what they said.

I have with me tonight my friend from Texas, another freshman, Mr. CONAWAY from West Texas, and he is going to start out discussing our heritage and giving us some truth about who we are, what we are, and what we stand for.

Mr. CONAWAY. Judge, I thank you. I appreciate the opportunity to share this hour with you tonight and to be able to discuss these very important topics with our colleagues in the House.

One of the things that occurred to me while I have been here in Congress is that we don't do a real good job of delineating between the role of the Federal Government and everybody else. There is a great push every single day while we are here to expand the reach, to expand the scope, to expand the Federal Government's role in all of our lives. One of the reasons for that is I don't think we have a really good, clear appreciation for our founding documents.

So I have introduced a bill, H. Res. 485, called the America Act, a modest effort to reinstitute the Constitution in America, which would require every Member of Congress, every Representative, every Senator, to read the Constitution once a year. It would also require our senior staffers to also read the Constitution, because an awful lot of what you and I do every single day is somewhat influenced by what our staff does; the idea being that you and I raise our hand in January of every odd-numbered year, one of the seminal moments of my short term here in this Congress in January of 2005 when we stood up to take our oath of office. We pledge to protect and defend the Constitution. In our role as lawmakers, we write laws to implement the Constitution, and, every once in a while, we attempt to change the Constitution.

So it seems pretty self-evident to me we should know what is in the Constitution, and, given the reach of this Federal Government over the years, it seems we may have lost our way with respect to that.

When the Constitution was being written 230-plus years ago, there was a constant struggle or tension, as has already been discussed on this floor tonight, of what the role of the Federal Government should and should not be. Those headed up by Alexander Hamilton thought a wide-ranging, wide-reaching government would be appropriate. Others, such as Adams and Jefferson, thought a much more narrow interpretation of the Constitution would narrow the scope of this Federal Government.

I doubt that if our Founding Fathers could join us today, that even the strongest proponents of the most expansive Federal Government would recognize what we have done under the Constitution with this Federal Government. It reaches into every single portion of our lives.

You and I also, when we campaign and when we are talking on this Hill, talk about reducing the size of government, reducing Federal spending, the threat that the growth in spending has to our way of life.

The real solution, in my mind, is going to lead to some hard decisions that sweep major programs, major perhaps Cabinet-level agencies, out of the Federal Government; a clear recognition that this Federal Government should be limited; that there should be certain things that are totally left up to the States. I am not going to name any of those tonight, because that is going to create some controversy when we begin to talk about that.

The truth of the matter is if we are, in fact, going to rein in the growth of the Federal Government, we have to begin limiting the reach into particular areas that our Founding Fathers did not envision. So a modest step, a new effort to try to help each of us understand clearer what our role should be and what this Federal Government's role should be in our day-to-day lives, will be a reading of the Constitution.

So I am going to begin asking each of my colleagues to cosponsor and join this effort to pass this resolution that would require all of us to read the Constitution once a year. It is going to be an honor system. We are honorable men and women in this body, and I think we can trust ourselves.

I am a CPA by trade. You are an attorney. Our professions all require continuing professional education: doctors, lawyers, engineers, CPAs. CPAs in particular have to have 40 hours a year of continuing education just to stay current.

It seems to me that politicians and folks serving this body should be as well informed about their job as anybody serving in a profession should be informed, and the start of that would be the Constitution, the base document on which this great hall is founded.

So this requirement would require each of us to read that Constitution once a year, and record that in our records, and be available for constituents to ask us, now, when is the last time you read the Constitution, Mr. Congressman?

I want to thank my good colleague from Texas, the great judge from the southeast part of the State. We are from the same State, but we are probably 600 miles apart in our homes. But it is a wonderful State to represent,

and I am honored to have TED POE and the freshman group with me this year. I want to thank you for giving me this time to share this hour with you tonight.

Mr. POE. Thank you, Mr. CONAWAY. You made several excellent points about our heritage. Reading the Constitution is certainly something that all Members of this body ought to do on a regular basis.

I would hope all school teachers in this country would pick up this document, read it from time to time, and have their kids read this document. It is not very long. I have with me a pocket Constitution and Declaration of Independence that many of us in this House carry with us every day.

Your comment about taking an oath to uphold the Constitution: Not only do Members of the United States House of Representatives raise their right hand and swear to uphold the United States Constitution, but every elected official in this country takes that same oath. Members of the Supreme Court take it, the President takes it, every State representative, State senator, the Governor of every State. Every peace officer takes that oath, every member of a city council, every school board, every person in public service in our country takes an oath to uphold the Constitution. It is the only oath that most of us take while we are serving in office. It certainly is an oath that we are obliged to follow.

Several years ago the world was divided between free and unfree, and we had this Iron Curtain that existed in much of the world that separated those of us who are free and those that were not free. After the great wall came down, we heard many stories about those oppressed people who lived behind the Iron Curtain and what their life was like in that political slavery in which they found themselves.

Several prisons throughout the Eastern Bloc of Europe housed political prisoners, one of which was a Czechoslovakian student who had been imprisoned and sentenced to 5 years for reading from a prohibited document in that Communist nation.

What he did, he found himself on the steps of Prague University. He stood there, defiant, and quoted a document from history. It went something like this: ''We hold these truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness.''

For reading from that document, that Czechoslovakian student went to prison. Yes, that is a portion of the Declaration of Independence, our Declaration of Independence, written by Thomas Jefferson.

Thomas Jefferson's Declaration of Independence justified to the world our independence from Great Britain. It gave the reasons why we had the divine right to leave that country.

It starts out, ''When in the course of human Events, it becomes necessary for one People to dissolve the Political Bands which have connected them with another, and to assume among the Powers of Earth, the separate and equal Station to which the Laws of Nature and Nature's God entitle them, a decent Respect to the Opinions of Mankind requires that they should declare the causes which impel them to the Separation.''

That is how the Declaration of Independence starts. It gives the justification, the divine right, for an independent Nation, and, first and foremost, sets the parameters on where we get rights.

As many in this body do, I from time to time talk to kids in schools, the younger the better; talk to them about America and our history, our glorious history. And I ask the question many times to students, where do you get your rights? And I hear all kinds of answers. ''My parents give me the rights.'' ''Teachers give me rights.'' ''The government gives me rights.'' More often than not, most of them say, I don't know where I get my rights.

But the Declaration of Independence establishes to the world, first and foremost, where we receive those rights.

So there is no misunderstanding, Thomas Jefferson in the Declaration of Independence wrote it down, that was later signed by 54 signers of the Declaration of Independence, that ''We hold these Truths to be self-evident.'' The truth. It is obvious. That is what that means. We hold these truths to be obvious. ''That all men are created equal, that they are endowed by,'' and notice what the word is, Mr. Speaker. It doesn't say government. It says ''their Creator, with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness.''

We live in a time where in our society we don't want to talk too much about the Almighty.

□ 1730

Or we may offend somebody. We may get sued. Our schools may get sued if they happen to mention God in the public school system.

Well, they are going to have to mention the Creator if they are going to mention the Declaration of Independence, because the philosophy of who we are is that we receive our dignity not from government but from a creator, from a supernatural being.

And the rights that we have come from the creator. Many times we hear about the right of life, liberty and the pursuit of happiness, but for some reason we seldom say where those rights come from.

Mr. Speaker, this is a big deal. It is not a minor deal. Because, you see, government does not have any rights; only people have rights. Government has power. And it gets power from us, the people. We are higher than government. We are not lower than government.

And this philosophy was new in 1776. Always before, the King was most powerful or the dictator was most powerful, or the military; Caesar was most powerful, not the people.

And so when our forefathers got together and started talking about this concept of freedom and independence and America, they knew that the rights that they wanted to talk about did not come from the King; they did not come from a dictator; and they did not come from some military official. They came from the Creator.

Because, you see, if they came from government, that means government can take them away. And the only way government gets its power is from us, the people. So the most important phrase in the Declaration of Independence establishes that the rights that we all claim to have come from a creator.

It is interesting to note when Thomas Jefferson first penned the Declaration of Independence, his first draft, the three rights that he mentioned were life, liberty and property. But after it was debated, the issue was changed from property to pursuit of happiness.

You know, it is important that we understand some basic principles about our past and who we are. Tonight, Mr. CONAWAY and several others have mentioned Alexander Hamilton. And Alexander Hamilton understood that principle that Jefferson wrote about, that our forefathers signed.

And he said in 1775, a year before Jefferson's Declaration of Independence, that sacred rights of mankind are not to be rummaged for among old parchment or musty records. They are written as with a sunbeam in the whole volume of human nature by the hand of the Divinity itself and can never be erased or obscured by mortal power.

One of our forefathers, once again speaking to the absolute truth, that rights that we have are because of a creator. And we have that right, those rights, because of the dignity and worth of the individuals, all of them because of that.

Now, government seems to be very powerful nowadays, our Federal Government does. As Mr. CONAWAY mentioned, I doubt if our forefathers would believe the power of the Federal Government over the people.

Now, whether we think it is a good idea or not, the power is tremendous. Now, think about the different things the Federal Government has gotten itself involved in since the Revolutionary War. For example, I will give you one minor example. Where in our Constitution do we give the Federal Government the authority to decide what every toilet bowl in the United States looks like and how much water runs through it?

But yet the Federal Government has assumed that authority, that power. And you can go on and on and on talking about the role of government and the power of government. But I think all of us would agree the Federal Government today is more powerful than it ever has been.

And every time we give government power, I am talking about the people, because we give them that authority, because government does not have any rights, we take a little bit of liberty away from the rest of us every time government makes those decisions.

And there is a difference between the government in control and having all authority, and the independent or the people having authority. I have used the example of the Iron Curtain and Communism. There are many Americans today who did not live during the time of what we call the Cold War or during the time and have watched what occurred behind the Iron Curtain.

I had the opportunity back in 1987, almost 20 years ago now, to go to the Soviet Union and it was the Soviet Union at that time, a Communist nation that believed that the state was all powerful and all authority and rights went to the state.

And the state doled those responsibilities and duties out to the people. But all citizens looked at the ''Almighty State.''

And I spent some time there traveling different portions of the Soviet Union. Quite an experience. Different than being here in the land of the free and the home of the brave.

But some examples of that. When I went to the Soviet Union, there was only just three of us that went over there. All of us were judges. And everywhere we went, we were followed. Usually by the KGB. We were followed two ways. Sometimes we were followed with the KGB agents right behind us. He or she wanted us to know that they are there. That was about half of the time.

Other times we were followed, and we knew that we were being followed, but they were where we could not see them. But every place we went, we were followed by the government.

We stayed in hotels in the Soviet Union. And the way it worked was you would give your passport to someone at the end of the hall, and they would give you a key to your room. When you left your room, you gave your key back to the person in charge, and they gave you your passport back.

They would also give you a slip of paper that allowed you to get out of the hotel. You needed that piece of paper and your passport to get back into the hotel. If you did not have this government document, you never got back into the hotel.

While we were gone, our hotel room was search every time. And those who searched our rooms wanted us to know that the room was searched. Our phones were bugged. We could tell, when we were listening to phone, that it was constantly bugged.

And the people in the Soviet Union, you know, they are good people. But you could tell by the way they walked and carried on their daily lives they were oppressed. What were they oppressed with? The power of government in their personal and private lives, because government completely controlled everything, from where they worked, to their health care system, to where they lived, to whether they could even leave the city on a little vacation. Total government control of the individuals, because government had to assert the individual's worth and had taken it on as the power of the state.

And we got to talk to a few Soviet citizens. They were very skeptical about talking to Americans. They would usually tell you directions, but they never wanted to talk much about life in the Soviet Union because, you see, there is a crime under the former Soviet regime that said it is a crime to engage in anti-Soviet activity.

Now, that is a very broad statement. What is anti-Soviet activity? Well, it is anything that the government says it is: talking to the wrong person, taking a photograph of a particular building, writing something in a letter, trying to get on television to say something about the government. Any of those could be engaging in anti-Soviet activity and would cause this citizen to be arrested and tried by that oppressive government.

After we left the Soviet Union, we flew out on a Soviet aircraft, Soviet commercial aircraft. There were not very many of us on the plane. We are all Westerners. As soon as the pilot comes on and announces in English that we are leaving the airspace of the Soviet Union and are now entering the airspace of Finland, everyone on the airplane immediately cheered.

I mean, it was spontaneous cheering. And when we were getting off the airplane in Europe, I asked this flight attendant, I said, what did you think about all of us Westerners cheering when we got out of the Soviet Union? He said, it did not surprise me, because it happens every time we fly out of the Soviet Union.

So the oppression in the Soviet Union was lifted because of the people in the Soviet Union and the people in the Free World. And that is why freedom is so important, because it is not just something Americans possess or want; it is something everybody wants. The people in the Soviet Union want freedom just like those people in Iraq want freedom, and Afghanistan, because it changes the worth of the individuals and puts the individuals most important and puts government below the individuals.

And that is exactly the way it ought to be. You know, the 54 signers of the Declaration of Independence, some people have said when our country got together and started, those 54 people from all walks of life, many of them very wealthy in their own right, were the smartest and wisest people that ever existed as a group in American history to formulate these concepts of freedom.

And the purpose of the Declaration of Independence was to establish the reasons why we had the right as a people to leave an oppressive government, Great Britain; and it was justified and outlined in the Declaration of Independence.

After the Declaration of Independence was signed and the war with Great Britain was won, after several years, it was noted that freedom is always expensive, it costs the lives of other freedom fighters, because it is that important that life is put on the line for freedom. Success occurred. The Nation was free. But we did not have a basic rule of law to follow as a people. We started with the Articles of Confederation and basically the Articles of Confederation gave the Federal Government very limited authority.

And so our Framers got together again at the Constitutional Convention and drafted the Constitution that we have now. There were 55 delegates to the Constitutional Convention; 39 of them signed the Constitution. Several of them did not, one of whom was Patrick Henry, one of my heroes from Virginia: Give me liberty or give me death.

He would not sign the Constitution. The reason he did not is because it did not ensure and protect individual liberty or what we now call the Bill of Rights. The average age was 42.

A French diplomat that was here in the United States at the time made this comment about those people who got together to frame our government. He said that never before, even in Europe, had there been an assembly of more respectable people for talent, knowledge, disinterestedness and patriotism to a cause than these that are assembled here, talking about our forefathers who got together to frame this document called the United States Constitution.

And before they started discussing this document, the Constitution, Benjamin Franklin, who was in his 80s at the time, said that if the Good Lord above is concerned about a sparrow that falls out of a tree, certainly he would be concerned about a new nation at its birth, and maybe we should ask for his guidance through prayer.

And when he made that statement, those men at the Constitutional Convention got together and prayed before they wrote that document. That is one reason why in this House every morning we start with a prayer, needing Divine guidance and wisdom for the decisions we make.

□ 1745

And so when they set up this new concept it started out with the simple phrase in the Preamble that, ''We the People of the United States, in Order to form a more perfect Union, establish Justice, ensure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.''

So the Constitution starts out with the purpose of government and why we

as a people get together and form government. Government's main duty is to protect us, protect us from domestic and foreign enemies.

The Constitution established three branches of government. It established the legislative branch, the executive branch, and the judicial branch; and, if you read the Constitution, established it in that order.

This is part of the legislative branch. We call this the people's House. The reason we call this the people's House is because to be in the United States Congress as a Representative, you have to be elected. You cannot be appointed to the United States Congress. Even on a vacancy, there has to be an election.

So all Members of this House, all 435 of us are elected somewhere in these United States, each representing about, now, 651,000 citizens.

Down the hallway we have the second house, the United States Senate, two Members from every State in the United States. And when the Senate was first designed, the Senate's purpose was to represent States, and the representation of each State was put with two Senators, U.S. Senators. At first the legislative bodies of each State determined who the Senators were. And later, by a constitutional amendment, that was changed so that the people of the whole State elected their Senators.

So we have the people's House, we have the United States Senate down the hallway. And the reason we call that the Senate and this the people's House is because, even in the Senate, if there is a vacancy, there can be an appointment by the Governor until there is an election. And that was put as the basis for all democracy because we represent the will of the people of the United States of America in making our decisions.

Down the street is the second branch of government, the President of the United States and the Vice President, the executive branch of government. The purpose of the legislative branch is to write the law, or, I call it, write the will of the people. That is what we are supposed to do. That is what we are supposed to do, write the will of the people, enact the law and the will of the people. The President's, the executive branch, is to carry out the will of the people.

Unlike the House of Representatives, we are elected for 2 years, the Senate is elected for 6, the President is elected for 4 years. The second branch of government.

The third branch of government is on the other side of this House. It is across the street here. It is called the Supreme Court of the United States, the judicial branch of government. Members of the judiciary are appointed for life, at least in our Federal systems. I was not appointed for life. I had to stand for elections as a judge in Texas, and many States elect their judges, but in the Federal system judges are appointed for life.

So we have, in the middle, the legislative branch; down the street, we have the executive branch; and we have the judicial branch. And I think it is worthy to note that in the Constitution our forefathers envisioned that this body, Congress, should be the most powerful branch of government because we represent the people. The people put us here. And so that was their philosophy.

The second most powerful branch of government was to be the executive to carry out the law, the President. The weakest branch of government was to be the judiciary because, you see, they are not elected. They are appointed for life. And they were to interpret law to the extent that if a law passed by Congress was passed, and it violated the Constitution, it was to be overturned, and Congress was supposed to write another law that would pass muster.

It is interesting to note that that symbolism of Congress being the most powerful, legislative branch most powerful, the President being the second most powerful, and the judiciary being the weakest even occurs here in this House at the State of the Union message that just happened not too many weeks ago. And if you recall, Mr. Speaker, at the State of the Union message, at the top of the rostrum the Speaker of the House of Representatives was there along with the Vice President. The Vice President is the Speaker of the Senate.

The legislative branch was at the top of the podium. The President spoke from the second podium below the legislative branch. When President Bush spoke, he was below the legislative branch. And it is interesting to note that the Supreme Court of the United States sits even lower, down here on the House floor. It is symbolic of the way that our forefathers meant for government to work.

Even though that was the way they established our country and the Constitution, it is not that way anymore. I think few would argue that no longer is the legislative branch the most powerful branch of government. It is the weakest branch of government. The President is still the second most powerful branch of government, the executive branch. But the judiciary is now the most powerful branch of government; because, you see, in many cases the judiciary has taken over the role of not just the judiciary but the legislative branch. When they find a law they do not like, they do more than rule it unconstitutional; they move it a step further and legislate the way things, in their opinion, ought to be.

I personally think that is a disservice to our Constitution. Hopefully those nine men and women down the street will understand that their role in government was to be people who interpret the Constitution and not pass law. That is one reason myself and Judge Gohmert resigned as judges. We want to make law and pass law rather than interpret the law.

So in any event, that was the way our Constitution envisioned we were to work things and how this government we have is to function. The Constitution was inadequate because it did not provide for a protection of citizens of their basic rights. And we have even heard tonight some comments about the Bill of Rights, and it is really more than a Bill of Rights that we have. It is a bill of prohibitions against government.

If you go through and read each of the amendments to the Constitution, especially the first 10 amendments, you will see that the amendment's purpose is to protect us from government. It does not bestow rights on government. It bestows more prohibitions on government, on how government is to treat the people. And I will just mention one of these basic rights or amendments tonight.

The first amendment. It is first for a reason. It did not just happen to show up first. The people who put that first had an absolute commonsense reason for establishing the first amendment to be first because of what it says. That Congress shall make no law, it does not seem very difficult to understand that, Congress should make no law respecting an establishment of religion or prohibiting the free exercise thereof.

That is basically two rules that Congress, that is us, cannot violate. We cannot as a body establish a national religion. You see, the Church of England was a national religion and our forefathers, one of the reasons they came over here was because of religious persecution in Europe, England, and other places. And they did not want to uphold the national religion, and to prevent that from happening here in the United States, Congress was prevented from establishing a national religion.

You notice it says ''religion.'' It does not say ''prohibition about the Almighty.'' It says ''establishing religion.'' And also Congress cannot make any laws prohibiting the free exercise of religion.

Now, the first amendment and the first phrase was first for a reason: because our forefathers wanted to practice religion and religious freedom, and they wanted government to stay out of the way of both of those.

Now, I wonder whether or not we are balancing these two prohibitions. Is government allowing in our country the free exercise of religion or not? And it all comes to the interpretation of this very simple phrase. The second right and prohibition by government is Congress shall make no law respecting the establishment of religion, prohibiting the free exercise thereof, or abridging the freedom of speech.

The freedom of speech was second in the Bill of Rights. Or freedom of press.

And you notice it does not say ''fair press.'' It just says a ''free press.'' That is what we are guaranteed. The right to have a free press, not necessarily fair, because fair is always in the eyes of the

reader. In any event, the rights of freedom of speech and press were next, and then the right of us, the people, to peaceably assemble and petition the government for redress.

You see, these rights are first because if you do not have these, the rest of them in the Bill of Rights do not mean anything. And when this speech phrase was put here, it was put here because there were two types of speech our forefathers wanted to protect: religious speech and political speech. You see, that is the controversy. You could not say what you wanted to say about the king. You might get in trouble. And so political speech is protected. Religious speech is protected. And that is why you have the right of freedom of speech and, of course, the right of press. And a free press protects the rights in this amendment and all the others as well. And, of course, the right of the people to assemble and petition the government.

So as we progress in the next few weeks, we will talk more about our Constitution in detail, hopefully getting some interest in the American public, into reading this book. Most books like this have the Declaration of Independence in it and then the Constitution.

The Declaration of Independence was the promise. The Constitution was the fulfillment of that promise. And it is a philosophy our forefathers had that we still are arguing and debating about tonight and debating in this House on a constant basis. It is the idea of freedom from government, or government controlling us. That is the choice we make every time we pass legislation.

Every time we give government more authority, we are taking more authority and responsibility from us, the individual and the people, and willingly giving it to government. Maybe we should do that and maybe we should not. But freedom is something that is very valuable. It is, in fact, the most valuable thing that any of us as individuals have or will ever have. And that is why the Founders of our country believed and died and lost so much to be free from British rule.

It is now a world we live in, where many countries are free, that raise the value and worth of the individual to its highest level and put government below the people. And in this country we must constantly be vigilant to protect the people from government, because it is government's responsibility to do our will, not our responsibility to do government's will. Our will is paramount to the government's. And the only way government gets authority is because we decide to give it authority over the rest of us.

I want to thank you, Mr. Speaker, for allowing me to spend these few minutes talking about these great two documents, the Declaration of Independence, the Constitution of the United States. And as the weeks progress, we will talk more about these truths that are self-evident, that these two documents are who we are, what we are, what we stand for, and what we will continue to stand for.

MESSAGE FROM THE SENATE

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

H.R. 1053. An act to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Ukraine.

□ 1800

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mr. SCHWARZ of Michigan). Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes as the designee of the minority leader.

Mr. MEEK of Florida. Mr. Speaker, it is an honor once again to come before the House. I would like to thank Democratic leader Nancy Pelosi for allowing us to have the time and the Democratic whip, Mr. HOYER; Mr. CLYBURN, our chairman; and Mr. LARSON, our vice-chair.

Mr. Speaker, we have been coming to the floor all this week. We are going to be talking tonight about our plans to hopefully move this country forward. Maybe we can work together in doing that in a bipartisan way. Mr. RYAN is here at the top of the hour tonight, and I am so glad that you are here.

Mr. RYAN of Ohio. Mr. Speaker, it is great to be here. We have a lot to talk about again, as we wrap up another week of business here at the Capitol.

There are a lot of issues facing our country, and I had a lot of meetings this week on different issues: education, folks in about manufacturing, about the local economy and the problems that they are having with pension and health care.

I think if you look at what is happening in the country, you will see that most Americans either intellectually or in their gut realize that the country is going in the wrong direction.

So our plan tonight, as we come here several nights a week, is to try to let the American people know that we are moving them forward.

Mr. MEEK of Florida. Mr. Speaker, it is very easy to say that, trying to let them know that we are moving forward because that is what we are trying to do, Mr. Speaker. We are trying to move this country in the right direction. Unfortunately, I must add there has been a lot of discussion here under the Capitol dome about who we are going to do business with, how we are going to do business with them, and how we are going to prevent ourselves from getting into a situation like this ongoing port situation that is some back-room deal that took place with a special committee, and we are finding out more and more about it each day.

When we start, I do not really want to focus on that, Mr. Speaker. I want to focus on the fact that we talk about working in a bipartisan way. The Republican Party here in this House is in the majority. That means that the majority has the opportunity to lead in a comprehensive way, including all Members of the U.S. House of Representatives, as we start to move down the road to not only making this country financially secure but secure its borders and secure all America.

Mr. RYAN of Ohio. One of the issues that I think is a fundamental issue that we have in the country facing us is the issue of balancing the budget here and making sure that our country pays its bills. The Republican majority has not been able to get themselves together in a comprehensive way, as you said, to try to balance the budget here in the United States.

I want to just make a point here, and we have got several charts I think that are pretty powerful in illustrating this point.

The Republicans have increased the debt limit, Mr. Speaker, by $3 trillion, $3 trillion. This Republican Congress, Mr. Speaker, has said to the Treasury Department, go ahead out and borrow that money. In June of 2002, increased by $450 billion. In May of 2003, increase of $984 billion. In November of 2004, $800 billion, and we have an increase coming that is going to probably come in the next couple weeks of another $781 billion. Over $3 trillion this Republican Congress has okayed for the Treasury to go out and borrow because this Republican Congress does not have the fiscal responsibility or the discipline to rein in spending.

Mr. MEEK of Florida. There is no probably about it. You are saying they probably will raise the debt ceiling. There is no probably about it. It is going to happen.

We have our rubber stamp here because you know that they are going to rubber-stamp this deal. They are going to take this stamp out, and they are going to rubber-stamp raising the debt ceiling. What does that mean? What that means, by some $821 billion, raising the debt ceiling, even more, beyond where it is now, and that is just the number that I received recently that Secretary Snow has predicted we need to raise the debt ceiling by.

It is because of the love affair with special interests, giving oil companies more subsidies or more money in the time that they are making record profits. It is when the President says let us make tax cuts permanent for billionaires, knowing that we have been fiscally irresponsible, Mr. Speaker; and I think it is important, I was about to just give some information that is pretty fresh about what happened last night in Appropriations Committee, and I think it is important for us to reflect on this.

We talk about bipartisanship. We talk about working in a comprehensive

way. We are trying to make that happen. Like you said, we are trying to bring this government back into pay-as-you-go fiscal responsibility, making sure that we do things in the right way.

I just want to say that the Democrats, we want to keep America safe, and I know Republicans want to do it, too; but we are following the 9/11 Commission recommendations of trying to move towards 100 percent container screening. Now, there are some other countries on the globe, I know one in particular, that is doing that, and I think it is important for us to be the superpower of the world, we are supposed to be financial superpower of the world, and we are only checking less than 5 or 6 percent of containers; and I think it is important that I point this out. That is not what Democrats called for. That is what the 9/11 Commission called for, because we believe in working with those that have researched issues and flushed them out so that we can move forward in protecting Americans.

It is not something that came out of the back rooms of some Democratic club somewhere in Sioux City, Iowa. This came about by professionals coming together, past Members of this House, Governors, security people, testimony from FBI, CIA, port directors, individuals that specialize in terrorism.

That is just like our innovation plan. We did not over a cup of coffee and a muffin say, well, what do you think our innovation plan should be, and write it on a napkin. We went out to the CEOs. We went out to the universities of higher learning. We went out to everyday, front-line employers and asked them what do you think we should do as it relates to innovation and where we are lagging. We went to students that are trying to get into the math and sciences and said what do you need.

We went out and we talked to America. We did not just come up with a plan in the back rooms, and we definitely did not get in a room with the special interests and say let us write a bill like the oil industry has had the opportunity to do and some other industries have had an opportunity to do.

I am not holding the oil industry or any other industry at fault here. They are just doing their job. I hold the Republican majority at fault that has allowed us to get in a situation that we are in now.

Real quick, I just want to make sure, just fresh from last night, from the Appropriations Committee, we offered amendments to strengthen how government reviews foreign transactions by mandating a review of all foreign transactions. That amendment was offered, and it was voted down. All Democrats voted for it. Republicans voted against it with the exception of one Republican that voted with the Democrats. That is strengthening, making sure that all transactions are reviewed, not just a few, but all so that we do not have to continue to walk down the same road.

The second vote that came about was by Mr. SABO, basically providing $3.4 billion for critical homeland security shortfalls, including a $1.5 billion for port security needs. I think that it is important to say that, again: party-line vote, 27 Democrats voted for it, 34 Republicans voted against it.

I am glad that we get this information from the committees, and we are sharing with not only the Members who probably were not, there some Members with respect in the Appropriations Committee because all Members are not on the Appropriations Committee, but also, the American people should know. The American people should know exactly what we are trying to do here.

When I say trying, we are trying. If we were in the majority, it would be done. We would have all transactions reviewed dealing with foreign countries. It will happen. We would have had a Hurricane Katrina commission by now, and we would be taking action on what we should do to correct it, and so the oversight would have been different on Katrina. So I think it is important to bring these fresh votes to the floor, not even 24 hours ago.

Mr. RYAN of Ohio. Mr. Speaker, if the gentleman would yield, just as you were saying, this is what you were saying: only 5 percent of the cargo coming in is inspected. Mr. Speaker, our source on this one, our third-party validator on this one, is Fox News. So that is where we are.

Now, here is the recommendation from the Coast Guard. Their own estimates, this is the U.S. Coast Guard and I know you have a Coast Guard, probably more than one facility, down in Miami, in the intercoastal for sure, but this is what the Coast Guard estimates that they may need, $7 billion in order to secure and meet their obligations through the Transportation Security Act. Here is what Congress has appropriated, $900 million, not even $1 billion. We need to be here. Here is where we are.

Now, what have the Democrats tried to do? We have been very aggressive and assertive and proactive in trying to make sure that we meet the obligations to protect and secure our own ports. This is just a laundry list. I am going to run through them real quick here.

November 28 of 2001, DAVE OBEY from Wisconsin tried to put $200 million in grants for port security and studies. Republicans knocked it down 216–211 in a party-line vote.

April of 2003, another OBEY amendment for $722 million to increase security. Again, 221–200. All the Republicans prevented us from increased port security.

Again, Democrats, June 17 of 2003, OBEY again, $500 million, shot down, party-line vote.

June 24 of 2003, OBEY again, Republicans blocked consideration of that amendment by a vote of 222–200.

All of the Republicans are voting to prevent the increase in funding just by a few hundred million dollars. It is not like we want to even say we are going to go for the whole $7 billion that we need, but we are trying to slowly increase the funding for this so we can make sure that we are protecting our ports.

Again, in September 17 of 2003, OBEY, SABO and Senator BYRD tried to increase funding to enhance ports by $475 million. Republicans defeated that amendment on a party-line vote.

Again, June 9 of 2004, Mr. Speaker, again, again and again; June 18 of 2004; October 7 of 2004; again and again, September 29 of 2005, $300 million, again shot down along party lines. March 2 of 2006, again.

Mr. Speaker, we have a real problem here because it seems that every time that the Democrats want to increase funding even marginally to protect our ports, there is a Republican party-line vote that prevents us from doing that. That is what the Democrats are trying to do.

That is our plan.

Mr. DELAHUNT. Mr. Speaker, I heard Mr. MEEK mention the lack of oversight that occurs within this institution, within this branch; and it is a very serious problem, and many have spoken to it.

What I found interesting, while I was at my desk, a friend and colleague of ours, I think it was Mr. CONAWAY from Texas, talked about a bill that he has, I presume, already filed, which would require Members of Congress to read the Constitution once a year.

I listened to him with some fascination, and I would propose that he should consider expanding that particular proposal to include a recognition that a constitutional responsibility of the House of Representatives is oversight of the executive branch and that every Member of Congress should make a solemn pledge before God to honor that responsibility, to conduct oversight.

□ 1815

Because I believe if every single Member of Congress, both Republicans and Democrats, respected that constitutional principle, we would not be beset by the problems that are becoming obvious to the American people. But I didn't hear any mention of that by our friend and colleague, Mr. CONAWAY.

We are not meeting our constitutional responsibility because the majority party, the Republican Party in this branch, refuses, refuses to conduct oversight of the executive branch because of fear of embarrassing the White House. Well, again, their constitutional responsibility does not flow to the White House. Their constitutional responsibility, Mr. Speaker, goes to the American people, not to the White House.

I mean, it is remarkable that during the course of the Bush Presidency we have failed to conduct in-depth probes about some of the most serious allegations of executive abuse and misconduct.

And let me just note a few. The possible role of the White House in promoting misleading intelligence about Iraq's weapons of mass destruction and ties to al Qaeda. Just recently, Mr. Speaker, a former CIA official, who served from 2000 to 2005 and has retired, penned a book that indicated that the intelligence was cherry-picked. Yet this House refused, refused to do any oversight; to ask a single question; to bring an executive branch official before the appropriate committee to ask questions that the American people deserve to have answers to.

And what about the responsibility of senior administration officials for abuses of detainees at Abu Ghraib and elsewhere? What about the role of the White House in withholding the Medicare cost estimates that were in their possession from Congress while we were debating a significantly expensive piece of legislation? In fact, it was acknowledged that the executive White House official in charge threatened to fire, he threatened to fire the Medicare actuary if he told Members of Congress that it was not going to cost $395 billion, according to their estimate, but about $700 billion. And again, no oversight.

And I could go on and on. But I have to tell you, if we are going to read the Constitution, if we are going to impose on ourselves the requirement, Mr. Speaker, to read the Constitution, then let us act in a constitutionally responsible way and meet our responsibility so that the American people know what is happening here in Washington and who is responsible.

Mr. RYAN of Ohio. And it is not just the war, Mr. DELAHUNT.

Mr. DELAHUNT. Of course not.

Mr. RYAN of Ohio. It is the war intelligence that no one here has asked any questions on. It is what is going on with the ports. It is the amount of borrowing that we are doing; this $3 trillion in new debt this Republican Congress and the Republican Senate and House and White House has incurred on the American people and, just like in our own houses, we have to pay interest on that debt, that money that we borrow.

What we are having happen now, because of the reckless and fiscally irresponsible behavior of the Republican majority, it is impossible for us to make the kind of investments that we need to make here, Mr. Speaker. Every single family fundamentally understands the importance of education; yet here is what we have to fund because of all this borrowing. We pay this much on our interest on the debt, not even buying the debt down, but just paying the interest on it, Mr. MEEK. We have to pay almost $230 billion in the 2007 budget.

These little blocks down here, these are the investments that we have to make in education, in homeland security, for veterans. Look how small they are compared to the interest on the debt.

Mr. MEEK of Florida. So what you are saying, Mr. RYAN, is that education could have $250 billion; am I correct?

Mr. RYAN of Ohio. Yes. Yes, if this money could be distributed to these other priorities.

Mr. MEEK of Florida. Like homeland security and veterans?

Mr. RYAN of Ohio. Yes.

Mr. MEEK of Florida. Just wanted to be clear.

Mr. RYAN of Ohio. Yes, these are our priorities as a country. And we can stand here and talk about port security, and we can talk about education all we want, and we can talk about what investments we need to make in alternative energy sources, and we can talk about the Democratic plan for innovation, research and development tax credits, broadband in every household, Mr. Speaker, in 5 years.

Mr. DELAHUNT. But the point is, Mr. RYAN, we cannot afford it because the debt that the American people now owe is in excess of $8 trillion, and on that $8 trillion we have to pay interest.

And what is the amount of interest on an annual basis, approximately? Do we have a range?

Mr. RYAN of Ohio. In 2007 it will be almost $230 billion, with some interest.

Mr. DELAHUNT. So that is interest of $230 billion. Just imagine what we could do with $230 billion.

That interest, by the way, do you know where that interest is going to, at least a significant piece of it?

Mr. RYAN of Ohio. Japan.

Mr. DELAHUNT. China.

Mr. MEEK of Florida. OPEC countries.

Mr. DELAHUNT. And OPEC and other countries. Because to subsidize these substantial, very large tax cuts for just a small segment of the American people, we have to go into the financial markets and borrow money so that we can reduce taxes, and then that tax relief ends up not benefiting the vast majority of Americans.

But we are borrowing it. We are borrowing it from overseas. We are borrowing it from nations, many of whom could be potential adversaries, yet we are sending dollars over there of interest payments so that they can invest in roads, in health, and particularly in education, while we are slipping behind. We are slipping behind.

You know, there is a lot of talk in Washington about how this economy is growing. But what you never hear about is that the average American family is losing every year in terms of its income. It is going down. The most recent statistic was that in this past year it went down 2.7 percent. Well, that is hurting families. And that $230 billion, let us say we just invested that. That is interest payments to China, to Japan, to other countries, and to the OPEC countries. With $230 billion, we could give every young person in this country a free college education, send them to the finest graduate schools in the country and ensure that their futures would be bright. But what we are doing is we are putting on our young people a debt that they will never, never in their lifetime be able to pay off. That is just simply wrong, and that is where we have a disagreement.

But you know what is interesting, and if I can just continue, because I am going to have to leave to catch a plane; but not only are Democrats criticizing this White House, but conservatives, people with impeccable conservative credentials like Bruce Bartlett, who just wrote a book and who served in the Reagan administration; like Andrew Sullivan, another noted conservative.

Well, here is what Andrew Sullivan said, and he wrote a book, too. I can't wait to read it. It is coming out soon. ''The Conservative Soul: How We Lost It; How to Get It Back.'' Sullivan called Bush ''reckless'' and a ''socialist'' and accused him of betraying ''almost every principle conservatism has ever stood for.'' Now, those are not my words, those are the words of Andrew Sullivan.

And Bruce Bartlett, a former Reagan administration official, had this to say. He called the administration unconscionable, irresponsible, vindictive and inept. And his book is entitled ''How George W. Bush Bankrupted America and Betrayed the Reagan Legacy.''

Yet here we are serving in this branch and we never, never meet or exercise our constitutional responsibility to review the actions of this administration, because the majority does not want to embarrass a Republican President. And I agree with much of what is said by these commentators: ''This is a big government agenda. The notion that the Thatcher-Reagan legacy that many of us grew up to love and support would end this way is an astonishing paradox and a great tragedy.''

Something is amiss when you have people with these conservative credentials making these harsh statements about this administration and this Republican Congress not daring to exercise its oversight.

Mr. RYAN of Ohio. If the gentleman will yield, that is powerful, very powerful stuff. I mean, that is good. And in addition to what the gentleman from Massachusetts said, the point is that it is not conservative to balance the budget. It just is what it is. You just do it. The Democrats did it in 1993 without one Republican vote. President Clinton got in with the Democratic House and a Democratic Senate and balanced the budget, Mr. MEEK. That is just what you do when you take your oath, when you swear to uphold the Constitution and preserve, protect, and defend the country.

Part of preserving, protecting, and defending the country is making sure we balance the budget, Mr. DELAHUNT.

□ 1830

Mr. MEEK of Florida. I want to thank the gentleman from Massachusetts (Mr. DELAHUNT) for spelling it out, and I do not want you to miss your plane. I want to thank you for coming down and sharing that information. We needed to hear it.

We have a number of Members running around here because they are following. They are following the Republican leadership on the Republican side and voting in a way that they probably could not go out on a street corner in their districts and if they were to ask 10 people, do you believe in this vote that I took, it would be probably two, maybe one and a half that may say that makes sense, give bigger subsidies to oil companies which are making record profits while we are paying more at the pump.

Mr. Speaker, I thank the gentleman from Massachusetts for putting the ''something'' into the 30-somethings.

Mr. RYAN, it comes down to leadership. That is the word, leadership, and making sure that the folks that woke up early one Tuesday morning to elect every Member of this House, if a Member leaves midterm, gets sick, whatever the case may be, I do not want to be in Congress any more, there has to be an election called and it has to be filled. The Governor cannot appoint someone like in the Senate.

I think it is important for us to be able to point out the irresponsibility that not only the President has carried out as it relates to being fiscally sound, not putting this country in a bad posture.

You have a chart there that talks about what we are facing right now. I am going to take maybe 5 minutes and go down the line, just in case a Member did not see us last night or the night before. I think it is important for everyone to understand what is going on.

Our good friend, Secretary Snow, the Secretary of the Treasury, wrote this letter about raising the debt ceiling on December 29, 2005. I was thinking about the new year, enjoying family. I was not in my office writing a letter saying we need to raise the debt ceiling. I do not blame Secretary Snow; I blame the policies of this Republican majority.

It says, ''We will be unable to continue to finance government operations.'' Basically, he is saying we have to raise the debt ceiling, but that is the punch line. That is enough to send me running saying we need to do something immediately.

If the Democrats were in control, we would not have to go through this process because we believe in balancing budgets. The Republican majority says we want to cut it in half, or eventually by the year 2084 we would cut it in half. We are not saying that. We have balanced the budget, and we are about paying as we go so we do not get further into debt.

Secretary Snow wrote to Mr. SPRATT, the ranking member of the Budget Committee, just to say he has to now go into what they call the G Fund, the Government Security Investment Fund, that is for the Federal Employee Retirement System. They are saying they can no longer pay into that because there is no money to do it.

Mr. RYAN of Ohio. Mr. Speaker, if the gentleman would yield, this means that we already are not meeting our obligations. That already means that the financial constraints that the Republican majority has put upon us already is forcing the Secretary of the Treasury to not put money in to meet the obligations of the Federal employment retiree program.

Mr. MEEK of Florida. Mr. Speaker, Mr. RYAN is 110 percent right.

Mr. RYAN of Ohio. That is the first step.

Mr. MEEK of Florida. Let me say this, Mr. RYAN. He says, starting today, February 16. Now that is when you have waited as long as you can. When you write a letter talking about an action that you are going to take on that day, the same day, not that we cannot do it a week from now. Not that we can't do it on the 18th; I cannot do it the day I sign this letter.

Mr. RYAN of Ohio. He must have faxed it.

Mr. MEEK of Florida. It must have been faxed.

March 6, this letter is very, very alarming. As you can see through our discussion, we have stamped the rubber stamp Congress onto it. We have this rubber stamp, and it should be very familiar to the Members right now.

This is about the fact that they are going to do exactly what the administration asked them to do, and that is why we are in this situation and not able to meet our obligations.

We are going to go down memory lane real quickly. This is saying for the first time in U.S. history we will not be able to meet our Federal Government obligation, our financial obligations. That means paying our bills if the debt ceiling is not raised immediately. The Secretary is going into in this letter that he is going to have to use his special powers that he has been given to divert and no longer pay into and suspend paying into not only the G Fund but other governmental accounts, and it has to happen as soon as possible.

Mr. RYAN, how did we get into this situation, and who do we owe? How did we make history? And when I say ''we,'' the Republican majority. Well, they made history by following the President, and by following the President, they made it in a wrong way, Mr. Speaker. No other time in the history of this country, no other time since the beginning of this country, and I am saying the history, and I am trying to crumble this thing down, since the beginning of the United States of America have we ever been in this situation and borrowing from foreign nations that is now reaching the 50 percent mark that we are going to owe foreign nations; $1.05 trillion we have borrowed from foreign nations.

We have the Republican Congress right under the President's picture because the President could not do it on his own. Forty-two Presidents, $1.01 trillion, 224 years; it took 224 years for 42 Presidents to borrow $1.01 trillion from foreign nations.

Mr. RYAN, that means that the Great Depression, World War I, World War II, Korea, Vietnam, Grenada, all of the issues we have had as a country, they knew being financially sound as a country and paying our bills as we go, that borrowing, record-breaking borrowing from other countries was not a good thing to do, Democrats and Republicans. This President and this Republican Congress in 4 years.

So what is going to happen if we do not bring it under control now? You know we cannot do it alone. We have to have the majority to bring a stop to this.

Mr. RYAN of Ohio. Borrow and spend.

Mr. MEEK of Florida. Borrow and spend.

Mr. RYAN of Ohio. This President has not vetoed one spending bill, not one. So to say Congress needs to get its act in order, Congress is spending and the President is okaying it. Then the President puts his budget, and this Republican Congress gets out the rubber stamp, all at the expense of the next generation who are going to have to borrow and pay interest on this money to pay it back. Ultimately at the end of the day, Mr. Speaker, it weakens the country.

Mr. MEEK of Florida. To be able to paint this even further for the Members, I am going to put a couple of countries up, more than a couple up, thanks to the Republican majority, that own a piece of the American pie. This bothers me in putting these countries up, but I think it is important that we spell it out.

Mr. Speaker, when American civilization 500–600 years from now, when they start digging into the CONGRESSIONAL RECORD to find out what happened at this time, because I will guarantee you this, and I was talking to a group of veterans that came to my office today, this Congress, this Republican Congress, the 109th Congress and the President of the United States will go down in history, not in history of, oh, wow, something great happened, history in saying what were they doing? How did we get to the point that we owe so many foreign nations money? How did they buy a piece of the American pie? Why wasn't this an alarming time?

We want them to be able to unearth this map here.

U.K., they own $223.2 billion of our debt. The U.K. did not make us do it; they just were available to say fine, because you are going to owe us.

Germany, that should mean something to some veterans, $65.7 billion of our debt.

Taiwan, folks talk about Taiwan, many of the toys that are floating around the United States are made in Taiwan; and what they are doing with

the money, they are buying our debt, $71.3 billion that they have of our debt.

Canada, the country just north of the United States of America, they own $53.8 billion of our debt.

Korea, and that should mean something to our veterans, $6.5 billion they have of our debt. We owe them.

OPEC nations, Iran, Iraq, Saudi Arabia, I can go down the line. OPEC nations, oil-producing nations, while we are here paying record-breaking prices for gas, they are flipping that around and getting a piece of the American pie financially at $67.8 billion, OPEC nations.

China, Red China.

Mr. RYAN of Ohio. Communists.

Mr. MEEK of Florida. Communist China, $249.8 billion of U.S. debt they have purchased. We owe them.

Japan, the island of Japan I must add, the island of Japan, not as big as the United States, but we owe them a whopping $682.8 billion. We owe them. The American people owe them. And we owe them because of the policies of the Republican majority and the White House.

Now, Mr. RYAN, let me say this. I do not care what party an American is affiliated with, if it is Republican, Democrat or Independent, or someone who does not vote at all. The bottom line is you are going to receive the tab for this. You are, not your children's children's children. You are. They are going to pay their fair share, but I guarantee if this Republican Congress continues to head down the track that it is heading down now, more countries will be on this map.

Like I said last night, when creditors call your house for you to pay them, they call you by your first name. They disrespect you from the beginning. They do not say, Mr. RYAN, maybe you can pay us whenever you feel like it. No, they say, TIM, you are going to pay this bill now. These are the terms; and if you do not do it, this is what we are going to do.

Mr. Speaker, I can see folks saying Mr. TIM RYAN and Mr. KENDRICK MEEK and Ms. DEBBIE WASSERMAN SCHULTZ and Mr. DELAHUNT and the rest of the 30-something Working Group, they are just down there talking fiction. This is fact. We should be alarmed. We are alarmed, and more Members of this House should be outraged by the fact that we have allowed these countries. It is not because of their doing; it is because of the votes that went down on a party-line basis, not votes that went down along lines that are in the better interests of the people of the United States of America.

I challenge Members to go to your constituents and say, is this okay with you all? Is it okay that foreign nations own $1.6 trillion of our debt? And this has all happened over a period of 4 years, and I want you to reelect me. I guarantee you there would not be a Member of this House that would put this on a T-shirt and say ''reelect me.'' That is the reason why people need to understand how important this is.

Mr. RYAN of Ohio. At the same time, my friend, the Republican majority is borrowing and spending and borrowing and spending. They are not borrowing it from Sky Bank in downtown Warren, Ohio. They are not borrowing it from National Citibank.

□ 1845

They are borrowing it from these other countries. And at the same time, at the same exact time, Mr. Speaker, this Republican Congress has given $6 billion in corporate welfare to the energy companies, primarily the oil companies, which are having their most profitable quarter, one after another, one after another; $22 billion to the health care industry, Mr. Speaker. Corporate welfare.

So what the Republican majority is doing, my good friend, is they are borrowing money from the Japanese, the Chinese, and OPEC countries; and they are then taking that money that they are borrowing and then they are giving it in corporate welfare to the most profitable industries in the world. And at the same time, tuition costs go up, local property taxes go up, no investment into after-school programs, the significant kinds of investments that we need to allow our kids to be competitive in a global economy.

Mr. MEEK of Florida. Mr. RYAN, I want to say something about that chart that is right behind you. I am going to tell you, Mr. Speaker, how the American people end up going through what we call here in Washington the Potomac two-step. I will break it down a little further, how they get fooled, what one may say, bamboozled, hoodwinked. You go that way; I am going this way.

Let me just quarterback this thing for a minute, Mr. RYAN. As you can see, the increase in foreign borrowing is $1.16 trillion on this chart. What the President has done and what this majority, the Republican House, has done, Mr. Speaker, is they have said, well, we will put it in this column and further down here in the corner where you have a $0.02 trillion increase in domestic borrowing, we do not want folks to really know what we are doing. We want to borrow from these other nations and let us make a big deal here at home because if we make a big deal here at home, maybe, just maybe, Mr. RYAN, the American people will say, wait, slow down, easy on that credit card.

That is an interest rate. It is a $230 billion interest rate per year, more than what we are investing in education, more than what we are investing in homeland security, since the President and the Republican majority are supposed to be the big homeland security people. More than what we are doing there.

Mr. RYAN, I know it is tough because I am living it, getting in this building at 8 o'clock in the morning, being in the middle of meetings, running from this end, going to committee meetings, going to try to figure out what happened in the secret port deal, running over here and trying to get over to Armed Services so that we could hopefully get the truth of what is happening in Iraq or what is really going on. You have to run over to your other committees and try to figure out what is happening, meanwhile answering constituents' phone calls.

And, Mr. Speaker, meeting about what is happening in this dome, trying to find out what is going on, talking to staffers, I am going to tell you, I am just going to come clean, Mr. Speaker, we have got Republican staffers talking to the 30-something group about what is going on in the back scenes. That is how bad it is right here. That is how bad it is.

Congressman, excuse me, do not look at me, I just want to tell you something.

Congressman, here is a little note here. Maybe you need to talk about this because this is happening.

That is how we are able to unearth this stuff. That is how we are able to share with people what is going on. We have got Americans emailing us, saying, Hey, I am in the military and I am sick and tired of being sick and tired. Expose this.

The VA in my rural community is only open on the second Wednesday of each month, and they are talking about stopping that from happening.

Meanwhile, we have got folks around here advocating on behalf of billionaires, saying they want to make the tax cut permanent, or they want to give record-breaking subsidies to industries that are making record-breaking profits. And we have American families. Some are small businesses that are trying to provide health insurance for their employees, and we cannot help them?

The President marched down this aisle here. The Republican side stands up and claps, and we are all clapping when he comes in because he is the Commander in Chief and the President of the United States and the ''leader'' of the free world. And then we start talking about health care on only one side of the aisle. The Republican side can get up and start clapping. We are thinking the President is going to come with a comprehensive plan that we can all work together in a bipartisan way, a major paradigm shift in providing health care, Mr. RYAN.

No. What does he do? I just want to use an example. It is almost like going to the refrigerator, taking out a carton of milk, and saying, Oh, this is sour. Let me put it back in. Maybe it will be fresh tomorrow.

On the health care plan, they want to go back to health savings. There is already evidence that that is not working. We want to increase that plan. What do you have to do to be a part of the health savings plan? A, you have to have some savings. So you have to invest not only for your kid's college fund, where in the President's budget

and the Republican budget they are cutting student aid, and talk about innovation, that students will be able to compete against the kids in China and these other countries that are cleaning our clock right now as it relates to training and innovation and all these other areas, not because our students are not up to the fight. It is because we are not putting forth the kind of platform they need to be able to educate themselves financially.

So, Mr. RYAN, when we start talking about this issue of responsibility, it is not serving Americans enough for us to go the extra mile.

A supermajority of Members, Mr. Speaker, right now are already home. But let me tell you something. It is important that we continue to hammer at this nail.

Mr. RYAN, I want to commend you for doing what you do. And I know it is hard. I know it is hard to come here and do it, because we are doing it together along with other Members of this House.

But, Mr. Speaker, I am going to say it time after time, that we must stop using the credit card and spending it on things that are not improving U.S. cities, that are not protecting America, that are not educating our children, and that are not bringing down gas prices that Americans are paying through the nose for right now.

So it is important because we are in this thing together. And I am going to tell you it is almost like the Congress being in first class and the American people being in coach. If the plane is going down, we are going down together. And I think it is important that we put a stop to using this credit card.

Mr. RYAN, I want you to put that chart up again about how much we are paying on the debt service. I want you to put that up because that goes right into what I am talking about. I want you to explain it one more time because the reason why I was able to make it through school was that my teachers kept going over the stuff, and we have got to make sure that some folks are coachable here because this is the information that is prepared and we get this from the U.S. Department of the Treasury, also from the Budget Committee.

Mr. RYAN, would you just explain that so people will understand what I am saying.

Mr. RYAN of Ohio. All of this money that we are borrowing, we have got to pay interest on it. And if we pay the interest on it, that means that we cannot spend that money in other areas or give it back, in fact, to the taxpayer maybe in the form of a tax cut so there may be some middle class people.

Mr. MEEK of Florida. For a change.

Mr. RYAN of Ohio. For a change, instead of giving it to Bill Gates and Warren Buffet, who themselves say they do not want the tax cut. Bill Clinton, who is making millions a year, we do not want the tax cut; make the proper investments.

From all the borrowing and spending and borrowing and spending that the Republicans have done, Mr. Speaker, this is the interest on the debt for 2007: $230-some-odd billion. Of the tax money that the American people will send down here, 230 billion of it will go to those countries that Mr. MEEK mentioned to pay off the debt service. Meanwhile, education, homeland security, and veteran spending will be reduced here, here, and here.

Now, what the Democratic plan is is to make sure that we ask the Warren Buffets of the world to pay their fair share, make the proper investments in the broadband research and development tax credit, and grow the economy so we can reduce this payment, and we can make sure that we properly fund and invest in education, homeland security, and veterans.

Now, if you want to just look at what we could do, my friend, if we did not have to pay that interest on the debt, the red bar, what would we be able to do with it? Sixty thousand kids we could enroll in Head Start to make sure that they have health care so they could be healthy, productive, educated citizens. Every single Member of Congress would get $1 million a day for their congressional district, $365 million for you, $365 million for me, $365 million for all 435 Members. Could you imagine what you could do in your district with $365 million a year to spend if we did not have to pay that interest on the debt? Your schools; your transportation issues; your ports; the Coast Guard, which I know is there in the intercoastal; health care. Almost 80,000 veterans would be able to get health care, improve Social Security solvency by $.5 billion. This is what we can do, my friend, when the Democrats take over. We will be able to move ourselves in this direction. Will it be a panacea? No. Because we have got a big mess to clean up when we take over this place.

But, Mr. Speaker, time and time and time again, the Republican majority went out, borrowed money, and spent it on corporate welfare for the most profitable industries, whether it was health care or whether it was the energy companies. Time and time and time again. And one of the provisions that the Democrats have tried and tried and tried to get on, we need a structure in which we could contain the reckless spending of the Republican majority, and what we have tried to do is put an amendment on bills that say if you spend money, you cannot borrow it. You either have to go and raise it, raise revenues somewhere, or you have to cut it out of another program so it is deficit neutral.

Mr. SPRATT, our leader on the Budget Committee, tried to put these PAYGO, pay-as-you-go, rules onto the 2006 budget resolution. It failed. Not one Republican voted for it. That is rollcall No. 87, March 17, 2005. I am not making this up. This is right in the rollcall. We wanted to put controls on spending. Republicans voted against it. Again in the 2005 budget resolution, Mr. SPRATT tried to do it again, rollcall vote No. 91, March 25 of 2004. Not one Republican voted to contain the spending and put the pay-as-you-go rules on.

We also have been trying to do this for years now. For years. MIKE THOMPSON in California tried to do it. Charlie Stenholm of Texas tried to do it. DENNIS MOORE of Kansas tried to do it. What are the Democrats for? We are for balanced budgets, and the proof is in the pudding. The proof is in the CONGRESSIONAL RECORD, because we have tried to do it time and time and time again, and every time we have been shot down by the Republican majority.

So we are trying to contain spending so that we could reduce our debt payments so that we could take that money and provide broadband for every citizen in the country in the next 5 years, to have a strong, sufficient research and development tax credit, to encourage spending, investment, into innovative programs. We have a plan, and we know what we want to do.

Mr. MEEK of Florida. Mr. RYAN, I want you to get the Web site information up because I want to make sure Members have accurate information.

Also, I would just like to say that Members can go onto the Web site and get any of these charts that we have shared with them in the past and tonight so that they can see exactly what we are talking about if they need further information, Mr. Speaker.

Mr. RYAN.

Mr. RYAN of Ohio. www.housedemocrats.gov/30something. Drop us a line.

Mr. MEEK of Florida. Mr. RYAN, I want to thank you. I want to thank Mr. DELAHUNT for being a part of this 30-something hour.

Mr. Speaker, we would like to thank the Democratic leadership for allowing us to have the time. It is an honor to address the House once again.

CORRECTION TO THE CONGRESSIONAL RECORD OF WEDNESDAY, MARCH 8, 2006, AT PAGE H737

Rollcall No. 23 printed incomplete in the RECORD of March 8, 2006. The corrected version follows:

[Roll No. 23]

YEAS—409

Abercrombie	Berkley	Boyd
Ackerman	Berman	Bradley (NH)
Aderholt	Berry	Brady (PA)
Akin	Biggert	Brady (TX)
Alexander	Bilirakis	Brown (OH)
Allen	Bishop (GA)	Brown (SC)
Andrews	Bishop (NY)	Brown, Corrine
Baca	Bishop (UT)	Burgess
Bachus	Blumenauer	Butterfield
Baird	Blunt	Buyer
Baker	Boehlert	Calvert
Baldwin	Boehner	Camp (MI)
Barrett (SC)	Bonilla	Campbell (CA)
Barrow	Bonner	Cantor
Bartlett (MD)	Bono	Capito
Barton (TX)	Boozman	Capuano
Bass	Boren	Cardin
Bean	Boswell	Cardoza
Beauprez	Boucher	Carnahan
Becerra	Boustany	Carson

Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costello
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
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)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
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
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
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
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—12

Blackburn
Brown-Waite, Ginny
Cannon
Doolittle
Foxx
Goode
Istook
Jones (NC)
McHenry
Paul
Shuster
Westmoreland

NOT VOTING—11

Burton (IN)
Capps
Costa
Cubin
Davis (KY)
Evans
Gonzalez
Hinojosa
Norwood
Salazar
Sweeney

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BURTON of Indiana (at the request of Mr. BOEHNER) for today on account of illness.

Mr. NORWOOD (at the request of Mr. BOEHNER) for today on account of personal reasons.

Mr. SWEENEY (at the request of Mr. BOEHNER) for today on account of illness.

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 Mr. DEFAZIO) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. VAN HOLLEN, for 5 minutes, today.

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

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

Ms. FOXX, for 5 minutes, today.

Mr. PENCE, for 5 minutes, today.

Mr. BISHOP of Utah, for 5 minutes, today.

Mr. GARRETT of New Jersey, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, March 14, 15, and 16.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. OTTER, for 5 minutes, today.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on March 8, 2006, she presented to the President of the United States, for his approval, the following bill.

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

ADJOURNMENT

Mr. MEEK of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 p.m.), under its previous order, the House adjourned until Monday, March 13, 2006, at 2 p.m.

RULES AND REPORTS SUBMITTED PURSUANT TO THE CONGRESSIONAL REVIEW ACT

Pursuant to 5 U.S.C. 801(d), executive communications [final rules] submitted to the House pursuant to 5 U.S.C. 801(a)(1) during the period of July 21, 2005, through January 3, 2006, shall be treated as through received on March 9, 2006. Original dates of transmittal, numberings, and referrals to committee of those executive communications remain as indicated in the Executive Communication section of the relevant Congressional Record.

EXECUTIVE COMMUNICATIONS, ETC.

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

6584. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report of surplus real property transferred for public health purposes, including purposes authorized by the McKinney/Vento Homeless Assistance Act, pursuant to 40 U.S.C. 484(o); to the Committee on Financial Services.

6585. A letter from the Secretary, Department of Transportation, transmitting the Department's Fiscal Year 2005 annual report as required by the Superfund Amendments and Reauthorization Act (SARA) of 1986, as amended, pursuant to 42 U.S.C. 9620; to the Committee on Energy and Commerce.

6586. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans [OAR-2003-0005; FRL-8018-9] (RIN: 2060-AM28) received January 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6587. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Emission Durability Procedures for New Light-Duty Vehicles, Light-Duty Trucks and Heavy-Duty Trucks [FRL-8019-2] (RIN: 2060-AK76) received January 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6588. A letter from the Principal Deputy Associate Administrator, Environmental

Protection Agency, transmitting the Agency's final rule — Determination of Attainment, Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Indiana; Redesignation of the Vigo County Nonattainment Area to Attainment of the 8-Hour Ozone Standard [EPA-R05-OAR-2005-IN-0010; FRL-8019-5] received January 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6589. 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; West Virginia; Emission Reductions to Meet Phase II of the Nitrogen Oxides (NOx) SIP Call [EPA-R03-OAR-2005-WV-0002; FRL-8020-4] received January 11, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6590. 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; Maryland; Update to Materials Incorporated by Reference [MD200-3116; FRL-8021-7] received January 11, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6591. 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 Diego County Air Pollution Control District [EPA-R09-OAR-2005-CA-0016; FRL-8007-6] received December 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6592. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, South Coast Air Quality Management District [EPA-R09-OAR-2005-CA-0015; FRL-8010-7] received December 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6593. A letter from the Registrar of Copyrights, Copyright Office, transmitting a schedule of proposed Copyright Office fees and the accompanying analysis, pursuant to 17 U.S.C. 708(b); to the Committee on the Judiciary.

6594. A letter from the Ombudsman for Part E, Department of Labor, transmitting the First Annual Report of the Ombudsman for Part E of the Energy Employees Occupational Illness Compensation Program, pursuant to 42 U.S.C. 7385s–15(e); to the Committee on the Judiciary.

6595. A letter from the Assistant Secretary for Civil Works, Department of the Army, transmitting a copy of the reports of the Chief Engineers on the projects listed, consistent with Section 109 of Pub. L. 109–103; to the Committee on Transportation and Infrastructure.

6596. A letter from the Assistant Secretary for Civil Works, Department of the Army, transmitting the draft and final Programmatic Envionmental Impact Statment and Ecosystem Restoration Plan for Green/Duamish River Basin in King County, Washington; to the Committee on Transportation and Infrastructure.

6597. A letter from the Assistant Secretary for Civil Works, Department of the Army, transmitting the Hurricane and Storm Damage Reducation Project Report for the Dare County Beaches, North Carolina; to the Committee on Transportation and Infrastructure.

6598. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area, Chicago Sanitary and Ship Canal, Romeoville, IL [CGD09-05-131] (RIN: 1625-AA11) received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6599. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Validation of Merchant Mariners' Vital Information and Issuance of Coast Guard Merchant Mariner's Licenses and Certificates of Registry [USCG-2004-17455] (RIN: 1625-AA85) received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6600. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Shipping Technical, Organizational and Conforming Amendments [USCG-2005-22329] (RIN: 1625-ZA05) received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6601. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations; San Pedro Bay, CA [CGD11-04-007] (RIN: 1625-AA01) received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6602. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DG Flugzeugbau GmbH Models DG-800B and DG-500MB Sailplanes [Docket No. FAA-2005-22206; Directorate Identifier 2005-CE-45-AD; Amendment 39-14432; AD 2005-26-11] (RIN: 2120-AA64) received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6603. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BURKHARDT GROB LUFT-UND RAUMFAHRT GmbH & CO KG Model G103 TWIN ASTIR Sailplanes [Docket No. FAA-2005-22156; Directorate Identifier 2005-CE-43-AD; Amendment 39-14435; AD 2005-26-14] (RIN: 2120-AA64) received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6604. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BURKHARDT GROB LUFT-UND RAUMFAHRT GmbH & CO KG Models G103 TWIN ASTIR, G103 TWIN II, G103A TWIN II ACRO, G103C TWIN III ACRO, and G 103 C Twin III SL Sailplanes [Docket No. FAA-2005-20803; Directorate Identifier 2005-CE-19-AD; Amendment 39-14433; AD 2005-26-12] (RIN: 2120-AA64) received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6605. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Cessna Aircraft Company Models 208 and 208B Airplanes [Docket No. FAA-2005-21275; Directorate Identifier 2005-CE-28-AD; Amendment 39-14450; AD 2006-01-11] (RIN: 2120-AA64) received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6606. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Frakes Aviation (Gulfstream American) Model G-73 (Mallard) series airplanes and Model G-73 airplanes that have been converted to have turbine engines [Docket No. FAA-2005-23440; Directorate Identifier 2005-NM-256-AD; Amendment 39-14452; AD 2006-01-51] (RIN: 2120-AA64) received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6607. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Corporation Ltd. Model 750XL Airplanes [Docket No. FAA-2005-23473; Directorate Identifier 2005-CE-54-AD; Amendment 39-14451; AD 2005-26-53] (RIN: 2120-AA64) received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6608. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; American Champion Aircraft Corporation Models 7AC, 7ACA, S7AC, 7BCM, 7CCM, S7CCM, 7DC, S7DC, 7EC, S7EC, 7ECA, 7FC, 7GC, 7GCA, 7GCAA, 7GCB, 7GCBA, 7GCBC, 7HC, 7JC, 7KC, 7KCAB, 8KCAB, and 8GCBC Airlines [Docket No. FAA-2005-23025; Directorate Identifier 2005-CE-50-AD; Amendment 39-14390; AD 2005-24-10] (RIN: 2120-AA64) received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6609. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 727 Airplanes [Docket No. FAA-2005-21975; Directorate Identifier 2005-NM-122-AD; Amendment 39-14365; AD 2005-23-07] (RIN: 2120-AA64) received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6610. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pilatus Aircraft Ltd. Models PC-12 and PC-12/45 Airplanes [Docket No. FAA-2005-21835; Directorate Identifier 2005-CE-35-AD; Amendment 39-14357; AD 2005-22-13] (RIN: 2120-AA64) received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6611. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hamilton Sundstrand Power Systems (formerly Sundstrand Power Systems) Auxiliary Power Units Models T-62T-46C2, T-62T-46C2A, T-62T-46C3, T-62T-46C7, and T-62T-46C7A [Docket No. FAA-2005-21719; Directorate Identifier 2005-NE-19-AD; Amendment 39-14369; AD 2005-23-11] (RIN: 2120-AA64) received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6612. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company (GE) CF6-80E1A1, -801E1A2, -80E1A3, -80E1A4, and -80E1A4/B Turbofan Engines [Docket No. FAA-2005-22712; Directorate Identifier 2005-NE-24-AD; Amendment 39-14367; AD 2005-23-09] (RIN: 2120-AA64) received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6613. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Supplemental Oxygen [Docket No. FAA-2005-22915; Amendment No. 121-322] (RIN: 2120-ai65) received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6614. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Astazou XIV B and XIV H Turboshaft Engines [Docket No. FAA-2005-23004; Directorate Identifier 2005-NE-42-AD; Amendment 39-14405; AD 2005-25-12] (RIN: 2120-AA64) received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6615. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc RB211 Trent 800 Series Turbofan Engines [Docket No. 2003-NE-38-AD; Amendment 39-14404; AD 2005-25-11] (RIN: 2120-AA64) received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6616. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dowty Propellers Type R321/4-82-F/8, R324/4-82-F/9, R333/4-82-F/12, and R334/4-82-F/13 Propeller Assemblies [Docket No. 2001-NE-50-AD; Amendment 39-14403; AD 2005-25-10] (RIN: 2120-AA64) received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6617. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CENTRAIR 101 Series Gliders [Docket No. FAA-2005-21951; Directorate Identifier 2005-CE-39-AD; Amendment 39-14381; AD 2005-24-01] (RIN: 2120-AA64) received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6618. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 Airplanes, and Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP Airplanes [Docket No. FAA-2005-22256; Directorate Identifier 2005-NM-113-AD; Amendment 39-14378; AD 2005-23-20] (RIN: 2120-AA64) received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6619. A letter from the Secretary, Department of Transportation, transmitting the Department's annual report on the regulatory status of the National Transportation Safety Board's (NTSB) ''Most Wanted'' Recommendations tothe Department and its Operating Administrations for calendar year ended 2005, pursuant to 49 U.S.C. 1135(d) Public Law 108—168, section 6; to the Committee on Transportation and Infrastructure.

6620. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Federal Register Dispositions of Petitions for Exemption [Docket No. FAA-2005-22982; Amendment No. 11-51] (RIN: 2120-AI69) received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6621. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Noise Stringency Increase for Single-Engine Propeller-Driven Small Airplanes [Docket No. FAA-2004-17041; Amendment No. 36-28] (RIN: 2120-AH44) received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6622. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Maintenance Recording Requirements [Docket No. FAA-2005-23495; Amendment No. 21-87, 121-321, 135-104] (RIN: 2120-AI67) received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6623. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Anti-drug and Alcohol Misuse Prevention Programs for Personnel Engaged in Specified Aviation Activities [Docket No. FAA-2002-11301; Amendment No. 121-315] (RIN: 2120-AH14) received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6624. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Service Difficulty Reports [Docket No. FAA-2000-7952; Amendment Nos. 121-319, 125-49, 135-102, and 145-26] (RIN: 2120-AI08) received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6625. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Guidelines for Awarding Clean Water Act Section 319 Base Grants to Indian Tribes in FY 2006; Request for Proposals from Indian Tribes for Competetive Grants under Clean Water Act Section 319 in FY 2006 (CFDA66.460-Nonpoint Source Implementation Grants; Funding Opportunity Number EPA-OW-OWOW-06-2) [FRL-8021-6] received January 11, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6626. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Beaches Environmental Assessment and Coastal Health Act [OW-FRL-8020-3] received January 11, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6627. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Allotment Formula for Clean Water Act (CWA) Section 106 Funds; Amendment [EPA-HQ-OW-2005-0038; FRL-8017-9] received December 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6628. A letter from the Secretary, Department of Commerce, transmitting the Department's Propane Consumer Impact Analysis regarding the operations of the Propane Education and Research Council, pursuant to Public Law 104–284, section 12; jointly to the Committees on Energy and Commerce and Science.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. MCKEON (for himself, Mr. TIBERI, Mr. KELLER, Mr. GEORGE MILLER of California, Mr. KILDEE, and Mr. HINOJOSA):

H.R. 4911. A bill to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes; to the Committee on Education and the Workforce.

By Mr. NEY (for himself, Mr. FRANK of Massachusetts, Ms. WATERS, Mr. DAVIS of Alabama, Mr. NEUGEBAUER, and Mr. RENZI):

H.R. 4912. A bill to amend section 242 of the National Housing Act to extend the exemption for critical access hospitals under the FHA program for mortgage insurance for hospitals; to the Committee on Financial Services.

By Mr. FITZPATRICK of Pennsylvania (for himself and Mr. AL GREEN of Texas):

H.R. 4913. A bill to amend the Internal Revenue Code of 1986 to encourage the use of corrosion prevention and mitigation measures in the construction and maintenance of business property; to the Committee on Ways and Means.

By Mr. EVANS (for himself and Ms. BERKLEY):

H.R. 4914. A bill to amend title 38, United States Code, to remove certain limitations on attorney representation of claimants for veterans benefits in administrative proceedings before the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. MALONEY (for herself, Mr. SHAYS, Mr. FRANK of Massachusetts, and Mr. GUTIERREZ):

H.R. 4915. A bill to amend section 721 of the Defense Production Act of 1950 to implement certain recommendations relating to the review of certain mergers, acquisitions, or takeovers by or with any foreign person, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Energy and Commerce, and International Relations, 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 Ms. PRYCE of Ohio (for herself, Mr. FRANK of Massachusetts, Mrs. MALONEY, and Mrs. BIGGERT):

H.R. 4916. A bill to authorize United States participation in, and appropriations for, the United States contribution to the first replenishment of the resources of the Enterprise for the Americas Multilateral Investment Fund; to the Committee on Financial Services.

By Mr. BARROW (for himself, Mr. THOMPSON of Mississippi, and Mr. SKELTON):

H.R. 4917. A bill to amend the Defense Production Act of 1950 to require notification to Congress after receipt of written notification of proposed or pending mergers, acquisitions, or takeovers subject to investigation under such Act, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on International Relations, Energy and Commerce, and 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. BRADY of Texas:

H.R. 4918. A bill to permit the issuance of tax-exempt bonds for air and water pollution control facilities; to the Committee on Ways and Means.

By Mr. CASTLE (for himself, Mrs. MUSGRAVE, and Mr. PLATTS):

H.R. 4919. A bill to extend the educational flexibility program under section 4 of the Education Flexibility Partnership Act of 1999; to the Committee on Education and the Workforce.

By Mr. CASTLE:

H.R. 4920. A bill to amend the Rules of the House of Representatives to reform the ethics process, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on House Administration, and Rules, 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. DOGGETT (for himself and Mr. LEWIS of Georgia):

H.R. 4921. A bill to amend the Act popularly known as the Death on the High Seas

Act to limit application of that Act to maritime accidents, and for other purposes; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 4922. A bill to amend title 4, United States Code, to add National Korean War Veterans Armistice Day to the list of days on which the flag should especially be displayed; to the Committee on the Judiciary.

By Mr. KUCINICH (for himself, Mr. ABERCROMBIE, Ms. BALDWIN, Mr. CAPUANO, Ms. CARSON, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DELAHUNT, Mr. FARR, Mr. FILNER, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HINCHEY, Mr. HONDA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KILDEE, Ms. KILPATRICK of Michigan, Mr. LANGEVIN, Ms. LEE, Mr. LEWIS of Georgia, Mr. MCGOVERN, Ms. MCKINNEY, Mr. MARKEY, Mr. MEEKS of New York, Ms. MOORE of Wisconsin, Mr. OBERSTAR, Mr. OLVER, Mr. OWENS, Mr. RANGEL, Mr. RUSH, Mr. SABO, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. STARK, Mr. TOWNS, Ms. WATERS, Ms. WATSON, Mr. WATT, and Ms. WOOLSEY):

H.R. 4923. A bill to abolish the death penalty under Federal law; to the Committee on the Judiciary.

By Mr. LATHAM (for himself, Mr. LEACH, Mr. KING of Iowa, Mr. BOSWELL, Mr. NUSSLE, Mr. SABO, Mr. KENNEDY of Minnesota, Mr. PETERSON of Minnesota, Mr. GUTKNECHT, Mr. OBERSTAR, Mr. KLINE, and Mr. RAMSTAD):

H.R. 4924. A bill to award a congressional gold medal to Dr. Norman E. Borlaug; to the Committee on Financial Services.

By Mr. MARKEY (for himself and Mrs. MALONEY):

H.R. 4925. A bill to improve whistleblower protections; to the Committee on Education and the Workforce, and in addition to the Committees on Armed Services, Government Reform, and the Judiciary, 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 Ms. NORTON:

H.R. 4926. A bill to amend the District of Columbia Home Rule Act to eliminate Congressional review of newly-passed District laws; to the Committee on Government Reform, and in addition to the Committee on Rules, 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 Ms. PRYCE of Ohio (for herself, Mr. MCCAUL of Texas, and Mr. CANNON):

H.R. 4927. A bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers; to the Committee on Energy and Commerce.

By Mr. ROSS (for himself, Mr. SCOTT of Virginia, Mr. DOYLE, and Mr. BERRY):

H.R. 4928. A bill to amend part D of title XVIII of the Social Security Act to provide for counting expenses for nonformulary drugs against the Medicare annual out-of-pocket threshold for costs for covered part D drugs; 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. SABO:

H.R. 4929. A bill to amend section 721 of the Defense Production Act of 1950 to enhance the effectiveness of the investigations of certain mergers, acquisitions, and takeovers for national security implications, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Energy and Commerce, International Relations, and Intelligence (Permanent Select), 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. SAXTON (for himself and Mr. LOBIONDO):

H.R. 4930. A bill to amend title 49, United States Code, to clarify that State and local permitting requirements relating to the processing, sorting, or transporting of solid waste apply to rail carriers; to the Committee on Transportation and Infrastructure.

By Mr. SHAW (for himself, Mr. SWEENEY, Mr. KNOLLENBERG, and Mr. ROGERS of Kentucky):

H.R. 4931. A bill to direct the Federal Trade Commission to revise the regulations regarding the Do-not-call registry to prohibit politically-oriented recorded message telephone calls to telephone numbers listed on that registry; to the Committee on Energy and Commerce.

By Mr. STRICKLAND:

H.R. 4932. A bill to require businesses operating a call center to either initiate or receive telephone calls to disclose the location of such call center, and for other purposes; to the Committee on Energy and Commerce.

By Mr. STUPAK:

H.R. 4933. A bill to prevent acid mine drainage from sulfide mining into the Great Lakes; to the Committee on Resources.

By Mr. UDALL of Colorado:

H.R. 4934. A bill to amend the Carl D. Perkins Vocational and Technical Education Act of 1998 to modify the definition of ''Indian student count''; to the Committee on Education and the Workforce.

By Mr. UDALL of Colorado:

H.R. 4935. A bill to designate as wilderness certain lands within the Rocky Mountain National Park and to adjust the boundaries of the Indian Peaks Wilderness and the Arapaho National Recreation Area on the Arapaho National Forest in the State of Colorado; to the Committee on Resources.

By Mr. UDALL of Colorado:

H.R. 4936. A bill to amend the Indian Self-Determination and Education Assistance Act to modify provisions relating to the National Fund for Excellence in American Indian Education; to the Committee on Education and the Workforce, and in addition to the Committee on 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 Mrs. WILSON of New Mexico:

H.R. 4937. A bill to amend part D of title XVIII of the Social Security Act to provide for continuity of coverage of prescription drugs under Medicare prescription drug plans for full-benefit dual eligible individuals; 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. WU:

H.R. 4938. A bill to amend title XVIII of the Social Security Act to extend the 2006 open enrollment period for Medicare prescription drug plans and to eliminate any late enrollment penalty for enrollments in such plans at any time during 2006; 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. COOPER (for himself and Mr. PORTER):

H. Con. Res. 355. Concurrent resolution recognizing the benefits and importance of school-based music education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BOEHNER:

H. Res. 715. A resolution electing a certain Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. CANNON (for himself and Mr. DUNCAN):

H. Res. 716. A resolution expressing the sense of the House of Representatives regarding the establishment of a National Blood Reserve, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GORDON (for himself, Mr. COSTELLO, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. WOOLSEY, Ms. HOOLEY, Mr. UDALL of Colorado, Mr. WU, Mr. HONDA, Mr. MILLER of North Carolina, Mr. DAVIS of Tennessee, Mr. LIPINSKI, Ms. JACKSON-LEE of Texas, Mr. SHERMAN, Mr. BAIRD, Mr. MATHESON, Mr. COSTA, Mr. AL GREEN of Texas, Mr. MELANCON, Mr. MOORE of Kansas, and Mr. CARNAHAN):

H. Res. 717. A resolution directing the Secretary of Commerce to transmit to the House of Representatives a copy of a workforce globalization final draft report produced by the Technology Administration; to the Committee on Science.

By Mr. KUCINICH (for himself, Mr. LARSON of Connecticut, and Mr. BRADY of Pennsylvania):

H. Res. 718. A resolution requesting the President and directing the Secretary of Homeland Security to provide to the House of Representatives certain documents in their possession relating to the Dubai Ports World acquisition of 6 United States commercial ports leases; to the Committee on Financial Services.

By Mr. NADLER (for himself, Mrs. MALONEY, Mrs. LOWEY, Mrs. MCCARTHY, Mr. ENGEL, Mr. CROWLEY, Mr. ACKERMAN, Mr. HINCHEY, Mr. HIGGINS, Mr. SHAYS, Ms. BERKLEY, Mr. BROWN of Ohio, Mr. MCGOVERN, Mr. HOLT, and Mr. GRIJALVA):

H. Res. 719. A resolution honoring the life and legacy of Wendy Wasserstein; to the Committee on Government Reform.

By Mr. RYUN of Kansas (for himself, Mr. MOORE of Kansas, Mr. SCOTT of Georgia, Mr. TIAHRT, Mr. MORAN of Kansas, Mr. MEEKS of New York, Mrs. CHRISTENSEN, Mr. OWENS, Ms. MOORE of Wisconsin, Mrs. JONES of Ohio, Mr. BISHOP of Georgia, Mr. FORD, and Ms. WATSON):

H. Res. 720. A resolution honoring the life of Gordon Roger Alexander Buchanan Parks; to the Committee on Government Reform.

By Ms. SOLIS (for herself, Mr. SERRANO, Mr. MORAN of Virginia, Mr. HONDA, Mr. TOWNS, Ms. JACKSON-LEE of Texas, Mr. BACA, Mr. BECERRA, Mr. CARDOZA, Mr. COSTA, Mr. CUELLAR, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. HINOJOSA, Mr. LANTOS, Mrs. NAPOLITANO, Mr. ORTIZ, Mr. PASTOR, Mr. CONYERS, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. REYES, Ms. ROYBAL-ALLARD, Ms. KAPTUR, Mr.

SALAZAR, Ms. LINDA T. SÃNCHEZ of California, Ms. LORETTA SANCHEZ of California, Ms. VELÃZQUEZ, Ms. BERKLEY, Ms. LEE, Ms. WASSERMAN SCHULTZ, Mr. WEXLER, Ms. WATSON, Mr. MEEKS of New York, Mr. BERMAN, Mr. MARKEY, Mr. KUCINICH, Mr. MCGOVERN, Ms. HARRIS, Mr. MCDERMOTT, Mrs. CHRISTENSEN, Ms. SCHAKOWSKY, Mr. CROWLEY, Mr. ENGEL, and Mr. VAN HOLLEN):

H. Res. 721. A resolution supporting the goals and ideals of a Salvadoran-American Day (El Dia del Salvadoreno) in recognition of all Salvadoran-Americans for their hard work, dedication, and contribution to the stability and well-being of the United States; to the Committee on Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

269. The SPEAKER presented a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 95 memorializing the Congress of the United States to enact legislation reauthorizing the Ryan White CARE Act to provide comprehensive care for the neediest victims of HIV/AIDS; to the Committee on Energy and Commerce.

270. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 411 memorializing the Congress of the United States to authorize the development of a secure electronic balloting system for active duty military personnel; to the Committee on House Administration.

271. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 565 supporting the CORRIDORone regional rail proposal and encouraging its support by counties and municipalities in the region of the CORRIDORone project; to the Committee on Transportation and Infrastructure.

272. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 24 memorializing the Congress of the United States to take such actions as are necessary to immediately close the Mississippi River Gulf Outlet and return the area to essential coastal wetlands and marshes and memorializing the Louisiana congressional delegation to file the necessary legislation to accomplish this closure; to the Committee on Transportation and Infrastructure.

273. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 32 memorializing the Congress of the United States to take such actions as are necessary to close the Mississippi River Gulf Outlet; to the Committee on Transportation and Infrastructure.

274. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 461 memorializing the Congress of the United States to revise the requirement that applicants for hunting and fishing licenses provide their Social Security numbers; to the Committee on Ways and Means.

ADDITIONAL SPONSORS

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

H.R. 65: Mr. HAYES.
H.R. 97: Mr. CONYERS.
H.R. 159: Mr. FATTAH.
H.R. 161: Mr. FATTAH.
H.R. 164: Mr. FATTAH.
H.R. 170: Mr. YOUNG of Florida.
H.R. 202: Mr. CASE.
H.R. 282: Mr. PASTOR and Mr. CAMPBELL of California.
H.R. 303: Mr. RAMSTAD.
H.R. 311: Mr. CLYBURN.
H.R. 398: Mr. THOMPSON of Mississippi.
H.R. 475: Ms. LEE.
H.R. 478: Mr. MARKEY, Mr. BISHOP of Georgia, Mr. WYNN, Mr. HASTINGS of Florida, Mrs. MALONEY, Mr. BERMAN, Mr. BROWN of Ohio, Ms. WOOLSEY, Mr. LEWIS of Georgia, and Mr. CLAY.
H.R. 533: Mr. MEEHAN.
H.R. 550: Mr. RUPPERSBERGER.
H.R. 552: Mr. PICKERING and Mr. CANNON.
H.R. 561: Mr. GRIJALVA.
H.R. 583: Mr. WICKER, Mr. SENSENBRENNER, and Mr. WOLF.
H.R. 801: Mr. VAN HOLLEN.
H.R. 817: Mr. FOLEY, Mr. DENT, Mr. CRAMER, and Mr. BARRETT of South Carolina.
H.R. 838: Mr. HIGGINS and Mr. DINGELL.
H.R. 864: Mr. MICHAUD, Mr. FITZPATRICK of Pennsylvania, Mr. SNYDER, and Mr. MOORE of Kansas.
H.R. 874: Mr. FEENEY.
H.R. 880: Mr. DAVIS of Tennessee.
H.R. 898: Mr. LEACH, Mr. TOWNS, and Ms. JACKSON-LEE of Texas.
H.R. 986: Mr. MURPHY.
H.R. 1241: Mr. GRIJALVA and Mr. KUHL of New York.
H.R. 1302: Mr. SHERMAN.
H.R. 1306: Mrs. TAUSCHER, Mr. CRENSHAW, and Mr. PASTOR.
H.R. 1329: Mr. PLATTS.
H.R. 1333: Mr. LEWIS of Kentucky.
H.R. 1356: Mr. SIMMONS and Mrs. JOHNSON of Connecticut.
H.R. 1401: Mr. VAN HOLLEN.
H.R. 1504: Mr. CONYERS.
H.R. 1548: Mr. ROTHMAN and Mr. HOYER.
H.R. 1578: Ms. LINDA T. SANCHEZ of California.
H.R. 1633: Mrs. JO ANN DAVIS of Virginia.
H.R. 1639: Mr. MCINTYRE and Mr. MORAN of Virginia.
H.R. 1652: Mrs. BIGGERT.
H.R. 1814: Mrs. BIGGERT.
H.R. 1951: Mr. CONYERS.
H.R. 2047: Mr. RENZI.
H.R. 2070: Mr. MEEHAN.
H.R. 2121: Mr. ENGEL and Mr. BONNER.
H.R. 2134: Mr. HOYER.
H.R. 2177: Ms. BEAN.
H.R. 2257: Mr. NEAL of Massachusetts.
H.R. 2330: Mr. SIMMONS, Mr. WELDON of Pennsylvania, Mr. FILNER, Mr. EMANUEL, and Mr. RANGEL.
H.R. 2386: Mr. KINGSTON, Mr. CHANDLER, Mr. UDALL of Colorado, and Mr. ROGERS of Kentucky.
H.R. 2410: Mr. ROTHMAN.
H.R. 2416: Mr. VISCLOSKY.
H.R. 2421: Mr. SNYDER.
H.R. 2429: Ms. HERSETH and Mrs. LOWEY.
H.R. 2471: Mr. BAKER.
H.R. 2561: Mr. PETERSON of Minnesota.
H.R. 2719: Mr. SCHIFF.
H.R. 2780: Mr. EVANS.
H.R. 2861: Mr. LANTOS, Mr. DAVIS of Illinois, Mr. SANDERS, and Mr. BACHUS.
H.R. 2928: Mr. BAIRD and Mr. MOORE of Kansas.
H.R. 2952: Ms. HARMAN.
H.R. 2962: Mr. CONYERS.
H.R. 3019: Mr. LEWIS of Kentucky, Mr. SAM JOHNSON of Texas, Mr. HERGER, and Mr. BECERRA.
H.R. 3037: Mr. HINCHEY and Ms. WOOLSEY.
H.R. 3098: Mr. BOOZMAN, Mr. KLINE, and Mr. HINOJOSA.
H.R. 3127: Mr. REICHERT, Mr. CONYERS, Mr. DELAHUNT, Mr. RUSH, and Mr. LOBIONDO.
H.R. 3145: Ms. JACKSON-LEE of Texas and Mr. BARROW.
H.R. 3159: Mr. COSTELLO, Mr. WELDON of Pennsylvania, Ms. CARSON, Mr. KIND, Mr. LAHOOD, and Mr. RAHALL.
H.R. 3248: Mr. FATTAH, Mr. WAXMAN, Mr. GENE GREEN of Texas, and Mr. MCINTYRE.
H.R. 3267: Ms. LINDA T. SÁNCHEZ of California.
H.R. 3352: Mr. CONYERS.
H.R. 3361: Mr. CAMP of Michigan.
H.R. 3380: Ms. SCHAKOWSKY.
H.R. 3476: Mr. RANGEL.
H.R. 3550: Ms. SOLIS, Ms. WOOLSEY, Mr. HINCHEY, Mr. RAMSTAD, Mr. SNYDER, Mr. PLATTS, Mr. GENE GREEN of Texas, Mr. BAIRD, Mr. LYNCH, Mr. STUPAK, Mrs. MCCARTHY, Mrs. CAPPS, Ms. BORDALLO, Mr. PALLONE, Mr. DENT, Ms. LINDA T. SÁNCHEZ of California, Mr. ROSS, Mr. MCINTYRE, Mr. DICKS, Mr. CARDIN, Mr. VAN HOLLEN, and Mr. KUCINICH.
H.R. 3559: Mr. LARSON of Connecticut.
H.R. 3576: Mr. RUPPERSBERGER, Mr. PAYNE, Ms. WOOLSEY, Ms. SCHAKOWSKY, Mr. JEFFERSON, and Mr. WAXMAN.
H.R. 3579: Mr. MILLER of Florida.
H.R. 3598: Mr. FATTAH.
H.R. 3628: Mr. CLAY.
H.R. 3640: Mrs. LOWEY.
H.R. 3641: Mrs. LOWEY.
H.R. 3658: Ms. CORRINE BROWN of Florida, Mr. CROWLEY, Ms. SCHAKOWSKY, and Mr. SERRANO.
H.R. 3717: Mr. LEWIS of Kentucky.
H.R. 3838: Ms. SOLIS.
H.R. 3858: Mr. DENT.
H.R. 3907: Mrs. CUBIN.
H.R. 3936: Mr. MEEHAN.
H.R. 4005: Mr. NEY, Mrs. CAPPS, Mr. PORTER, and Mr. LOBIONDO.
H.R. 4019: Mr. CAMP of Michigan.
H.R. 4022: Mr. PRICE of North Carolina and Mr. FRANK of Massachusetts.
H.R. 4033: Mr. HONDA, Mr. FITZPATRICK of Pennsylvania and Mr. GALLEGLY.
H.R. 4042: Mr. FORD.
H.R. 4045: Mr. TOWNS and Mr. RANGEL.
H.R. 4121: Mr. PENCE.
H.R. 4140: Mr. BERMAN and Mr. GENE GREEN of Texas.
H.R. 4156: Mr. SKELTON and Mr. DOYLE.
H.R. 4211: Mr. RANGEL.
H.R. 4217: Mr. ISSA and Mr. PETRI.
H.R. 4222: Mr. MOORE of Kansas.
H.R. 4227: Mr. SHUSTER and Mr. POMEROY.
H.R. 4229: Mr. MCDERMOTT.
H.R. 4282: Mr. KUHL of New York.
H.R. 4298: Ms. SCHAKOWSKY.
H.R. 4318: Mr. MURPHY.
H.R. 4332: Mr. POE.
H.R. 4341: Mr. LUCAS.
H.R. 4366: Mr. MARIO DIAZ-BALART of Florida.
H.R. 4372: Mr. RUPPERSBERGER.
H.R. 4400: Mr. BROWN of South Carolina.
H.R. 4421: Mr. ENGLISH of Pennsylvania.
H.R. 4493: Mr. GRIJALVA.
H.R. 4547: Mr. BOUCHER, Mr. FORBES, Mr. BROWN of South Carolina, and Mrs. MILLER of Michigan.
H.R. 4609: Ms. SCHAKOWSKY.
H.R. 4666: Ms. HART and Mr. KANJORSKI.
H.R. 4681: Ms. FOXX, Mr. ROTHMAN, Mr. BROWN of Ohio, Mr. WELDON of Pennsylvania, Ms. SCHWARTZ of Pennsylvania, Mr. POMBO, Ms. MATSUI, Ms. LINDA T. SÁNCHEZ of California, Mr. FEENEY, Mr. GENE GREEN of Texas, Mr. ANDREWS, Mr. NUNES, Mr. FORBES, Mr. HASTINGS of Washington, Mr. CONAWAY, Mr. RUSH, Mr. MCINTYRE, Mr. CAMPBELL of California, and Mr. BISHOP of Georgia.
H.R. 4704: Mr. MOORE of Kansas.
H.R. 4709: Mr. COSTELLO.
H.R. 4720: Mr. BERMAN, Mrs. BONO, Mr. ISSA, Mrs. NAPOLITANO, Mr. POMBO, Mr. RADANOVICH, Mr. SHERMAN, Mr. WAXMAN, Mr. CALVERT, Mr. GARY G. MILLER of California, Mr. DREIER, Mr. MCKEON, Mr. LEWIS of California, Mr. CAMPBELL of California, Mr. ROYCE, and Mr. ROHRABACHER.

H.R. 4727: Mr. PLATTS.
H.R. 4740: Mrs. CUBIN.
H.R. 4747: Mr. RUPPERSBERGER, Mr. MCDERMOTT, and Ms. JACKSON-LEE of Texas.
H.R. 4755: Mr. UDALL of Colorado, Mr. KANJORSKI, Mr. WEINER, Mr. WEXLER, Mr. SERRANO, Mr. LINCOLN DIAZ-BALART of Florida, Ms. HOOLEY, and Mr. MCNULTY.
H.R. 4760: Mr. MOORE of Kansas and Mr. CLEAVER.
H.R. 4761: Mr. EVERETT, Mr. DELAY, Mr. THORNBERRY, Mr. MARCHANT, Mr. BRADY of Texas, Mr. WILSON of South Carolina, Mr. SHUSTER, Mr. CUELLAR, Mr. BONILLA, Mr. POE, Mr. GOHMERT, and Mr. BURGESS.
H.R. 4772: Mr. KELLER.
H.R. 4773: Mr. DAVIS of Illinois and Mr. RUPPERSBERGER.
H.R. 4775: Mr. POE and Mr. PETERSON of Minnesota.
H.R. 4776: Mr. WHITFIELD and Mr. SAM JOHNSON of Texas.
H.R. 4780: Mr. CLAY.
H.R. 4781: Mr. RUPPERSBERGER.
H.R. 4790: Mr. MANZULLO.
H.R. 4793: Mr. OLVER, Mr. MICHAUD, Mr. RAMSTAD, and Mr. KENNEDY of Minnesota.
H.R. 4794: Mr. SANDERS, Mr. STARK, Mr. CHANDLER, Mr. DOGGETT, Ms. JACKSON-LEE of Texas, Mr. PAYNE, Mr. JEFFERSON, and Ms. SCHAKOWSKY.
H.R. 4798: Mr. HONDA.
H.R. 4799: Mr. PLATTS.
H.R. 4806: Mr. WELDON of Pennsylvania.
H.R. 4813: Mr. PASTOR and Mr. CAPUANO.
H.R. 4824: Mr. LOBIONDO.
H.R. 4828: Mr. PETERSON of Minnesota.
H.R. 4830: Mrs. BONO and Mrs. MILLER of Michigan.
H.R. 4834: Mr. MCCOTTER.
H.R. 4859: Mr. DANIEL E. LUNGREN of California and Mr. CLEAVER.
H.R. 4867: Mr. CLAY, Mr. SAXTON, Mr. ENGLISH of Pennsylvania, Mr. HINCHEY, Mr. LARSEN of Washington, Mrs. MILLER of Michigan, and Mr. CASTLE.
H.R. 4873: Mr. PICKERING and Mrs. MALONEY.
H.R. 4881: Mr. GORDON and Mr. BARROW.
H.R. 4890: Mr. MARIO DIAZ-BALART of Florida, Mr. HEFLEY, Mr. GINGREY, Mr. AKIN, Mr. PORTER, Mr. CASTLE, Mr. TANCREDO, Mr. MCCAUL of Texas, Mr. FRANKS of Arizona, and Mr. COBLE.
H.R. 4899: Ms. PELOSI, Mr. RAHALL, and Ms. CORRINE BROWN of Florida.
H.R. 4902: Mr. SHIMKUS, Mr. SMITH of Texas, Mr. PETRI, Mr. HAYWORTH, Mr. LAHOOD, Mr. KING of Iowa, Mr. CARTER, Mr. KLINE, Mr. SHAYS, Mr. AL GREEN of Texas, Mr. DEAL of Georgia, Mr. CONAWAY, Mr. HYDE, Mr. WHITFIELD, Mr. TIBERI, Mr. MARCHANT, Mr. BOEHLERT, Mr. MCCOTTER, Mr. FRELINGHUYSEN, Mr. WESTMORELAND, Mr. DELAY, Mr. BLUNT, Mr. HOEKSTRA, Mr. THORNBERRY, Mr. SIMMONS, Mr. GILCHREST, Mr. BAIRD, Mr. WALDEN of Oregon, Mr. DREIER, Mr. EHLERS, Mr. MANZULLO, Mr. BOUSTANY, Mr. PUTNAM, Mr. KNOLLENBERG, Mr. STUPAK, Mr. PENCE, Mr. MCGOVERN, Mr. NEUGEBAUER, Mr. WILSON of South Carolina, Mr. PITTS, Mr. GUTKNECHT, Mr. BRADY of Texas, Mr. ISSA, Mr. GINGREY, Mr. CHOCOLA, Mr. REYES, Mr. GERLACH, Mr. TANCREDO, Mr. OSBORNE, Mr. JONES of North Carolina, Mr. MCKEON, Mr. ENGLISH of Pennsylvania, Mr. HEFLEY, Mr. COLE of Oklahoma, Mr. MARSHALL, Mr. BOEHNER, Mr. KINGSTON, Mr. RANGEL, Mr. SMITH of New Jersey, Ms. JACKSON-LEE of Texas, Mr. WELDON of Florida, and Mr. CANTOR.
H.J. Res. 53: Mr. CHOCOLA.
H.J. Res. 55: Mr. PALLONE, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.J. Res. 78: Mr. EVANS.
H. Con. Res. 138: Mr. LEACH.
H. Con. Res. 197: Ms. ZOE LOFGREN of California.
H. Con. Res. 282: Mrs. CHRISTENSEN.
H. Con. Res. 287: Mr. KENNEDY of Rhode Island, Mr. JEFFERSON, Mr. KIND, Mr. WYNN, Mr. MCINTYRE, and Mr. SCHIFF.
H. Con. Res. 320: Mr. ENGLISH of Pennsylvania.
H. Con. Res. 328: Mr. HAYWORTH, Mr. MCCAUL of Texas, Mr. BURTON of Indiana, Mrs. BONO, Mr. PENCE, and Mr. MARIO DIAZ-BALART of Florida.
H. Con. Res. 339: Mr. PEARCE, Mr. ISTOOK, Mr. KUHL of New York, Mr. BURTON of Indiana, and Mr. MILLER of Florida.
H. Con. Res. 340: Mr. PALLONE, Mr. WOLF, and Mr. MCGOVERN.
H. Con. Res. 353: Ms. JACKSON-LEE of Texas, Mr. CONYERS, Mr. OWENS, Mrs. JONES of Ohio, Ms. CORRINE BROWN of Florida, Mr. BISHOP of Georgia, Mr. RANGEL, Mr. RUSH, Mr. LEWIS of Georgia, Mr. WYNN, Ms. KILPATRICK of Michigan, Mr. CLYBURN, Ms. DEGETTE, Mr. JEFFERSON, Ms. WATSON, Mr. CROWLEY, Mrs. CHRISTENSEN, and Mr. HINCHEY.
H. Con. Res. 354: Mr. MCKEON and Mr. KING of New York.
H. Res. 305: Mr. HOLT and Mr. BROWN of Ohio.
H. Res. 327: Mr. GRIJALVA.
H. Res. 498: Mr. LAHOOD, Mr. MCGOVERN, Mr. SOUDER, and Mr. WELDON of Pennsylvania.
H. Res. 526: Mr. SAXTON.
H. Res. 603: Mr. BACA.
H. Res. 635: Mr. CAPUANO and Mr. SANDERS.
H. Res. 636: Ms. MCKINNEY.
H. Res. 637: Ms. MCKINNEY.
H. Res. 675: Ms. WOOLSEY.
H. Res. 691: Mr. BERMAN, Mr. BISHOP of New York, and Mr. RANGEL.
H. Res. 700: Mr. AL GREEN of Texas, Mr. RANGEL, Mr. LINDER, and Mr. GERLACH.
H. Res. 707: Mr. MCNULTY.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions:

Petition 3 by Mr. EDWARDS on House Resolution 271: Wm. Lacy Clay.

Petition 6 by Mr. ABERCROMBIE on House Resolution 543: Wm. Lacy Clay, Tom Lantos, Linda T. Sánchez, Bob Filner, and Xavier Becerra.

Petition 7 by Ms. HERSETH on House Resolution 568: Debbie Wasserman Schultz, Wm. Lacy Clay, Tom Lantos, Bart Gordon, Frank Pallone, Jr., Leonard L. Boswell, Louis McIntosh Slaughter, and Linda T. Sánchez.

Petition 8 by Mr. WAXMAN on House Resolution 570: Debbie Wasserman Schultz, Wm. Lacy Clay, Tom Lantos, Frank Pallone, Jr., Chris Van Hollen, Leonard L. Boswell, and Louis McIntosh Laughter.

Petition 9 by Mr. BOSWELL on House Resolution 584: Bernard Sanders, Debbie Wasserman Schultz, Wm. Lacy Clay, Tom Lantos, Grace F. Napolitano, and Dennis J. Kucinich.

Petition 10, by Ms. HERSETH on House Resolution 585: Bernard Sanders, Benjamin L. Cardin, Debbie Wasserman Schultz, Wm. Lacy Clay, Tom Lantos, Steve Israel, David Scott, Jim Marshall, Gregory W. Meeks, Edolphus Towns, Chris Van Hollen, Leonard L. Boswell, Grace F. Napolitano, and Dennis J. Kucinich.

Petition 11, by Mr. BARROW on House Resolution 614: Collin C. Peterson, Sherrod Brown, Elijah E. Cummings, Bernard Sanders, Peter A. DeFazio, Steny H. Hoyer, Wm. Lacy Clay, Rush D. Holt, Rosa L. DeLauro, Ted Strickland, Lloyd Doggett, Tom Lantos, Adam B. Schiff, Steve Israel, Sheila Jackson-Lee, Marion Berry, Vic Snyder, Arthur Davis, Raul M. Grijalva, Michael H. Michaud, Michael M. Honda, Solomon P. Ortiz, Gene Green, Jim Cooper, Bart Gordon, Carolyn B. Maloney, James P. McGovern, Frank Pallone, Jr., Rick Larsen, Chris Van Hollen, Julia Carson, Leonard L. Boswell, Nydia M. Velázquez, Allyson Y. Schwartz, Darlene Hooley, Brad Sherman, Russ Carnahan, Stephen F. Lynch, David Scott, Grace F. Napolitano, Edward J. Markey, Bob Etheridge, Charles B. Randel, Henry A. Waxman, Bobby L. Rush, Corrine Brown, Anna G. Eshoo, Mike Ross, Donald M. Payne, Susan A. Davis, Linda T. Sánchez, Danny K. Davis, Hilda L. Solis, Charlie Melancon, Alcee L. Hastings, Bob Filner, Eliot L. Engel, C. A. Dutch Ruppersberger, Howard L. Berman, Brian Higgins, Diana DeGette, Robert A. Brady, Ed Pastor, Paul E. Kanjorski, Doris O. Matsui, Ben Chandler, Xavier Becerra, Emanuel Cleaver, Silvestre Reyes, Thomas H. Allen, Jay Inslee, Brad Miller, José E. Serrano, Mike McIntyre, Melvin L. Watt, Kendrick B. Meek, Rubén Hinojosa, Lucille Roybal-Allard, Albert Russell Wynn, Chaka Fattah, Gary L. Ackerman, William D. Delahunt, Joseph Crowley, Barbara Lee, John F. Tierney, Sander M. Levin, Tim Ryan, David R. Obey, Ron Kind, Rahm Emanuel, Robert E. (Bud) Cramer, Jr., Dennis A. Cardoza, Bill Pascrell, Jr., Michael E. Capuano, Lois Capps, Anthony D. Weiner, Sam Farr, Dale E. Kildee, Jerry F. Costello, Stephanie Herseth, Nita M. Lowey, Major R. Owens, Neil Abercrombie, Dennis J. Kucinich, and Robert C. Scott.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

Vol. 152 WASHINGTON, THURSDAY, MARCH 9, 2006 No. 30

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire.

PRAYER

The PRESIDING OFFICER. Today's prayer will be offered by our guest Chaplain, Father John Ryan, St. Brendan Catholic Church, Ormond Beach, FL.

The guest Chaplain offered the following prayer:

Gracious and Creating God, before time began, You loved us. Before we were born, You knew us. You imagined us, then created us in Your holy image. From the beginning of time we were Your people, and through time You have been our Loving Father.

Blessed are You, Lord, Father of the universe and blessed is Your holy Name. Bless the work we do this day and the work yet to be done in these Chambers.

Gracious Father, without You nothing is worthwhile, nothing is of value. Grant to us and to our endeavors Your gracious and holy blessing. Keep us one Nation under Your loving gaze. Make us mindful of those who find life difficult and move us to be their voice, their advocates. May we always labor toward liberty and justice, dignity and goodness.

Blessed be God. Blessed be the nation whose God is the Lord both now and forever. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN E. SUNUNU 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.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE.
Washington, DC, March 9, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. SUNUNU thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Maine is recognized.

SCHEDULE

ORDER OF PROCEDURE

Ms. COLLINS. Mr. President, this morning the Senate will be in a period of morning business. I ask unanimous consent that the period be extended until 12 noon with the time equally divided in the usual form.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I further ask unanimous consent that the majority leader be recognized at the conclusion of morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, last night the majority leader filed cloture on the lobbying reform bill. Under the rule, that vote would occur on Friday although it is hoped that the vote could be expedited and occur sometime today.

As a reminder, the majority leader has announced that it is also possible—and indeed we hope—to consider the lobbying reform-related amendments throughout the day today if an agreement can be reached.

Also, Senators should be aware that all first-degree amendments to the lobbying reform bill must be filed at the desk by 1 o'clock today as provided for under rule XXII.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

LOBBYING REFORM

Mr. REID. Mr. President, prior to the distinguished Senator from Maine leaving the floor, I want to express my appreciation to her, Senator LIEBERMAN, Senator DODD, and Senator LOTT for their work on lobbying reform. We are going to complete this legislation; it is just a question of when we complete the legislation. It is something we need to do, and the American people want us to do it. Even though I am sure everyone's patience was tested yesterday—I have managed bills and I know how difficult it is when you can see the light at the end of the tunnel and somebody throws up a light and you can no longer see the end—we will complete the legislation. I am hopeful and I am confident we can do it on a bipartisan basis.

Ms. COLLINS. Mr. President, I thank the Democratic leader for his comments. This is an important piece of legislation. It has been completely bipartisan. The legislation reported by the Homeland Security Committee was reported with only one dissenting vote. The bill that was reported by the Rules and Administration Committee was reported unanimously. We have worked very closely with our ranking members, and I appreciate the assurances of the Democratic leader that his side of

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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the aisle recognizes the importance of enacting this bipartisan legislation. There is no reason why with a good effort we can't complete the bill today.

I thank the Democratic leader for his comments.

I thank you, Mr. President.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PORT SECURITY

Mr. REID. Mr. President, I am going to suggest to Democratic Senators to oppose cloture today. I will say to all assembled that the vote under the rules is to occur tomorrow. If the majority leader decides he wants to do it today, we would not oppose even having that vote today. We are going to oppose cloture. The reason being, if you read newspapers today, you will see the House of Representatives, by a 99-percent margin in the supplemental appropriations bill, put a provision in that basically bans the Dubai Ports situation. I agree with that.

I suggested to the majority leader that we could have a vote on that matter right now after a very short time period to debate it. That would take it off of this bill. The majority leader said he doesn't want that. He suggested voting on it tomorrow.

To make a long story short, the majority leader at this point has not agreed to do that. As a result of that, any other thing we come up with takes the second-degree amendment away. It doesn't allow that to be the matter before the Senate.

I had a conversation with Senator DODD last night, and he was telling me how disappointed he was that we weren't going to complete this bill today. But this is where the American people find the Senate today and that is where we as Senators find ourselves today.

As I said yesterday—I say again today—I don't know if there is a change of heart because of Congressman BOEHNER now having a leadership position in the House or whether it is a matter of mere coincidence, but I appreciate the House of Representatives being a legislative body, a separate and equal branch of government.

We do not have to take orders from the White House. We don't have to do what they tell us we should do, whether this is a Democratic Senate or Republican Senate. There has been no better spokesperson of that than Senator BYRD. Senator BYRD for years has said—and he has a portfolio to substantiate what he said—that we serve separately from the President. Whether it is Democrat or Republican down there, we have our responsibilities.

I admire what the House did. They said we know this President feels strongly about this. We know he said he is going to veto it, but we are going to do it because we think we have an obligation to our constituents. I am glad they did that. No rubberstamp. I think it is about time. The issue is of critical importance to our national security. Whether it is Iraq, Katrina, or protecting Americans from terrorist threats, we have seen this administration choose, I believe, the wrong course.

We have had amendments here on the floor where we wanted to increase the security at our ports, checking our cargo containers, our chemical plants, our nuclear plants. We could go down a long list. The White House said they don't want them. So we don't get them. By a straight party-line vote we lose over here. I hope this is coming to an end.

That is why it has been so difficult to work on a bipartisan basis most of the time. There have been no vetoes. There has been nothing to veto. Whatever the President wants, he has gotten. The losers have been the American people, in my opinion.

That is where we found ourselves yesterday.

My friend from New York—no one can question his having been out front on this issue from the very beginning. I appreciate his working on a bipartisan basis to move this matter along. I told Senator FRIST this. I went to our special caucus yesterday, and we had Democratic Senators coming from every side of the room saying I am going to move to do what the House has done. As a result of that, Senator SCHUMER came to the floor and offered an amendment which was going to be offered. His having been out in front—I am glad he proposed it. He is the face of this amendment. He deserves it. He was the first one who noticed this issue in the press or anywhere else. I admire the work he has done on this issue.

We can't turn over control of these ports to a foreign country. That is what this is about. This isn't a foreign company, it is a foreign country.

I received a 1½-page memo from the Commissioner of Ports of New Jersey and New York. He said in his memo that whoever got this contract was going to be all powerful. They would control the perimeters of the ports. They would control who worked in the port. They would do background checks of the people who work there. The American people could sense this.

I think we overuse certain terms, but we want an up-or-down vote.

On the ''Lou Dobbs'' show last night when he was questioning one of the guests—Lou Dobbs is on CNN—he said they are the same Republicans who were demanding an up-or-down vote on judges such as Alito and they won't give you a vote on this port thing. The only answer is, yes, it is true.

My friend, the distinguished majority leader, has decided it is not appropriate at this time to address this issue. That is a decision he can make.

We stand ready to vote on this port matter after a very short debate. I am sure Senator SCHUMER would agree to a couple hours, evenly divided, maybe even a shorter time than that, but at least a couple of hours would be appropriate at any time and move on.

I say through the Chair to anyone within the sound of my voice, lobbying reform will be completed, and it will be completed, I hope, sooner rather than later. This lobbying reform is important. We need to do everything we can to help restore integrity to what we do in Washington.

Having said that, it was absolutely wrong for the Senate not to take action yesterday on the most important issue the American people see today, and that is port security. I listened to Public Radio this morning. They had part of the debate that took place in the House of Representatives. I do not recall exactly what the vote was. I think it was 62 to 2 or something like that. MARCY KAPTUR, whom I came to the House of Representatives with, a Congresswoman from Ohio, said never in her long career in the House of Representatives has she received as many phone calls and other communications from constituents about an issue as the port security issue. And she speaks for the entire Congress. That is the way it has been. My phones in my office in the Hart Building of the Capitol area and in my Nevada offices are overwhelmed with people concerned about this issue.

I support what my friend from New York did. I hope in the near future the Senate will be able to vote on this matter.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

Ms. COLLINS. Mr. President, I express my disappointment at the words of the Democratic leader urging our colleagues to vote against cloture on the lobbying reform measure. This is important legislation. This legislation matters. This legislation is bipartisan legislation. It is in response to declining public confidence in the integrity of the decisions made by Government officials.

It is extremely unfortunate and unfair for this much needed legislation to be slowed down by an important but completely unrelated issue, regardless of one's views on the Dubai transaction. The Presiding Officer knows I have been outspoken in calling for a full investigation of the national security implications of this transaction, but regardless of one's views on it, this issue should not be tangled up in the debate on whether or not to strengthen our lobbying disclosure laws.

We have worked hard to produce a bipartisan bill, two bipartisan bills, that have been married to strengthen our lobbying laws. It is extremely unfortunate to hear the Democrat leader say we should get it done sometime but everyone should vote against cloture. That leads me to question whether there really is a commitment to strengthening our lobbying laws.

There is no reason we cannot proceed to the many amendments that have been filed, to debate them fully, let the Senate work its will on each of the amendments, and then clear this legislation so we can go to conference with the House and send the bill to the President's desk.

Public confidence in Congress is very low right now, maybe at record low levels. This legislation helps to promote public confidence in the work we do and the decisions we make. This should not be a partisan issue, and it has not been until the Democrat leader came to the Senate to urge his colleagues to oppose cloture.

Why can't we proceed with the measure before the Senate? It is a bipartisan measure.

My colleague, Senator LIEBERMAN, has worked hand in hand with me on the Committee on Homeland Security to produce this bill. Senator MCCAIN, Senator SANTORUM, Senator DODD, Senator FEINGOLD—all have been involved and have worked very hard. Indeed, yesterday we were on the verge of enacting a bipartisan amendment with the lead sponsor being a Democratic Senator. I supported his amendment. It had to do with holds being placed on bills. I thought it was a good amendment that would help increase the transparency and accountability of what we are doing.

It is unfortunate the Democratic leader is urging delay, saying we should not proceed to wrap up this bill and, in fact, we should not vote for cloture.

I urge our colleagues on both sides of the aisle to support cloture. It is imperative we move ahead with this bill. If we do not act today to pass this legislation to strengthen public confidence in the decisions we make, shame on us.

I am not saying the issue raised by the Senator from New York is not an important issue. As I said, I have spoken time and again in favor of a full 45-day review, and we have gotten that. We need to find out the results of that investigation, have the Committee on Foreign Investment report not only to the President but to us, and then make our decisions.

I am introducing legislation to reform the entire Committee on Foreign Investment to give it a stronger homeland security and national security role and to house it in the Department of Homeland Security. That is an important issue. But it is not the issue before the Senate today. The issue before the Senate today is the lobbying reform measure, two bipartisan bills that have been put together that will help strengthen and promote public confidence in our decisions. Let's get on with the task before the Senate.

The ACTING PRESIDENT pro tempore. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank the Senator from Maine for her very eloquent remarks. I thank the Senator from Connecticut for his hard work on behalf of shaping legislation and bringing to the Senate amendments that we can help bring about a restoration of confidence on the part of the American people in the way we do business. I also congratulate the Senator from Connecticut, Mr. LIEBERMAN, who has worked so closely with Senator COLLINS, as Senator DODD has worked closely with Senator LOTT.

There are a group of Senators from both sides of the aisle—Senator OBAMA, myself, Senators LIEBERMAN, COLLINS, LOTT, PRYOR, a number of other Senators—who, on an ad hoc basis, sat down for many hours to discuss the various measures we believe need to be taken.

Also, there is another group of Senators that is very concerned about the whole earmarking process which, in the view of any objective observer, has lurched completely out of control, and which is the source of a lot of the problems we are facing with the need for lobbying reform because we have a system that makes it so vulnerable to the exploitations of a few unscrupulous people—to wit, the Congressman Cunningham case, as well as others.

I have never come to the Senate in the years I have been here to talk about this institution. One, I didn't believe I had a need to, much less have a right to. I have only been here since 1987. There are a number of other Members who have been here a lot longer. But what I saw happen yesterday and what I have seen transpire makes me very concerned, and even to a degree saddened at the way the Senate has degenerated and deteriorated from an atmosphere of a willingness to address issues in the fashion that the Senate has to, which has to do with sitting down, discussing, agreeing, and moving forward. We are not the other body. Every Senator not only has individual rights, but, thank God, 40 or 41 of them can prevent action from being taken.

I see a degree of partisanship and bitterness and mistrust permeating this place which is not good not only for the institution of the Senate but for the United States of America. When I first arrived here, the leaders at that time, whether the other side was in the majority or minority, and various more senior Members would sit down and settle on an agenda that the Senate would pursue which, first and foremost, was in the interests of the American people and, secondarily, was in the interests of the respective parties.

Now we cannot move forward in the simplest fashion on issues that we are all in agreement on, much less come to some agreement as to how we can address an issue that is more contentious.

A lot of my colleagues say they love the institution of the Senate. I don't love the institution of the Senate, but I respect it. I respect it more than any institution I have ever been associated with. When I travel around the world, usually at taxpayer expense, I am even more proud of the institution of the Senate because it epitomizes what America is all about: participatory democracy, the ability of one another to fully debate and ventilate issues and come to consensus without taint of corruption or illegitimacy in any way.

Now I see this institution deteriorating and degenerating to a point where sometimes I am not only embarrassed but sometimes a little ashamed.

Yesterday, we had a procedure going on to address a major concern of the American people, and that is the lobbying practices and the ethics rules with which we conduct our business. This was a product of a bipartisan effort, both formal and informal, for many weeks. This was an agreement. Of course, there was a tinge of partisanship, as there always is, but 95 percent of it involved Members sitting down, recognizing that American people do not approve of what we are doing. A majority of the American people believe we do not share their priorities. Only 25 percent of the American people approve of Congress; 75 percent disapprove.

The major concerns the American people have is they fear there is corruption in our institutions. When we see the conviction of a Member of Congress, when we see continued allegations concerning special favors and the influence of special interests, there is at least smoke, if not fire, in those associated with those allegations.

Yesterday, thanks to a bipartisan effort, we were moving forward with an agenda. We had considered amendments. We had voted on one concerning gifts. There was another one coming up that was going to be contentious, and that is the use of corporate jets by Members of Congress, for paying first-class fare instead of the charter rate which every other citizen is required to do. Obviously, I will not get into that debate. And then we had a schedule of some other amendments.

Then the Senator from New York came to the Senate and said just before the vote, ''Reserving the right to object . . . '' because he was reserving the right to object to a unanimous consent agreement, as we do business here by unanimous consent agreement, ''before we set it aside, on this amendment.'' On this amendment, that was his statement. It is part of the RECORD. Then when he was recognized, he reached into his pocket and pulled out an amendment.

It is the right of every Senator under the rules to propose an amendment. It is not the right of every Senator to mislead his colleagues. It is not the right of every Senator. How can we do

business in this Senate if our colleagues mislead us?

The current Presiding Officer, who happened to be the Chair at the time, was surprised, as were the rest of us.

Fortunately, we keep a transcript of our remarks, and I went back and I quoted from it again. I do not in any way criticize the right of any Senator to propose an amendment at any time that is under the parliamentary rules. But to stand up on the floor of this Senate and say you are going to do one thing and then you do another is not only inappropriate, but it risks—it risks—a breakdown of the kind of courtesy we have to extend to each other if we are going to function as a body.

So now the larger issue. The Senator from Nevada and the Senator from New York are dead set on an amendment to negate the agreement concerning the leasing of terminals in the United States by the United Arab Emirates. I understand the passion they feel on that issue. I respect their views on that. But do we have to—knowing full well it would tie up the Senate—the Senator from Nevada has been around here as long as I have. Knowing full well it would tie up the Senate, bring to a halt any action we might take on ethics and lobbying reform, still we are insistent upon that.

Now, the Senator from Connecticut and the Senator from Nevada will stand up: It is our right, it is our right to propose any amendment that is in a parliamentary fashion acceptable. I agree with that. I do not dispute their right. I do dispute stopping—which it has; now we are not going to move forward until after the cloture vote—stopping our progress on the issue which is more important to the American people or as important in an orderly fashion.

The Senator from Nevada knows full well if we are going to act legislatively in this body he is going to have an opportunity to propose this amendment. If we are going to act legislatively, we could stop, we could not do anything in the Senate for 45 days or a month or until the upcoming elections.

But my point is—and I want to, in fairness, say I see a lot of the same thing on this side of the aisle quite occasionally, quite frequently, that we will propose amendments to gain some kind of political advantage. That has always been part of the way we have done business. But hasn't it gotten out of proportion to our first obligation, and that is to do the people's business? Isn't that the reason why only 25 percent of the American people approve of what we do and how we do it? Aren't we concerned? Aren't we concerned about how the American people feel about us, the people we purport to represent?

What we need to do here is for the leaders on both sides, with others, to sit down and map out an agenda we can all agree to. But to bring this process of ethics and lobbying reform and earmark reform to a halt for the sake of an amendment that has nothing whatsoever to do with the businesses at hand, which is highly contentious, I think is not doing the people's business.

I want to emphasize again, I do not dispute the right of the other side of the aisle to act in a parliamentary fashion. There is nothing illegal they are doing. But I would hope that perhaps the greater good would prevail here, and we could sit down and work these things out, which would require concessions made on both sides, which has been the case of the way the Senate functions.

So I must say, I have only been here since 1987, but I have never seen anything like I saw yesterday in the years I have been here. But it is also symptomatic of the bitter partisanship that prevails here, which prevents us from doing anything meaningful or doing very much meaningful for the American people.

If my friends on the other side of the aisle want to give this side of the aisle some of the blame for this partisanship we experience here, I accept it. I accept it. I do not debate it. My point is, it is time we sat down and mapped out an agenda we can all agree to, and start doing the business of the people of this country first and our parties' business and political advantage second.

I do not mean to be contentious in these remarks. I do not mean to be too critical. But I did happen to be on the floor yesterday and see something, as I said, I have never seen before. We have to stop, take a deep breath, sit down together, and start working together. That sounds a bit utopian or Pollyannaish, but it is not. And in the many years I have been here, I saw people able to sit down—even if they had strongly held feelings—together and work things out. We are not able to do that today. It is time we changed course.

I thank my colleagues for their patience. I hope I was not in any way condescending in my remarks concerning my concern about this body.

I yield the floor.

The PRESIDING OFFICER (Ms. MURKOWSKI). The minority leader.

UNANIMOUS CONSENT REQUEST

Mr. REID. Madam President, I ask unanimous consent that the Schumer amendment be withdrawn and that it be immediately considered as a free-standing bill, with a time limitation of 2 hours equally divided; no amendments or motions in order; and that upon the use or yielding back of time, the Senate then vote on passage of the bill.

The PRESIDING OFFICER. Is there objection?

The Senator from Maine.

Ms. COLLINS. Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

Who yields time?

The Senator from Connecticut.

LEGISLATIVE PROCESS

Mr. DODD. Madam President, let me, if I may, respond to some of the things that have been said. I see my good friend from New York is here as well. I expect he may want to share some thoughts. I will not be long. First, let me say to my good friends from Maine and Arizona, they are truly wonderful friends, and I have worked on countless occasions with both of them. I regret we are in this situation as well. I say to my friends, this is a matter that is extremely important. We have all worked very hard in a bipartisan fashion to bring up both this lobbying reform and ethics reform package. So I am still confident, despite the differences that occurred yesterday, that we are going to achieve that goal.

I had hoped we would be able to finish it by this week so we would not end up having an elongated debate about the subject matter. I do not think it needs that much time. I am sorry that is not going to occur.

Let me also quickly say to my friend from Arizona, much of what he has said I agree with. I am a product of this place in many ways. I have been here a long time. I sat here on the floor as a page back—I think Jefferson was President when I sat on the floor here, that is how long ago it was—watching Lyndon Johnson sitting as Vice President of the United States, and with the all-night civil rights debates, and so forth. So I am very much a product of this institution. My father served here, and so I have great reverence for the Senate.

I too regret what has happened in many ways, that we do not spend the time to work out matters, as we have done on this bill. I think this bill has been a good example of how the Senate ought to function in many ways. That is not to say we are all going to agree on every amendment offered, but we created a process by which this can be done. I am disappointed we come here on Tuesdays and leave on Thursdays. There was a time when we used to come on Monday and stay until Friday, and there was ample time during the week for consideration of matters.

Part of the difficulty is, today, when you know you have to come in on a Tuesday at about 5 and leave on Thursday at about 5, then in order to deal with all the matters in front of you, you start doing things or offering things in a fashion you might not otherwise were there more of an opportunity to deal with it.

I counted up last night. I suspect, if I am correct, that there are about 60 legislative days left in this session. Assuming we will probably adjourn sometime in September for the fall elections, we have 60 days left to deal with a variety of issues.

My colleague from Arizona is right. Look, the numbers are there. The American public is not happy with how they see their national legislative body

functioning. There are many reasons for that, not the least of which is there are issues out there which they confront every single day that are staggering to them—their health care problems, employment issues, the education quality in our country. We all know what the issues are. We do not have to do a survey. They want to know whether we are going to pay attention to the matters they grapple with every single day.

This is also an important issue because it has to do with how we are perceived as a body. So I am not going to minimize this at all. I am not going to stand here and suggest we are all—at one time or another we have done things that I suspect if we had the chance to do them again, we would do them differently.

I will let my colleague from New York address and express what his intents were and what his purposes were, but he raised what, as my colleague from Arizona said, is a very important issue. All of us know that. We have had major hearings. My friend from Maine has had major hearings on this question already. The Banking Committee has had hearings. The other body has already passed, at least out of the Appropriations Committee—my good friend Congressman JERRY LEWIS has passed—I think 60 to 2 was the vote, something like that yesterday, a similar proposal dealing with this question about our port security.

So none of us minimalize this issue. This is not some extraneous matter that has marginal importance to people here. It is timely. It is important. It is critical. People are worried about it.

I would hope, because the hour of 2:15, or whatever the time for this cloture vote is to occur, has not arrived, that there might still be an opportunity for us to find some way to be able to say—next week, the week after, whenever it is here—that we have a chance for an hour or two to raise an important issue, have a good debate in the Senate—in fact, the leader mentioned 2 hours; I think 3 or 4 or 5 hours—for us to discuss an issue of that importance, and with that agreement being reached, we then would agree there will be no other extraneous matters brought up on this bill, and then we could move forward with it so we do not end up tying ourselves in a knot with cloture motions and voting against or for and whatever we are going to do here, delaying the consideration of this bill.

I will leave it to my colleague from New York to explain what his intentions are, what he would like to do. But having talked to him, I believe he is going to suggest we have something like that. I realize that causes some heartburn for others. But nonetheless, my hope is that we can get away from this, get back to where we were yesterday morning, moving rather smoothly through a process that Senator COLLINS and my colleague from Connecticut, Senator LIEBERMAN, and Senator LOTT and I were trying to create, with having one amendment going back and forth from either side, and getting down to a number where we actually had a good possibility of concluding the consideration of this bill by this evening.

That may not happen now because of the delay here. But my appeal would be to the Republican leader—I just heard the Democratic leader—to see if in the next hour or so we can't come to some agreement here to get back on this bill. Let's avoid the cloture votes and get through this legislation. Let's keep it a clean bill, if we can, despite the temptation to bring up other issues. Set aside some time for this debate, and discuss it here on the floor, dealing with the port security issues. That way I think we have satisfied our roles to deal with timely questions, to deal with this important matter, and avoid the kind of acrimony that can truly cause this place to crater again.

Again, I say I will let my friend from New York explain what he did. But I understand his motives to at least bring up this very important matter, and one that all of us care deeply about. We are hearing about it from our constituents.

Again, to my friend from Arizona, for whom I have the greatest respect and admiration—I have loved working with him over the years on many matters—I too worry. If more committees conducted themselves as the Homeland Security and Governmental Affairs Committee does—my Committee on Banking, by the way—with oversight, looking at issues—I think the Armed Services Committee is doing a pretty good job on a lot of these issues. That is the role of the Senate: to be engaged in the debate, the discussion, to provide the time here on the floor, with that Monday through Friday, so we have a good opportunity here to discuss the important issues of the day.

Again, the leadership has to work this out. A lot of us are at fault because we ask the leaders, we say: I can't be around on Friday. I can't be here on Monday. Can you wait until 6 o'clock on Tuesday? All of a sudden, you are arriving on Tuesday and leaving on Thursday night. No other job in America allows you to come for a couple days a week in order to do business.

So I am sorry in a way we are finding ourselves in this truncated situation. I regret we are in this situation, but we can get out of it as well. My hope would be we would find an opportunity to provide a window to discuss port security, which is critical, and clean this bill up. Let's deal with the issues before us. My friend from Maine said it well earlier: We need to get back on this question. I agree with her on that point. That appeal is out there. I will leave it up to the leaders to decide how to proceed, but I hope that will be the case.

Madam President, I see my friend from New York.

Mr. SCHUMER. Madam President, I thank my colleagues, particularly my good friend from Connecticut, as well as the minority leader, for laying out our position. Before I begin, I do want to thank the Senator from Maine, the Senator from Connecticut, his colleague, the other Senator from Connecticut, as well as the Senator from Mississippi for their hard work on this issue. Nobody gainsays the importance of doing ethics reform. I certainly have been a member of the Rules Committee and involved in it. The bottom line is very simple: Doing ethics reform and dealing with the Dubai issue are not mutually exclusive. We can do both. We can do both this week. The motion made by the minority leader makes that perfectly clear. The two are not mutually exclusive. Nothing would make us happier on this side of the aisle than working out an agreement where we would be given time to debate this amendment, separately or as part of the bill, whichever would be the majority's preference, and then move back to the very important, thoughtfully worked-out legislation on ethics reform.

We have to deal with the Dubai ports issue not in April or May but now. That is not only what the American people want, it is important to every one of us. I come from New York. We went through 9/11. Ever since that day, ever since the next day, when I put on this flag which I wear every day in memory of those who were lost, I have said: We have to do everything we can to make sure it doesn't happen again. That doesn't mean it should be No. 16 or No. 17 or even Nos. 3 or 4 on the list. It should be No. 1.

When we heard that Dubai Ports World was going to take over our ports, it naturally raised alarms, not because the country was an Arab country but because the country had had a long nexus with terrorism. The more you look at the deal, the worse it gets. That is the problem.

First, we find out that the review done by the CFIUS committee was cursory, quick. They didn't even call the port authorities, such as New York, New Jersey, and ask about it. The letter that my friend from South Carolina first procured, Senator GRAHAM, given to Senator REID and myself, lays out very clearly how an operator of a port can have a great deal to do with security. Then not only did we find out that the review was cursory and casual, it seemed that the wheels were greased to let this deal go through. Everything was quick. Everything was secret. Everything was quiet.

A group of us—myself, my colleague from North Dakota, both colleagues from New Jersey, my colleague from New York, both colleagues from Connecticut, many others from the metropolitan areas—said: We have to do something. We have to move because we can't wait. The bipartisan legislation that we introduced said: Put the deal on hold. Do the 45-day review.

Make sure the report goes to Congress. We get to see it; a nonclassified version goes to the American people. And then we get the right, if we choose, to disapprove.

The 45-day review was going forward, but none of the other conditions have been met. Right now the law would be such that the 45-day review would go forward. We wouldn't know how thorough it would be because it would be secret. The Congress and the American people would never know the results of the review, and the President would get to say ''yes'' or ''no.'' The President has already said ''yes.'' If the President had said: I am going to take a new look at this after the 45-day review, it might give us some hope. But he didn't. It is Alice in Wonderlandlike—verdict first, trial second.

Then, this weekend, a few more things occurred. The head of Dubai Ports World was on national television in America on a CNN show. And when asked by Wolf Blitzer, chief correspondent in Dubai, how many containers do you inspect here in Dubai, he answered: I don't know.

When asked what kind of security guarantees do you have about the employees who might work on the perimeter or with the cargo manifests, he didn't even care. He simply said: We have to make our British shareholders happy. That has been the whole trouble with this process. That has been the trouble with the CFIUS process. It seems that economics and diplomacy trump security.

In fact, I have been around the CFIUS process for a while, being a member of the House Banking Committee and now the Senate Banking Committee. I have been on the Banking Committees for every one of my 26 years in Congress. Basically, it was passed before I got here, but the CFIUS process was basically done to give national security cover and allow economic deals to go forward. Because in the 1980s and the 1990s, the greatest concern we had was not security but economics. After 9/11, all that changed, but the CFIUS process did not.

Many of us have come to the same conclusion that JERRY LEWIS in the House came to, and I guess 62 of the 64 Appropriations Committee members, bipartisan, in the House Appropriations Committee, that this deal should be stopped.

We don't have the luxury of waiting. That appropriations bill may not get over here until April, the supplemental. It may not be voted on until May. The deal will be consummated and done. And then they will say: You can't undo it. There will be constitutional and legal problems.

We have to act now. There are a variety of ways to act. I have chosen one. There is no monopoly on that. Maybe there is another. And certainly there are a variety of procedures. We can vote, as Senator REID offered, as a separate standing bill today, tomorrow, early next week. We can do it as part of this bill. We can make an arrangement and make it somewhere else. But the voice of the Senate must be heard. Lobbying reform is important, yes, but so is security. Lobbying reform has some time urgency, given everything we have seen, yes, but not more time urgency than this deal which might engender our security.

Let me be clear: We can do both. This Chamber can walk and chew gum at the same time. We can spend some time debating this, go back to lobbying reform and accomplish both our goals. But let me make one thing clear: We will use whatever parliamentary means we can to make sure there is a vote on this issue. In recent months and years, the Senate has changed. It is much harder to offer amendments. The tree is filled up. There are agreements that amendments cannot be germane. Cloture is filed. Our job, my job, as I represent 19 million New Yorkers, is to see that they are secure, above all. Therefore, I believe that we must vote on this amendment soon, quickly, and move on to other business.

I tell my colleagues, certainly this Senator from New York and, I think, many of my colleagues, will do everything we can to make sure that there is a vote on Dubai Ports World, a meaningful vote that ends the deal before it is too late.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Madam President, I have listened to the thoughtful comments this morning. I understand there is some controversy, some passion and anxiety about all of this. It is not partisan. There is nothing partisan about an amendment dealing with the Dubai Ports World issue. This is a significant issue. As my colleagues have said, the bill that is on the floor is also a significant issue. Both need to be dealt with. Both should be considered by this great deliberative body. But this is not about partisanship at all.

I understand partisanship. I regret that there is too much of it in this town. I left the House many years ago, decided I was going to leave the House. I did run for the Senate, but I was done with the House of Representatives. What did it for me was when they established, through then-Congressman Gingrich—I guess it is all right to say his name—something called GOPAC. And they word-tested through polls and then sent out a missive to everyone in his political camp that said: Here is the way we deal with this. When you are describing your opponent in a political election, use the words ''sick,'' ''traitor,'' ''pathetic,'' ''antifamily,'' ''antiflag.'' That was sent all over this country by an organization that said: This is the way you should engage in politics. Here are the words you should use to describe your opponents. And we poll tested them. They work. Describe your opponents as sick, pathetic, traitor, antiflag. That was sent around the country. That is what polluted the House of Representatives. I had been there long enough when I saw that sort of thing.

I love the Senate. I respect the Senate. I like being here. It is a great privilege to serve in the Senate. I regret there is probably too much partisanship here as well. I don't think we have had the kind of partisanship that infected the House beginning in the late 1980s, but I realize that this body and the House and the President, for that matter, are not in good standing with the American people these days. That circumstance exists because the American people take a look at us and they say: Here is what we face in our daily lives, and you are not addressing it. You are doing nothing about it. Why aren't you sinking your teeth into the significant issues of the day? The issue that faces me when I pull up to the gas pump, why aren't you sinking your teeth into that issue?

Someone stood up in North Dakota recently from a human service nonprofit organization and said: I just had an 81-year-old woman come in looking for a job. She just lost her last job. Do you know what her last job was at age 81? Cleaning office buildings starting at 1 a.m. Then they cut back that employment, so now she needs another job because her Social Security is $170 a month. So at age 81 she is looking for a second job to clean buildings. Why aren't you doing something about that? Why isn't the Congress addressing that?

An hour ago, this Government announced that last month's trade deficit was $68.5 billion in 1 month, the highest in the history of the human race. What does that mean? It is not just 68.5 billion dollars, it is jobs, massive numbers of jobs moving overseas, and it is the selling of this country piece by piece; at a rate of $2 billion a day we are selling America. Why don't we sink our teeth into that? Stem cell research, reimportation of prescription drugs, why don't you sink your teeth into that, they wonder.

At least part of the reason in the Senate that we can't sink our teeth into these issues is because we are prevented from offering amendments to do so. My colleague has offered an amendment on a controversial issue, I understand. The issue of whether a United Arab Emirates company called Dubai Ports World should be managing America's seaports. Should they manage some of America's largest seaports? Is this issue controversial? I suppose it is. Is it urgent that the Congress address this? Of course, it is urgent. The House Appropriations Committee, controlled by the President's own political party, yesterday by a vote of 62 to 2 slapped an amendment on an emergency supplemental appropriations bill designed to provide money for the Department of Defense and for Hurricane Katrina recovery. They slapped an amendment on there to stop this ports deal. Good for them. So there has been offered in

the Senate an amendment to stop the ports deal. All of a sudden the Senate is stopped, dead cold in its tracks. Why is it that a proposal such as this becomes a set of brake pads for the Senate? Who decides it should shut things down because someone offers an amendment to stop this takeover of the management of U.S. ports by a company from the United Arab Emirates? Why wouldn't we vote on it? How about yesterday when it was offered, after people got over being upset that we had to deal with it, how about voting on it and then moving ahead?

The underlying bill by Senator COLLINS and Senator DODD is a bill we should do.

I am enormously pleased with their leadership. That has not been easy to bring that bill to the floor. Senator LIEBERMAN, Senator LOTT, the two I have mentioned should be commended. Look, this is leadership. They have brought a bill to the floor that is important. We need to do it. But there is nothing that suggests that just because an amendment was offered dealing with Dubai Ports World, it ought to shut down the Senate. It didn't shut down the House yesterday when Congressman LEWIS offered it to an emergency supplemental appropriations bill. They just voted. Why have we not voted? Senator FRIST, I guess, has decided we won't vote on it. So we will stop the Senate cold in its tracks. We will pull down on the side of the road and hang out for while.

Does that make any sense to anybody? This doesn't make sense to me. Seventy, seventy-five percent of the American people—polls tell us—think that it is stark raving nuts to have a company owned by the United Arab Emirates manage our major ports. I know we have some people who are the elitists in Washington and who think they know better than all of the American people. They think they have greater wisdom and the American people just don't get it. These elitists think that the American people are isolationist xenophobes and cannot see over the horizon. So we have people in Washington who think this deal with Dubai Ports World is fine. It is not fine with me. It is not fine with 70, 75 percent of the American people.

If we get a vote on it in the Senate, it will not be fine with an overwhelming majority of the Senate. The question is, Will we be able to do in the Senate what the House did? That is, have an opportunity to vote on this proposition: Should a company owned by the United Arab Emirates be managing America's ports?

Well, it is interesting to read some of the things that have been written in recent days about this. United Arab Emirates, to the extent they have cooperated with us since 9/11, good for them. We hope they will continue. But there are questions about the extent to which they were involved in 9/11—yes, two of the hijackers were from there; yes, a substantial amount of evidence exists that the financing for the 9/11 plots went through financial institutions in the UAE. Dr. Khan from Pakistan was moving nuclear materials that were being pirated and shipped around the world to North Korea and Iran and other countries, and that was accommodated by the UAE ports.

Interestingly enough, the 9/11 Commission report—I have cited the page in a previous discussion—talks about when we knew where Osama bin Laden was in 1999. We knew where he was, because our intelligence pinpointed his location. They readied the cruise missiles to shoot at this location. Overnight, they decided they had to withhold and would not do it. Why? Because George Tenet later said we might have wiped out half of the royal family of the UAE, who were visiting Osama bin Laden at the time.

The 9/11 Commission report puts it a bit differently. It says UAE royal family members were there. But it is written and spoken by the head of the CIA. The reason the attack wasn't launched when we knew where Osama bin Laden was that he was being visited by the royal family of the UAE.

My point is this: That country has had some ties to terrorism. It was one of three countries to recognize the Taliban government, which accommodated Osama bin Laden in Afghanistan. It has ties to terrorism. When the American people learned about CFIUS and all these goofy acronyms and the work these folks have done in secret that says it is OK for a company such as this, owned by UAE, to manage our ports, the people of this country ask: Why is it that a country such as the United States cannot manage its own seaports? If we are so concerned about national security—and we are—and if we are threatened by terrorists consistently—and we are—and if seaports and airports are two of the important elements of national security—and they are—and if you go to the airport and try to board a plane, they will have you take off your shoes and belt, and as you go through the metal detector you will see a 6-year-old kid spread-eagle and being wanded because we are concerned about security, and if that is the case, why then would we turn to seaport security and decide this? With 5.7 million to 5.9 million containers coming in every year to our seaports, we have decided it is OK for a Middle Eastern country—the UAE—with its history, to manage our seaports through a company owned by that government. Does that make sense?

My former colleague, Fritz Hollings, who used to sit at this desk, used to talk about seaport security a lot. We don't have any seaports in North Dakota. But we went back and checked the Record: I came to the floor 13 times from 2001 until the end of 2005 to talk about seaport security—13 times. Almost every time I was here, Senator Fritz Hollings was also here talking about seaport security. We offered and offered and offered amendments to heighten and increase inspections and seaport security. Now we inspect only 4 to 5 percent of the containers that come in; 96 percent are not inspected. Does that make any sense?

This administration has not been willing to support the substantial enhancement that is necessary for real security at our seaports. One day, God forbid, there may be a terrorist attack that comes from America's seaports. We are spending somewhere close to $10 billion a year now on the issue of anti-ballistic missile protection, thinking that a rogue nation or a terrorist will acquire an intercontinental ballistic missile, put a nuclear weapon on the tip of it and shoot it at us at 15,000 miles an hour. That is the least likely threat America faces. A much more likely threat is a ship pulling up to a port at 2 to 4 miles an hour, up to the dock in a major American city, full of containers, one of which might have a nuclear weapon in it. Then we are not talking about 3,000 casualties; we are talking about 100,000 or even 300,000 casualties.

So is seaport security important? It is critical. We need to deal with it. We need to send a message to this administration and to all those involved in what is called CFIUS the Committee on Foreign Investment in the United States—that we don't improve security at our seaports by deciding we should have the UAE wholly owned company manage our seaports. Mr. Chertoff said it will actually improve security to have the UAE company managing America's seaports. That is so unbelievable that it is almost laughable. But you should not laugh when you are talking about national security issues.

This proposal is going to improve security at our seaports? Hardly. The reason the American people are concerned about it, the reason the Congress is concerned is that we understand this will diminish security. This will erode security at our seaports. Security is already too weak, and it must be dramatically strengthened.

Now, we are here in the Senate chambers with virtually nothing happening. The same thing happened yesterday afternoon. The bill is on the floor of the Senate and the Senate rules are such that you can offer amendments to that bill and they don't have to be germane prior to any cloture motion; they don't have to be relevant to the bill.

I will give you some examples of the problems of the Senate, the way the Senate works these days. I was promised—and others were as well—that we would have a vote on the issue of reimportation of prescription drugs. Reimportation would drive down the price of prescription drugs in the United States because we pay the highest prices in the world, and the same drug, made by the same company, put in the same bottle, made in the same manufacturing plant, is sent to Canada and is sold for one-tenth of the price. I recently sat on a hay bale talking with an old codger who is about 85-years-old.

He said: My wife has been fighting breast cancer for 3 years, and we have driven to Canada for 3 straight years, every 3 months, to get her medicine, and we have saved 80 percent on her medicine bill; the same pill I could have gotten on the North Dakota side of the border, but it is priced much higher in the United States.

So for several years now, we have had proposals that are bipartisan to allow for reimportation, but we have been prevented from having an opportunity to vote on it on the floor of the Senate, despite the fact that the majority leader at midnight one night made a commitment to do it. He thinks he didn't. It is written in the CONGRESSIONAL RECORD and somebody can look at it and see whether or not the commitment was made. But we didn't get a vote on it. So it is frustrating.

The Senate is a place where you ought to get a vote. The complaint now, I guess, is that the amendment was offered. It wasn't offered in violation of the rules. The rules allow it to be offered. Perhaps if somebody says let's not vote on it this afternoon but tomorrow, or let's vote on it next Tuesday, my guess is they can make an arrangement to have that happen. But this is a voluntary rest for the Senate. Deciding not to move forward with the bill is a decision by the majority leader. He has decided that he doesn't want to vote on an amendment offered under the rules and which deals with a very relevant issue that was voted on yesterday in a House Committee by the majority party on a piece of legislation that had nothing to do with the amendment. It was OK in the House to do that.

But the majority party in the Senate, even though it was offered under the rules of the Senate, said: No, no, if you are going to force us to talk about and vote on this issue of whether a UAE company should be managing America's ports, we are going to stop the process, stop progress of the Senate, and we are going to sit around and look at each other. That doesn't make any sense. Let's run the Senate the way it ought to be run. If you have amendments, let's debate the amendments and vote on the amendments. This isn't rocket science. If somebody offers an amendment, you have a debate. If you think the people are talking too long, get an agreement on restricting the debate, or get a time agreement and, at the end of the debate, you vote and count them. You don't weigh them; you just count them. It is very simple.

Apparently the majority leader wants to run this body like the House Rules Committee. They would have kind of a Rules Committee on the floor of the Senate that says you can offer this amendment, but you cannot offer that one. They have been doing that for a long while now. This body is run by people who want to emulate the House Rules Committee and prevent people from offering amendments that are perfectly allowable under the rules of the Senate. We are told, if you offer an amendment under the rules, we are going to shut the place down. We are going to stop and complain. So now that the majority party has decided that it doesn't want to move, it complains that we are not moving. A very strange complaint. They can fix this in 5 minutes.

I said the other day it doesn't take me 45 days to figure out the UAE ports issue. We have a 45-day review period—paradoxically requested by the company rather than our country. Our country should insist on that because it is our security. But the company asked our country to do a 45-day review. My point is I don't need 45 days, or even 45 minutes, to figure this out. Nor do most Americans. This deal erodes America's security. It should not take us 5 minutes to get this place back on track.

The underlying bill is important. It is brought to us by four pretty distinguished legislators. Let's proceed with that bill. How do you do that? Let's vote on this amendment in the next half hour or so and then move ahead. If you say there is a scheduling issue, then let's not vote on this amendment today and give us time on Tuesday. That would be all right.

I want to make one other point. I don't know how this is going to turn out, but I am on the Appropriations Committee, and on the emergency supplemental bill, when we mark that up, I intend to offer the identical amendment that a Congressman offered in the House Appropriations Committee so that we can have a vote on it and go to conference with the House on the emergency supplement with identical amendments. I think the Senate should pass an identical amendment in the emergency supplemental, no matter how this comes out, as a backstop. I intend to offer that in the future when we mark up the emergency supplemental bill.

Madam President, I wish to take an additional minute to talk about the news this morning about the $68.5 billion trade deficit, and then I will yield to my colleague from Connecticut, or whoever wishes to speak. The news is once again devastating: our trade deficit last month was $68.5 billion, which is the highest in our history. This relates to a trade policy that is fundamentally bankrupt and a Congress and a President that are not only asleep at the switch but have their heads buried deeper in the sand every month. And the trade deficit widened substantially with China again. I will not go through all the stories about unfair trade. But if this Congress and the President continue to ignore this issue, at some point, this country's currency will suffer a fate that I don't want to see. It will have enormous economic consequences.

This is a strategy that is unsustainable. It is hurting Americans and is shifting Americans' jobs overseas and selling part of America. By the way, this is related to the Dubai Ports World deal because all of this offshoring and outsourcing and globalization and the decision that anybody could do anything, anywhere, and there really are no rules. And the minute somebody says maybe there ought to be rules, they are xenophobes and isolationists. And I will talk about that at another time.

If this $68.5 billion is not a wake-up call, if this doesn't wake up the Congress and the President—and it likely won't—then I suggest this coma is probably irreversible, and I worry about the future of this country.

This country needs to stand up for its own economic interests. Whether it is trade with Japan or trade with China, trade with Europe, trade with Canada, trade with Mexico—we have very large deficits with all of them—and if we don't find a way to address this issue, this country's economy will not remain a vibrant world-class economy in the long term.

Again, we are in this deep sleep, or probably a coma, wanting to either deny or ignore the central facts of a trade policy that is awful. It is trading away American workers, trading away the middle class. We are hollowing out the center of this country. We are saying to this country's workers: If you can't compete with Chinese wages, if you can't compete with Indonesia, Bangladesh, or Sri Lanka wages, shame on you; your job is gone.

I have gone on at length talking about Huffy bikes, Radio Flyer, little red wagons—a whole host of products and companies that have moved offshore.

By the way, the thank-you for moving offshore from this Congress is to give them a big tax break. We voted to end this tax break four times, four amendments I have offered. All four have lost. I will continue to offer those amendments because I still believe that the last thing we ought to do is offer tax breaks to those who shut their American plants and move their jobs overseas. It is pretty unbelievable we do that, but it is part of the willingness to both ignore the circumstances of our trade deficit and the willingness to believe that a completely bankrupt strategy remains workable.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. VITTER). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. VITTER). Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S. 2349

Mr. FRIST. Mr. President, the Democratic leader and I have been in consultation over the course of the morning, and I come to the floor now with a

unanimous consent request. I ask unanimous consent that notwithstanding the provisions of rule XXII, the cloture vote occur at 2 o'clock today and that second-degree amendments be filed not later than 2 p.m. on Monday, March 13. I further ask that the mandatory quorum be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRIST. Mr. President, 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.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mrs. BOXER. Mr. President, is there any limit on the time for Senators at this point?

The PRESIDING OFFICER. There is 5½ minutes remaining on the minority side.

Mrs. BOXER. I ask unanimous consent that be extended on both sides by an additional 5 minutes.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mrs. BOXER. Mr. President, if you would let me know when I have used up 9 minutes so I can wrap up?

The PRESIDING OFFICER. The Chair will so advise.

PORT SECURITY

Mrs. BOXER. Mr. President, I have been watching the developments on the Senate floor with, let's say, much surprise. It is very hard for me to understand why this Senate would not want to go on record in opposition to the Dubai ports deal when we have an opportunity to do that, to dispose of that amendment by Senator SCHUMER and go right back to the ethics reform bill that is before the Senate.

I thank Senator SCHUMER for his courage because I know how it is around here sometimes. You need courage to say: Look, this is so important I am not going to back down. Senator SCHUMER explained that he and his colleagues from New York and New Jersey and Connecticut suffered the biggest blow on 9/11, although, believe me, the whole country suffered a blow—certainly in Pennsylvania directly and in my home State of California, where all those planes were going. We lost many people on that day.

But Senator SCHUMER explains that when you tell the people at home: I am going to do everything in my power so that we never have another 9/11, you better mean it. You better mean it. That means you have to step up to the plate. If you believe this deal presents a danger to our security, you have to step up to the plate, you have to use every legislative prerogative at your disposal, and you have to say to your colleagues: I am sorry, we are going to take 5 minutes out, we are going to take 10 minutes out, we are going to take 15 minutes out of this bill, and we are going to vote on this.

My colleagues on the other side of the aisle, God bless them—I know they must have a reason for this—they have stopped us from voting. They have stopped us from voting to stop this Dubai ports deal. Why is it important? There are so many reasons. This deal involves a port operator that is fully owned and controlled by a foreign country. Do we, in a post-9/11 world, want to have our very important infrastructure controlled by another country? I say no. Pre-9/11 we didn't think this way so much.

We had a situation, Senator FEINSTEIN and I, in Long Beach, the Los Angeles port, where China took over the running of a terminal. We were very concerned. This was in about 1997, well before 9/11. We were concerned then, and we asked for a special report from then-Secretary of Defense Cohen and Sandy Berger—he was our National Security Adviser. We asked them to do a written report to us before we let that go through. I believe now it ought to be looked at again. Not only that, but for all of the other ports that are being operated by foreign countries, we ought to have a look back. We ought to see if that is the right thing to do.

But one thing I know for sure, today, this deal has to stop. We have a chance here, thanks to Senator SCHUMER, who took a lot of abuse—maybe not publicly but privately—for having the courage to do this. We have to have a vote. It is amazing to me that those on the other side would stop us.

This is the same group who said to the Democrats: You better step back and let us have a vote on every judge we want, you better step back and let us have votes on all these things, and they will not let us have a vote on the most sacred responsibility we have, which is to keep our country safe.

Let the American people understand what this is about. It is not as if we have done so much for port security in this Congress. We have gotten failing grades for what we have failed to do on port security. It is not for lack of trying.

I want to show you how many amendments we voted on, to try to increase port security, and what happened. In the 107th Congress, $585 million increase for port security in the fiscal year 2003 appropriations; another vote, $500 million increase for port security; another vote, $200 million increase for the Coast Guard; $1 billion for port security. Guess what happened in the 107th Congress. Every one of those amendments went down. Every one of those amendments went down because my colleagues on the other side pretty much voted party line, voted down.

What happened in the 108th Congress? An amendment for a $460 million increase for port security plus a $70 million increase for the Coast Guard for homeland security was voted down; $450 million increase for port security, voted down; $100 million increase—we went at it again and again—voted down; $324 million increase for the Coast Guard, voted down; $80 million increase for the Coast Guard, voted down; $150 million increase for port security grants, voted down.

My colleagues on the other side voted down every one of these while they voted for tax breaks for the most wealthy Americans who already earn $1 million a year.

I hope the American people are catching on to what is going on. Had we done some of these things and you had the country, the United Arab Emirates, that had connections to 9/11—two of the hijackers were from there. We know that money was laundered for the operation through Dubai. We know that Dr. Khan, the Pakistani scientist who turned on the civilized world and smuggled nuclear components to Iran, to North Korea, and to Libya—how did he smuggle those? Through the port of Dubai. And what we are going to do is reward these people, is give them the right to operate a terminal.

Then you hear from my colleagues: Oh, the terminal operator has nothing to do with security.

Wrong. We have a letter from the No. 2 man at the Port Authority in New Jersey and New York. Do you know what he said? The terminal operator is one of the major players in port security. They are the ones who decide who gets hired. They are the ones who do the background checks.

I have that letter. I ask unanimous consent to have it printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

To: Honorable Lindsey Graham U.S. Senator.
From: James P. Fox, Deputy Executive Director, Port Authority of NY/NJ.
Date: March 1, 2006.
Re: port security-terminal operators.

PORT SECURITY: FEDERAL AGENDAS VS. TERMINAL OPERATORS RESPONSIBILITIES

The main players in port security consist of Customs and Border Patrol, U.S. Coast Guard, Immigration and Customs Enforcement and the marine terminal operators.

Due to the recent DP World Ports acquisition of P&O Ports, reports have debated the level of responsibility that marine terminal facilities operators have for security at their facilities. Too clarify, marine terminal operators schedule the ship traffic in and out of their terminals and they are also responsible for handling the loading and unloading of the vessels cargo. In 2004 alone, the Port Authority of New York and New Jersey's terminal operators combined handled 4,478,480 (twenty-foot equivalent units) or TEUs.

Marine terminal operators, such as P&O, are also responsible for the perimeter security of their leasehold. They hire the security guards and purchase the technology that will protect the terminals property, therefore having control over who can enter and exit a facility. Currently, each port, and each operator within the port, has its own

system for checking and identifying workers. It is important that Congress and the administration understand the importance of funding the Transportation Worker's Identification Card in order to bring national uniformity to port worker identification. At this time, there are no required minimum standard security measures that the marine terminal operators must adhere too. Voluntary security is not security,

It is important to note that marine terminal operators must also act as an interface with the vessel and the federal agencies. For example, if Customs and Border Patrol wants to inspect a certain container they work through the terminal operator to make that container available. As a terminal operator, the management team and personnel are an intricate part of the overall security apparatus at the terminal. It is these personnel that will have an intimate role in the movement and scheduling of cargo.

To make a statement that the terminals do not play a role in the security checks and balances at the terminal is off-base. Therefore any change of management at a terminal facility brings with it the need to ensure that those directing and controlling the flow of cargo do not pose any risk to national security.

Mrs. BOXER. Mr. President, here is the letter. They hired two security guards—that would be the Dubai people—and purchased the technology that will protect the terminal properties. They have control over who can enter and exit a facility. They have their own systems for checking and identifying workers.

Let me tell you that the terminal operators, according to the people who know best, are very much into the loop of security. As a matter of fact, they are deemed one of the main players. That is what they are called—main players in port security consisting of Customs, Border Patrol, Coast Guard, Immigration, Customs enforcement, and the terminal operators.

If anyone says to you it doesn't matter who loses the terminal, you just relate to them that we know better. When Senator STEVENS had the CCO of Dubai Ports World before our committee, I said to him: What do you think about the fact that this Dr. Kahn got all of these smuggled nuclear components through Port of Dubai?

Do you know what he said? This is the chief corporate officer of Dubai Ports World. He said, ''We don't know anything about it. We never look at containers.''

Can you imagine? So here it is. We have a chance to stop this Dubai Ports deal in its tracks. To do so is in the best interests of the people of this country. To do so would be reflective of what the House of Representatives did yesterday in their Appropriations Committee. To do so is our highest responsibility to the people of this country. To do so is common sense. To do so is to stand for the security of this country.

This deal is greased. The underlying bill that Senator SCHUMER attached this to, you and I, Mr. President, could live by the rules of this bill. And I intend to do it whether it is passed today, tomorrow, or next week. But we have to stop this deal from going forward. Listen, that deal was greased. That deal was greased. The President is all for it. He said: I didn't know anything about it. But 50 seconds later he was all for it.

This is our only chance today, unless there is an agreement to have a standalone bill. I hope colleagues will fight for the right to vote for this important amendment. Thank you very much.

The PRESIDING OFFICER. The Senator from Minnesota.

EXTENSION OF MORNING BUSINESS

Mr. COLEMAN. Mr. President, I also ask unanimous consent that the period of morning business be extended until 2 p.m. with the time equally divided in the usual form, and the time between 1:30 and 2 p.m. be reserved for the proponents and opponents.

The PRESIDING OFFICER. Without objection, it is so ordered.

PORT SECURITY

Mr. COLEMAN. Mr. President, I want to speak a little bit about Iran and about the outrageous comments by the Iranians threatening the United States of America and continuing their perilous path to try to obtain nuclear weapons. But before I do that, I have to respond as I listened to the discussion about port security.

I am chairman of the Permanent Subcommittee on Investigation. For 2 years we have been looking at the issue of port security. We have looked at the possibility of someone bringing a nuclear bomb into this country, or weapons in one of the over 11 million cargo containers that come in from the seas.

We have before us a situation and the prospect of UAE Dubai Ports World taking over a number of American ports on the east coast. It has raised a lot of concern, as it should. But some of the rhetoric is a little aboveboard.

When I say that, we need to do everything in our power to make sure that we are safe and secure. Ports are points of entry, and there are areas of vulnerability. This deal has raised very legitimate concerns.

First and foremost was the process. The process, while we look at foreign investment in the United States, as I would describe it, a pre-9/11 process and a post-9/11 world, about 1,500 of these have been done on a 30-day expedited basis.

When folks at the sub-Cabinet level looked at this—folks in Treasury, Homeland Security, other agencies of the administration looked at this—they saw that we were talking about taking control of ports, and, yes, by the UAE. It raises security issues. Under the law that calls for a 45-day review. It didn't happen. That was a mistake. That was the wrong thing. It was a violation of the law. It was a bad process and the process needs to be changed. But we have to tone down the rhetoric a little bit.

It is interesting. I have been, again, a major critic of the process. I signed a bipartisan letter with my colleague from New York, Senator SCHUMER, with Senator CLINTON from New York, and with both Senators from New Jersey. We signed a bipartisan letter that said we demand that this go back to the 45-day process; we demand that we take a close and serious look at it and we make sure we have looked at all the security concerns. Then, at the end of that 45-day process, we demanded that Congress have the right to review the conclusion. If the conclusion from our perspective did not appear to be in the best interests of our national security, we would then note our disapproval and the deal wouldn't go through. We had a bipartisan agreement to do that.

Today, clearly the American public is deeply concerned, as they should be. But instead of going through the process—by the way, we pride ourselves as being the greatest deliberative body in the world—instead of allowing the process to go through with Congress then being briefed, having the hearings—we have had to some degree, and we need more. We heard from the folks who made the decision in front of the Homeland Security Committee. They explained what happened. Then we went into private session. We went into the secure room in this building and had classified material. We had a review. We listened. We understand the review is ongoing. Nothing is going to change. There is no change in the status quo. Dubai is not going to be taking over any American port until the CFIUS process is done, not until the President has exercised his authority under law and until we in Congress have a review.

My colleagues are talking about this is our only chance to stop this deal, and we have to act now. This is policymaking by poll taking. Clearly, the American public has been concerned, as they should be.

We have put in place a process by which there is a 45-day time to review. We have called for and demanded congressional oversight of that and the opportunity to be heard, and we will get that. We need to be assured that we are going to get that.

But to somehow communicate to the American public that this is our only chance and terrible things are going to happen if we do not stand up and stop this today is really more about pandering to the fears of the moment than doing what we are supposed to do in this bill; that is, be deliberative and thoughtful.

I have some deep concerns about the history regarding UAE—deep concerns about the trafficking of nuclear materials by Dr. Kahn from Pakistan. I have concerns about the UAE when they recognized the Taliban, as they did, by the way, Pakistan and Saudi Arabia.

One of our strongest allies today in the war on terror is Pakistan. Are my colleagues presuming that somehow we

should be cutting off relations with Pakistan? I don't think so. They say there were concerns about what they did, but now they work with us.

I believe we have about 500 to 700 naval ships that are docked in the UAE on a regular basis. Our ability to fight the war on terror is dependent in part on the partnership we have with the UAE. They support us in the war in Afghanistan. We have a changed situation in the post-9/11 world. We have an ally whose policy I don't like when it comes to boycotting Israel. That is something that deeply troubles me, and it should be a factor that we look into. But the bottom line is you can't pick out all the negatives and not recognize in this post-9/11 world that we have a country that has been an ally, that does billions in trade with us. We put the safety of our sailors in their hands at their ports.

I think we have to look at the whole picture and allow the review to go forward with an understanding that nothing is going to happen within 45-days—no change of ownership and no increase in security problems.

Let me briefly try to address the overall issue of port security and container security. Some of us have been working on that before the issue became the issue de jour, the issue of the day. I have been to Hong Kong and looked at the operation. I have been at the Port of L.A. I have looked at the radiation portals, the radiation portal monitors that we have in various places throughout this country.

The reality is that today there are 11 million cargo containers coming into this country, and we actually closely look at perhaps 1 in 20—5 percent. That is what we look at. We have a system. It is not a random system. It is a targeted system. These are things that are based on the manufacturer, where the cargo came from, and a range of things—who the shipper is and who the receiving company is. We are looking at 1 in 20. We need to do better.

One of the things we should be doing—and I had a chance to review this when I was in Hong Kong. They have part of their operation in which they have put in place American technology. They are actually able to literally, almost like a moving CAT scan—as the trucks come from mainland China with the goods being sent to the United States, they don't stop. They just keep coming in. They go through two portals. You get a screening. You can see what is inside the vehicle. At the same time, right at the very end, there is a radiation portal monitor which gives us an indication of whether there is any nuclear material in that cargo.

At the same time, the operators—the folks who are watching this—have a manifest of what is in it. If the manifest says X-thousand DVDs and all of a sudden you see a big, solid kind of cylindrical object, you have a problem. You stop it and do further inspection. You take a look at it. They have an opportunity to screen 100 percent of that. That should be the standard we set.

I am introducing this morning a bill that will require the Department of Homeland Security to put in place a system to screen each and every one of the cargo containers that come into this country. That is the kind of security we need. In addition to that—and I believe the UAE deal represents a concern, even though security is being done, certainly, at home by the Coast Guard and Homeland Security, even though the reality is that cargo security starts at overseas ports, it is not when it comes into our waters—we have, I believe, 41 agreements called the ''Container Security Initiative.'' We have the Department of Homeland Security sitting side by side in foreign countries with personnel who run their ports looking at every manifest that comes in, making some judgments about what is inspected and not inspected. At the same time, we have an agreement with private security, CT–PAT, Partnership Against Terrorism. We work, then, on the private side to have measures in place that will increase the measure of safety and security that we have regarding these containers coming in.

The bottom line is, I am concerned if we have a foreign entity that is owning or operating an American port, that they would have access, then, to our security procedures. That raises concerns.

The other reality is that 80 percent of the terminals in the United States are foreign owned—either foreign companies, or in some cases—by the way, I say to my colleague from California, there are four port operations on the west coast that are foreign owned by foreign countries—three by Singapore and one by China.

Do we feel any safer that China owns a major American port operation? The reality is there hasn't been a problem, by the way, until this deal. Now we hear there is a crisis. Now we have to hear we have to act today.

What is happening today is it is about politics. That is what is happening today. We had an understanding that we should have a 45-day review, that we should have access to then participate in that and look at the information as it comes in. And we should have a clear opportunity to make a judgment about that 45-day review.

We have something else today. But the bottom line, again, is that part of the bill that I will introduce today will require a separation of ownership, and we can't unravel 80 percent of the terminals that are foreign owned, foreign operations. Each of these operations should have an American company, folks who are operating these ports who understand the security procedures. They should be vetted. They should be cleared. We should know who they are.

If we can separate operations from ownership, if we can make sure we have in place a system whereby each and every piece of cargo in a container that is coming into this country—the 11 million that come in by ship, and then if we can reform the CFIUS process so it is more transparent, so Congress has a chance to review these things before they happen, we will be much better served. That is the way this deliberative body should act rather than playing with the politics, to demand that we have to do something today when, in fact, we have a process, a review process. We should let it go forward and not allow anything to change until our will has been heard, then do the things that we have to do to check out each and every piece of material coming into this country, require Homeland Security do that, and, as I said before, separate the operation of ports, where we have folks we can vet, who we can check out, those who own it.

By the way, we have, I believe, about $100 billion of foreign investment in this country. That is a good thing. It is called jobs for Americans, economic security, national security. Let us strengthen our national security when it comes to cargo container security, but let us not act on politics at the moment.

IRAN

Mr. COLEMAN. Mr. President, I want to move on to what I intended to talk about today, and that is Iran.

I will not speak that long.

I think it is important to respond to the outrageous comments made by the Government of Iran this week and this latest stunt by the despotic Iranian regime that said: The United States may have the power to cause harm and pain, but it is also susceptible to harm and pain. If the United States wishes to choose that path, let the ball roll.

First, there is a method to this madness. There is a method to this, with what this regime needs and is seeking to do. It needs crisis. It needs to raise the level of tension to justify its own increased militarization in the harsh security measures at home. That is what it is intending to do.

On the other hand, we have to take them at their threat, at their word. If they are threatening the United States, take them at their word. Hitler told us in ''Mien Kampf'' what he was going to do. We did not listen, and there was a terrible price to be paid.

The Iranian mullahs and the President are telling us they intend to destroy Israel. They are very clear that they are on a path to obtain nuclear weapons. We know it. Let's take them at their word. Let's say: Yes, this is what you want to do, we know it, and we will not let you do it.

When the President of Iran issued the first threat about the destruction of Israel, behind him was a huge banner, with good graphics. It was a big hourglass. The hourglass ball is dropping. That glass ball, which is very fragile, is Israel, about to be destroyed. But if

you look very closely on the floor, already destroyed is the USA. That is their intention, what they intend to do. We have to understand we take them at their word, and we have to make sure they do not have the opportunity to develop a nuclear weapon. It is time for the international community to act stronger than it has acted, maybe call their bluff. Strong words from the Iranians require a strong response from the Security Council. Iran has threatened the United States with harm because we are looking to hold them accountable for their actions or to endorse their international commitments.

In light of this situation, no sound-minded diplomat can claim the purpose of the Iranian program is benign or that it can be trusted to uphold any part of a compromise agreement. They do not want agreement. We talk about continuing the discussions with the Russian plan they laid out. We have to presume that the other side really wants an end to the crisis, but there is no rational basis to presume they want an end to the crisis. They want the crisis. They want to push it forward. They want to engage in dialog as they continue their efforts to obtain nuclear materials. So there is no incentive for us to engage in the negotiation.

If you look at proposals—some unacceptable, to flatout dangerous—all require enormous concessions to the Iranians to get their buy-in. Again, we have to say, does the other side want an end to the crisis? Do they want to do a deal? The answer is ''no.''

The Iranians already rejected a Russian proposal to jointly enrich uranium on Russian soil. There has also been talk of a deal where Iran will be allowed to conduct small-scale research enrichment in exchange for postponing industrial-scale research. This is ludicrous to be talking about.

Our friends on the Security Council must recognize compromise with Iran is not an end to itself but only used when it is seeking to reach an objective, to prevent them from producing nuclear weapons. Any deal that allows Iran to retain uranium does not serve this objective.

This week, the IAEA must refer—and I use the word ''refer''—Iran to the Security Council with a strongly worded IAEA resolution that will lead to robust Security Council action, not to rest on what was a weak IAEA resolution passed last month which reported Iran to the Council. Under the chart of the U.N., the Security Council is granted jurisdiction over ''threats to international peace and security.'' There is no more evident, obvious threat to international peace and security than the attempt of Iran to obtain nuclear materials and to develop a nuclear weapon.

The Security Council action was absolutely necessary in dealing with Iran. I am aware that several of our partners on the Council—namely, Russia and China—have yet to come to understand the urgency of the crisis we face with Iranian's nuclear program. For this reason, I support the administration's efforts to build a coalition of allies who are willing to impose meaningful sanctions on Iran, should certain members of the Security Council fail to act responsibly by withholding support for sanctions. Action needs to be taken immediately. Sanctions need to be taken immediately. The international community cannot be constrained from action against imminent threat to peace and security by a few self-interested actors. We cannot be cowed and bowed by the threats of the Iranians.

We must move forward. This is a threat to peace and security of the entire world. We have to act now.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

DUBAI

Mr. LAUTENBERG. Mr. President, the focus today, as we look at reforming lobbyist activities, is trying to show that there is an honest face within the Senate and within the Congress. We must continue with those activities.

However, at the same time, we are looking at a situation that worries more than 70 percent of the American people today. There is no doubt about it, this deal is done. Today, Dubai Ports World owns shipping terminals throughout the United States and in my home State of New Jersey.

Frankly, it is an outcome we are all trying to prevent, and we need to do whatever we can to reverse it. I am not sure it is possible, despite the positive words from colleagues across the room. That is why I am a cosponsor of this amendment.

I know the port area very well in my State of New Jersey. It is called the Port of New York and New Jersey. It is the second busiest container port on the east coast. Millions of tons of cargo pass through it. It is strictly located to be near markets. It is less than 2 miles from the Newark Airport, one of the busiest in the country, and stretches almost to the shores of New York, 2 miles of land that the FBI says is the most dangerous 2 miles of territory in America for a terrorist attack.

The reason goes beyond the confluence of all kinds of activities. It also is an area where there is lots of chemical manufacturing, chemical transportation, and warehousing of chemical materials. And it is said that if an attack were successful in that area, we could be looking at millions of deaths. And we want to transfer the operation of that terminal container, the second biggest in the harbor, to Dubai? People are saying it is good business and something that we have to do in the interests of foreign trade and international economies.

The Dubai Ports deal has been mishandled by the administration from the beginning. President Bush gave the deal a casual ''thumbs up'' when it deserved the highest scrutiny. As a matter of fact, it wasn't even brought to the attention of senior Cabinet officials. Or if it was brought to their attention, they forgot it; they did not remember it.

Instead of a real investigation, the administration issued a document called a Statement of No Objection. We have heard the President's determination to have this go through, even suggesting that he would veto it if there were any attempt to block the transaction. It is a simple statement, the Statement of No Objection, issued by the Treasury Department that said: No problem, go ahead and take over these terminals in our country. Frankly, it was an irresponsible move.

On September 11, longshoremen, people employed on the docks at Port Newark, could see the smoke rising from the World Trade Center across the river. Indeed, throughout New Jersey, people looked to the sky in disbelief. And now, the President is telling these people, my constituents, not to worry? That is not good enough.

The Bush administration has been playing a shell game on this issue from the very beginning. First, they said no thorough investigation was necessary and approved the deal. What they were saying, basically, is ''mission accomplished.'' ''All done.'' We have heard that before, and we know the consequences that came after that. There was a public outcry.

Now the administration is supposedly conducting a thorough investigation. Frankly, it is a meaningless gesture. The deal is done. The deal is closed. Its final moments are today. So now the Ports World Company from Dubai owns those terminals. Before this new investigation even began, President Bush announced he had made up his mind. Last week he said: My position hasn't changed. That throws out the possibility of a truly objective investigation.

This is not simply a 45-day investigation. It is a 45-day stall while the administration hopes the American people will forget about the problem and they can go ahead with the business they plan. But we will not forget what happened on September 11 and we will not forget how much energy, resources, and prayers we devoted to keeping that kind of an incident from ever happening again in America, an attack that wounded us forever. We will not forget how the administration tried to rubberstamp this deal. Our constituents are alarmed. They should be.

I don't think Dubai is a terrible place or the people are awful people. But they consort with people with whom we do not agree. They have a terrible record in Dubai of controlling their own ports. Dubai was a key transfer point for illegal shipments of nuclear weapon components that were sent to Iran, North Korea, and Libya. The relationship with Iran and Dubai is one that is unholy. Iran's stated purpose,

we heard our distinguished Senator from Minnesota state, the President of Iran says he will not be happy until Israel is blown off the map.

There is a constant support stream from Iran to terrorist organizations Hamas, Hezbollah, and Islamic Jihad. They all get support there. Dubai does over $1 billion a year's worth of business with Iran and now has a trade mission there. What does that do? That helps Iran earn money, helps them to supply terrorist insurgent groups to Iraq where they are out to kill our kids, our soldiers, and the Iraqi people. Those are their friends. And we say, according to the administration, come on, these are good people, they bring money, why shouldn't we let them take over a sensitive part of our functioning?

We are saying ''no,'' and we are going to fight it in whatever ways we can. It may take a public demonstration of support that is overwhelming to keep it from happening. But right now, the presumed opportunity for negotiation over the next 45 days is not there.

There is no opportunity, there is no compulsion to bring the truth out. I want to see the administration offer to us, in whatever protected area is necessary, what CFIUS, the Committee on Foreign Investments in the United States—I want to see what they had in front of them. And I am putting in a formal request. I want to see what they had in front of them to let them make the decision that, again, did not get the attention of Secretary Snow of the Department of Treasury, to whom the CFIUS people should have reported. It did not seem to disturb Secretary Rumsfeld. It did not seem to bother the President, certainly.

These links are there also between Dubai and Osama bin Laden and 9/11. The FBI has determined that money used for the 9/11 attacks was transferred to the hijackers primarily through the UAE's—United Arab Emirates'—banking system. Further, after the 9/11 attacks, the Treasury Department complained of a lack of cooperation by the UAE as the United States was trying to track down Osama bin Laden's bank accounts.

Now, we all remember when the Taliban was harboring and protecting Osama bin Laden within its borders in Afghanistan. Civilized nations of the world were working to isolate this repressive regime. However, the UAE—the United Arab Emirates—was one of only three countries in the world that recognized the Taliban as the legitimate Government of Afghanistan.

Then there is another disturbing revelation about the UAE and Osama bin Laden. This seems impossible to conceive. The 9/11 Commission—a respected body that did a lot of hard work in trying to understand what took place on 9/11, what led up to it, and what we should do about preventing that kind of an occurrence again—the 9/11 Commission revealed, on pages 137 and 138 of its report, that members of the UAE Royal Family were secretly meeting with Osama bin Laden—this goes back to 1999—near his camp in Afghanistan. He had already done or led terrible actions against Americans. The UAE meetings with bin Laden came after bin Laden's 1998 bombing of United States Embassies in Africa, killing over 220 people, including 12 Americans. It was also after bin Laden issued something called a fatwa, stating that all Muslims have a religious duty to ''kill Americans and their allies, both civilian and military'' worldwide.

The UAE may also be responsible for undoing our best chance of getting rid of bin Laden himself. Former CIA Director George Tenet told the 9/11 Commission that the United States military was prepared to launch a missile strike against bin Laden in February of 1999, but it was called off. It was called off because United States officials discovered the presence of UAE officials near the bin Laden camp. Mr. Tenet, head of the CIA, testified to the 9/11 Commission that the attack was called off when the United States realized that we—and I quote here—''might have wiped out half the royal family in the UAE in the process.'' Kept them alive. We have heard stories here: Oh, we know where bin Laden is. We know what is going on. Well, if we know, why don't we get him?

And this government wants to be able to control terminals in our ports? I do not think so. And more than 70 percent of Americans do not think so.

So it is time—it is time—for the Senate to stand up and say no—no, no, no, no—to this takeover. We see how politically sensitive it is because the American people are often smarter in their thinking than sometimes we are here or in the House of Representatives.

The Republican-led House, the Republican Appropriations Committee, yesterday said this deal with Dubai should not go through. Imagine, Republicans challenging the President, the present leader of the country, the Commander in Chief, challenging the President, their party's President, where they have a majority in the House and here in the Senate. They say to President Bush, with all respect: Say no. We do not want this deal to go through. Say no to the giant international corporations that want this deal to go through at any cost. And say yes to this amendment. Do not let this contract go any further than it is.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, I have sat and listened to a lot of what we have heard today. I will tell you that myself and Senator LAUTENBERG and Senator SCHUMER raised this issue some 3½ weeks ago at a press conference, in which we agreed there ought to be a timeout on this. From that day forward, there has been significant increased knowledge by the American people. There has been significant uproar.

During all the time of that, the intention was—and I was led to believe by the Senator from New York—that the purpose was to find out what is best for the country, to find out what needs to be done, and to do it. That is not what we are doing today. That is not what this amendment does today.

I used to serve in the House, starting in 1994. The House Members do tend to reflect the current situations in the country. But a higher standard is required of us as a body. And one is to know the facts before we act. I would contend that the Senator from New York and the Senator from New Jersey do not know the facts on this deal. Several statements have been made about this being a done deal; it is a closed financial deal. It is not a closed deal that Dubai Ports will, in fact, operate these ports. As a matter of fact, the company has been very straightforward with information with my office, the communications we have had.

I do not believe we have the answer to the problem as of yet, and I do not think we have clearly identified it. What it has done is give us a wonderful chance to look at two things. The first thing we need to look at is overall port security, which we know on the Homeland Security Committee, for which myself and the Senator from New Jersey are members, we have a lot of work to do still in terms of port security, especially container inspection overseas and limiting the risk of those things that come into this country.

But it also raises another opportunity, and it is something I have been calling for since I have been in this body. It is for us to start thinking long term and not about the politics. The tendency that we see negates that which my favorite hero of the 20th century espoused, Martin Luther King. He said: Vanity asks, is it popular? And cowardice asks, is it expedient? But conscience asks, is it right?

The right thing to do right now is not to vote on this amendment. The right thing to do is to fill ourselves with the knowledge we need to have and to exert our privilege in this body to do something once we have that knowledge. I would portend to you the amendment that is attempting to be offered is a political stunt. It is not based on knowledgeable information about what are and are not the facts. It is based on what is most politically expedient. I think that is harmful to our country, and I know it is harmful to the body.

If you go to the root cause of every problem we have in this country, it is because we are looking for political expediency rather than to make the hard choices about the long-term consequences of what is best for our country. Usually, when it gets into these things, since I am not an attorney and not a lawyer, but I am on the Judiciary Committee, I use a little book. It is called the Constitution of the United

States. There are some pretty interesting things in the Constitution about where we are today on this issue.

Article I, section 10 of the U.S. Constitution provides:

> No State shall, without the Consent of the Congress, . . . enter into any Agreement or Compact with another State, or with a foreign Power. . . .

It is called the Compact Clause. It has been upheld multiple times.

Article II, section 2, provides:

> [The President] shall have Power, by and with the Advice . . . of the Senate, to make Treaties, provided two-thirds of the Senators present concur. . . .

In other words, for a State or a port authority to enter into a contract with a foreign government or a company wholly owned by a foreign government, they must receive permission from the Congress. That is what the Constitution says.

There is no question there needs to be CFIUS reform. But one of the ways out of this—to recognize the value of the ally we do have in Dubai, regardless of the negatives that may be associated with it, and to recognize other allies that also have negatives in terms of what we believe as parameters for faith and justice and liberty—is to do what the Constitution says, and that is recognize the Compact Clause and the treaty clause in the Constitution and to convince all those involved to take a timeout.

The Senator from New Jersey rightly states that the financial closings of DP Ports International did take over the assets of the previous owner, the British company, as of 1 o'clock yesterday or 2 o'clock yesterday. But that company has put forward that nothing has changed within the American ports. They have graciously, in the situation they find themselves, extended that period for 45 days, and probably will extend it for a longer period of time should we so desire.

But I think one of the most important points I want to make in this debate is, let's do what is right in the long run, not what is politically expedient in the short run.

For the American people to know, the real reason they want a vote is because they want to say, Who is going to vote against this so they can run a campaign commercial against you because you voted against them—not because you did not take the time to do what is right and to think and to, on the basis of knowledge and information and informed intellect, make a decision about what is best for this country. But hurry up and run a vote so we can create a politically intriguing moment.

That is not what the Senate was intended to be. It is not what we should be about. And it is not what we should be doing today.

I must express I am extremely disappointed with the Senator from New York in terms of the assurances he gave me that this stunt would not be pulled. But, in fact, he has done that. I do not know if that is because the Appropriations Committee in the House decided to run real quick and get it done and getting beat in terms of the headlines or he has some new information none of the rest of us knows that requires the immediate passing of this today. It does not. This is a political stunt.

Our obligation to the people of this country is to secure this country and to make sure we do it in a way that creates the best interests for us, both domestically and internationally. This amendment is not going to do that. What it is going to do is slap the country of Dubai, which may or may not need to be. But we do not know that information. It is going to insult them, somebody who is very critical to us in terms of what we are doing right now in the Middle East.

It is going to set us backwards. It is going to make this a more partisan body. I would remind the Senator that what goes around comes around. I can play hardball on this. I choose not to. The Senate was not designed for that. The Senate was designed to be a collegial body through thinking, knowledge, and informed consent, and coming together; that we, in fact, try to solve the problems of this country.

This is not trying to do this. This is trying to create division in the answer of political expediency, in the answer of vanity, not in response to conscience and courage. The courageous thing now is to take the timeout and find out what is going on and what needs to be changed, both in the process of how this came about, but also in the facts of this particular case. If that is the case—what the Senators from New York and New Jersey want to do—then why do we have COSCO running the Port of Los Angeles?

Why do we have foreign governments running other ports? If this was a sincere amendment, it would be reversing all of those. It is not a sincere amendment. It is an amendment about politics.

Mr. LAUTENBERG. Will the Senator yield for a question?

Mr. COBURN. I want to finish my point, if I may. Federalist No. 44 commented on the compact clause saying that it was so clearly needed, that the particulars of the clause fall within reasonings which are either so obvious or have been so fully developed that they may be passed over without remark.

Our forefathers had this figured out. All we have to do is follow the Constitution. Senator SHELBY in the Banking Committee is looking at CFIUS reform. We have plenty of time to do what we need to do. But to run off in response to a motion without the facts is a dangerous precedent for this body. This is a reasoned body. The more partisanship we have, the less reason will prevail.

In several cases, courts have said the application of the compact clause is limited to agreements that are directed to the formation of any combination tending to increase a political power in States which may encroach on or interfere with the just supremacy of the United States. So we already have the power to fix this under the compact clause and the treaty clause, both under article I and article II of the Constitution. That is what we ought to be doing. We have plenty of time to address that, while the appropriate committees within Congress address the actual facts of this case.

The United States has no national port authority. Jurisdiction is shared by Federal, State, and local governments, but it does not lessen the power of the U.S. Congress to have control over this. We do need to make some changes. The CFIUS program is wrong. My fellow colleague from Oklahoma has a wonderful bill in terms of reforming that. Senator SHELBY is changing some things. The fact is, not a good job in looking at some of these things has been done, and we have shirked our responsibility as the Senate in looking at it. But to run now to an amendment on the basis of pure political expediency does a disservice to this country in the long run. We ought not to do it. We can do it, and lots of Americans would be happy, but the consequences that will follow are grave, not only the consequences with this act but the consequences of the behavior of this body in the future, if we so act that way.

I call on my colleagues to refrain from doing anything other than gathering the appropriate knowledge, the details, look at the workings of the committees that are going on. Homeland Security is looking at this. Banking is. There will be several opportunities for us to fix this so that we appropriately can take a look at it. When the time comes, if this is not appropriate for the United States, it won't go through. But it will be done on the basis of a reasoned analysis of what is both good for us domestically in terms of our security, our economic security, as well as our foreign policy. We can have all sorts of speeches that beat up the President. The fact is, he is operating under the law. He has operated under the law. There is a law that this body created and gave him. We may need to change that law, but to cavalierly criticize what has been done is inappropriate.

We have already said we want an extra 45 days. We have that. If we need additional time, we will get it. This company is more than willing to work to make sure that we assure ourselves of absolute security. If it is so that we should not have this go through, then this body will not allow it. But it will be on the basis of facts, not emotion and not political expediency and trickery.

With that, I yield the floor and 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. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, we just heard from the Senator from Oklahoma, someone with whom I have been working since he has been here. We have significant differences of view on issues, but there is a mutual respect. He did join Senator SCHUMER from New York and me when we announced our opposition at first to this Dubai transaction. There was also a gesture of good faith. We were not expecting to have the political difference become so sharp and so angry over these next days, but information came out about how casually the disapproval took place from CFIUS, the Committee for Foreign Investment in the United States. It is supposed to get a review and had a 30-day review.

We listened to the recall by the Senator from Oklahoma about the compact section of the first amendment and reminding us that the Senate should advise and consent on matters like treaties, other things related to international relationships. But nobody knew anything about this. That was the interesting part. Here this thing suddenly pops up on the screen. There is a deal. The Emir of Dubai, a part of the United Arab Emirates, is going to buy this facility in a very sensitive part of the New York-New Jersey Harbor, one of the biggest harbors in the country and the world, all kinds of activities there. I mentioned them in my earlier remarks, a lot of industry, chemical manufacturing, gasoline distribution facilities, all kinds of things that are potentially subject to violent aftershocks if attacked, ignited. Deaths could range in the millions.

It so happened that the World Trade Center, which is on the perimeter of this area—the FBI considers the 2-mile stretch between Newark Airport and the New York-New Jersey Harbor as the most dangerous target for terrorism in the country; the most dangerous 2-mile stretch in the country, says the FBI. The port facility is right alongside this, as is Newark Liberty Airport.

Now we are hearing that Dubai has been friendly. They have helped us. They have let us dock our ships in their harbor.

How do we ignore their association? If someone is a member of a gang, a Mafia-type gang, and we know that they are a member, do we immediately invite them to join the bank board, or do we immediately invite them to one of the more important institutions in our country? Do we invite them to the Board of the Federal Reserve, the board of the stock exchange? Absolutely not. I ran a big company. I wouldn't have invited them to join the board of my company.

Here we have Dubai in a cozy relationship with Iran. Iran pours money into the Iraqi insurgent movement. Iran thusly kills some of our troops. Yesterday we lost a couple more. It seems endless. And Iraqi families are torn apart, children killed, mothers, fathers, brothers, sisters—all targets for attack by these insurgents supported by cashflow from Iran. Iran has plenty of cash; little moral principle—none—but plenty of cash, determined to wipe Israel off the map. They say so. That is the President of the country speaking officially to 4,000 students gathered. He said: We want to wipe Israel off the map.

That is a pretty bold threat. I wouldn't take it lightly. The Israelis shouldn't take it lightly, and America should never take it lightly.

Dubai helped them get nuclear components to build nuclear weapons. That is what this is about. Dubai helped finance the 9/11 attack through their financial system. It took money as well as madness. Dubai helped. What does that count for? Nothing?

The secret nature of the CFIUS meetings, we are to be consoled? As a matter of fact, it was even said by some that it was a victory getting this 45-day window for review. Victory? Like the devil it is a victory. The ball game is over. The deal is made. Dubai Ports World now owns the terminal in Newark and several other ports around the country. They paid $6 billion for it. The Emir bought it out of his own cash. So the deal is done. And the 45-day declaration of victory is a hollow response. There is nothing there. We can't do anything about it.

Yes, if the Republican majority in the House or the Senate say no, Mr. President, we are not going along with this deal, as was indicated by the 60-some Members of the Appropriations Committee in the House who voted against going through with this transaction with Dubai, that has to be a pretty significant revelation. If the President loses the troops that support him so fully, he ought to hear this. This is an unacceptable transaction. It has little to do with advice and consent.

I don't think there is any way we can stop this. This transfer has been made. But why should we waste 45 days to find out? That is what I don't get. We ought to simply take the vote up here. Let's vote in the Senate. Let us do it now, or next week, and decide do we approve of this transfer—and let it be amended any way we want to—from a company that has been operating there for a number of years, a British company. The history was already in place, so we had nothing to worry about there. But we only have 5 percent of the containers that come into the country that are thoroughly examined.

The committee on which I sit, the Governmental Affairs Committee, had a review. Witnesses came from the maritime community, a representative of Dubai, the chief financial officer, and the fellow who heads the World Ports organization. Everybody was convinced there would be few, if any, problems, with nothing to worry about. Then, suddenly, we find out there are things to worry about—a lot of things to worry about. It is said that you judge a person by the company they keep. Well, the company Dubai keeps is not very encouraging, as far as I am concerned.

Our mission and responsibility here is the safety and security of the American people. That is what this is all about. It is not hatred for Dubai, but it raises a question about the company Dubai keeps, about the actions they have taken, about the fact that they were the first to recognize the Taliban as a legitimate government in Afghanistan. That is pretty errant behavior, as far as I am concerned. So, my friends, when you get it all talked about and people start getting on their high horses, saying this can be an ad in a political election campaign, would you rather have something go awry instead of taking the extra layer of protection we have taken? Not I. If you think this transaction should be allowed to go ahead and be completed, don't worry about it, mission accomplished, then vote for permitting the action to go through. If not, then join the logic, join the examination, join the view that says these people have things to prove.

I throw out a challenge here to the Emir of Dubai, to the United Arab Emirates: Why don't you say you will remove the boycott that stops Israeli products from coming there, that wants to wipe Israel off the map—get off of that boycott team and show good faith. Do you mean you want to be a friend of ours? Then don't challenge the existence of one of our friends. Say that they are off the boycott and products can flow and passports can be honored.

I will never forget when I went to Saudi Arabia during the first gulf war. I was the first legislator to be in that country. The reason was, there was a big air base in New Jersey called McGuire Air Force Base, where troops and materiel are flown to the eastern theater very promptly. They were in Saudi Arabia and I went to visit them. When I went there, there was a question of whether my passport would be valid—a United States Senator, one of 100 in this country, an official part of the American Government—a question whether my passport would be valid entry into Saudi Arabia because I had once visited Israel on that passport, and it had a stamp that said Israel. They are so narrowminded there that they said: If you have been to Israel, you are not welcome in this country with that kind of a passport. That is how mad and crazed they are about that boycott business.

Right now, they have us by the barrels. Oil prices are going through the roof. Wealth is pouring into these countries as never before believed possible. Look at Dubai. I understand from the pictures it is beautiful—skyscrapers, and I think they even have an

indoor ski hill. They have all kinds of things from money that we send. That money is used to buy ammunition for insurgents to continue to promote terrorism by supporting Hamas and Hezbollah and all the others through Iran. And Dubai says they are our pals.

What I conclude with is we ought to play showdown here—to use the expression—and vote on whether we want this deal to go through. It is so simple. Let the American people hear those who agree say yes, and those who disagree say no. It is not political, but let's do it.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TALENT). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, I thank the Chair. I rise to speak about the motion to invoke cloture, which will be voted on in about an hour and 20 minutes. I must say that as the ranking Democrat on the Homeland Security and Governmental Affairs Committee, from which a significant part of the lobbying reform legislation before the Senate now came, I am deeply disappointed that we have reached this point in the debate on that critically important legislation. We have a once-in-a-generation opportunity to reform our lobbying laws and, in fact, touch other parts of the ethical standards by which we govern ourselves in the Senate. The Abramoff scandal and others have created this moment.

The Rules Committee has come forward with a constructive package of reforms. Our committee, on a bipartisan basis, brought out a significant series of amendments. The Lobbying Transparency and Accountability Act—this bill—is moving forward with a good, healthy debate. I actually believe we would have been coming close to passing it tonight if the amendment of my colleague from New York had not been offered yesterday and we are now in the gridlock we are in, requiring the cloture vote.

I am going to vote against cloture. I want to explain why. I assume cloture, from what I have heard, will not necessarily be achieved, and then we are going to face a moment of decision, which will call on all of us, including particularly our leaders, to reason together so we can get back to the lobbying reform legislation and presumably find another opportunity for Senator SCHUMER and others who wish to have this Chamber vote on the Dubai Ports World acquisition of terminals in this country.

I am going to vote against cloture for two reasons. First, this bill was on the floor and open to amendment for less than a day before the motion for cloture was filed. That simply is not enough time for the kind of debate and amendment for this bill, so critical to our institution's credibility with the American people, to be debated.

Second, there were several amendments which had not been introduced yet, awaiting discussion and debate and eventual vote, including some I wanted to offer or cosponsor that were relevant. But virtually all of these, I believe, would be ruled nongermane if cloture is granted and, thus, could not be offered.

There is one particular amendment I am focused on, joining with some colleagues to offer, that I have been informed by the Parliamentarian would not be germane if cloture were to be invoked. That is the amendment that Senators MCCAIN, COLLINS, OBAMA, and I were going to offer to strengthen enforcement of the Senate ethics rules and oversight of the Lobbying Disclosure Act.

We have some excellent provisions already in the legislation before us—disclosure, prohibitions—but there is a second step we have to take to make sure these new standards we are setting become real, and that is to provide for enforcement and oversight. These are critical elements of reform that require us to establish what we have called an independent Office of Public Integrity.

This is a proposal that Senator COLLINS and I offered in committee markup. It did draw criticism from some of our colleagues and was defeated in the committee. We said then that we would reoffer it or offer something similar to it on the floor. Senators MCCAIN and OBAMA, who have long been active in this particular area of enforcement of our lobbying disclosure and Senate ethics rules, have joined us. We are very proud they have joined us.

Since the committee vote against the amendment, Senator COLLINS and I have worked with our colleagues to address some of the concerns that were expressed in the committee. We have altered the office's oversight and limited it to the Senate so it will not now serve both the House and the Senate. It will be limited to the Senate so there will be no question about whether the House might have some effect—we didn't think so—but some effect on the right of the Senate under the Constitution to set its own rules and discipline its Members.

This proposal, we think, will increase the professionalism and credibility of the Senate's self-policing. It is in no way meant as criticism of the Senate Ethics Committee, which has served honorably and well.

We also believe, in the current situation, there is not adequate review, monitoring, and enforcement of the Lobbying Disclosure Act, and not enough personnel, not enough independence in the oversight. Since we are increasing the requirements on lobbyists for disclosure, we think we also would benefit from an independent office to carry out those requirements. Again, if cloture is invoked, we won't get to offer these particular amendments which are critical to this once-in-a-generation moment of opportunity for lobbying reform, and that alone is reason why I will vote against cloture.

There are other amendments. There is another amendment that may be ruled nongermane that would require Members of Congress to pay fair market value for travel on private planes. That is an important amendment. I intend to support it. It is quite possible that invoking cloture will make it not germane and, therefore, we will not able to offer it.

I want to say a final word about the amendment offered by the Senator from New York on the Dubai Ports deal. Apparently, there is such a strong feeling among the American people about this, as reflected now in the overwhelming vote in the House Appropriations Committee and the offering of this amendment, that I fear we are rushing to respond to that feeling rather than being leaders.

Here is the point I want to make. I would oppose this amendment as it has been put before us today. The most fundamental reason is this: This does something that we are not supposed to do in America, where we believe in the rule of law. We appeal to other nations around the world to follow the rule of law as a condition of a modern society. It is the underpinning of the kind of freedom and opportunity that we believe in our heart is right in this country.

I fear the rush of emotion and the anxiety, understandably, of the American people as we are involved in this war against Islamic terrorism—not against Islam, not against the Arab world—that we are forgetting that in America, we don't convict people without a trial. We don't convict people in America without a trial.

There has been a preliminary hearing in this case, if I may put it that way, using a judicial, criminal enforcement metaphor. The preliminary hearing was before the so-called CFIUS, the Committee on Foreign Investment in the United States. It reached a judgment that there was no reason, based on security concerns, to stop this acquisition from going forward.

In our Homeland Security Committee and Armed Services Committee on which I serve, I had an opportunity to question people who were involved in this review. I think the review was inadequate, and I know what was grossly inadequate is the way in which this decision to allow the acquisition of these terminals to go forward was explained to the American people. It was not explained to the American people, it was not explained to Members of Congress, and it apparently was not explained to the President of the United States. That was a terrible error. The Dubai Ports World company, after the initial furor, came back and submitted another application. There is an ongoing 45-day review. After the tremendous

public uproar over this issue, this review will be thorough. I have spoken with people involved in the review. I said to the top people in the departments: Put your hands on this one, this is critical.

To rush ahead and say, no way, before this Commission has an opportunity to reach a judgment and advise Members of Congress and the American people about what their judgment, it seems to me, to be unfair. It is not the way we handle issues of this kind in America. It raises an awful question, which I ask everybody to think about because we promised people in this country—this extraordinary, greatest country in the world—that here you can be sure you will be judged by your merits, not by your race, or nationality, or religion, or gender, or sexual orientation, or age. I worry that in the midst of the war against Islamist terrorism, we are reaching a hasty judgment based on factors that ought not to be considered in the United States of America.

I don't know how I will vote ultimately on this proposal about the acquisition by Dubai Ports World, a company controlled by the United Arab Emirates. I don't know enough to reach a judgment on that. I am waiting for that 45-day review.

I do know that the United Arab Emirates has been, since September 11, an extremely important, constructive ally of ours in the war against terrorism. I know they have put their own people on the line in very dangerous places to assist us in the war on terrorism. I know that the Dubai Port, as I understand it, sees more visits by U.S. Navy ships than any other port in the world. So obviously, the U.S. Navy has enough confidence in the security of their port to have done that.

That doesn't mean that the acquisition of these terminals by Dubai Ports World should receive a free pass, but it should mean, in addition to the basic qualities of fairness that generally characterize American life, that this proposed acquisition does deserve a fair hearing, not a rush to judgment before all the facts are in, which I say respectfully is what the committee of the other body did yesterday and what the amendment offered by my friend and colleague from New York would have us do in this Chamber.

This is one of those moments where we are tested because the emotions are high, but we are leaders. We are elected leaders, and I hope we will rise to the occasion and at least let this company and this country have a fair trial before any of us reach a judgment about whether they are guilty or not guilty.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it so ordered.

ORDER OF PROCEDURE

Mr. SCHUMER. Mr. President, I ask unanimous consent that I be given 5 minutes of the minority's time on this.

Mr. WARNER. Mr. President, I have no objection. I would like to be recognized following the Senator from New York for a period of about 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Thank you, very much, Mr. President. We are approaching this cloture vote at 2 o'clock.

One thing is very clear; that is, that doing ethics reform and dealing with the Dubai issue are not mutually exclusive. We can easily do both this week, and the motion made earlier by the minority leader makes that perfectly clear. The two are not mutually exclusive.

Mr. President, the Senator from Virginia has asked that he speak before me, which I will accede to. He has always been gracious on the floor. So I ask unanimous consent that immediately following his time I be given 5 minutes of the minority's time.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

PORT SECURITY

Mr. WARNER. Mr. President, I thank the courtesy of my colleague. I believe what I am going to say, since the Senator is addressing the issue of the DP World port terminal transaction, might bear on his remarks.

Mr. President, I have had the opportunity to work very closely with the White House and the administration, with our distinguished leader, BILL FRIST, and several other Senators on this question.

I have had the opportunity to meet and work with representatives of the DP World company who came to the United States for the purposes of sharing the importance of this contract and their perspective.

I shall not recount the events that have occurred here in the last few days. But I have just been contacted by Edward Bilkie, chief operating officer, of DP World. And in an effort to get this message to all interested parties as quickly as possible, I indicated a willingness to read a press release that is now being issued by DP World. It reads as follows:

> Because of the strong relationship between the United Arab Emirates and the United States and to preserve this relationship, DP World has decided to transfer fully the U.S. operations of P&O Ports North America, Inc. to a United States entity. This decision is based on an understanding that DP World will have time to effect the transfer in an orderly fashion and that DP World will not suffer economic loss. We look forward to working with the Department of the Treasury to implement this decision.

His Highness Sheikh Muhammad al-Maktum, Prime Minister of UAE, has directed the company, in the interest of the UAE and the United States, to take this action as the appropriate course to take in the future.

Mr. President, I would say that I started the day with the Secretary of Defense, the Chairman of the Joint Chiefs, and General Abizaid—discussing with them not the politics strictly—but potential security implications. It is not just the security of the United States with which we are concerned, but that of the free world, for much of the world is engaged in this war on terrorism.

It is absolutely essential that we, the United States, and our coalition partners in the region of the Persian Gulf, who are doing our best to secure the stated goals in Afghanistan and in Iraq, sustain a strong working partnership. Indeed, the relationships among the coalition of partners—most specifically the United States, the Government of UAE, the Government of Bahrain, Kuwait, Qatar—must be maintained as strong as possible because they are valued partners in this war on terror.

This is not just a matter of importance regarding the current operations at the moment in Afghanistan and Iraq, but rather in looking to the indeterminate future as to how long our coalition partners will be engaged in the war on terrorism to deter any attacks, and if necessary, to use force of arms to prevent injury to life and limb of citizens in the free nations of the world.

This has been a very interesting chapter in my 28 years of having the privilege to be a Member of the Senate. But I believe both governments have collaborated and acted in good faith, recognizing the circumstances at hand and our shared objectives from this time forward.

Mr. President, I ask unanimous consent to have printed in the RECORD two letters addressed to me from the U.S. Marine Corps and the U.S. Army.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CHAIRMAN OF THE JOINT CHIEFS OF STAFF,
Washington, DC, March 9, 2006.

Hon. JOHN W. WARNER,
Chairman, Committee on Armed Services, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: In response to your letter of 28 February 2006, the loss of access rights for US forces to the United Arab Emirates (UAE) would severely impact US operations in the US Central Command area of responsibility. These strategically located ports and airfields are crucial to providing timely logistical support to our military operating in the region. Beyond port and airfield access, this loss would negatively affect bilateral exercises and result in loss of support from a strong regional ally.

In particular, Jebel Ali is the premier naval refurbishment port in the region and hosts more US Navy ships than any port outside the United States. It provides a dedicated deepwater berthing space for aircraft carriers, and is the only carrier-capable port in the Arabian Gulf. Additionally, the Port

of Fujairah faces the Indian Ocean and provides critical logistics support to US operations in the region. We assess that losing access to UAE ports would have a severe impact on US naval operations in support of Operations ENDURING FREEDOM and IRAQI FREEDOM. Finally, the UAE provides basing for US Air Force aircraft flying various missions in support of operations in Afghanistan, Iraq, and the Horn of Africa.

Very Respectfully,

PETER PACE,
General, United States Marine Corps,
Chairman of the Joint Chiefs of Staff.

UNITED STATES CENTRAL COMMAND,
OFFICE OF THE COMMANDER,
Macdill Air Force Base, FL.

Hon. JOHN W. WARNER,
Chairman, Committee on Armed Services, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: In response to your letter of 8 March 2006, the United Arab Emirates is a strategically important regional partner, and a supportive ally in the Global War on Terror. UAE occupies a critically important position relative to the Strait of Hormuz, and access to its naval and air bases is essential for maintaining presence in the region. The government of the UAE is a committed partner in support of operations throughout the region, providing vital military and humanitarian assistance as well as political support. For example, UAE has contributed over $100 million toward Tsunami relief operations, over $50 million in support of humanitarian mine clearance efforts in Lebanon, and over $100 million dollars in supplies, personnel, facilities, and funding during Pakistan earthquake relief operations.

UAE's cooperation in the Global War on Terror has been noteworthy. Less than 60 days after the 9/11 attacks, the first UAE liaison officer arrived at USCENTCOM headquarters. Since August 2003, UAE Special Forces have been deployed in support of Operation ENDURING FREEDOM. Additionally, a field hospital was deployed to Iraq from April 2003 to November 2005, providing critically important medical services and supplies. US Air Force assets utilize UAE base support for aerial refueling, intra-theater lift, and surveillance/reconnaissance missions in support of Operation ENDURING FREEDOM, Operation IRAQI FREEDOM, and Combined Joint Task Force Horn of Africa. Finally, the significance of UAE's support of the War on Terror is clearly evident in the $545 million of direct and indirect cost sharing in FY04 and FY05.

Our strong partnership with the UAE is similar to the support received from other moderate Arab nations. As you have noted, other nations provide critically important basing, overflight, financial, and in many cases, troop and equipment contributions to operations in the region. The cooperation of our moderate Arab partners is essential to the success of the mission, and UAE is a strong example of strategic partnership at work in the Middle East.

Very Respectfully,

JOHN P. ABIZAID,
General, United States Army, Commander.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. Mr. President, first, let me thank my colleague from Virginia for his unfailing efforts to try to find a solution here that would solve the many different goals and needs of the situation of the purchase by Dubai Ports World of British P&O.

I believe the words that were mentioned in Mr. Bilkey's letter—I tried to write them down here—were that DP World will ''transfer fully'' to a U.S. entity.

Could I ask my colleague to yield for a question? Did I get the words exactly right? I would be happy to yield for a question. I just want to make sure I got the words right in the letter which my friend from Virginia just read—that DP World will ''transfer fully.''

Mr. WARNER. Mr. President, I am having it duplicated, and I will hand the Senator a copy.

Mr. SCHUMER. Obviously, this is a promising development, but of course the devil is in the details. I think those of us who feel strongly about this issue believe that the U.S. part of the British company should have no connection to the United Arab Emirates or DP World, which is fully owned by the United Arab Emirates.

So therefore, we would have to examine their proposal.

The bottom line is, again, if U.S. operations are fully independent in every way, that could indeed be promising. If, on the other hand, there is still ultimate control exercised by DP World, I don't think our goals will be accomplished. Obviously, we will need to study this agreement carefully.

I again thank my colleague from Virginia for his unstinting efforts, like everything he does, to try to come up with a fair and reasonable compromise.

In the meantime, I urge my colleagues to join in voting against cloture at this point in time. Obviously, the vote occurs at 2 o'clock, and this brief statement by Mr. Edward Bilkey is something which has to be studied.

At this point in time, the amendment I have offered, along with so many of my colleagues on this side of the aisle, should remain in play.

I make a couple of points about that. First, I believe strongly in ethics reform. I believe this Senate can do both at once, ethics reform and deal with the Dubai issue. They are not mutually exclusive.

The bottom line is we have offered to take a few hours off ethics reform, vote on my amendment as a freestanding bill, and then go back to ethics reform. It is truly the actions of the other side—invoking cloture, refusing to let this amendment come up—if cloture is not invoked, which I believe it will not be, that will be slowing down ethics reform. It is the intention of those on this side—and I know our minority leader will speak to this—to turn to ethics reform when we can but not in exclusion, not in place of, getting a vote on this particular issue.

The bottom line is very simple. There have been too many concerns raised about DP Ports World and its views of security, its actions in regard to security. We cannot any longer play roll-the-dice. We cannot roll the dice when it comes to the security of our Nation. The way this deal was approved initially, the secret nature by which this investigation occurred—casual, cursory—is simply not good enough. We have to examine the whole issue of port security.

I have been pushing that issue for many years, ever since September 11. Hopefully, out of this sorry mess, we will look at that. In the meantime, this deal should not go through. This deal creates too many unanswered questions. To simply allow the President, who has already said he is for the deal even before the investigation is completed, to have the only and final say is wrong.

I urge a vote against cloture.

Mr. NELSON of Nebraska. Mr. President, I rise today to state that I will be voting against the motion to invoke cloture on the lobbying reform bill. Typically, I vote for cloture motions because they are usually intended to facilitate an up-or-down vote on a piece of legislation or a nomination that is being stalled. Today, that is not the case. Yesterday, cloture was filed on the lobbying reform bill to prevent an up-or-down vote on an amendment. In this case, it is an amendment on port security, an issue of critical importance to this country right now. As a result, I will vote against cloture today to ensure that up-or-down votes are allowed to occur.

The PRESIDING OFFICER (Mr. THUNE). The minority leader.

Mr. REID. Mr. President, there is a lot going on as to whether the port deal is there or not there. We have to wait and see what really is going to happen.

I want everyone to understand how we got to where we are today, how we got to this cloture vote. It is fair to say the minority, the Democrats, forced the debate on ethics reform with the legislation we introduced, the Honest Leadership Act. We did that in January. If it were not for us, I don't believe the Senate would be even talking about Government reform this week—maybe sometime in the future. We pushed this and pushed it hard. Regardless of what happens today, Democrats are committed to seeing this legislation through. We are going to complete lobbying reform legislation, and on my side I am committed to ensuring we do that.

The Senate has to be able to do two things at one time. We can handle the vote on the Dubai port situation and we can vote on honest leadership amendments. Historically, this body has been able to do both; that is, conduct its day-to-day business and address critical national security issues when they arise. That is all we are asking we do now.

Democrats believe it is important that we clean up what is in Washington with the lobbying, and we have heard the floor managers agree with me, but we also understand it is just as important that we stop a foreign government with connections to terrorism, which I will talk about in a minute, and even nuclear proliferation, from taking control of our ports.

The Senate must not look the other way, as this administration's dangerous, I believe, incompetence once again threatens our country. I understand the majority has in the past rubberstamped this administration's actions and activities; however, we on this side of the aisle are going to continue to call attention to this issue. We need tough and smart national security policies, not more of the same as we saw with Katrina and in Iraq.

It is a vision of the Democrats that the Senate can and should complete action on lobbying reform and also protect Americans by addressing port security.

Do we Senate Democrats want a country, not a company, running our seaports? No, especially a country that was one of only three countries in the entire world to recognize the Taliban government in Afghanistan. Do we want a country that has a trade boycott against Israel running our ports, a country that has not even recognized the State of Israel, which was formed in 1948? Do we want a country that was a staging ground for the September 11 terrorists running our ports? Do we want a country owning one of our seaports that was instrumental in allowing nuclear devices to make nuclear weapons go through its seaports to other parts of the world? The answer is no, we do not want that.

Just a year or so ago, it was exposed that Dubai was the center of the world's largest nuclear proliferation as the AQ Khan network used Dubai to traffic nuclear weapons technology to the highest bidders. Osama bin Laden's operatives are said to have used Dubai as a local hub after September 11. Terrorism money has been laundered through the United Arab Emirates. Several of the hijackers flew from Dubai to the United States in preparation for the attacks. The 9/11 Commission found that the United Arab Emirates represented a persistent counterterrorism problem for the United States.

We do not want such a country running our ports.

We believe there should be a vote today. There won't be one today on this issue, I understand that. The reason the leaders in the House and the Senate have done what they could in the last 24 hours to say there will not be a vote is because it is the hope of President Bush that this issue will go away some way.

That is why I will vote against cloture. The Senate needs to speak out against the seaport deal. We have heard the American people speak out against it. We heard the House of Representatives in their Committee on Appropriations speak out against it. It is now time for the Senate to do the same.

The PRESIDING OFFICER. The majority leader is recognized.

ETHICS REFORM

Mr. FRIST. Mr. President, Americans finish what they start, and they expect the Senate to do the same.

I open with that because we find ourselves once again in an unfortunate situation in that until yesterday afternoon, we were making steady progress, working together, all four managers on this important bill on lobbying reform, ethics review reform. We had the opportunity to have it finished by today or possibly tomorrow morning.

This is an important bill. We have come to a general consensus that it had to be one of the first bills we took to the Senate because it is so important to restore trust in this institution. It is a bill about making our Government more accountable, making it more transparent. It is a bill that strengthens our ethics rules to ensure we uphold the very highest standards of integrity. And it is a bill that will help restore America's confidence in this institution, in our Congress, in our Government.

It is also an issue that my friend, the Democratic leader, proposed as his top priority in this Congress. And we agreed. Unfortunately, some of my Democratic colleagues have chosen to hold this bill hostage for a totally unrelated issue. As we have seen even over the last 30 or 40 minutes, things are moving along aggressively toward a resolution. We do not know exactly what the resolution is going to be but toward a resolution.

The distinguished Democratic leader said just 48 hours ago to the effect of insisting that Democrats would not try to stall this lobbying reform bill by offering unrelated amendments, saying that:

> I have told the distinguished majority leader this is no attempt to stall this legislation. I have told the majority leader that unless there are issues outside of what the two committees did that are within their jurisdiction, we have no intention of offering a myriad of issues. We have Members clamoring to offer—issues on the port security deal . . . we are not going to do it on this legislation.

That was 48 hours ago, and then in the last 24 hours directly contradicted the assurances he made on Tuesday when he said:

> I believe that this lobbying reform is important. I believe that we need to do everything we can to help restore integrity to what we do here in Washington. But having said that, Mr. President, I think it would have been absolutely wrong for the Senate not to take action yesterday on the most important issue the American people see today, and that is port security.

That is from the statement on March 9.

I mention this because if we didn't have this what we call nongermane and totally not relevant amendment to an important issue on which we are making great bipartisan progress, working together—if that amendment had not come up, we would have been able to complete this bill. I have been in discussions with the Democratic leader, and we both understand we have the opportunity to finish this bill in the near future because the amendments are not that tough and there is general consensus around them, but we have to be allowed to finish what we start and not be pulled off with essentially the Senate shutting down last night and over the course of the morning on something that is totally unrelated to the bill itself.

Although I don't want to keep overstating it, there seems to be this pattern of obstruction and delay and pushing things off—Judge Alito, the PATRIOT Act, which, by the way, will be signed in an hour or so, and now on lobbying reform.

Yes, we have a cloture vote here in a few minutes so that we can continue to make progress on this bill. It is not an attempt in any way to foreclose the opportunity to offer lobbying-related amendments. As the Democratic leader knows and we have talked about, we are perfectly willing to agree on a list of amendments related to lobbying and ethics reform. We can set time agreements, debate the amendments, and vote. But what we are opposed to is considering amendments that are totally outside of the scope of the bill that is at hand. We are opposed to amendments designed to score partisan political points in one way or another.

The port security issue, I do not minimize it as an issue. I was one of the very early people who said we need a pause, we need to examine it in detail, and we need to get the information. That process is underway. We have our Commerce Committee looking at overall port security. The PATRIOT Act, signed in 45 minutes, has a whole 13 points on port security. And on what is called the CFIUS review, or the review of the process that created this problem in many ways, I believe, right now our Banking Committee is looking at that aggressively.

The Dubai Ports deal needs to be addressed in a thorough way. That is why we have called for—really, initiated by the Senate—this 45-day period, to collect all the information and consider that information as it comes forward.

We saw, 45 minutes ago, some real positive news that has been brought forward. It shows the importance of sitting back and getting the information. There is a system underway to address the port issue without injecting it into a lobbying reform bill, a bipartisan bill, that in essence brings it to a halt. The administration is moving toward this 45-day review of the deal. Let's get this review. Let's get information as it is underway.

The Senator from New York, I know, has been to the floor several times. In a letter to me this week, he had said—and I quote in the letter—he ''decided not to press for a vote on [his] bill at this time in the hope that this new investigation will be thorough, fair, and independent.''

So, Mr. President, we are about to vote. I do want to encourage my colleagues to vote for cloture because I

want to stay focused on the lobbying bill, which we can finish if we get cloture.

Mr. President, I see the time has come for the vote.

The PRESIDING OFFICER. The Democratic leader.

UNANIMOUS CONSENT REQUEST

Mr. REID. Mr. President, I ask unanimous consent that the Schumer amendment be withdrawn and that it be immediately considered as a free-standing bill, with a time limit of 2 hours equally divided, no amendments in order; and that upon the use or yielding back of the time, the Senate then vote on passage of the bill.

The PRESIDING OFFICER. Is there objection?

Mr. FRIST. Reserving the right to object, Mr. President, again, this looks like another effort to delay and postpone. Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006—Resumed

Pending:

Wyden/Grassley amendment No. 2944, to establish as a standing order of the Senate a requirement that a Senator publicly disclose a notice of intent to object to proceeding to any measure or matter.

Schumer amendment No. 2959 (to amendment No. 2944), to prohibit any foreign-government-owned or controlled company that recognized the Taliban as the legitimate government of Afghanistan during the Taliban's rule between 1996–2001, may own, lease, operate, or manage real property or facility at a United States port.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 2349: an original bill to provide greater transparency in the legislative process.

Bill Frist, Mitch McConnell, Rick Santorum, Mel Martinez, James Inhofe, Susan Collins, Trent Lott, John E. Sununu, John McCain, Judd Gregg, Norm Coleman, Michael B. Enzi, Wayne Allard, R.F. Bennett, Craig Thomas, Larry E. Craig, George Voinovich, Christopher Bond.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 2349, the Legislative Transparency and Accountability Act of 2006, shall be brought to a close?

The yeas and nays are mandatory under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senator was necessarily absent: the Senator from Kentucky (Mr. BUNNING).

Further, if present and voting, the Senator from Kentucky (Mr. BUNNING) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. INOUYE) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 36 Leg.]

YEAS—51

Alexander	DeMint	Martinez
Allard	DeWine	McCain
Allen	Dole	McConnell
Bennett	Domenici	Murkowski
Bond	Ensign	Roberts
Brownback	Enzi	Santorum
Burns	Graham	Sessions
Burr	Grassley	Shelby
Chafee	Gregg	Smith
Chambliss	Hagel	Snowe
Coburn	Hatch	Specter
Cochran	Hutchison	Stevens
Coleman	Inhofe	Sununu
Collins	Isakson	Thomas
Cornyn	Kyl	Thune
Craig	Lott	Voinovich
Crapo	Lugar	Warner

NAYS—47

Akaka	Feinstein	Murray
Baucus	Frist	Nelson (FL)
Bayh	Harkin	Nelson (NE)
Biden	Jeffords	Obama
Bingaman	Johnson	Pryor
Boxer	Kennedy	Reed
Byrd	Kerry	Reid
Cantwell	Kohl	Rockefeller
Carper	Landrieu	Salazar
Clinton	Lautenberg	Sarbanes
Conrad	Leahy	Schumer
Dayton	Levin	Stabenow
Dodd	Lieberman	Talent
Dorgan	Lincoln	Vitter
Durbin	Menendez	Wyden
Feingold	Mikulski	

NOT VOTING—2

Bunning	Inouye

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 47. Two-thirds of the Senators voting, a quorum being present, not having voted in the affirmative, the motion is rejected.

Mr. FRIST. Mr. President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion to reconsider is entered.

Mr. LEAHY. Mr. President, I filed an amendment to the bill on Tuesday and look forward to an opportunity to offer that amendment and have it considered by the Senate. My amendment is the honest services amendment, No. 2924.

The purpose of my amendment is to articulate more clearly the line that cannot be crossed without incurring criminal liability. If we are serious about lobbying reform, the Senate will adopt this amendment. It was only with the indictments of Jack Abramoff, Michael Scanlon, and former Representative Randy ''Duke'' Cunningham that Congress took note of the scandal that has grown over the last years. If we are to restore public confidence, we need to provide better tools for Federal prosecutors to combat public corruption in our Government.

This amendment creates a better legal framework for combating public corruption than currently exists under our criminal laws. It specifies the crime of honest services fraud involving Members of Congress and prohibits defrauding or depriving the American people of the honest services of their elected representatives.

Under this amendment, lobbyists who improperly seek to influence legislation and other official matters by giving expensive gifts, lavish entertainment and travel, and inside advice on investments to Members of Congress and their staff would be held criminally liable for their actions.

The law also prohibits Members of Congress and their staff from accepting these types of gifts and favors, or holding hidden financial interests, in return for being influenced in carrying out their official duties. Violators are subject to a criminal fine and up to 20 years' imprisonment, or both.

This legislation strengthens the tools available to Federal prosecutors to combat public corruption in our Government. The amendment makes it possible for Federal prosecutors to bring public corruption cases without all of the hurdles of having to prove bribery or of working with the limited and nonspecific honest services fraud language in current Federal law.

The amendment also provides lobbyists, Members of Congress, and other individuals with much-needed notice and clarification as to what kind of conduct triggers this criminal offense.

In addition, my amendment authorizes $25 million in additional Federal funds over each of the next 4 years, to give Federal prosecutors needed resources to investigate corruption and to hold lobbyists and other individuals accountable for improperly seeking to influence legislation and other official matters.

The unfolding public corruption investigations involving lobbyist Jack Abramoff and MZM demonstrate that unethical conduct by public officials has broad ranging impact. These scandals undermine the public's confidence in our Government. Just last week, the Washington Post reported that, as an outgrowth of the Cunningham investigation, Federal investigators are now looking into contracts awarded by the Pentagon's new intelligence agency—the Counterintelligence Field Activity—to MZM, Inc., a company run by Mitchell J. Wade who recently pleaded guilty to conspiring to bribe Mr. Cunningham.

The American people expect—and deserve—to be confident that their representatives in Congress perform their legislative duties in a manner that is beyond reproach and that is in the public interest.

Because I strongly believe that public service is a public trust, I urge all Senators to support this amendment. If we are serious about reform and cleaning up this scandal, we will do so.

I ask unanimous consent that a copy of my amendment be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

(Purpose: To make it illegal for anyone to defraud and deprive the American people of the right to the honest services of a Member of Congress and to instill greater public confidence in the United States Congress)

At the appropriate place, insert the following:

SEC. ___. HONEST SERVICES ACT OF 2006.

(a) SHORT TITLE.—This section may be cited as the ''Honest Services Act of 2006 ''.

(b) HONEST SERVICES FRAUD INVOLVING MEMBERS OF CONGRESS.—

(1) IN GENERAL.—Chapter 63 of title 18, United States Code, is amended by adding at the end the following:

''§ 1351. Honest services fraud involving members of Congress

''(a) IN GENERAL.—Whoever knowingly and willfully executes, or attempts to execute, a scheme or artifice to defraud and deprive the United States, the Congress, or the constituents of a Member of Congress, of the right to the honest services of a Member of Congress by—

''(1) offering and providing to a Member of Congress, or an employee of a Member of Congress, anything of value, with the intent to influence the performance an official act; or

''(2) being a Member of Congress, or an employee of a Member of Congress, accepting anything of value or holding an undisclosed financial interest, with the intent to be influenced in performing an official act;

shall be fined under this title or imprisoned not more than 20 years, or both.

''(b) DEFINITIONS.—In this section:

''(1) HONEST SERVICES.—The term 'honest services' includes the right to conscientious, loyal, faithful, disinterested, and unbiased service, to be performed free of deceit, undue influence, conflict of interest, self-enrichment, self-dealing, concealment, bribery, fraud, and corruption.

''(2) OFFICIAL ACT.—The term 'official act'—

''(A) has the meaning given that term in section 201(a)(3) of this title; and

''(B) includes supporting and passing legislation, placing a statement in the Congressional Record, participating in a meeting, conducting hearings, or advancing or advocating for an application to obtain a contract with the United States Government.

''(3) UNDISCLOSED FINANCIAL INTEREST.—The term 'undisclosed financial interest' includes any financial interest not disclosed as required by statute or by the Standing Rules of the Senate.

''(c) NO INFERENCE AND SCOPE.—Nothing in this section shall be construed to—

''(1) create any inference with respect to whether the conduct described in section 1351 of this title was already a criminal or civil offense prior to the enactment of this section; or

''(2) limit the scope of any existing criminal or civil offense.''.

(2) CHAPTER ANALYSIS.—The chapter analysis for chapter 63 of title 18, United States Code is amended by adding at the end, the following:

''1351. Honest services fraud involving Members of Congress.''.

(c) AUTHORIZATION FOR ADDITIONAL PERSONNEL TO INVESTIGATE AND PROSECUTE HONEST SERVICES FRAUD, BRIBERY, GRAFT, AND CONFLICTS OF INTEREST OFFENSES.—There are authorized to be appropriated to the Department of Justice, including the Public Integrity Section of the Criminal Division, and the Federal Bureau of Investigations, $25,000,000 for each of the fiscal years 2007, 2008, 2009, and 2010, to increase the number of personnel to investigate and prosecute violations of section 1351 and sections 201, 203 through 209, 1001, 1341, 1343, and 1346 of title 18, United States Code, as amended by this section.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. FRIST. Mr. President, I switched my vote from an ''aye'' to a ''no'' vote for procedural reasons so that I would have the opportunity as leader to bring the cloture vote back at some time in the future. I did support cloture, but for procedural reasons I switched that vote to a ''no.''

What that means is that over the next several days, after talking to the four managers who are working together in a cooperative, bipartisan way, once we can put together a group of amendments and packages of amendments, I, in all likelihood, will bring that cloture vote back, and we will be on the glidepath to completing this very important bill.

Mr. DODD. Will the majority leader yield for a question?

Mr. FRIST. Very quickly, and then I have a statement to make.

Mr. DODD. Mr. President, I wonder if the majority leader might give us an idea because we would like to get back to the bill. As one of the managers, my hope would be that we can get back to it right away. I would like to see us clean up this bill and get it done as soon as possible.

Could you give us some sense of when you think we might do that? I know there are a lot of matters to deal with, but this is very important.

Mr. FRIST. I would bring it back right now if I had the votes. We need to have the managers working together and stressing the importance that when we start our business, we need to finish it. This is no fault of the managers. They have done a superb job. We had a totally unrelated amendment injected, I believe, for partisan purposes. I say that and put it aside.

We need to get back to the bill as soon as possible. I encourage the managers to get the list of amendments, continue working, and at the first available time when we are allowed to proceed, we will be on that bill and we will finish it. I think we can finish it in less than a day.

Mr. DODD. Would it be possible, since this issue is one that many Members care about—in fact, the vote of the House Appropriations Committee yesterday was 62 to 2 on a similar provision, and I know there is talk of a resolution of this matter without ever going to the bill. But if we can agree that next week or so we might allocate an hour or two to do that, my view is we can move forward today and clean up this lobbying reform issue quickly—by agreeing to an hour or so next week to deal with this issue, if necessary, and we can move through this bill, I think, by tonight.

Mr. FRIST. What we have seen in the last hour is that there is a press announcement from DP World, and the Senator from Virginia, I believe, read that press announcement that ''DP World decided to transfer fully the U.S. operations of P&O Ports North America to a United States entity.'' I am reading from the press release.

This should make the issue go away. On the other hand, that was an hour ago. It brings me back to the point that the DP World issue and port security and the CFIUS reform is underway. The process is moving quickly. We don't have to have votes on the floor of the Senate and disrupt your bill, our bill, which is another very important issue that the Democratic leadership and ours agree should be early. This body wanted to have working groups and, under your leadership, hold hearings and come to the floor, so we are committed to finishing it. We don't need to be dealing with something which is being dealt with, as we see through press releases, through meetings with the company, and a port security bill that we are addressing in the Commerce Committee and the CFIUS process reform being addressed in Banking Committee. That is underway.

We don't need to disrupt the bill. I think the distinguished manager and I are on the exact same page. Within several days, I think we will be able to work this out. I encourage the managers to work together so that when we bring it back, we can finish expeditiously. Next week, we have the budget and the debt ceiling and lobbying reform.

Mr. DODD. I thank the leader. I was suggesting that, if necessary, if we could agree to an hour or two after this bill is considered—and you may be right that we would not have to—then we might get to this reform bill today. That is all it would take to do so. We have taken the position that extraneous matters should not be on the bill.

My fear is—and I say this having been around here a quarter of a century—once you bump this off, the budget issue next week, immigration, and a recess for a week or two, we will not get back to this. If we don't stick to this, other matters can take over—another explosion somewhere in the world—and this institution finds itself dealing with a issue that would not be the lobbying reform issue. I have seen it happen so many times. Here is an opportunity, I say with all due respect, to

give us that assurance, if necessary, and let us get back to the bill.

Mr. FRIST. With all due respect, there is no reason to give that assurance now. This is on a glidepath, based on what we have heard in the last 2 hours, to take care of itself. Again, it is through no fault of the managers of lobbying reform—on either side of the aisle—that we are where we are today. It is because we have had this extraneous issue injected into the system, which gummed up the works, and it is being resolved as we speak.

I just wish that amendment had not come to the floor. We were the first to put lobbying reform on the Congress's agenda. We were first to hold hearings, under the leadership of the distinguished chairmen. We were the first to mark up and the first to act, all as a result of the majority deciding that this is an important issue. The issue of Government reform is a key agenda item to help restore trust and faith in our Government.

I have to say that yesterday was a spectacular display, with the Senator from New York taking advantage of the goodwill that had been generated as we were moving forward together, which has led us to the point that we have had the cloture vote today.

I have been crystal clear throughout that when it comes to the port deal, Congress needs all of the facts. We don't have all of the facts. We are learning about them through press releases as we speak. But we are getting the facts by having this 45-day intensive review period, focused on the security issue. I think Congress is, at the appropriate time, going to need to make an independent judgment. Obviously, I don't believe it is today because we don't have the facts today. To take people in this body and say let's vote on something, let's kill the deal, or let's grandstand on it is just not appropriate for this body. Let's get the information into the system, and that strategy is underway.

Mr. President, we will keep working. We have a lot to do, and I look forward to staying above the issues of gumming up the system and let's move forward as we address these important issues that focus on restoring trust in this Government—lobbying reform, the bill at hand, and the budget of the country, which we will do next week, and facing the debt ceiling limit and taking appropriate action both in discussing and passing a statute that will raise that ceiling.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I thank the leader for responding to several questions. I appreciate that very much. I don't disagree. In fact, this may be very good news that we have heard in the last hour or so about the port security issue. Like all of us, I think the leader said it well. The devil can be in the details here. We are going to want to examine what was included there.

As I understood, my colleague from New York and the Democratic leader were willing to forgo offering this amendment that Senator SCHUMER has proposed on this bill for the simple assurance that, if necessary, they would like the opportunity to bring this up at a later time.

Many of us applauded that decision. In fact, the Democratic leader offered a unanimous consent request that would have done that, it would allow us to get back to the reform bill.

I see a number of my colleagues here. My colleague from Maine knows as well as I do these things can slip, and once they start to slip, other matters can overtake us, and we don't get back to the matter. We have seen it on asbestos and other matters. I am worried that will happen if we allow too much time to pass before we get back to the legislation.

I made the appeal earlier today to reach some accommodation among the leaders so we will be allowed to go forward with this bill that the Homeland Security and Governmental Affairs Committee worked so hard on and the Rules Committee worked so hard on. We did our job.

I think we can get this done in fairly short order. My colleague from Georgia was involved, as well, in the Rules Committee trying to put this together.

Again, I make the plea, I don't think there is any necessity at this juncture for the Schumer amendment to come up on this bill, but I think my colleagues can understand why the Senator from New York would like some assurance down the road, if necessary, that we can get to this particular proposal. It is not an extraordinary request. We do this all the time. That would allow us to move forward on this bill and try to keep extraneous matters off until we have completed the bill.

I thank the majority leader for responding to my questions. I am disappointed, to put it mildly, that we are not going to get to this bill. I raise the concern, having been here for some time and having watched the process work, that if we don't proceed quickly on this measure, then my fear is that we will not get back to it, and the window of opportunity to have done something on these critical issues will have been lost.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, is the Senate in morning business?

The PRESIDING OFFICER. Yes, it is.

Mr. CHAMBLISS. Mr. President, I thank my colleague from Connecticut, the ranking member on the Rules Committee on which I serve, and Senator LOTT, as well as Senator COLLINS and Senator LIEBERMAN, for their leadership on this issue. It has not been easy to get to the point where we are today. I am very disappointed we are not going to be able to finish this bill tonight, even though I am fixing to talk on it. I am not particularly happy with what is in this bill, but at least getting through the process, having the debate is extremely important.

I am very hopeful we can get this issue relative to Dubai resolved, and quickly return to lobby reform legislation and complete it in short order.

I do think we have seen strong, very positive leadership out of the Rules Committee chairman and ranking member, as well as the Homeland Security and Governmental Affairs Committee chairman and ranking member.

In thinking about this bill, I am concerned we are losing sight of something I think is very important. And which is putting in place today, a system which deals with both Members of Congress and outside lobbyists and how they interact.

How lobbyist treat Members of Congress and how we react to lobbyists from the standpoint of whether you call it favors or being receptive to demands or requests of lobbyists. The system we have in place today is working.

What generated this concern that we have seen on the floor this week and the dialog we have seen over the past few months on this particular issue? It was triggered by one particular man who was very egregious in the way he operated his lobbying shop. He appears to have been motivated by greed, not just operating outside the spirit of the law, but outside the letter of the law, even to the point of committing some criminal activity. In fact, he has pled guilty, and he is undoubtedly going to jail. I don't know that for certain, but I think it is a safe assumption.

The system, as it pertained to lobbyist, worked. But what about Members of Congress? Another incident that sparked debate was the activity of some other Members of Congress, particularly Members on the House side.

I don't think anybody on this side has even been implicated in this at this point. But there has been some activity on the other side that indicates that maybe some favors were given to lobbyists for consideration. In fact, there has been a guilty plea to that effect.

What has happened to that Member of Congress? That Member of Congress is going to jail—for a long time. That is the way the system is designed to work. That is the way it is working and, unfortunately, all of that casts a real shadow on the institution that those of us who have been privileged to serve here know and for which we have such great respect.

There is a situation, I think, where we have a solution that is looking for a problem. I will give a classic example of that.

Some have said: We think lobbyists who are former Members who utilize the gym are having an undue influence or the potential to have undue influence. Therefore, we are going to ban former Members who are lobbyists from using the gym. We also are going to ban former Members who become lobbyist from coming on the floor.

What is ironic is there are two former Members of the House of Representatives today who are in jail for different reasons. But when they are released from prison, those two individuals will have the right to use the House gym and to have access to the House floor. Yet former Members of the House who served with great distinction on both sides of the aisle who have the opportunity to go outside and make some money in whatever chosen field they want—and they happen to have chosen lobbying—they can't come on the floor of the House and can't be Members of the House gym. This proposal is a solution without a problem, irrespective of how one looks at it.

I have a personal situation. As the Senator from Connecticut said, I serve on the Rules Committee. I talked about this a little bit as we were going through the markup and debating this bill. There are a number of Members of this body who have either spouses or children who are lobbyists. My son happens to be a lawyer who does lobbying, and I am very proud of him. He works hard and does very well. I was a Member of the Senate before he made the decision to become a lobbyist.

At the time he made that decision, I went to Members on both sides of the aisle, and I said: Here's my deal. I have to figure this out somehow. It was recommended to me by folks on both sides of the aisle that I needed to go to the Ethics Committee and detail the facts of the situation and have it tell me what we could and could not do relative to my son being a lobbyist and having the potential of lobbying me or having contacts with me or my staff.

Before he accepted the job, I asked for and received a letter from the Ethics Committee defining what contact was permissible. We have strictly adhered to the terms of the letter. There is no discussion between the two of us relative to issues. He does not lobby me. He does not lobby my staff. While it gets very ticklish at times when people he works with come to my office to lobby me, if he accompanies them, he has to either stand out in the hall or go down the hall to the bathroom. I am not sure what he does, but he doesn't come in to lobby me, it is a little bit awkward from their standpoint. But that's the way it has to work, and that is the way it is going to continue to work.

With the passage of this bill, what changes? What changes is that we are taking the Ethics Committee letter that I have, that Senator REID has, whose sons are lobbyists, that Senator LOTT has, whose son is a lobbyist, and at least a dozen or 15 other Members of this body have, and it codifies the terms of the letters. All of a sudden, it makes it subject not only to a potential $200,000 fine, but criminal sanctions as well.

Figure this: We are in a very partisan political time in this country. Because of partisanship, often without merit, ethics charges can often—and it happens more on the House side, than it does over here—fly back and forth. For example, if I am at dinner with my son and somebody happens to be at a table next to me and think they hear conversation which they believe to be improper, but which was in fact not improper at all.

All of a sudden I am thrown in a situation where I have to defend myself, not before the Ethics Committee but from a civil sanction, as well as a potential criminal sanction. To say that can't happen in today's climate, I think we are kidding ourselves.

The same thing could happen to every other Member here. And I don't know of any Member who has ever violated the ethical rule relative to lobbying on the part of spouses or children.

To those folks who say this can't happen, let me tell you what happened to me this week, and it is a pretty good example of what can happen in these very difficult, these very complex, and these very partisan political times.

There is a lot of current discussion about Members taking trips on corporate aircraft. All of us—I assume all of us—at one time or another have used private aircraft. Congress has rules governing this practice which we must abide by.

I, like many of my colleagues, live in a rural area. I don't have commercial service to many areas of my state including my hometown. I also happen to represent the largest State east of the Mississippi River. If I want to go from point A to point B, whether it is on official business or on campaign business, it is often necessary to use private or chartered aircraft and I have to pay for it. The rules require it, and we pay for it.

The important point about it is, we disclose every bit of that information. We have a form we are required to file every year regarding every trip—where it was, where you went, what it was for, and how much you were required to pay for it, and how much you did pay for it. All of that is on our public disclosure forms.

This week, a group called Political Money Line issued a statement in which they said—of course, it was generated by the debate on the floor this week; otherwise it probably never would have come up. Political Money Line is, according to its statement, a company that provides comprehensive campaign finance and lobbying data to more than 500 clients, ranging from trade groups to the national political parties. So it has over 500 folks to whom they sent out not only a notice but also did some sort of press release or a release that at least got to the press which indicated that this Member of the Senate was the No. 1 user of corporate aircraft of all active Senators; that from the period 2001 through the 2005, I had flown over 60 times in corporate aircraft, according to the disclosure that I had filed, and that I had to pay in excess of $100,000. To make it exact, they said $101,795 for utilization of corporate aircraft.

I knew there was something wrong with that because that would have meant that during the 5-year period, I would have had to have flown on a corporate aircraft once a month, every month, for 5 years. And I knew I had not done that. So we made inquiry of Political Money Line as to where it got its information and what information did it use in calculating these numbers.

First of all, they told us: We will be glad to give you that information provided you pay a $2,000 subscription fee. I didn't think that was exactly right.

At the end of the day, they were cooperative, and they did provide us the information. As it turns out, just like I thought, the information was wrong.

The fact of the matter is that they said, according to their calculations, I had reported 60 reimbursements for use of corporate aircraft. In fact, they now have agreed that only 17 of those trips should have been credited to me. The other 43 reimbursements should have been credited to another or other Members of the Senate. And of those 17, on one occasion—I used corporate aircraft for a fundraiser in Florida—I sent three Members of the Senate down there and paid their way. That is a customary thing that happens. I flew commercial, but I paid their way.

The numbers were so out of line and so egregious that I don't mind telling you I got infuriated, and the more I think about it right now, I get even more infuriated about it because what happened was, once they put this information out, it was picked up by the New York Times. They did a story yesterday in which I was quoted as saying the solution to this problem is disclosure. And then they said, according to the Political Money Line, that I am the No. 1 abuser of utilization of corporate aircraft that is active in the Senate, and they were dead wrong.

Now the genie is out of the bottle, and the New York Times story has gone all over the country. It is in U.S. News & World Report. How do you get the genie back in the bottle? Well, you don't, and that is the unfortunate part about this. There was some irresponsible activity on the part of this group that, frankly, will be a political problem because the 527 operated by former Democratic National Committee individuals has already taken a shot at me as a result of this. We are all big boys in the Senate. We have been through political wars, and I always am prepared for criticism that may arise. But when the criticism is absolutely false, then it does infuriate you because there is no way you can accurately get information out once it has gotten out in the way this did.

When we talked to them about it yesterday and talked to them about it again today, they are agreeing to come back now and to correct their figures and to do a release. They have already done that. They have called the New York Times, according to the reporter

I saw today. In spite of the fact that they will do another article now, the Political Money Line folks have admitted to making mistakes.

In any event, instead of being the No. 1 active Member of the Senate relative to utilization of corporate aircraft, according to their calculations, I would be No. 28. Under their calculations, instead of $101,000, it should have been $18,000. That is how egregious this situation has become.

Now what happens in the case of this sort of thing relative to what we have on the floor today? Well, here is the way I look at this, and I have talked with people all across my State about this. Are folks concerned about Members of Congress and ethics? You bet. Is there anybody in this Senate who campaigned on the fact that, You send me to Washington, you send me to the Senate, and, boy, I will get lobbyist reform? I think the answer to that question is absolutely not. That is not a typical campaign platform. Does everybody in this Senate go home and talk about what is going on in Iraq? Have any of us campaigned on what is happening in Iraq? You bet. People care about that. Are people upset about what is going on relative to the ports issue and the potential for Dubai to purchase the managerial contract for the six ports in the United States? You bet. People care about that.

People expect us, as Members of the Senate, to act in an ethical way. And those of us who have this unique problem, whether it is relative to a spouse or a child, in my opinion, must have acted in an ethical way because I don't know of any situation where what has happened as an ethical complaint has been brought forward. People do expect us to be ethical, and those of us who have this situation work very hard to make sure we are.

So I would hope since we are not going to be voting on this matter today, we may not be voting on it next week—I don't know when it will come up again—but I am very hopeful that the Members of this body will think through this and that we will look at legislation that encompasses issues such as Senator MCCAIN has talked about on earmarks. I think if you are going to reform Congress, which is what I think is most necessary, then reforming the earmark process is necessary. Senator MCCAIN talks about this every year during the appropriations process, and this year I think he is getting everybody's attention. That should be reformed. There are other issues in this congressional reform we ought to pay attention to. But I will have to tell you that if we are going to have irresponsible acts by folks who are taking information we disclose under the congressional reform action, whatever ultimate legislation may come out of this body, and they are going to utilize it in a wrong way, then it may be time we looked at taking some action against folks who do that as well as having the potential to take action against Members of the Senate.

Mr. President, I yield back, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. THUNE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ISAKSON. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHAMBLISS). Without objection, it is so ordered.

Mr. ISAKSON. I ask unanimous consent to address the Senate as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING ROBERT MOULTRIE

Mr. ISAKSON. Mr. President, in a few weeks in my home county of Cobb County, GA, a pretty normal occurrence is going to take place for someone who is anything other than a normal person. It is going to be the 65th birthday of a man named Robert Moultrie. Now, 65th birthdays are becoming pretty common. I am pretty happy they are, because I am about to have one in a couple of years. But Robert is an extraordinary individual. I hope he is not watching C–SPAN right now because they are going to give a big surprise party for him, and if he is watching I am going to be in big trouble, but I doubt he is because he is a busy entrepreneur of unbelievable accomplishment.

He started a company in 1986 known as The Facility Group, and it was six individuals. Their revenues were about $10 million. Last year, Robert Moultrie's company, The Facility Group, employed 300 people and their revenues were $250 million.

He is an extraordinary individual, a graduate of Georgia Tech. He is a good engineer, as someone running a design/build firm should obviously be, but also a great benefactor to that institution, as well as Erskine College, where he led the $30 million capital campaign a few years ago.

What makes Robert extraordinary is not just those accomplishments in business, which are great, but the fact that he and his wife are a little bit like the title of Bob and ELIZABETH DOLE's famous book, ''Unlimited Partners,'' because they are equal partners in their journey both in business as well as community service. When Robert chaired the Cobb County Chamber of Commerce, the second largest chamber in the State in 2002, everybody thought Cheryl was kind of cochairman because she was as involved as he was. When they chaired the Heart Ball for the community, they set an all-time record in our State, raising $600,000 in 1 night to benefit those who were fighting heart disease.

Girls Club, Boys Club, United Way, or simply a helping hand, Robert and Cheryl Moultrie have always been there. As I said, 65th birthdays are very common but Robert Moultries are not. Our community is very fortunate to have had him there, and I am very fortunate to have the opportunity today in the Senate to commend him on his achievements for our community and commend him on this milestone in his life.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DEMINT). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

PETROLEUM INDUSTRY ANTITRUST ACT OF 2006

Mr. SPECTER. Mr. President, the Judiciary Committee, which I chair, has from time to time examined the implications of mergers, acquisitions, and joint ventures among companies affecting various fields in the American economy.

Just a few days ago, a major proposal reached public view in the telephone industry. There have been major acquisitions and mergers in many lines of commerce, and there is special concern at the present time about the impact of acquisitions and mergers of major oil companies on the price of gasoline, which has soared for American consumers. I have been concerned about the actions of OPEC over the years in limiting production and undertaking joint actions which really violate the spirit of competition and increase the cost of oil.

I ask unanimous consent that at the conclusion of my comments, letters that I sent to the President as far back as the Clinton administration, and that I sent to President Bush, outlining the judge-made laws which have given OPEC immunity under our antitrust laws be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit No. 1.)

EXHIBIT 1

U.S. SENATE,
Washington, DC, April 11, 2000.

President WILLIAM JEFFERSON CLINTON
The White House,
Washington, DC.

DEAR MR. PRESIDENT: In light of the very serious problems caused by the recent increase in oil prices, we know you will share our view that we should explore every possible alternative to stop OPEC and other oil-producing states from entering into agreements to restrict oil production in order to drive up the price of oil.

This conduct is nothing more than an old-fashioned conspiracy in restraint of trade which has long been condemned under U.S. law, and which should be condemned under international law.

After some considerable research, we suggest that serious consideration be given to two potential lawsuits against OPEC and the nations conspiring with it:

(1) A suit in Federal district court under U.S. antitrust law.

(2) A suit in the International Court of Justice at the Hague based, perhaps, upon an advisory opinion under ''the general principles of law recognized by civilized nations,'' which includes prohibiting oil cartels from conspiring to limit production and raise prices.

(1) A suit in Federal district court under U.S. antitrust law.

A case can be made that your Administration can sue OPEC in Federal district court under U.S. antitrust law. OPEC is clearly engaging in a ''conspiracy in restraint of trade'' in violation of the Sherman Act (15 U.S.C. Sec. 1). The Administration has the power to sue under 15 U.S.C. Sec. 4 for injunctive relief to prevent such collusion.

In addition, the Administration should consider suing OPEC for treble damages under the Clayton Act (15 U.S.C. Sec. 15a), since OPEC's behavior has caused an ''injury'' to U.S. ''property.'' After all, the U.S. government is a major consumer of petroleum products and must now pay higher prices for these products. In *Reiter* v. *Sonotone Corp*, (42 U.S. 330 (1979), the Supreme Court held that the consumers who were direct purchasers of certain hearing aides who alleged that collusion among manufacturers had led to an increase in prices had standing to sue those manufacturers under the Clayton Act since ''a consumer deprived of money by reason of allegedly anticompetitive conduct is injured in 'property' within the meaning of [the Clayton Act].'' Indirect purchasers would appear to be precluded from suit, even in a class action, under *Illinois Brick* v. *Illinois*, 431 U.S. 720 (1977), but this would not bar the United States Government, as a direct purchaser, from having the requisite standing.

One potential obstacle to such a suit is whether the Foreign Sovereign Immunities Act (''FSIA'') provides OPEC, a group of sovereign foreign nations, with immunity from suit in U.S. courts. To date, there has been a ruling on this issue in only one case. In *International Association of Machinists* v. *OPEC*, 477 F. Supp. 553 (1979), the District Court for the Central District of California held that the nations which comprise OPEC were immune from suit in the United States under the FSIA. We believe that this opinion was wrongly decided and that other district courts, including the D.C. District, can and should revisit the issue.

This decision in Int. Assoc. of Machinists turned on the technical issue of whether or not the nations which comprise OPEC are engaging in ''commercial activity'' or ''governmental activity'' when they cooperate to sell their oil. If they are engaging in ''governmental activity,'' then the FSIA shields them from suit in U.S. courts. If, however, these nations are engaging in ''commercial activity,'' then they are subject to suit in the U.S. The California District Court held that OPEC activity is ''governmental activity.'' We disagree. It is certainly a governmental activity for a nation to regulate the extraction of petroleum from its territory by ensuring compliance with zoning, environmental and other regulatory regimes. It is clearly a commercial activity, however, for these nations to sit together and collude to limit their oil production for the sole purpose of increasing prices.

The 9th Circuit affirmed the District Court's ruling in Int. Assoc. of Machinists in 1981 (649 F.2d 1354), but on the basis of an entirely different legal principle. The 9th Circuit held that the Court could not hear this case because of the ''act of state'' doctrine, which holds that a U.S. court will not adjudicate a politically sensitive dispute which would require the court to judge the legality of the sovereign act of a foreign state.

The 9th Circuit itself acknowledged in its Int. Assoc. of Machinists opinion that ''The [act of state] doctrine does not suggest a rigid rule of application,'' but rather application of the rule will depend on the circumstances of each case. The Court also noted that, ''A further consideration is the availability of internationally-accepted legal principles which would render the issues appropriate for judicial disposition.'' The Court then quotes from the Supreme Court's opinion in *Banco Nacional de Cuba* v. *Sabbatino*, 376 U.S. 398 (1964):

It should be apparent that the greater the degree of codification or consensus concerning a particular area of international law, the more appropriate it is for the judiciary to render decisions regarding it, since the courts can then focus on the application of an agreed principle to circumstances of fact rather than on the sensitive task of establishing a principle not inconsistent with the national interest or with international justice.

Since the 9th Circuit issued its opinion in 1981, there have been major developments in international law that impact directly on the subject matter at issue. As we discuss in greater detail below, the 1990s have witnessed a significant increase in efforts to seek compliance with basic international norms of behavior through international courts and tribunals. In addition, there is strong evidence of an emerging consensus in international law that price fixing by cartels violates such international norms. Accordingly, a court choosing to apply the act of state doctrine to a dispute with OPEC today may very well reach a different conclusion than the 9th Circuit reached almost twenty years ago.

You should also examine whether the anticompetitive conduct of the international oil cartel is being effectuated by private companies who are subject to the enforcement of U.S. antitrust laws (for example, former state oil companies that have now been privatized) rather than sovereign foreign states. If such private oil companies are determined to in fact be participating in the anticompetitive conduct of the oil cartel, then we would urge that these companies be named as defendants in an antitrust lawsuit in addition to the OPEC members.

(2) A suit in the International Court of Justice at the Hague based upon ''the general principles of law recognized by civilized nations,'' which includes prohibiting oil cartels from conspiring to limit production and raise prices.

In addition to such domestic antitrust actions, we believe you should give serious consideration to bringing a case against OPEC before the International Court of Justice (the ''ICJ'') at the Hague. You should consider both a direct suit against the conspiring nations as well as a request for an advisory opinion from the Court through the auspices of the U.N. Security Council. The actions of OPEC in restraint of trade violate ''the general principles of law recognized by civilized nations.'' Under Article 38 of the Statute of the ICJ, the Court is required to apply these ''general principles'' when deciding cases before it.

This would clearly be a cutting-edge lawsuit, making new law at the international level. But there have been exciting developments in recent years which suggest that the ICJ would be willing to move in this direction. In a number of contexts, we have seen a greater respect for and adherence to fundamental international principles and norms by the world community. For example, we have seen the establishment of the International Criminal Court in 1998, the International Criminal Tribunal for Rwanda in 1994, and the International Criminal Tribunal for the former Yugoslavia in 1993. Each of these bodies has been active, handing down numerous indictments and convictions against individuals who have violated fundamental principles of human rights. For example, as of December 1, 1999, the Yugoslavia tribunal alone had handed down 91 public indictments.

Today, adherence to international principles has spread from the tribunals in the Hague to individual nations around the world. Recently, the exiled former dictator of Chad, Hissene Habre, was indicted in Senegal on charges of torture and barbarity stemming from his reign, where he allegedly killed and tortured thousands. This case is similar to the case brought against former Chilean dictator Augusto Pinochet by Spain on the basis of his alleged atrocities in Chile. At the request of the Spanish government, Pinochet was detained in London for months until an English court determined that he was too ill to stand trial.

The emerging scope of international law was demonstrated in an advisory opinion sought by the UN General Assembly in 1996 to declare illegal the use or threat to use nuclear weapons. Such an issue would ordinarily be thought beyond the scope of a judicial determination given the doctrines of national sovereignty and the importance of nuclear weapons to the defense of many nations. The ICJ ultimately ruled eight to seven, however, that the use or threat to use nuclear weapons ''would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law.'' The fact that this issue was subject to a decision by the ICJ, shows the rapidly expanding horizons of international law.

While these emerging norms of international behavior have tended to focus more on human rights than on economic principles, there is one economic issue on which an international consensus has emerged in recent years—the illegitimacy of price fixing by cartels. For example, on April 27, 1998, the Organization for Economic Cooperation and Development issued an official ''Recommendation'' that all twenty-nine member nations ''ensure that their competition laws effectively halt and deter hard core cartels.'' The recommendation defines ''hard core cartels'' as those which, among other things, fix prices or establish output restriction quotas. The Recommendation further instructs member countries ''to cooperate with each other in enforcing their laws against such cartels.''

On October 9, 1998, eleven Western Hemisphere countries held the first ''Antitrust Summit of the Americas'' in Panama City, Panama. At the close of the summit, all 11 participants issued a joint communique in which they express their intention ''to affirm their commitment to effective enforcement of sound competition laws, particularly in combating illegal price-fixing, bid-rigging, and market allocation.'' The communique further expresses the intention of these countries to ''cooperate with one another . . . to maximize the efficacy and efficiency of the enforcement of each country's competition laws.'' One of the countries participating in this communique, Venezuela, is a member of OPEC.

The behavior of OPEC and other oil-producing nations in restraint of trade violates U.S. antitrust law and basic international norms, and it is injuring the United States and its citizens in a very real way. Consideration of such legal action could provide an inducement to OPEC and other oil-producing countries to raise production to head off such litigation.

We hope that you will seriously consider judicial action to put an end to such behavior.

ARLEN SPECTER.
HERB KOHL.
CHARLES SCHUMER.
MIKE DEWINE.
STROM THURMOND.
JOE BIDEN.

U.S. SENATE,
Washington, DC, June 15, 2000.

Hon. *William Jefferson Clinton,*
President of the United States, The White House, Washington, DC.

DEAR PRESIDENT CLINTON: We are writing to urge your Administration to take immediate and reasonable action in response to the Organization of Petroleum Exporting Countries' (OPEC) continued stranglehold on the global oil market. As you know, OPEC's agreement last March to automatically increase oil supply if global prices topped $28 per barrel for more than 20 days has been violated—the price of crude oil has closed over $28 since May 8, and is currently trading over $33—meaning sky-high oil and gasoline prices will increasingly, and indefinitely, take a toll on our economy. We strongly urge you to immediately counteract OPEC's dangerous intransigence through the use of oil from our nation's Strategic Petroleum Reserve (SPR) in order to increase supply, moderate prices, and significantly reduce our nation's dependence on OPEC decisions for our economic well-being.

OPEC's continued manipulation of the global oil market has translated into record high, and rising, gasoline prices in the United States, and the prospect of severe shortages in home heating oil next winter. Worst of all with global and American oil inventories approaching levels not seen since the mid-1970s, OPEC's continued price gouging will prevent refiners and distributors of petroleum products from stocking sufficient supply, meaning OPEC will continue to maintain its inordinate power over the global and American economies indefinitely.

Since last September, many of us have been calling on you and Secretary Richardson to use America's well-stocked SPR as leverage to counter OPEC's risky profiteering. With global supply, demand, and inventories remaining out of sync with each other, and OPEC ministers unwilling to play by the rules which they themselves created, the United States has every right to act decisively in the interest of its economic security. The immediate commencement of a ''swaps'' policy using SPR oil would moderate the global oil market, and generally buffer against foreign supply manipulations. And under current market conditions, a swaps policy provides the best way to increase the SPR from its current level of 570 million barrels, at no cost to the taxpayer.

OPEC has been emboldened by its highly successful quota policy over the past two years which has caused oil prices to effectively triple. OPEC ministers seem to now believe the United States and the world will accept, and call economically sustain, oil prices at $30 per barrel and above. Mr. President, it is simply unacceptable for us to allow our economy, and the world's economy, to be placed in jeopardy by a foreign oil cartel. With razor thin oil inventories and soaring gas prices coupled with new reports of a looming shortage of natural gas, we may be at the beginning of a serious and prolonged energy crisis that could send a chill through every economic sector of our country. The time to act is now.

Sincerely,

Charles E. Schumer; Carl Levin; Joseph I. Lieberman; Jack Reed; Patrick J. Leahy; Robert G. Torricelli; Susan M. Collins; James M. Jeffords; William V. Roth Jr.; Olympia J. Snowe; Christopher Dodd; Arlen Specter.

U.S. SENATE,
Washington, DC, April 25, 2001.

President GEORGE WALKER BUSH,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: In light of the energy crisis and the high prices of OPEC oil, we know you will share our view that we must explore every possible alternative to stop OPEC and other oil-producing states from entering into agreements to restrict oil production in order to drive up the price of oil.

This conduct is nothing more than an old-fashioned conspiracy in restraint of trade which has long been condemned under U.S. law, and which should be condemned under international law.

After some research, we suggest that serious consideration be given to two potential lawsuits against OPEC and the nations conspiring with it:

(1) A suit in Federal district court under U.S. antitrust law.

(2) A suit in the International Court of Justice at the Hague based upon ''the general principles of law recognized by civilized nations.''

(1) A suit in Federal district court under U.S. antitrust law.

A strong case can be made that your Administration can sue OPEC in Federal district court under U.S. antitrust law. OPEC is clearly engaging in a ''conspiracy in restraint of trade'' in violation of the Sherman Act (15 U.S.C. Sec. 1). The Administration has the power to sue under 15 U.S.C. Sec. 4 for injunctive relief to prevent such collusion.

In addition, the Administration has the power to sue OPEC for treble damages under the Clayton Act (15 U.S.C. Sec. 15a), since OPEC's behavior has caused an ''injury'' to U.S. ''property.'' After all, the U.S. government is a consumer of petroleum products and must now pay higher prices for these products. In *Reiter* v. *Sonotone Corp,* 442 U.S. 330 (1979), the Supreme Court held that the consumers of certain hearing aides who alleged that collusion among manufacturers had led to an increase in prices had standing to sue those manufacturers under the Clayton Act since ''a consumer deprived of money by reason of allegedly anticompetitive conduct is injured in 'property' within the meaning of [the Clayton Act].''

One issue that would be raised by such a suit is whether the Foreign Sovereign Immunities Act (''FSIA'') provides OPEC, a group of sovereign foreign nations, with immunity from suit in U.S. courts. To date, only one Federal court, the District Court for the Central District of California, has reviewed this issue. In *International Association of Machinists* v. *OPEC*, 477 F. Supp. 553 (1979), the Court held that the nations which comprise OPEC were immune from suit in the United States under the FSIA. We believe that this opinion was wrongly decided and that other district courts, including the D.C. District, can and should revisit the issue.

This decision in *Int. Assoc. of Machinists* turned on the technical issue of whether or not the nations which comprise OPEC are engaging in ''commercial activity'' or ''governmental activity'' when they cooperate to sell their oil. If they are engaging in ''governmental activity,'' then the FSIA shields them from suit in U.S. courts. If, however, these nations are engaging in ''commercial activity,'' then they are subject to suit in the U.S. The California District Court held that OPEC activity is ''governmental activity.'' We disagree. It is certainly a governmental activity for a nation to regulate the extraction of petroleum from its territory by ensuring compliance with zoning, environmental and other regulatory regimes. It is clearly a commercial activity, however, for these nations to sit together and collude to limit their oil production for the sole purpose of increasing prices.

The 9th Circuit affirmed the District Court's ruling in *Int. Assoc. of Machinists* in 1981 (649 F.2d 1354), but on the basis of an entirely different legal principle. The 9th Circuit held that the Court could not hear this case because of the ''act of state'' doctrine, which holds that a U.S. court will not adjudicate a politically sensitive dispute which would require the court to judge the legality of the sovereign act of a foreign state.

The 9th Circuit itself acknowledged in its *Int. Assoc. of Machinists* opinion that ''The [act of state] doctrine does not suggest a rigid rule of application,'' but rather application of the rule will depend on the circumstances of each case. The Court also noted that, ''A further consideration is the availability of internationally-accepted legal principles which would render the issues appropriate for judicial disposition.'' The Court then quotes from the Supreme Court's opinion in *Banco Nacional de Cuba* v. *Sabbatino*, 376 U.S. 398 (1964):

It should be apparent that the greater the degree of codification or consensus concerning a particular area of international law, the more appropriate it is for the judiciary to render decisions regarding it, since the courts can then focus on the application of an agreed principle to circumstances of fact rather than on the sensitive task of establishing a principle not inconsistent with the national interest or with international justice.

Since the 9th Circuit issued its opinion in 1981, there have been major developments in international law that impact directly on the subject matter at issue. As we discuss in greater detail below, the 1990s have witnessed a significant increase in efforts to seek compliance with basic international norms of behavior through international courts and tribunals. In addition, there is strong evidence of an emerging consensus in international law that price fixing by cartels violates such international norms. Accordingly, a court choosing to apply the act of state doctrine to a dispute with OPEC today may very well reach a different conclusion than the 9th Circuit reached almost 20 years ago.

(2) A suit in the International Court of Justice at the Hague based upon ''the general principles of law recognized by civilized nations.''

In addition to such domestic antitrust actions, we believe you should give serious consideration to bringing a case against OPEC before the International Court of Justice (the ''ICJ'') at the Hague. You should consider both a direct suit against the conspiring nations as well as a request for an advisory opinion from the Court through the auspices of the UN Security Council. The actions of OPEC in restraint of trade violate ''the general principles of law recognized by civilized nations.'' Under Article 38 of the Statute of the ICJ, the Court is required to apply these ''general principles'' when deciding cases before it.

This would clearly be a cutting-edge lawsuit, making new law at the international level. But there have been exciting developments in recent years which suggest that the ICJ would be willing to move in this direction. In a number of contexts, we have seen a greater respect for and adherence to fundamental international principles and norms by the world community. For example, we have seen the establishment of the International Criminal Court in 1998, the International Criminal Tribunal for Rwanda in 1994, and the International Criminal Tribunal for the former Yugoslavia in 1993. Each

of these bodies has been active, handing down numerous indictments and convictions against individuals who have violated fundamental principles of human rights.

Today, adherence to international principles has spread from the tribunals in the Hague to individual nations around the world. The exiled former dictator of Chad, Hissene Habre, was indicted in Senegal on charges of torture and barbarity stemming from his reign, where he allegedly killed and tortured thousands. This case is similar to the case brought against former Chilean dictator Augusto Pinochet by Spain on the basis of his alleged atrocities in Chile. At the request of the Spanish government, Pinochet was detained in London for months until an English court determined that he was too ill to stand trial.

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We hope that you will seriously consider judicial action to put an end to such behavior.

ARLEN SPECTER.
CHARLES SCHUMER.
HERB KOHL.
STROM THURMOND.
MIKE DEWINE.

Mr. SPECTER. Mr. President, today I am going to be putting into the RECORD at conclusion of my statement—again I ask unanimous consent—a proposed modification of the U.S. antitrust laws.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit No. 2.)

EXHIBIT 2

S. __

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Petroleum Industry Antitrust Act of 2006''.

SEC. 2. PROHIBITION ON UNILATERAL WITHHOLDING.

The Clayton Act (15 U.S.C. 12 et seq.) is amended—

(1) by redesignating section 28 as section 29; and

(2) by inserting after section 27 the following:

''SEC. 28. OIL AND NATURAL GAS.

''(a) IN GENERAL.—Except as provided in subsection (b), it shall be unlawful for any person to refuse to sell, or to export or divert, existing supplies of crude oil, refined products derived from crude oil, or natural gas with the primary intention of increasing prices or creating a shortage in the market where the existing supplies are located or intended to be shipped.

''(b) CONSIDERATIONS.—In determining whether a person who has refused to sell exported or diverted existing supplies of crude oil, refined products derived from crude oil, or natural gas has done so with the intent of increasing prices or creating a shortage in the market under subsection (a), the court shall consider whether—

''(1) the cost of acquiring, producing, refining, processing, marketing, selling, or otherwise making such products available has increased; and

''(2) the price obtained from exporting or diverting existing supplies is greater that the price obtained where the existing supplies are located or are intended to be shipped.''.

SEC. 3. PROHIBITION ON CERTAIN MERGERS IN THE OIL AND GAS INDUSTRY.

Section 7 of the Clayton Act (15 U.S.C. 18) is amended by adding at the end the following:

''Notwithstanding any other provision of this section, no person engaged in, or assets of a person engaged in, commerce in the business of exploring for, producing, refining, or otherwise processing, storing, marketing, selling, or otherwise making available petroleum, products derived from petroleum, or natural gas in any section of the United States may be acquired by another person, if the effect of such acquisition may be to appreciably diminish competition.''.

SEC. 4. STUDY BY THE GOVERNMENT ACCOUNTABILITY OFFICE.

(a) DEFINITION.—In this section, the term ''covered consent decree'' means a consent decree—

(1) to which either the Federal Trade Commission or the Department of Justice is a party;

(2) that was entered by the district court not earlier than 10 years before the date of enactment of this Act;

(3) that required divestitures; and

(4) that involved a person engaged in the business of exploring for, producing, refining, or otherwise processing, storing, marketing, selling, or otherwise making available petroleum, products derived from petroleum, or natural gas.

(b) REQUIREMENT FOR A STUDY.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study evaluating the effectiveness of divestitures required under covered consent decrees.

(c) REQUIREMENT FOR A REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit a report to Congress, the Federal Trade Commission, and the Department of Justice regarding the findings of the study conducted under subsection (b).

(d) FEDERAL AGENCY CONSIDERATION.—Upon receipt of the report required by subsection (c), the Attorney General or the Chairman of the Federal Trade Commission, as appropriate, shall consider whether any additional action is required to restore competition or prevent a substantial lessening of competition occurring as a result of any transaction that was the subject of the study conducted under subsection (b).

SEC. 5. JOINT FEDERAL AND STATE TASK FORCE.

The Attorney General and the Chairman of the Federal Trade Commission shall establish a joint Federal-State task force, which shall include the attorney general of any State that chooses to participate, to investigate the information sharing practices among persons in the business of exploring for, producing, refining, or otherwise processing, storing, marketing, selling, or otherwise making available petroleum, products derived from petroleum, or natural gas, particularly any company about which the Energy Information Administration collects financial and operating data as part of its Financial Reporting System.

SEC. 6. NO OIL PRODUCING AND EXPORTING CARTELS.

(a) SHORT TITLE.—This section may be cited as the ''No Oil Producing and Exporting Cartels Act of 2006'' or ''NOPEC''.

(b) SHERMAN ACT.—The Sherman Act (15 U.S.C. 1 et seq.) is amended—

(1) by redesignating section 8 as section 9; and

(2) by inserting after section 7 the following:

''SEC. 8. OIL PRODUCING CARTELS.

''(a) IN GENERAL.—It shall be illegal and a violation of this Act for any foreign state, or any instrumentality or agent of any foreign state, in the circumstances described in subsection (b), to act collectively or in combination with any other foreign state, any instrumentality or agent of any other foreign state, or any other person, whether by cartel or any other association or form of cooperation or joint action—

''(1) to limit the production or distribution of oil, natural gas, or any other petroleum product;

''(2) to set or maintain the price of oil, natural gas, or any petroleum product; or

''(3) to otherwise take any action in restraint of trade for oil, natural gas, or any petroleum product.

''(b) CIRCUMSTANCES.—The circumstances described in this subsection are an instance when an action, combination, or collective action described in subsection (a) has a direct, substantial, and reasonably foreseeable effect on the market, supply, price, or distribution of oil, natural gas, or other petroleum product in the United States.

''(c) SOVEREIGN IMMUNITY.—A foreign state engaged in conduct in violation of subsection (a) shall not be immune under the doctrine of sovereign immunity from the jurisdiction or judgments of the courts of the United States in any action brought to enforce this section.

''(d) INAPPLICABILITY OF ACT OF STATE DOCTRINE.—No court of the United States shall decline, based on the act of state doctrine, to make a determination on the merits in an action brought under this section.

''(e) ENFORCEMENT.—The Attorney General of the United States may bring an action to enforce this section in any district court of the United States as provided under the antitrust laws, as defined in section 1(a) of the Clayton Act (15 U.S.C. 12(a)).''.

(c) SOVEREIGN IMMUNITY.—Section 1605(a) of title 28, United States Code, is amended—

(1) in paragraph (6), by striking ''or'' at the end;

(2) in paragraph (7), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(8) in which the action is brought under section 8 of the Sherman Act.''.

Mr. SPECTER. Mr. President, I am not introducing the bill today, but I am putting it forward so that my colleagues may consider it and it may be considered by the witnesses who are

going to be testifying before the Judiciary Committee on March 14. I am putting it in the public view to solicit comments and to solicit responses and ideas as to the effectiveness or propriety or desirability of such legislation. I do so tentatively because it is a very complicated subject, and there have been relatively few modifications of the antitrust laws in the United States.

The basic antitrust law under which we operate is more than a century old. The Sherman Act, enacted in 1890, made it unlawful to enter into a contract, combination, or conspiracy in restraint of trade and prohibited monopolization. Then, 24 years later, we enacted the Clayton Act, which prohibits unlawful tying, corporate mergers and acquisitions that reduce competition and interlocking directorates, which lead principally to substantial restraint on trade. Those are the two principal statutes that mold the antitrust laws in the United States.

There have been some additions: in 1914, the Federal Trade Commission Act prohibiting unfair methods of competition affecting commerce; in 1936, the Robinson-Patman Act prohibiting sales that discriminate in the price or sale of goods to equally situated distributors where the effect of such sales is to reduce competition; in 1945, the McCarron-Ferguson Act applying antitrust laws to the insurance industry only ''to the extent that such business is not regulated by State law;'' and then the 1976 Hart-Scott-Rodino Act which amended the Clayton Act and required companies to give notice to the antitrust enforcement agencies prior to consummating a merger.

But in this long history, the principal acts have been the Clayton Act and the Sherman Act.

There has been from time to time other legislation touching the antitrust issues—the Soft Drink Interbrand Competition Act in 1980 permitting the owners of trademark soft drinks to grant exclusive territorial franchises to bottlers or distributors; the local government antitrust laws of 1984; the International Antitrust Enforcement Assistance Act of 1994; the Standards Development Organization Advancement Act of 2004 protecting organizations that develop industry standards from certain types of antitrust liability; and in 2004 the Antitrust Criminal Penalty Enhancement Reform Act.

There have been some modifications of the antitrust laws allowing the National Football League, for example, to have revenue sharing. From time to time, proposals have been made to limit the exemption that baseball enjoys from the antitrust laws as a result of decisions of the Supreme Court of the United States.

It is my concern that there ought to be some close analysis of the existing antitrust laws with what is happening in the marketplace. The outline of proposed legislation which I have denominated the ''Petroleum Industry Antitrust Act of 2006'' is an outline for analysis and for further thought. Again I will say that I am not introducing it as a bill today, but I will use it as a basis for discussion and questioning in the Judiciary Committee hearing that will be held on March 14.

This bill would eliminate the judge-made doctrines that prevent OPEC members from being sued for violation of the antitrust laws by conspiring to fix the price of crude oil. Section 1 of the bill amends the Sherman Act prohibiting oil and gas companies from diverting, exporting, or refusing to sell existing supplies of crude oil, refined products, or natural gas, with the primary intent of raising prices or creating a shortage in the market where the existing supplies are located or intended to be shipped.

Section 2 amends the Clayton act prohibiting the acquisition of an oil or gas company or, any assets of such a company, when the acquisition would lessen competition. Current law allows the antitrust agencies to challenge any acquisition that may ''substantially'' lessen competition. This change would significantly increase the level of scrutiny received by any large merger between competitors in the oil and gas industry.

Section 3 requires the Government Accountability Office to evaluate whether divestitures required by the Federal Trade Commission (''FTC'') or the Department of Department (''DOJ'') with regard to oil and gas industry mergers have been effective in restoring competition. Once the study is completed, the FTC and the DOJ must consider whether any additional steps are necessary to restore competition, including further divestiture or the unraveling of some mergers.

Section 4 requires that the FTC and the DOJ establish a joint federal-state task force to examine information sharing and other anticompetitive results of recent consolidation in the oil and gas industry.

These provisions might well be extended in a final legislative proposal to go beyond oil and gas, but that is the thrust of what we are considering as we prepare for the Judiciary Committee hearing on March 14.

Again, I wish to emphasize that this is an outline of proposed modifications to the antitrust laws. I approach it with an eye toward the spirit of the Sherman Act and the Clayton Act, both of which have existed for so long, but also with a sense that what is happening in the marketplace today requires some further analysis by the Judiciary Committee.

We are finding that the prices of heating oil are extremely high, the price of natural gas is extremely high, the price of gasoline at the pump is extremely high, and the American consumers and consumers beyond America deserve some attention, they deserve to have this situation analyzed and considered.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THOMAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ETHICS REFORM

Mr. THOMAS. Mr. President, I will express some anxiety about the fact we are not moving forward with legislation we need to be considering. Interestingly enough, I came from a briefing upstairs by the Secretary of Defense and the general from Central Command. It reminds Members of the things out there that we need to deal with.

Members go home to their States and people talk about issues that are of interest to them—whether it is the economy, energy, budgets—and yet we find ourselves going day after day without being able to move forward to the topics that are of prime importance. Certainly, we should have the opportunity to talk about whatever people want to talk about. We should have the opportunity to discuss and debate issues, to come to conclusions on issues, but we need to come to a conclusion.

It is embarrassing to see what has happened today. We had an opportunity to move toward to resolve one of the issues we had before the Senate, the lobbying issue, which needs to be resolved. I don't happen to think it is the biggest issue in the world, but we were in the process of finding ways to get to it in a bipartisan effort that collapsed because of one effort to derail what we are doing.

I think we need to take a long look at ourselves. It would be good if we had a little time to lay out on a list those issues that are most important, the top-quality issues, and then really focus on those issues.

I think to bring up something here that is totally unrelated to the lobbying reform issue, which simply caused us to be stalled on an issue that is being resolved—whether it is the 45-day period, whether it is the agreement that has come forth since—there was no real reason to bring this up on the floor at this time except to obstruct moving forward.

I guess I am becoming sort of upset with the fact that we are not able to move forward. I think some of these things are pretty partisan issues, simply wanting to get this group out because there is something going on in the House to resolve that hard issue, and they do not want to be left behind. It is political. I am sorry, but that really is not what it is about to be on the Senate floor.

So I will not take any more time, except, I guess, to express my frustration when we do have important issues to deal with. There are a lot of issues out there that are so important. We are

talking about energy and how we get some issues resolved so we can deal, in the long term, with energy, which is a big issue for us not only because it is energy but because it affects everyone every day. It affects jobs. It affects the economy.

I think one of the issues we need to be doing and continuously working on is health care so it is available for everyone and is affordable. We can make some changes there, there is no question.

We need to make sure we are doing all we can in taking a long look at what is happening in the Middle East, and that we can get our job completed in Iraq, and make sure we do not end up being singularly involved with Iran. Those are some of the issues.

I am, of course, very impressed with the way this system works and very impressed with the way this Senate works, but I do find sometimes that I think we get it all jammed up for reasons that are not really part of what we are here designated to do.

So I just wanted to share my frustration with that and hope we can work with the leaders on both sides of the aisle to find some ways for us to address those issues that are before us for the American people, to do the job we are assigned to do and have the responsibility to do, and to move forward.

It is frustrating to be here but once a day, for example, when there are lots of issues out there. Let's decide them, let's vote on them, let's get on with it, instead of—look at this place, empty, empty most of the day because we have an obstruction in the system.

So, Mr. President, I hope we can find some ways to remedy the situation. And I certainly would like to be a part of finding those remedies.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CHAFEE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LUGAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF NORMAL TRADE RELATIONS WITH UKRAINE

Mr. LUGAR. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 370, H.R. 1053.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1053) to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Ukraine.

There being no objection, the Senate proceeded to consider the bill.

Mr. LUGAR. Mr. President, I ask unanimous consent that the bill be read the third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

I further ask consent that S. 632, the Senate companion measure, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1053) was read the third time and passed.

Mr. LUGAR. Mr. President, last November, the Senate passed a bill I introduced, S. 632, authorizing the extension of permanent normal trade relations with Ukraine. During the post-Cold War era, Ukraine has continued to be subject to the provisions of the Jackson-Vanik amendment to the Trade Act of 1974, which sanctions nations for failure to comply with freedom of emigration requirements. My bill repeals permanently the application of Jackson-Vanik to Ukraine.

Yesterday, the House of Representatives passed H.R. 1053, the House companion to my bill. I am extremely pleased that the Senate has passed this legislation today.

Since the end of the Cold War, Ukraine has demonstrated a commitment to meet freedom of emigration requirements, and to abide by free market principles and good governance. Improving trade will strengthen the growing relationship between our two nations. The United States will continue its strong support of Ukraine and its commitment to democracy and free markets.

I encourage President Yushchenko to continue his no-tolerance policy for antisemitism in Ukraine. I look forward to President Bush signing this bill into law as a further signal of United States support for democracy and free enterprise in Ukraine. This is especially important before the parliamentary elections in Ukraine on March 26.

Extraordinary events have occurred in Ukraine. A free press has revolted against intimidation and reasserted itself. An emerging middle class has found its political footing. A new generation has embraced democracy and openness. A society has rebelled against the illegal activities of the previous government. It is in our interest to recognize and to protect these advances in Ukraine.

The United States has a long record of cooperation with Ukraine through the Nunn-Lugar Cooperative Threat Reduction Act. Ukraine inherited the third largest nuclear arsenal in the world with the fall of the Soviet Union.

Through the Nunn-Lugar program, the United States has assisted Ukraine in eliminating this deadly arsenal and joining the Nonproliferation Treaty as a nonnuclear state. The United States can and should do more to eliminate conventional weapons stockpiles and assist other nations in detecting and interdicting weapons of mass destruction. These functions are underfunded, fragmented, and in need of high-level support.

This was pointed out to me during a visit Senator BARACK OBAMA and I enjoyed in Ukraine in early September of last year.

The Government's current response to threats from vulnerable conventional weapons stockpiles is dispersed between several programs at the Department of State. We believe the planning, coordination, and implementation of this function should be consolidated into one office at the State Department with a budget that is commensurate with the threat posed by these weapons.

We look forward to continuing to address these issues and making progress on all fronts in Ukraine. The permanent waiver of Jackson-Vanik and the establishment of permanent normal relations will be the foundation on which a burgeoning partnership between our nations can further grow and prosper.

Mr. President, I am pleased to mention that on this auspicious day of our relations with Ukraine, the Foreign Minister of Ukraine is in Washington. We have had opportunities to visit, to share views, and to assert, once again, the solidarity of our friendship.

Mr. OBAMA. Mr. President, I rise today to support H.R. 1053, legislation to extend permanent normal trade relations with Ukraine. This is the House companion to the bill, S. 632, that Senator LUGAR and I introduced and shepherded through the Senate last year.

Senator LUGAR just forcefully outlined the issues in only the way that the chairman of the Foreign Relations Committee can. I agree with what he said and cannot say it any better. So, I will be brief.

As the chairman mentioned, this bill comes at a critical time for Ukraine—on the heels of dramatic presidential elections and shortly before important elections in the Rada. This legislation grew out of our trip to Ukraine last August, as we saw firsthand the key role that the United States must play in consolidating prodemocracy, pro-free market reforms. I believe it is critical that we continue to send a clear message to the Ukrainian people that there are tangible benefits to continuing down this path. This bipartisan legislation does just that.

It is my honor to be the lead cosponsor of the Senate companion bill and I look forward to this legislation enhancing the U.S.-Ukraine relationship. I look forward to the President signing this bill into law.

I yield the floor.

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. BAUCUS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GRIZZLY BIG SKY CONFERENCE CHAMPION

Mr. BAUCUS. Mr. President, in Montana, we are as proud of Montana as Texans are of being from Texas; we just aren't as loud about it. Until today.

I rise today to congratulate the University of Montana Grizzlies men's basketball team.

For my colleagues who didn't stay awake last night, Montana's own Grizzlies, led by tournament MVP Virgil Matthews, upset the top-seeded Northern Arizona Lumberjacks 73 to 60 to win the Big Sky Conference tournament and earn an automatic bid to the NCAA tournament.

This marks the second straight year that the Griz will join the ''big dance'' and could be the start of a dynasty for our very own Coach K.

In only his second year, Coach Larry Krystkowiak has led his teams to conference titles in both years, and this marks the first time that the Griz have had back-to-back NCAA tournament appearances since 1991–1992.

Coach K's achievements both on the court and off are phenomenal. As a player, he is the University of Montana's all-time leader in scoring and rebounding. He went on to a long and successful career in the NBA. He is a true Montana legend.

And then the legend came home to lead his alma mater. And all the victories have been great.

But the class and leadership of Coach K stands out much more. One example that sticks out in my mind happened just recently, when Coach K, along with several members of the Griz athletic department, all shaved their heads to both raise money for ''Coaches vs. Cancer'' and to show support for a friend who had recently been diagnosed with the disease.

I can't say that Coach K looked very good, but his actions set an example throughout our State.

Coach K is a class act, a great example of a dedicated Montanan, and I just wanted to take a moment to congratulate him and his team and wish them success with their upcoming March Madness.

(The remarks of Mr. BAUCUS pertaining to the introduction of S. 2398 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. BAUCUS. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. BURR). Without objection, it is so ordered.

ONLINE FREEDOM OF SPEECH ACT

Mr. FRIST. Mr. President, yesterday, I filed the Online Freedom of Speech Act as an amendment to the lobbying reform bill.

This morning, the House Administration Committee will mark up identical legislation. We expect the House to act as early as next week to pass this vital protection of free speech.

Thomas Jefferson once quipped that, ''Advertisements contain the only truths to be relied on in a newspaper.''

But despite his low opinion of the press, he also observed that, ''Were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter.''

From the earliest days of our Republic, freedom of speech and freedom of the press—be they anonymous pamphlets, celebrated essays, or local newspapers—were understood to be fundamental to the practice and defense of liberty.

Without the ability to convey ideas, debate, dispute, and persuade, we may never have fought for and achieved our independence.

Ordinary citizens—farmers, ministers, local shop owners—published and circulated their views, often anonymously, to challenge the conventional order and call their fellow citizens to action.

Indeed, as Boston University journalism professor Chris Daly points out, ''What we think of as reporting—the pursuit, on a full time basis of verifiable facts and verbatim quotations—was not a significant part of journalism in the time of Thomas Jefferson and Thomas Paine. . . . In historical terms, today's bloggers are much closer in spirit to the Revolutionary-era pamphleteers.''

And today, it is bloggers whom we now have to protect.

There are some who, out of fear or shortsightedness, wish to restrict the ability of our modern-day Thomas Paines to express political views on the World Wide Web.

They seek to monitor and regulate political speech under the guise of ''campaign finance reform.'' They argue that unfettered political expression on the Internet is dangerous, especially during the highly charged election season.

Needless to say, I stand firmly against these efforts to hamstring the Internet and squarely with the champions of free speech—whether that expression takes place in the actual or virtual town square.

Free speech is the core of our first amendment. And the Internet represents the most participatory form of mass speech in human history.

It is no accident that this technology was invented here in America. Freedom of speech is encoded in our DNA. It is what allows us to be uniquely curious, daring and innovative.

And it is no coincidence that Americans, steeped in the tradition of inquiry and rebellion, would give flight to yet another revolution on behalf of the principle we value most.

In an era where technology has made instant, unfiltered communication possible, I believe that the Congress has a fundamental responsibility to allow this new medium to flourish.

As an amateur blogger myself, and soon-to-be private citizen, I am committed to ensuring that the extraordinary explosion of political debate in the blogosphere is protected from meddling bureaucrats and regulators in Washington, DC.

I commented on this very issue on my own blog last week. Free political expression is not a narrow privilege but a fundamental right.

Back in April of 1999, when observers and commentators were only beginning to glimpse the rich potential of the Internet, Rick Levine, Christopher Locke, Doc Searls and David Weinberger posted the ''Cluetrain Manifesto.''

In it they said that, ''A powerful global conversation has begun. Through the Internet, people are discovering and inventing new ways to share relevant knowledge with blinding speed.''

Since then, the conversation has only grown.

While authoritarian regimes like Communist China struggle to control the information crossing their borders, millions of private citizens, typing away on their home computers, are engaged in millions of discreet and overlapping conversations, exchanging information, and circulating ideas.

As Americans, we should be on the side of this dazzling development. As citizens of the 21st century, we should recognize we have no power to stop it.

Brian Anderson of the Manhattan Institute points out that the Supreme Court has extended free speech to include nude dancing, online pornography, and cross burning.

It seems only reasonable that free speech should include the humble act of posting a blog.

TRIBUTE TO GEORGE SMALL

Mr. REID. Mr. President, today I rise to honor a man who has dedicated himself to serving our country and has made the sacrifices necessary to protecting our Nation's freedom during one of our most trying times.

Mr. George Small was born in Montreal, Canada, in 1908 and then moved with his family to New York City as a child. Upon graduating from the Polytechnic Institute of Brooklyn in 1935, he began to look for work. The country was deep in the throws of the Great Depression however, and there was none to be found. This sparked a move to California, where he found a job with a chemical plant near Death Valley. When the employees of the plant went on strike, George went on Active Duty in the Army; where he was already a 2nd lieutenant in the Army Reserves.

George's active service began on April 25, 1941, and he began training at the Army Chemical Warfare School. In

October of the same year, he was transferred to the Philippines. This proved to be a fateful event. He arrived 6 weeks before the attack on Pearl Harbor and America's involvement in World War II. He was ordered to Bataan on Christmas Eve of 1941. He fought bravely alongside the other men of the 31st Infantry against overwhelming odds until the surrender of Bataan on April 9, 1942.

Upon capture by the Japanese, George and the other 76,000 POWs set out on the infamous 55-mile Bataan death march to prison camps. Along the way, the prisoners endured intensely cruel and inhumane treatment. George watched as many of his friends were beaten and killed. It was during this agonizing journey that George promised himself he would survive the nightmare he was living.

After 3½ years in captivity, George was liberated on September 10, 1945. Even though he was severely malnourished, weighing only 98 pounds, and suffered from malaria, he was still alive. George was awarded the American Defense Service Medal with one Bronze Star, American Campaign Medal, Asiatic Pacific Campaign Medal with two Bronze Stars, Distinguished Unit Badge with Two Oak Leaf Clusters, Combat Infantry Badge, Philippine Liberation Ribbon with one Bronze Star, WWII Victory Medal, and the POW Medal.

Following discharge from the Army on November 26, 1946, George remained in the Army Reserves until he retired at the rank of major in 1968. He worked as a civil engineer for the State of California during the post-war years, and in 1954 he married his wife, Hadassa. They raised two daughters together.

George recently celebrated his 98th birthday in Reno, making him the oldest former POW living in Nevada. He is truly an American hero, and has earned my admiration and the respect of all those who have known him. I offer him my gratitude and wish him all the best in the years to come.

NEW U.N. INITIATIVE FOR CYPRIOT REUNIFICATION

Ms. SNOWE. Mr. President, I rise today to commend the President of Cyprus, Tassos Papadopoulos, for promoting a new U.N.-sponsored initiative to resolve the division of the island of Cyprus. Cyprus has been divided for more than 30 years, following a 1974 invasion by Turkey. The time is ripe for resolving this longstanding split, and I applaud President Papadopoulos for taking the initiative to end the division.

On February 28, 2006, President Papadopoulos met with U.N. Secretary-General Kofi Annan and proposed that the U.N. appoint a special envoy for Cyprus to lay the groundwork for negotiations to end the division of Cyprus. President Papadopoulos also proposed a number of cross-community confidence-building measures to strengthen the foundation for reunification. After the meeting, Secretary-General Annan and President Papadopoulos issued a joint statement agreeing on the resumption of bicommunal discussions on the technical aspects necessary to prepare the ground for full peace negotiations.

There have been significant developments in Cyprus over the past 2 years that make this the right time for reunification. Nearly 2 years ago, Cyprus joined the European Union, and in that time, the Government of Cyprus has promoted the opening up of several crossing points through the U.N.-patrolled cease-fire line. As a result, the Government of Cyprus has transformed the everyday realities on Cyprus to that unlike any other divided nation.

Unlike other divisions with which my colleagues may be familiar, such as East and West Berlin, the people of Cyprus are able to cross the dividing line to visit their ancestral lands, work, and shop. Indeed, since the opening of crossing points, there have been more than 9 million incident-free crossings. Every day, more than 10,000 Turkish Cypriots cross from the occupied territory to the government-controlled area to work. This increased economic activity and trade across the dividing line has contributed in more than doubling the per-capita income of the Turkish-Cypriots in the past 2 short years.

As confidence building measures, President Papadopoulos has proposed to take additional steps to build on the gains of the past 2 years. The Government of Cyprus has already proposed the reopening of the occupied Port of Famagusta and the return of the adjacent city of Varosha to its original inhabitants; a ''ghost'' city that has been abandoned since the 1974 Turkish invasion. Famagusta would operate under the joint administration of the two communities, bringing the two communities closer together, and also under the EU's regulatory auspices, enhancing trade opportunities. President Papadopoulos has also proposed to open additional crossing points to make travel and trade between the two communities easier.

Last week, the European Union announced economic aid to the Turkish Cypriots of 139 million eurodollars—approximately $165 million. The Government of Cyprus had pushed strongly for this aid, despite unfortunate attempts by others to attach preconditions and political stipulations to its release. This aid from the EU further demonstrates the positive effect of Cyprus's EU membership on the prospects for reunification.

I applaud the steps that the Government of Cyprus and President Papadopoulos have taken to encourage a just and lasting solution to the Cyprus division. His meeting with Secretary-General Annan is a positive first step toward the resumption of reunification negotiations. On Cyprus today, the two communities are closer together than at any time since the invasion. Although prior reunification efforts have failed, the developments of the past 2 years offer the greatest prospect for a peaceful and lasting solution to the division.

IN MEMORY OF DANA REEVE

Mrs. BOXER. Mr. President, I rise to pay tribute to an extraordinary woman, Dana Reeve, who died on Monday, March 6 at the age of 44. Dana's courage, grace and love in dealing with the tragic paralysis of her late husband, actor Christopher Reeve, were an inspiration to millions of Americans. Dana and Christopher's tireless advocacy on behalf of individuals and families living with spinal cord injury made them American heroes.

Dana Morosini was born in 1961 to Dr. Charles Morosini and Helen Morosini. She grew up in Scarsdale, New York, graduated cum laude from Middlebury College in Vermont and studied acting at the California Institute of the Arts.

Dana was an accomplished actress and singer. She appeared on Broadway, off Broadway and in regional theatre, on television and in HBO films, and performed as a singer on national television and in venues around New York. Reeve co-hosted ''Lifetime Live,'' a daily women's information program on the Lifetime network.

It was while Dana performed in a late-night cabaret at the Williamstown Theatre Festival in 1987 that she met actor Christopher Reeve, who was in the audience. They married on April 11, 1992. Their son Will was born in 1992. She was also stepmother to Christopher's children Matthew and Alexandra Exton Reeve. She was a devoted and loving mother, deeply committed to her family.

In 1995, America watched in disbelief as an equestrian accident left Christopher Reeve, perhaps best known for his film role as Superman, paralyzed. America was inspired as Dana Reeve courageously and publicly supported Christopher with humor and grace. Dana and Christopher helped propel spinal cord injury into the national spotlight, working to increase funding and find a cure. They became actively involved in fighting for the rights of the disabled and helping families live with spinal cord injury. Our hearts went out to Dana and her family when Christopher Reeve passed away on October 10, 2004.

Dana was a founding board member of the Christopher Reeve Foundation, which became the Christopher Reeve Paralysis Foundation after its merger with the American Paralysis Association. Dana took over as chair after her husband's death. Dana was deeply involved with the Christopher and Dana Reeve Paralysis Resource Center, PRC, which promotes the health and well-being of people and families living with paralysis.

Dana was also committed to the Reeve-Irvine Center for Spinal Cord

Research at the University of California, Irvine. The Reeve-Irvine Research Center is the premier research and education center working to find innovative new treatments for spinal cord injury. I was proud to work with Christopher and Dana to support therapeutic stem cell research, which holds the promise to treat a vast array of diseases, including juvenile diabetes, Parkinson's, Alzheimer's, heart disease, and cancer as well as spinal cord injuries.

Dana received numerous awards in recognition of her strength, courage and positive attitude: the American Cancer Society's Mother of the Year Award in 2005; the Visiting Nurses Association's Caregiver's Courage Award; and she was named one of America's Outstanding Women of 1995 by ''CBS This Morning.''

In August, 2005, America was upset to learn that Dana Reeve had lung cancer. Dana and Christopher were both nonsmokers. As always, Dana remained an inspiration. In a May 2005 interview, she said ''Now, more than ever, I feel Chris with me as I face this challenge,'' she said. ''As always, I look to him as the ultimate example of defying the odds with strength, courage, and hope in the face of life's adversities.'' She also said ''There's a formula Chris and I used all the time. When you least feel like it, do something for someone else. You forget about your own situation. It gives you a purpose, as opposed being sorrowful and lonely. It makes me feel better when things are too hard for me.''

Dana and Christopher showed a deep love for each other, their family and for humanity. They will always be remembered. We must renew our efforts to find cures for spinal cord injuries and cancer and to advance stem cell research on their behalf.

Dana Reeve is survived by her son Will; father, Dr. Charles Morosini; sisters Deborah Morosini and Adrienne Morosini Heilman; and two stepchildren, Matthew and Alexandra Exton Reeve.

HONORING THE LIFE OF KIRBY PUCKETT

Mr. COLEMAN. Mr. President, it is with great sadness that I rise to honor the life of Kirby Puckett, whose exuberant love of the game made him one of the best-loved players in baseball history. For many baseball fans, young and old alike, Kirby Puckett was the reason they picked up a baseball bat and kicked up their foot as the pitch approached. Kirby Puckett is Minnesota baseball.

Amazingly, Kirby was not the strongest, fastest, tallest, or most gifted baseball player ever. All you had to do was watch Kirby swing at a pitch three feet outside of the strike zone to understand that he did not succeed because of his mechanics. It was his gravity-defying leaps in center field, his hustling out an infield single, and his ability to hit the pitch three feet outside the strike zone that made him one of the greatest baseball players to grace the game. This honor was quickly rewarded in 2001, when at the age of 37 he was inducted into the Hall of Fame and became the third youngest living inductee, behind Sandy Koufax and Lou Gehrig.

Kirby Puckett's history-making career with the Twins began May 8, 1984. In his first game he became one of nine players in the history of baseball to collect four hits in their first game. For the next twelve seasons Kirby Puckett and his now retired No. 34 carried the Minnesota Twins out from obscurity to two World Series Titles in 1987 and 1991. He made ten straight all-star appearances from 1986 until 1995, and won six gold gloves over his career. Perhaps the defining moment in Kirby Puckett's legendary career came during Game Six of the 1991 World Series. Puckett hit a walk off home run in the eleventh inning, becoming the ninth player in history to hit a walk off home run in a World Series game. As Kirby rounded second base and pumped his fist into the air, he transcended the game itself and took his seat among the greatest players to swing the bat.

Tragically, Kirby was forced to retire from baseball on July 12, 1996, due to complications with glaucoma. In his retirement Puckett continued the charitable work he began as a player, raising money for glaucoma prevention and children's charities, perhaps most famously through his sponsoring of celebrity billiards tournaments to benefit the Children's Heart Fund. He won both the Branch Rickey Award, 1993, and the Roberto Clemente Man of the Year Award, 1996, for his community service.

Kirby's accomplishments were not predestined. Kirby willed his success from sheer attitude and hard work. He was born March 14, 1961, in Chicago, IL. Kirby grew up in Chicago's notorious Cabrini Green Housing Projects, ''the place where hope died.'' Despite the daily barrage of drugs and gangs that surrounded him, Kirby went on to become an All-American at Calumet High School. While playing in a college baseball league in Illinois, Puckett caught the eye of some pro scouts, although he surely caught the ears of the scouts as well with his colorful clubhouse humor. Soon thereafter in 1982, Kirby Puckett was a first round draft pick of the Minnesota Twins.

As I said before, Kirby Puckett was not gifted with the greatest baseball talent. He did not physically dominate the game, but he did dominate it mentally. Ever since Kirby, little league coaches have always had to tell their kids that they could only swing like Kirby if they made the major leagues. The problem is that in order to make the Majors, those same coaches had to tell the kids they had to work and play as hard as Kirby did and have fun doing it. That is his legacy to baseball; he put the fun into baseball. It is now all of our responsibility to carry on that legacy.

If Kirby were alive he would want all of us to honor him with his trademark sign-of-the cross and promise to make the most out of life as he did. As Kirby remarked with his typical modesty after his baseball career ended prematurely:

> Kirby Puckett's going to be all right. Don't worry about me. I'll show up, and I'll have a smile on my face. The only thing I won't have is this uniform on. But you guys can have the memories of what I did when I did have it on.

Kirby, we know you are all right in heaven right now, but we are not all right. We loved you as a player, but most of all we loved how you always had a smile on your face. You made us believe in ourselves. On behalf of Minnesota and baseball fans everywhere, thank you for the memories. You will not be forgotten.

RAILROAD COMPETITION ACT 2005

Mr. BAUCUS. Mr. President, I rise today to express my support for a fair and competitive rail system. Our agricultural economy cannot operate the way it should. We cannot receive the materials we need at a decent price and we cannot distribute our products at a fair price.

We need to work on Federal rail policy that encourages competition. Farmers, businesses and consumers would all benefit from this policy.

Montana's rail infrastructure is controlled by a single rail carrier controlling over 96 percent of all rail miles, over 95 percent all grain elevator and terminal sites, and moving more than 95 percent all wheat from the State.

There is more control by a single railroad in Montana than any other State. The rail carrier controls and dictates the rail rates in all movements from Montana eastbound or westbound.

As a result, agricultural shippers in some parts of the United States are paying the highest rail freight rates in exchange for sporadic and unreliable service. It's unacceptable. And it's not right that our Montana producers are expected to do business under these conditions.

Our shippers need a clearly defined means for securing reliable service at a reasonable rate. It's fair. And it's the right thing to do.

Agricultural shippers are unique because the party that bears the cost of rail transportation—the farmer—is not the party that negotiates the rate for that transportation—the grain elevator.

Further, the farmer has no ability to pass on the costs associated with transportation to the customer.

To ship a 26 car shipment of wheat from Medicine Lake, MT, to Portland is $3.42 per mile. To ship a 26 car shipment of wheat from Commerce City, CO, to Portland is $2.61 per mile and Atchison, KS, to Portland is $2.34 per mile.

Montana rates are 31 percent higher than more distant points going to the same market because of lack of competition.

Consider this example: A bushel of spring wheat sells for approximately $4.10. More than $1.00 of that amount, or up to one-third of the price a farmer receives, goes to pay for rail transportation.

Stated another way, the average wheat farmer is working for the railroads up to four months out of the year.

We need to establish a national rail policy that encourages competition that helps both producers and consumers alike.

I'm committed to doing all I can to promote competition and to help our Montana producers.

On Captive Rail Day, I urge my Senate colleagues to join together and work on legislation that will create a more fair and competitive freight rail system.

INTERNATIONAL WOMEN'S DAY

Mrs. MURRAY. Mr. President, I rise today to speak about International Women's Day, which was yesterday, March 8. The theme this year is ''women in decisionmaking.'' As I contemplated the meaning of this, I thought about how important it is for women to be involved in the decisionmaking about their own bodies.

And in this vein I would like to talk about the global gag rule.

When President Bush took office in 2001, he signed an Executive order known as the global gag rule. It denies U.S. funds to any overseas health clinic unless it agrees not to participate in any activities related to abortion services. Those activities include: providing legal abortions except in cases of rape, incest, or where the woman's life is endangered; and offering advice and information regarding the availability and benefits of abortion and providing referrals for abortion services.

The global gag rule denies U.S. funds even if the overseas health clinic is using its own privately raised funds for these services. What that means is that if you are a medical professional living in an impoverished country trying to help people and save their lives, you are gagged from even talking about certain reproductive health services. The gag rule places limits on women and doctors that we have deemed unacceptable here in the United States.

Last year, the Senate passed an amendment to the Foreign Affairs Authorization Act to reverse the President's policy and ensure that health care clinics for women and families receive this much needed funding. Unfortunately, this legislation has not been passed by the full Senate. The Foreign Operations Appropriations bill last year contained $34 million for the United Nations Population Fund, UNPA, for this purpose. But in order to ensure that this money goes toward funding health care clinics for women and families in poor countries, we must overturn this global gag rule.

In many poor countries around the world, nongovernmental organizations and medical professionals are working to make things better. They have set up clinics and reached out to the women and families in poor communities. They are doing great work. But their hands are tied, because the Bush administration has imposed a political ideology on the world.

Overturning the global gag rule is about safe access to health care for women. Hundreds of thousands of women are dying each year from complications from pregnancy. These women do not have access to the health care that they need, especially reproductive health care. I will continue to speak out about the importance of providing safe access to health care for women all over the globe until this dangerous policy is lifted.

ADDITIONAL STATEMENTS

GORDON PARKS

• Mr. ROBERTS. Mr. President, today I rise to honor the great life and many artistic contributions of Kansas native Gordon Parks who died Tuesday at the age of 93.

Through his poetry, books, music and photography, Mr. Parks showed America a truth about its society and challenged all of us to make the country a better place.

Born in Fort Scott, KS, in 1912, Mr. Parks's family faced both poverty and discrimination. Yet in spite of these challenges—and inspired by these challenges—Mr. Parks rose to the heights of success through his largely self-taught artistic ability. He found his life experiences helped shape his art as he chronicled the African-American experience.

In 1937, Mr. Parks bought his first camera. By 1948, he was hired at Life Magazine. There, he earned his reputation as a humanitarian photojournalist capturing images of the civil rights movement and of the poverty in America and abroad. Through his photographs he reminded Americans of the harsh realities present in our culture.

In 1968, he directed the movie version of his childhood memoir, ''The Learning Tree.'' His direction of ''The Learning Tree'' also marked the first time an African American directed a major Hollywood production. He won an Emmy for his documentary ''Diary of a Harlem Family,'' and in 1971 directed the critically acclaimed movie ''Shaft.'' He is also known for composing the musical score for ''Martin,'' a ballet documenting the life of civil rights pioneer Martin Luther King, Jr. In 1970, he helped found Essence magazine.

Kansas is forever grateful for his talents. In 1986, he was named Kansan of the Year. In 1999, Kansas City opened the Gordon Parks Elementary School. And most recently, in February, the University of Kansas's William Allen White Foundation honored Mr. Parks with its National Citation for journalistic merit.

Mr. Parks showed unrelenting spirit in his work. His civil rights contributions, as told through his art will go unmatched. Today, we proudly honor a remarkable artist and pioneer for all he did for Kansas and the Nation. •

TRIBUTE TO CALIFORNIA HIGHWAY PATROL OFFICER GREGORY JOHN BAILEY

• Mrs. BOXER. Mr. President, today I rise to honor and share with my colleagues the memory of a remarkable man, Officer Gregory ''John'' Bailey of the California Highway Patrol. Officer Bailey spent almost 10 years with the California Highway Patrol, serving the citizens of California. On February 25, 2006, while on motor patrol near the City of Hesperia, Officer Bailey was struck and killed by a driver suspected to be under the influence of a controlled substance.

Wearing a uniform came naturally to Officer Bailey after spending 8 years in the Army as a helicopter mechanic. Even after joining the California Highway Patrol, Officer Bailey chose to serve in the California National Guard, and just returned from a 14-month tour in Iraq last fall. Officer Bailey dutifully served the citizens and communities of the Inland Empire with great dedication and integrity. He combined his love of excitement and his passion for the uniform he wore to become a very successful motorcycle officer. Officer Bailey's colleagues in the California Highway Patrol and the National Guard shall always remember his upbeat attitude, ability to motivate others, and commitment to his job.

Officer Bailey was a devoted family man. He is survived by his wife Teresa, and children, Megan, Jared, Hannah and Dylan. When he was not on duty, Officer Bailey was a ''true cowboy from head to toe,'' who enjoyed spending time with his family and listening to country music with his friends. Officer Gregory ''John'' Bailey served the State of California and the United States honorably and conscientiously, and fulfilled his oath as an officer of the law. Officer Bailey gave his life while protecting the safety of those he served. His contributions and dedication to law enforcement are greatly appreciated and will serve as his legacy.

Officer Gregory ''John'' Bailey gave his life doing what he loved to do—providing protection for the people he loved. We shall always be grateful for Officer Bailey's heroic service to the California Highway Patrol and the community that he so bravely served.•

2006 U.S. WINTER OLYMPICS TEAM

• Mrs. BOXER. Mr. President, I rise today to commend the accomplishments of the incredibly hard-working and dedicated members of the 2006 U.S. Winter Olympics team. This year, our team won 25 individual and team medals, including 9 gold medals.

Olympic athletes commit years of time and effort to earning the honor of representing the United States at the Olympic Games. Upon reaching the games, their determination stayed constant, even when faced with injury and adversity. Their spirit and willingness to strive for excellence no matter what the situation serves as an example for all Americans.

I would especially like to recognize the 27 Californians who competed in Turin. While California is widely known for our wonderful weather and beautiful beaches, we also boast some of our Nation's finest winter athletes. The following seven California athletes won medals as well:

Chanda Gunn of Huntington Beach won bronze as a member of the U.S. Women's Hockey team.

Rusty Smith from Long Beach won a bronze medal as a member of the Short Track Speedskating 5,000-meter relay team.

Sasha Cohen of Corona del Mar won the silver medal in Figure Skating.

Valerie Fleming from Foster City won silver as a part of the two-member Bobsled Team.

Danny Kass of Mammoth Lakes won the silver medal in the Snowboarding Half-Pipe event.

Julia Mancuso from Olympic Valley won gold in the Alpine Skiing Giant Slalom.

Finally, Shaun White of Carlsbad brought home the gold medal in the Snowboarding Half-pipe event.

The spirit of adventure and determination displayed by these athletes is a wonderful example of our country's potential to achieve. I hope you are heartened, as I am, to learn of Americans striving for personal excellence. I extend my sincere congratulations to California Olympians and all of our country's athletes, and I thank them for their great team spirit.•

GULF OF THE FARALLONES NATIONAL MARINE SANCTUARY

• Mrs. BOXER. Mr. President, I rise to honor the 25th Anniversary of one of my State's great natural treasures, the Gulf of the Farallones National Marine Sanctuary.

The Gulf of the Farallones National Marine Sanctuary was designated in 1981 and was signed into law by President Jimmy Carter the day before he left office. I served on the Marin County Board of Supervisors at the time, and I remember how hard the community worked to establish this designation.

The year this sanctuary was established was a critical time in our country's debate about offshore oil drilling.

Californians overwhelmingly rejected the idea of ocean drilling and the creation of a national marine sanctuary near the Farallones Islands was seen as an important way of advancing ocean conservation.

The Gulf of the Farallones National Marine Sanctuary encompasses 1,200 square miles of one of the richest marine ecosystems in the world. This sanctuary includes vital feeding and spawning grounds for one of the world's largest populations of the Great White Shark, a large variety of fish and shellfish, and over 36 marine mammals, including the endangered Humpback and Blue whales. The sanctuary also includes the Farallon Islands—the largest seabird nesting area in the contiguous United States.

In our efforts to protect ocean life and the marine environment, the Gulf of the Farallones National Marine Sanctuary plays a crucial role. Scientists from all over the world come to study this dynamic ecosystem.

Yet offshore oil drilling and exploration continue to threaten this sanctuary and the California coast. Earlier this year, I introduced the California Ocean and Coastal Protection Act with Senator DIANNE FEINSTEIN and Congresswoman LOIS CAPPS. This bill would provide permanent protection for California's coast from future offshore oil drilling.

Last year, Congresswoman LYNN WOOLSEY and I introduced legislation to expand the boundaries of the Gulf of the Farallones sanctuary and its neighboring Cordell Bank sanctuary, to protect the entire coast of Sonoma County from future oil and gas exploration. Californians have been demanding this type of protection for a generation.

The California coast is enjoyed by Californians and visitors from around the world, and the natural resources of the Pacific Ocean are priceless and vital to a healthy, growing California economy. My goal has always been permanent protection for the California coast, and I will continue fighting for this protection as long as I am in the United States Senate. We owe it to our children and grandchildren to protect the ocean, one of our greatest natural resources. The National Marine Sanctuary Program, established in 1972, plays a critical role in preserving our precious marine resources and protecting our coasts from offshore oil and gas development.

I applaud everyone who has worked to protect the marine ecosystem of the Gulf of the Farallones National Marine Sanctuary. I wish sanctuary staff and volunteers many years of ongoing success in protecting the California coastal environment. Please join me in celebrating the 25th Anniversary of the Gulf of the Farallones National Marine Sanctuary.•

HONORING THE LIFE OF MARTIN F. STEIN

• Mr. FEINGOLD. Mr. President, today people across my State of Wisconsin are deeply saddened by the loss of a man who dedicated so much of his time, and so much of himself, to strengthening our communities: Marty Stein.

I want to share what some other people have said about Marty's passing because I think it will give my colleagues a sense of who he was and the kind of contributions he made. Tommy Thompson, our former Governor, and the recent Secretary of Health and Human Services, said simply, ''What will we do without him?''

The executive director of Hunger Task Force, a Milwaukee-based nonprofit, said, ''We always referred to Marty as our angel. He solved the problems, opened the doors, fixed things that seemed like they would never get fixed. And he did it because he cared.''

Those words tell you what a force Marty was in the Milwaukee area and throughout the State. His dedication to serving his community was unparalleled. We will miss not only what he did but the energy he brought to his efforts and the example he set for everyone he knew.

Marty was a skilled businessman who built not one but two thriving businesses—first the successful chain of Stein drug stores, and later Stein Health Services, which included the Stein Optical stores so well known in Wisconsin.

He took those same skills he used in business, that rare drive and dedication, and used them to help community organizations to thrive. An outstanding fundraiser, he was determined to engage others in his charitable work by asking for their contributions of money or time for a good cause.

It is impossible to talk about Marty's many good works without talking about the strength of his faith. Faith fueled his humanitarian efforts, as he worked to support local organizations like the Milwaukee Jewish Home and Care Center, and as he worked on international issues like chairing an effort to bring thousands of Ethiopian Jews to Israel.

His work will live on and act as a challenge to everyone who knew him—to ask what more each of us can do to serve our communities and to dedicate ourselves to those causes as he did, with unmatched energy and with the utmost integrity.

Today my thoughts and sympathies are with the Stein family. Marty's life and work created a lasting legacy that I am proud to honor today and that will be remembered and celebrated for many years to come.•

MESSAGE FROM THE HOUSE

At 2:16 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1190. An act to direct the Secretary of the Interior to conduct a feasibility study to design and construct a four reservoir intertie system for the purposes of improving the

water storage opportunities, water supply reliability, and water yield of San Vicente, El Capitan, Murray, and Loveland Reservoirs in San Diego County, California in consultation and cooperation with the City of San Diego and the Sweetwater Authority, and for other purposes.

H.R. 2383. An act to redesignate the facility of the Bureau of Reclamation located at 19550 Kelso Road in Byron, California, as the ''C.W. 'Bill' Jones Pumping Plant''.

H.R. 3505. An act to provide regulatory relief and improve productivity for insured depository institutions, and for other purposes.

H.R. 4167. An act to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes.

H.R. 4192. An act to authorize the Secretary of the Interior to designate the President William Jefferson Clinton Birthplace Home in Hope, Arkansas, as a National Historic Site and unit of the National Park System, and for other purposes.

H.R. 4472. An act to protect children, to secure the safety of judges, prosecutors, law enforcement officers, and their family members, to reduce and prevent gang violence, and for other purposes.

The message also announced that the House disagree to the amendment of the Senate to the bill (H.R. 2830) to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to reform the pension funding rules, and for other purposes, and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints the following as managers of the conference on the part of the House:

From the Committee on Education and the Workforce, for consideration of the House bill and the Senate amendment thereto, and modifications committed to conference: Mr. MCKEON, Mr. SAM JOHNSON of Texas, Mr. KLINE, Mr. TIBERI, Mr. GEORGE MILLER of California, Mr. PAYNE, and Mr. ANDREWS.

From the Committee on Ways and Means, for consideration of the House bill and the Senate amendment thereto, and modifications committed to conference: Mr. THOMAS, Mr. CAMP of Michigan, and Mr. RANGEL.

For consideration of the House bill and the Senate amendment thereto, and modifications committed to conference: Mr. BOEHNER.

ENROLLED BILLS SIGNED

The following enrolled bills, previously signed by the Speaker of the House, were signed yesterday, March 8, 2006, by the President pro tempore (Mr. STEVENS).

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

S. 2271. An act to clarify that individuals who receive FISA orders can challenge nondisclosure requirements, that individuals who receive national security letters are not required to disclose the name of their attorney, that libraries are not wire or electronic communication service providers unless they provide specific services, and for other purposes.

S. 1578. An act to reauthorize the Upper Colorado and San Juan River Basin endangered fish recovery implementation programs.

S. 2089. An act to designate the facility of the United States Postal Service located at 1271 North King Street in Honolulu, Oahu, Hawaii, as the ''Hiram L. Fong Post Office Building''.

H.R. 32. An act to amend title 18, United States Code, to provide criminal penalties for trafficking in counterfeit marks.

H.R. 1287. An act to designate the facility of the United States Postal Service located at 312 East North Avenue in Flora, Illinois, as the ''Robert T. Ferguson Post Office Building''.

H.R. 2113. An act to designate the facility of the United States Postal Service located at 2000 McDonough Street in Joliet, Illinois, as the ''John F. Whiteside Joliet Post Office Building''.

H.R. 2346. An act to designate the facility of the United States Postal Service located at 105 NW Railroad Avenue in Hammond, Louisiana, as the ''John J. Hainkel Post Office Building''.

H.R. 2413. An act to designate the facility of the United States Postal Service located at 1202 1st Street in Humble, Texas, as the ''Lillian McKay Post Office Building''.

H.R. 2630. An act to redesignate the facility of the United States Postal Service located at 1927 Sangamon Avenue in Springfield, Illinois, as the ''J.M. Dietrich Northeast Annex''.

H.R. 2894. An act to designate the facility of the United States Postal Service located at 102 South Walters Avenue in Hodgenville, Kentucky, as the ''Abraham Lincoln Birthplace Post Office Building''.

H.R. 3256. An act to designate the facility of the United States Postal Service located at 3038 West Liberty Avenue in Pittsburgh, Pennsylvania, as the ''Congressman James Grove Fulton Memorial Post Office Building''.

H.R. 3368. An act to designate the facility of the United States Postal Service located at 6483 Lincoln Street in Gagetown, Michigan, as the ''Gagetown Veterans Memorial Post Office''.

H.R. 3439. An act to designate the facility of the United States Postal Service located at 201 North 3rd Street in Smithfield, North Carolina, as the ''Ava Gardner Post Office''.

H.R. 3548. An act to designate the facility of the United States Postal Service located on Franklin Avenue in Pearl River, New York, as the ''Heinz Ahlmeyer, Jr. Post Office Building''.

H.R. 3703. An act to designate the facility of the United States Postal Service located at 8501 Philatelic Drive in Spring Hill, Florida, as the ''Staff Sergeant Michael Schafer Post Office Building'' .

H.R. 3770. An act to designate the facility of the United States Postal Service located at 205 West Washington Street in Knox, Indiana, as the ''Grant W. Green Post Office Building''.

H.R. 3825. An act to designate the facility of the United States Postal Service located at 770 Trumbull Drive in Pittsburgh, Pennsylvania, as the ''Clayton J. Smith Memorial Post Office Building''.

H.R. 3830. An act to designate the facility of the United States Postal Service located at 130 East Marion Avenue in Punta Gorda, Florida, as the ''U.S. Cleveland Post Office Building''.

H.R. 3989. An act to designate the facility of the United States Postal Service located at 37598 Goodhue Avenue in Dennison, Minnesota, as the ''Albert H. Quie Post Office''.

H.R. 4053. An act to designate the facility of the United States Postal Service located at 545 North Rimsdale Avenue in Covina, California, as the ''Lillian Kinkella Keil Post Office''.

H.R. 4107. An act to designate the facility of the United States Postal Service located at 1826 Pennsylvania Avenue in Baltimore, Maryland, as the ''Maryland State Delegate Lena K. Lee Post Office Building''.

H.R. 4152. An act to designate the facility of the United States Postal Service located at 320 High Street in Clinton, Massachusetts, as the ''Raymond J. Salmon Post Office''.

H.R. 4295. An act to designate the facility of the United States Postal Service located at 12760 South Park Avenue in Riverton, Utah, as the ''Mont and Mark Stephens en Veterans Memorial Post Office Building''.

H.R. 4515. An act to designate the facility of the United States Postal Service located at 4422 West Sciota Street in Scio, New York, as the ''Corporal Jason L. Dunham Post Office''.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1190. An act to direct the Secretary of the Interior to conduct a feasibility study to design and construct a four reservoir intertie system for the purposes of improving the water storage opportunities, water supply reliability, and water yield of San Vicente, El Capitan, Murray, and Loveland Reservoirs in San Diego County, California in consultation and cooperation with the City of San Diego and the Sweetwater Authority, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 2383. An act to redesignate the facility of the Bureau of Reclamation located at 19550 Kelso Road in Byron, California, as the ''C.W. 'Bill' Jones Pumping Plant''; to the Committee on Energy and Natural Resources.

H.R. 3505. An act to provide regulatory relief and improve productivity for insured depository institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 4167. An act to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 4192. An act to authorize the Secretary of the Interior to designate the President William Jefferson Clinton Birthplace Home in Hope, Arkansas, as a National Historic Site and unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, March 9, 2006, she had presented to the President of the United States the following enrolled bills:

S. 1578. An act to reauthorize the Upper Colorado and San Juan River Basin endangered fish recovery implementation programs.

S. 2089. An act to designate the facility of the United States Postal Service located at 1271 North King Street in Honolulu, Oahu, Hawaii, as the ''Hiram L. Fong Post Office Building''.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–264. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to using funds from the Federal Emergency Management Agency and the U.S. Department of Housing and Urban Development for modular homes as alternative housing for those affected by hurricanes Katrina and Rita; to the Committee on Banking, Housing, and Urban Affairs.

SENATE CONCURRENT RESOLUTION NO. 7

Whereas, it is estimated that the two hurricanes rendered at least two hundred thousand to two hundred fifty thousand homes permanently uninhabitable, leaving those families without a home to return to; and

Whereas, in an effort to move people out of shelters and into longer term housing and to foster an environment that would allow families the privacy needed to re-establish some sense of normalcy, FEMA ordered one hundred twenty thousand travel trailers and announced a plan to establish FEMA trailer parks for evacuees; and

Whereas, while travel trailers may be adequate as a short-term housing solution, trailers are not adequate for the years it may require to rebuild the Gulf Coast cities, towns, and communities destroyed by the hurricanes, and evacuees and their families need a more appropriate housing solution during the long rebuilding period; and

Whereas, state and local leaders continue to try to find appropriate housing for hundreds of thousands of families still without adequate temporary housing; and

Whereas, approximately twenty-seven thousand families in FEMA-funded hotel rooms continue to face looming deadlines of forced eviction; and

Whereas, modular homes that are engineered and built in a factory-controlled environment and are constructed in sections and put together by a builder on a building site would provide more appropriate housing for the long rebuilding period ahead; and

Whereas, our goal should be to build new and better neighborhoods that support a better quality of life for displaced residents: Therefore, be it

Resolved, That the Legislature of Louisiana urge and request the Congress of the United States and the governor to consider using funds from the Federal Emergency Management Agency and the U.S. Department of Housing and Urban Development for modular homes as alternative housing; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress and to the governor.

POM–265. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to ensuring enactment of legislation to require the Federal Emergency Management Agency to provide the same level of assistance to the residents of certain parishes who were affected by Hurricane Rita as the residents of Louisiana affected by Hurricane Katrina, including funding assistance with demolition and removal of damaged housing; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE CONCURRENT RESOLUTION NO. 20

Whereas, Hurricane Katrina struck many parishes in Louisiana on August 29, 2005, causing devastating damage to life and property in a wide area including the parishes of Orleans, St. Bernard, St. Tammany, Plaquemines, and other parishes; and

Whereas, Hurricane Rita struck several parishes in Louisiana on September 24, 2005, heavily affecting portions of Iberia Parish and other parishes and also causing devastating damage to property; and

Whereas, both hurricanes caused devastating damage to the affected areas and dramatically affected the lives and livelihoods of thousands of persons, in addition to adversely affecting the budgets of local, state, and federal governments; and

Whereas, the costs for demolition and removal of damaged housing and hurricane-related debris as a result of these hurricanes will be astronomical; and

Whereas, the Federal Emergency Management Agency (FEMA) provides assistance to persons affected by disasters such as hurricanes based on percentages determined from populations and areas affected; and

Whereas, assistance to all persons affected by these disasters should be impartially distributed by the state and federal governments, as all persons affected by hurricane damages have suffered similar losses, such as flooded houses, loss of homes, and loss of jobs and businesses, and are all affected in the same manner, whether their residences or businesses are located in heavily populated areas or are included in larger areas of their respective parishes that were affected by such storm damage, and they should be compensated in the same manner; and

Whereas, FEMA assistance to those so severely affected by hurricane damage, no matter which parish their property is located in, should also include funding assistance for the demolition and removal of damaged buildings: Therefore, be it

Resolved, That the Legislature of Louisiana does hereby urge and request President George W. Bush, Governor Kathleen Babineaux Blanco, and the Louisiana congressional delegation to ensure enactment of legislation to require the Federal Emergency Management Agency to provide the same level of assistance to the residents of Iberia, Beauregard, Allen, Evangeline, Calcasieu, Jefferson Davis, Acadia, St. Landry, St. Martin, Lafayette, Cameron, Vermilion, and St. Mary parishes who were affected by Hurricane Rita as the residents of Louisiana affected by Hurricane Katrina, including funding assistance with demolition and removal of damaged housing; be it further

Resolved, That copies of this Resolution shall be transmitted to the President of the United States, the Governor of Louisiana, the members of the Louisiana congressional delegation, and the governing authority of each parish within the declared disaster area following Hurricane Rita.

POM–266. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to taking such actions as are necessary to immediately close the Mississippi River Gulf Outlet and return the area to essential coastal wetlands and marshes; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 24

Whereas, the Mississippi River Gulf Outlet (MRGO), a seventy-six-mile, manmade navigational channel which connects the Gulf of Mexico to the Port of New Orleans along the Mississippi River, was authorized by the United States Congress under the Rivers and Harbors Act of 1956 as a channel with a surface width of six hundred fifty feet, a bottom width of five hundred feet, and a depth of thirty-six feet, and it opened in 1965; and

Whereas, since MRGO was completed, the Army Corps of Engineers estimates that the area has lost nearly three thousand two hundred acres of fresh and intermediate marsh, more than ten thousand three hundred acres of brackish marsh, four thousand two hundred acres of saline marsh, and one thousand five hundred acres of cypress swamps and levee forests in addition to major habitat alterations due to saltwater intrusion from the loss of the marshes, which has resulted in dramatic declines in waterfowl and quadruped use of the marshes; and;

Whereas, the costs of maintaining MRGO rise each year, with the cost of dredging now over twenty-five million dollars annually, or more than thirteen thousand dollars for each vessel-passage, in addition to the expenditure of millions for shoreline stabilization and marsh protection projects, with an anticipated cost increase of fifty-two percent between 1995 and 2005; and

Whereas, concerns about the environmental impact have increased through the years as evidenced by the fact that in 1998 the ''Coast 2050 Report'' contained closure of MRGO among the consensus recommendations, and the technical committee of the Coastal Wetland Planning, Preservation and Restoration Act Task Force listed closure as one of the highest-ranked strategies for coastal restoration; and

Whereas, with the waterway increasing from its original authorized dimensions to a surface width of twenty-two hundred feet and a depth of over forty feet, in 1998 the St. Bernard Police Jury voted unanimously to request closure of the waterway because of fears that the dramatic loss of coastal wetlands and marshes caused by MRGO exposed the parish and the communities in the parish to much more severe impacts from the hurricanes and tropical storms that regularly occur in the Gulf of Mexico; and

Whereas, those concerns were echoed and amplified by scientists, engineers, and citizens throughout the region as reflected in requests from the Louisiana Legislature to congress in 1999 (SCR No. 266) and again in 2004 (HCR No. 35 and HCR No. 68) to close the waterway, and indeed, those concerns proved true in an extremely dramatic fashion on August 29,2005, when Hurricane Katrina washed ashore on Louisiana's coast with a tidal surge well in excess of twenty feet; and

Whereas, there is a growing consensus that the flooding that occurred in St. Bernard Parish and the Lower Ninth Ward of New Orleans was a result of storm surge that flowed up MRGO to the point where it converges with the Intracoastal Waterway and that the confluence created a funnel that directed the storm surges into the New Orleans Industrial Canal, where it overtopped the levees along MRGO and the Industrial Canal and eventually breached the levees and flooded into the neighborhoods that lie close to those three waterways, resulting in more than eleven hundred deaths in the Greater New Orleans area, destroying over twenty-four thousand homes, and rendering more than sixty-seven thousand residents of St. Bernard Parish and uncounted numbers in the Lower Ninth Ward of New Orleans homeless, without possessions, and unemployed; and

Whereas, only three weeks later, on September 24, 2005, storm waters from Hurricane Rita surged up MRGO and caused additional flooding in St. Bernard Parish and the Lower Ninth Ward of New Orleans, exacerbating the traumatic losses in that area; and

Whereas, since the two hurricanes caused such widespread damage in St. Bernard Parish and New Orleans, congress has declined to appropriate further funds for dredging MRGO; and

Whereas, some engineers have opined that the current base along MRGO was damaged to the point where it will not support a Category 3 levee in the future; and

Whereas, the cessation of dredging is not enough, the coastal wetlands and marshes which protect St. Bernard Parish and New Orleans must also be reestablished; and

Whereas, the Mississippi River is continually dredged to ensure safe passage for large

ocean-going vessels and that dredge material from the Mississippi River could be piped into the marshes of St. Bernard Parish to encourage and allow the regrowth of coastal wetlands and marshes which in turn would protect the citizens returning to St. Bernard Parish, the Lower Ninth Ward, and New Orleans East; and

Whereas, the United States Army Corps of Engineers has stated that it has no authorization from congress to close the waterway or to make any attempt to return the coastal wetlands and marshes to their pre-waterway status or even to fill the waterway to allow for the development of marshes and wetlands; and

Whereas, as the only entity which can authorize the waterway to be closed and which can enable the reestablishment of our essential coastal wetlands, the United States Congress must come to the aid of the citizens of Louisiana, particularly those of St. Bernard Parish and New Orleans by authorizing the immediate closure of MRGO and the reestablishment of coastal wetlands and marshes in the area around Lake Borgne and throughout St. Bernard Parish and New Orleans East; and

Whereas, it is the responsibility of the Louisiana congressional delegation to file the necessary legislation to accomplish the immediate closure of MRGO and the return of the essential coastal wetlands and marshes to St. Bernard Parish: Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to immediately close MRGO and return the area to essential coastal wetlands and marshes and to memorialize the Louisiana congressional delegation to file the necessary legislation to accomplish this closure; be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–267. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to taking such actions as are necessary to close the Mississippi River Gulf Outlet; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 32

Whereas, Louisiana is losing its valuable coastal wetlands at an alarming rate; and

Whereas, Louisiana has initiated an aggressive program to reduce the rate of wetlands loss; and

Whereas, the Mississippi River Gulf Outlet was six hundred feet wide and thirty-six feet deep when it first opened for operation in 1968, but it now exceeds two thousand feet in width in some areas due to severe bank line erosion; and

Whereas, the Mississippi River Gulf Outlet has caused enormous wetland losses since its construction, including the loss of over eighteen thousand acres of wetlands since 1968; and

Whereas, the dredging of the Mississippi River Gulf Outlet and the failure of the United States Army Corps of Engineers to construct tidal surge barriers or to repair previous environmental damage caused by the Mississippi River Gulf Outlet is inconsistent with the intent of the Breaux Act and the Coastal 2050 plan; and

Whereas, over the last five years the number of vessels that use the Mississippi River Gulf Outlet has decreased from six hundred fifty-seven vessels to three hundred four vessels per year; and

Whereas, the cost of the annual dredging of the Mississippi River Gulf Outlet continues to rise and currently the yearly cost is twenty-two million dollars; and

Whereas, fears about the impact of the loss of coastal wetlands and coastal marsh proved true in an extremely dramatic fashion on August 29, 2005, when Hurricane Katrina washed ashore on Louisiana's coast with a tidal surge well in excess of twenty feet; and

Whereas, there is a growing consensus that the flooding that occurred in St. Bernard Parish, New Orleans East, and the Lower Ninth Ward of New Orleans was a result of storm surge that flowed up the Mississippi River Gulf Outlet to the point where it converges with the Intracoastal Waterway and that the confluence created a funnel that directed the storm surges into the New Orleans Industrial Canal, where it overtopped the levees along the Mississippi River Gulf Outlet and the Industrial Canal and eventually breached the levees and flooded into the neighborhoods that lie close to those three waterways, resulting in a yet uncounted number of deaths and rendering sixty-seven thousand residents of St. Bernard Parish and uncounted numbers in New Orleans East and the Lower Ninth Ward of New Orleans homeless, without possessions, and unemployed; and

Whereas, since the passage of Hurricane Katrina, the United States Congress has delayed the approval of funding for dredging the Mississippi River Gulf Outlet to the depth maintained prior to the passage of the storm, and there appears to be no movement in the congress to provide further funds for such dredging: Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to close the Mississippi River Gulf Outlet; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–268. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to taking immediate action to provide federal financial assistance to aid Louisiana's recovery following the devastation caused by hurricanes Katrina and Rita, to expeditiously complete the needed repair to the levee system in the greater New Orleans area, to provide for the prompt construction of hurricane and tidal water protection for south Louisiana, and to provide assistance with coastal restoration and marsh management; to the Committee on Environment and Public Works.

SENATE CONCURRENT RESOLUTION NO. 27

Whereas, in August and September 2005, Louisiana was decimated by multiple hurricanes striking the state—hurricanes Katrina and Rita—a combination of natural disasters of unprecedented proportions in American history, a burden no state has ever had to bear, including but not limited to loss of life, livelihoods, and homes, a negative impact on the state's economy and the earning power of the state's citizens and businesses in countless ways, destruction and damage to public buildings and other public works, damage to its levee system and the coastal wetlands and coastline; and

Whereas, during the devastation wreaked by hurricanes Katrina and Rita, certain forces of the Louisiana National Guard were not available to provide assistance at home due to their deployment to Iraq, in which call to arms Louisiana has suffered one of the highest casualty rates in the nation while its troops proudly serve their state and their country; and

Whereas, the citizens, businesses, communities, schools, and governments of Louisiana have suffered tremendous loss, as reflected in an economic downturn which has affected the state fisc such that the state was faced with nearly a one billion dollar operating deficit; and

Whereas, the ramifications of these events continue to affect every citizen of the state as the destruction and continuing interruption of business, industry, and infrastructure in these areas has severely reduced the state's revenue stream by over one-third; and

Whereas, the interruption of essential public services, particularly in the areas of health care, education, and infrastructure, has profoundly affected the quality of life in the state; and

Whereas, the state's Revenue Estimating Conference has projected next fiscal year's revenue forecast to show a deficit of nine hundred seventy million dollars, requiring massive budget reductions to comply with the state constitution that requires a balanced budget; and

Whereas, the coastal zone of Louisiana is of vital importance to the nation in oil and gas production and fisheries production; and

Whereas, prior to hurricanes Katrina and Rita, the state of Louisiana accounted for thirty percent of the commercial fisheries production of the lower forty-eight states, and ranked second in the nation for recreational harvest of saltwater fish; and

Whereas, prior to hurricanes Katrina and Rita, Louisiana produced more than 80% of the nation's offshore oil and gas supply and provided billions of dollars each year to the federal treasury, while subjecting the Louisiana coastline to damaging and long-term impacts from these activities; and

Whereas, the communities in south Louisiana that support these industries are subject to potential flooding from tropical storms and hurricanes; and

Whereas, the destruction of communities and industries in south Louisiana by hurricanes Katrina and Rita demonstrated the critical need for prompt action to provide tidal protection in south Louisiana; and

Whereas, through executive order and legislative action, Louisiana has made a coordinated effort to balance its budget by reductions in the amount of approximately six hundred million dollars; by withdrawing one hundred fifty-four million dollars from the state's ''Rainy Day'' fund; and by depositing the 2004 Fiscal Year surplus of two hundred fifty million dollars into the ''Rainy Day'' fund, thereby enabling the movement of one hundred eighty-nine million dollars to the State General Fund for budget reduction purposes; and

Whereas, the governor has issued an executive order directing a spending freeze in the executive branch of state government, which remains in effect; and

Whereas, the Louisiana Recovery Authority has been established as the state entity to recommend policy, planning, and resource allocation affecting programs and services for the recovery; and

Whereas, the Coastal Protection and Restoration Authority has been created as the single state agency to provide aggressive state leadership, direction, and consonance in the development and implementation of policies, plans, and programs to achieve comprehensive coastal protection, including the encouragement of multiple uses of the coastal zone and to achieve a proper balance between development and conservation, the restoration, creation, and nourishment of renewable coastal resources, including but not limited to coastal wetlands and barrier

shorelines or reefs, through the construction and management of coastal wetlands enhancement projects, marsh management projects or plans, and to provide direction and development of the state's comprehensive master coastal protection plan, working in conjunction with state agencies, political subdivisions, including levee districts, and federal agencies; representing the state's position in policy implementation relative to the protection, conservation, and restoration of the coastal area of the state; and providing oversight of coastal restoration and hurricane protection projects and programs; and

Whereas, the Coastal Protection and Restoration Authority, in response to communications from the Louisiana congressional delegation and in accordance with the requirements of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act of2006, has been authorized and empowered to carry out any and all functions necessary to serve as the single entity responsible to act as the local sponsor for construction, operation and maintenance of all of the hurricane, storm damage reduction and flood control projects in areas under its jurisdiction, including the greater New Orleans and southeast Louisiana area; and

Whereas, the Coastal Protection and Restoration Authority is empowered to enter into contracts with the federal government or any federal agency or any political subdivision of the state or private individual for the construction, operation, or maintenance of any coastal restoration, hurricane, storm damage reduction, or flood control project and to this end, may contract for the acceptance of any grant of money upon the terms and conditions, including any requirement of matching the grants in whole or part, which may be necessary; and

Whereas, the Legislature of Louisiana has enacted legislation which, upon approval by the voters of this state, will consolidate certain levee districts and parishes into regional flood protection authorities to govern levee districts included in the authority and to establish on its own behalf or for the areas or the levee districts under its authority adequate drainage, flood control, and water resources development, including but not limited to the planning, maintenance, operation, and construction of reservoirs, diversion canals, gravity and pump drainage systems, erosion control measures, marsh management, coastal restoration, and other flood control works as such activities, facilities, and improvements relate to tidewater flooding, hurricane protection, and saltwater intrusion; and

Whereas, the state, with its limited and severely impacted resources, has taken these, and numerous other, proactive steps toward recovery and addressing the needs of the state's citizens and communities; however, additional, immediate, and continuing federal assistance is needed; and

Whereas, in a time of great and unprecedented tragedy, a state that has given so much to the rest of our country is in dire need of the continuing and focused assistance and support of our nation, through its federal government, for the full recovery of Louisiana's citizens and infrastructure: Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to take immediate action to provide federal financial assistance to aid Louisiana's recovery following the devastation caused by hurricanes Katrina and Rita, to expeditiously complete the needed repair to the levee system in the greater New Orleans area, to provide for the prompt construction of hurricane and tidal water protection for south Louisiana, and to provide assistance with coastal restoration and marsh management; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM–269. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to taking such actions as are necessary to provide funding for Louisiana's indigent defense system and to amend the Stafford Act or any other appropriate legislation to permit funding for Louisiana's indigent defense system; to the Committee on Environment and Public Works.

SENATE CONCURRENT RESOLUTION NO. 25

Whereas, during this time of statewide emergency due to hurricanes Katrina and Rita, public funding for indigent defender services have become inadequate; and

Whereas, the state's indigent defender system is in urgent need of funding assistance which is beyond the current capacity of state and local government; and

Whereas, hurricanes Katrina and Rita have caused mass disruption in the criminal justice system throughout the state and the closing of some courts due to storm damage; and

Whereas, there has been a need for redirection of resources to more critical life-threatening areas; and

Whereas, the dislocation of, and in many cases the relocation of, judicial employees and attorneys has put an undue hardship on the indigent defender system; and

Whereas, there is a buildup in the number of detained persons charged with offenses for which there is a constitutional requirement for legal representation; and

Whereas, there is a strain on state and local funding as the need in critical areas of public service has increased and the revenue has dramatically decreased; and

Whereas, it is the intent of the Congress, by the Stafford Act (42 USC 5121, et seq.), to provide an orderly and continuing means of assistance by the federal government to state and local governments in carrying out their responsibilities to alleviate the suffering and damage which result from such disasters; and

Whereas, the Legislature of Louisiana does urge Congress to amend the Stafford Act or any other appropriate legislation to permit funding for Louisiana's indigent defense system; and

Whereas, the Legislature of Louisiana created the Louisiana Task Force on Indigent Defense Services in 2003 to study the system in Louisiana of providing legal representation to indigent persons who are charged with violations of criminal laws and the study is ongoing; and

Whereas, the 2006 fiscal year estimate for Louisiana indigent defense services is fifty-five million dollars; and

Whereas, any other federal funds that can be made available to assist the Louisiana indigent defense system are greatly needed: Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to take such actions as are necessary to provide funding for indigent defendants and to amend the Stafford Act or any other appropriate legislation to permit funding for Louisiana's indigent defense system; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM–270. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to urging and requesting the United States Army Corps of Engineers to provide a listing of all Hurricane Katrina and Hurricane Rita related projects, including specific details including the type of work, the name of the contractor, and the total price of the contract; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 26

Whereas, Hurricanes Katrina and Rita struck the state of Louisiana causing severe flooding and damage to the southern part of the state that has threatened the safety and security of the citizens of the affected areas of the state of Louisiana; and

Whereas, the destruction caused by these devastating storms damaged public works, such as levees, bridges, and highways, and spread debris over a wide area of the southern part of the state; and

Whereas, the United States Army Corps of Engineers has control over a great percentage of the contracts to repair levees, remove debris, and transportation of trailers and other important activities vital to the restoration and revitalization of the affected areas of Louisiana; and

Whereas, there have been many complaints about sluggish progress and the exorbitant cost of the work contracted under the United States Army Corps of Engineers, which is contrasted with the timely and frugal efforts of many local governments which chose to utilize other methods to handle hurricane-related work; and

Whereas, the magnitude of the devastation requires a cooperative effort between the governments of the affected states, local governments, and the federal government; and

Whereas, we live in an open society in which our governments allow citizens to have access to government information, as evidenced by the federal Freedom of Information Act and the Louisiana Public Records Law; and

Whereas, in order to completely fulfill our joint responsibility to the people of Louisiana to manage state and federal financial resources wisely and show that state and federal public servants are performing up to standard and according to the public interest, the corps should provide to the Legislature of Louisiana a listing of the contracts awarded by the Army Corps of Engineers; and

Whereas, this listing shall, at a minimum, include the type of work required by each contract, the name of each contractor and all subcontractors, the principal place of business of each contractor and subcontractor, the total cost of each contract, the separate price paid to each contractor and subcontractor under each contract, and the nature of the work performed by each contractor and subcontractor: Therefore, be it

Resolved, That the Legislature of Louisiana does hereby urge and request the United States Army Corps of Engineers to provide a detailed and comprehensive listing of all contracts awarded by the corps as a result of Hurricanes Katrina and Rita, including all of the aforementioned requested detailed information; and be it further

Resolved, That the Legislature of Louisiana does hereby urge and request the Louisiana congressional delegation to aid in this request by all means necessary, including Freedom of Information Act requests on behalf of the citizens of their districts; and be it further

Resolved, That a suitable copy of this Resolution be transmitted to Lieutenant General Carl A. Strock, the Commander and Chief of Engineers of the United States Army Corps of Engineers, and the Freedom of Information Act Program Manager for the United States Army Corps of Engineers, Mr. Richard Frank, and to each member of the Louisiana congressional delegation.

POM–271. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to authorizing the prompt construction of hurricane and tidal water protection for southwest Louisiana; to the Committee on Environment and Public Works.

SENATE CONCURRENT RESOLUTION NO. 16

Whereas, the southwest coastal zone of Louisiana is of vital importance to the nation in oil and gas production and fisheries production; and

Whereas, prior to hurricanes Katrina and Rita, the state of Louisiana accounted for 30% of the commercial fisheries production of the lower 48 states, and ranked second in the nation for recreational harvest of saltwater fish; and

Whereas, prior to hurricanes Katrina and Rita, Louisiana produced more than 80% of the nation's offshore oil and gas supply and provided billions of dollars each year to the Federal treasury, while subjecting the southwest Louisiana coastline to damaging and long-term impacts from these activities; and

Whereas, the communities in southwest Louisiana that support these industries are subject to potential flooding from tropical storms and hurricanes; and

Whereas, by causing total destruction of communities and industries, Hurricane Rita demonstrated the critical need for prompt action to provide tidal protection in southwest Louisiana: Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to authorize the prompt construction of hurricane and tidal water protection for southwest Louisiana; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM–272. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to amending the Stafford Act to permit funds to be used for permanent housing in the hurricane impacted areas of Louisiana; to the Committee on Environment and Public Works.

Whereas, it would be economically beneficial to Louisiana to amend restrictions on permanent housing contained in Section 408 of the Stafford Act for the catastrophically impacted hurricane areas in Louisiana; and

Whereas, Hurricane Katrina and Hurricane Rita struck the state of Louisiana causing severe flooding and damage to the southern region of the state adversely affecting the economy of our state as well as increasing the cost of supplies and services necessary to rebuild in the impacted areas thereby causing a dangerously regressive effect upon Louisiana and its citizens; and

Whereas, the flooding and damage of these storms has had a detrimental effect upon the availability of jobs, temporary housing, and permanent homes for many of our residents; and

Whereas, the effect of these storms has had a direct impact on many Louisianians ability to obtain any type of housing; and

Whereas, the Stafford Act provides an orderly means of assistance by the federal government to the state and local governments in carrying out their responsibilities to alleviate the individual suffering and damage caused by Hurricane Katrina and Hurricane Rita, but it also restricts the amount of assistance and types of housing assistance available to those most in need of assistance: Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the President and the United States Congress to take such actions as are necessary to amend the Stafford Act to allow funds to be used for permanent housing in the areas devastated and catastrophically impacted in Louisiana; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the President of the United States, the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM–273. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to taking such actions as are necessary to allow a five hundred dollar federal tax deduction for people who housed evacuees rent free for at least sixty continuous days as a result of Hurricane Rita; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 17

Whereas, the federal government altered the federal tax code to assist individuals who suffered losses as a result of Hurricane Katrina and authorized incentives for individuals and companies to engage in charitable acts to benefit those affected by Hurricane Katrina, particularly, for offering rent-free housing to evacuees; and

Whereas, the federal government has not offered the same incentives to taxpayers who housed evacuees for Hurricane Rita; and

Whereas, Hurricane Rita evacuees were as equally impacted as Hurricane Katrina evacuees and are in need of the same benefits: Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to allow a five hundred dollar federal tax deduction for persons who provided rent-free housing for at least sixty continuous days as a result of Hurricane Rita; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–274. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to the opposition of the State Modernization and Regulatory Transparency (SMART) Act; to the Committee on Finance.

HOUSE RESOLUTION NO. 162

Whereas, Traditionally, the United States insurance industry has been regulated by individual states. Under the McCarran Ferguson Act of 1945, state legislatures are the proper governmental entity to determine public policy on insurance issues. State legislatures are more responsive to the needs of their constituents and are more knowledgeable regarding the market conditions that exist in their states and regarding the need for unique insurance products and regulation to meet their specific market demands; and

Whereas, State legislatures and such organizations as the National Conference of Insurance Legislators (NCOIL), the National Conference of State Legislatures (NCSL), and the National Association of Insurance Commissioners (NAIC) recognize that in certain states marketplace difficulties have created regulatory hurdles or delayed speed-to-market processing of insurance products. To solve these problems, state legislatures, NCOIL, NCSL, and NAIC continue to address uniformity issues among states through the adoption of model laws that address market conduct, product approval, agent licensing, and rate deregulation; and

Whereas, Many state governments derive general revenue dollars from the regulation of the insurance industry. In Michigan, the insurance industry paid more than $241 million in state premium taxes in 2004; and

Whereas, The federal State Modernization and Regulatory Transparency (SMART) Act would create mandatory federal insurance standards preempting state law and undermining state sovereignty. By federalizing insurance regulation, this legislation would threaten the power of state legislatures, governors, insurance commissioners, and attorneys general to oversee, regulate, and investigate the insurance industry, impairing, eroding, and/or limiting their ability to protect the interests of their constituents: Now, therefore, be it

Resolved, by the House of Representatives, That we memorialize the United States Congress to oppose the State Modernization and Regulatory Transparency (SMART) Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the United States House of Representatives Committee on Financial Services, the members of the United States Senate Committee on Finance, and the members of the Michigan congressional delegation.

POM–275. A concurrent resolution adopted by the House of Representatives of the General Assembly of the State of Ohio relative to the Darfur genocide; to the Committee on Foreign Relations.

HOUSE CONCURRENT RESOLUTION NO. 19

Whereas, In February 2003, the Sudan Liberation Army (SLA) and Justice Equality Movement (JEM) from the Darfur region of Sudan clashed with the Janjaweed militia, a group supported by the government of Sudan, in an attempt to oppose the region's extreme political and economic marginalization. Since that time, tens of thousands of civilians have been killed and more than two million civilians have been made internally displaced peoples by the two warring factions. Furthermore, approximately two hundred thousand Darfur refugees have fled across the border to Chad; and

Whereas, On July 22, 2004, the United States House of Representatives and the United States Senate declared that the atrocities occurring in Darfur are genocide; and

Whereas, On September 9, 2004, Secretary of State Colin L. Powell stated before the United States Senate Committee on Foreign Relations, ''When we reviewed the evidence compiled by our team, along with other information available to the State Department, we concluded that genocide has been committed in Darfur and that the Government of Sudan and the (Janjaweed) bear responsibility—and genocide may still be occurring''; and

Whereas, President George W. Bush, in an address before the United Nations General Assembly on September 21, 2004, stated, ''At this hour, the world is witnessing terrible suffering and horrible crimes in the Darfur region of Sudan, crimes my government has concluded are genocide''; and

Whereas, As a stabilizing force, the United States has an obligation to promote peace in the region and to work with other foreign governments to end the genocide in the Darfur region of Sudan; now, therefore be it

Resolved, That we, the members of the 126th General Assembly of the State of Ohio, wish to focus attention on the killing of tens of thousands of civilians at the hands of the armed belligerents; and be it further

Resolved, That we, the members of the 126th General Assembly of the State of Ohio, encourage the President of the United States and the Congress of the United States to continue supporting the humanitarian efforts of international aid groups to relieve the suffering of those who have been affected by the genocide occurring in the Darfur region of Sudan, to protect the workers of those aid groups, to encourage foreign governments to provide water, food, shelter, and medical care to those suffering in Darfur, and to lead multilateral efforts to bring those responsible for the egregious human rights violations to justice; and be it further

Resolved, That we, the members of the 126th General Assembly of the State of Ohio, encourage Ohio companies and institutions, multinational corporations operating in Ohio, and agencies and political subdivisions of the state to divest themselves of interests in any companies that conduct business in Sudan; and be it further

Resolved, That the Clerk of the House of Representatives transmit duly authenticated copies of this resolution to the President of the United States, the United States Secretary of State, the Speaker and Clerk of the United States House of Representatives, the President Pro Tempore and Secretary of the United States Senate, the members of the Ohio Congressional delegation, and the news media of Ohio.

POM–276. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to amending the No Child Left Behind Act; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION NO. 30

Whereas, the No Child Left Behind Act of 2001 requires that paraprofessionals who are employed in Title I schools meet high standards of qualification and requires that students who need the most help receive instructional support only from qualified paraprofessionals; and

Whereas, for the purposes of No Child Left Behind, a paraprofessional is defined as a school employee who provides instructional support in a program supported with federal funds pursuant to Title I of the Elementary and Secondary Education Act; and

Whereas, this definition includes a paraprofessional who provides instructional support in any manner as follows:

(1) Provides one-on-one tutoring if such tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher;

(2) Assists with classroom management such as organizing instructional and other materials;

(3) Provides instructional assistance in a computer laboratory;

(4) Conducts parental involvement activities;

(5) Provides support in a library or media center;

(6) Acts as a translator; and

(7) Provides instructional support services under the direct supervision of a teacher; and

Whereas, in compliance with the requirements of No Child Left Behind, Louisiana has developed different pathways for paraprofessionals who are employed in Title I schools to choose from in order to meet the definition of ''highly qualified''; and

Whereas, these choices include taking forty-eight semester hours of relevant course work or taking and passing a paraprofessional academic assessment instrument; and

Whereas, these choices and the requirements of No Child Left Behind do not take into consideration the fact that some of these paraprofessionals were employed in public school systems prior to the enactment of No Child Left Behind and have many years of experience serving in such capacity; and

Whereas, there are concerns among many about the financial burden that the requirements of No Child Left Behind place upon paraprofessionals who receive minimal salaries and cannot afford the college courses, test preparation, or test costs; and

Whereas, although many local school systems in Louisiana are assisting paraprofessionals in paying these costs, there are other issues involved that make these requirements extremely difficult, if not impossible, for some paraprofessionals to meet—especially those who work in rural areas of the state and may not have access to postsecondary education; and

Whereas, these burdens have resulted in the loss of many paraprofessionals from the public schools in this state who have been forced to seek other types of employment; and

Whereas, paraprofessionals employed in Title I schools play a very important role in improving student achievement and many of them have been employed in such schools for a number of years and their experience and expertise in their jobs is a tremendous asset to public education; and

Whereas, because the legislature values these employees for the crucial role they play in public education and wants to keep them in our public schools where they can continue to make a difference in students' lives, it is imperative that all steps necessary be taken to remove these burdens which are forcing many of the more experienced and qualified paraprofessionals to leave the public education system: Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to amend the No Child Left Behind Act to provide that paraprofessionals who were employed in Title I schools prior to the enactment of the No Child Left Behind Act shall be deemed to have met the definition of ''highly qualified'' for purposes of such legislation due to such employment and the experience gained as a result of such employment; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–277. A resolution adopted by the Senate of the State of Michigan relative to enacting legislation reauthorizing the Ryan White Care Act to provide comprehensive care for the neediest victims of HIV/AIDS; to the Committee on Health, Education, Labor, and Pensions.

SENATE RESOLUTION NO. 95

Whereas, The numbers of children, youth, and particularly young women who are infected with HIV or have developed AIDS are increasing. In the United States, more than 9,000 children under the age of thirteen are living with HIV/AIDS. Of the nearly 40,000 Americans infected every year with HIV, nearly fifteen percent are under twenty-five years of age. Among the newly infected in the age group of thirteen to nineteen, fifty-eight percent are women; and

Whereas, Children and young people infected with HIV and living with AIDS have unique needs for specialized medical services and psychosocial support. Programs funded under the Ryan White CARE Act successfully deliver family-centered, coordinated health care and support services for women, children, youth and families. These programs have played a significant role in reducing the number of mother-to-child HIV infections from 2,000 to fewer than 200 per year; and

Whereas, Recent patterns in the United States show that HIV/AIDS increasingly affects African Americans, Latinos, and other racial and ethnic minorities. In 2004, minorities accounted for almost three-fourths of new cases of AIDS in an HIV/AIDS surveillance report by the Centers for Disease Control and Prevention (CDC). Of these newly identified AIDS patients, 48 percent were African Americans and 21 percent were Latinos. The rate also continued to rise among women, who accounted for 27 percent of new AIDS cases in 2004. Of these women newly diagnosed with AIDS, 67 percent were African Americans and 15 percent were Latinas; and

Whereas, In his State of the Union address, President George W. Bush supported reauthorization of the Ryan White CARE Act to encourage prevention of HIV/AIDS and provide care and treatment for the neediest HIV/AIDS victims. The Secretary of Health and Human Services proposed five guiding principles to reauthorize the Act. First, serve the neediest victims of HIV/AIDS. Second, focus on delivering life-saving and life-extending services. Third, increase prevention efforts through more routine testing. Fourth, increase the accountability of states and organizations receiving federal funds. Fifth, give the federal government flexibility to reallocate unspent funds. By following these principles, care will be delivered to the neediest patients that will help them live longer and healthier lives: now, therefore, be it

Resolved by the Senate, That we memorialize the Congress of the United States to enact legislation reauthorizing the Ryan White CARE Act; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM–278. A resolution adopted by the Legislature of the Virgin Islands relative to amending 33 Code of Federal Regulations, Part 160, to exempt the Virgin Islands from the passenger information reporting requirements that went into effect in 2005; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Ms. SNOWE for the Committee on Small Business and Entrepreneurship.

Eric M. Thorson, of Virginia, to be Inspector General, Small Business Administration.

By Mr. SPECTER for the Committee on the Judiciary.

Donald J. DeGabrielle, Jr., of Texas, to be United States Attorney for the Southern District of Texas for the term of four years.

John Charles Richter, of Oklahoma, to be United States Attorney for the Western District of Oklahoma for the term of four years.

Amul R. Thapar, of Kentucky, to be United States Attorney for the Eastern District of Kentucky for the term of four years.

Mauricio J. Tamargo, of Florida, to be Chairman of the Foreign Claims Settlement Commission of the United States for a term expiring September 30, 2009.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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. COLEMAN (for himself, Mr. REED, Mr. TALENT, Mr. LIEBERMAN, Mr. ISAKSON, Ms. LANDRIEU, Mr. COCHRAN, Mr. CARPER, Mr. BUNNING, Mrs. LINCOLN, Ms. MURKOWSKI, Mr. LAUTENBERG, and Mr. BURNS):

S. 2393. A bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ISAKSON:

S. 2394. A bill to improve border security, to increase criminal penalties for certain crimes related to illegal aliens, and for other purposes; to the Committee on the Judiciary.

By Mr. GRASSLEY:

S. 2395. A bill to amend title 39, United States Code, to require that air carriers accept as mail shipments certain live animals; to the Committee on Homeland Security and Governmental Affairs.

By Mr. SANTORUM (for himself and Mr. ALLEN):

S. 2396. A bill to direct the Administrator of the Small Business Administration to establish a pilot program to make grants to eligible entities for the development of peer learning opportunities for second-stage small business concerns; to the Committee on Small Business and Entrepreneurship.

By Mr. SMITH (for himself and Mrs. LINCOLN):

S. 2397. A bill to amend the Internal Revenue Code of 1986 to establish long-term care trust accounts and allow a refundable tax credit for contributions to such accounts, and for other purposes; to the Committee on Finance.

By Mr. BAUCUS:

S. 2398. A bill to establish an Advanced Research Projects Administration-Energy to initiate high risk, innovative energy research to improve the energy security of the United States, to extend certain energy tax incentives, and for other purposes; to the Committee on Finance.

By Mr. CARPER (for himself and Mr. DEWINE):

S. 2399. A bill to prohibit termination of employment of volunteers firefighters and emergency medical personnel responding to emergencies, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. STABENOW:

S. Res. 394. A resolution expressing the sense of the Senate that all people in the United States should participate in a moment of silence to reflect upon the service and sacrifice of members of the Armed Forces both at home and abroad; to the Committee on Armed Services.

By Mr. HARKIN (for himself, Mr. KENNEDY, Mr. REID, Mrs. BOXER, Mrs. MURRAY, Ms. STABENOW, and Mr. MENENDEZ):

S. Res. 395. A resolution establishing the American Competitiveness through Education (ACE) resolution; to the Committee on Health, Education, Labor, and Pensions.

By Mr. STEVENS (for himself and Ms. MURKOWSKI):

S. Res. 396. A resolution congratulating Rosey Fletcher for her Olympic bronze medal in the parallel giant slalom; considered and agreed to.

By Mr. COLEMAN (for himself and Mr. DAYTON):

S. Res. 397. A resolution recognizing the history and achievements of the curling community of Bemidji, Minnesota; considered and agreed to.

ADDITIONAL COSPONSORS

S. 304

At the request of Mr. LAUTENBERG, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 304, a bill to amend title 18, United States Code, to prohibit certain interstate conduct relating to exotic animals.

S. 451

At the request of Mr. AKAKA, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 451, a bill to amend the Animal Welfare Act to ensure that all dogs and cats used by research facilities are obtained legally.

S. 484

At the request of Mr. WARNER, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 484, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 811

At the request of Mr. DURBIN, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 811, a bill to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the birth of Abraham Lincoln.

S. 1038

At the request of Mr. LUGAR, the name of the Senator from Ohio (Mr. DEWINE) 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. 1064

At the request of Mr. COCHRAN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1064, a bill to amend the Public Health Service Act to improve stroke prevention, diagnosis, treatment, and rehabilitation.

S. 1112

At the request of Mr. BAUCUS, the name of the Senator from Washington (Mrs. MURRAY) 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. 1496

At the request of Mr. CRAPO, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor 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. 1907

At the request of Mr. JOHNSON, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1907, a bill to promote the development of Native American small business concerns, and for other purposes.

S. 1948

At the request of Mr. BURNS, his name was added as a cosponsor of S. 1948, a bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of passenger motor vehicles, and for other purposes.

S. 2157

At the request of Mrs. BOXER, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 2157, a bill to amend title 10, United States Code, to provide for the Purple Heart to be awarded to prisoners of war who die in captivity under circumstances not otherwise establishing eligibility for the Purple Heart.

S. 2305

At the request of Mr. AKAKA, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2305, a bill to amend title XIX of the Social Security Act to repeal the amendments made by the Deficit Reduction Act of 2005 requiring documentation evidencing citizenship or nationality as a condition for receipt of medical assistance under the Medicaid program.

S. 2321

At the request of Mr. SANTORUM, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2321, a bill to require the Secretary of the Treasury to mint coins in commemoration of Louis Braille.

S. 2351

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2351, a bill to provide additional funding for mental health care for veterans, and for other purposes.

S. 2355

At the request of Mr. BURNS, his name was added as a cosponsor of S. 2355, a bill to amend chapter 27 of title 18, United States Code, to prohibit the unauthorized construction, financing, or reckless permitting (on one's land) the construction or use of a tunnel or subterranean passageway between the United States and another country.

S. 2364

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2364, a bill to provide lasting protection for inventoried roadless areas within the National Forest System.

S. 2369

At the request of Mr. SPECTER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2369, a bill to require a more reasonable period for delayed-notice search warrants, to provide enhanced judicial review of FISA orders and national security letters, to require an enhanced factual basis for a FISA order, and to create national security letter sunset provisions.

S. 2370

At the request of Mr. MCCONNELL, the names of the Senator from Mississippi (Mr. LOTT), the Senator from Maine (Ms. SNOWE), the Senator from Oregon (Mr. SMITH), the Senator from Louisiana (Ms. LANDRIEU), the Senator from Alaska (Ms. MURKOWSKI), the Senator from North Carolina (Mr. BURR) and the Senator from Arizona (Mr. KYL) were added as cosponsors of S. 2370, a bill to promote the development of democratic institutions in areas under the administrative control of the Palestinian Authority, and for other purposes.

S. 2389

At the request of Mr. ALLEN, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 2389, a bill to amend the Communications Act of 1934 to prohibit the unlawful acquisition and use of confidential customer proprietary network information, and for other purposes.

S. 2390

At the request of Mr. ENSIGN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2390, a bill to provide a national innovation initiative.

S. CON. RES. 46

At the request of Mr. BROWNBACK, the names of the Senator from Minnesota (Mr. COLEMAN) and the Senator from Virginia (Mr. ALLEN) were added as cosponsors of S. Con. Res. 46, a concurrent resolution expressing the sense of the Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian Constitution and international standards.

S. RES. 387

At the request of Mr. COLEMAN, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Missouri (Mr. TALENT) were added as cosponsors of S. Res. 387, a resolution recognizing the need to replace the United Nations Human Rights Commission with a new Human Rights Council.

AMENDMENT NO. 2955

At the request of Mr. FRIST, the names of the Senator from Oklahoma (Mr. COBURN) and the Senator from Montana (Mr. BURNS) were added as cosponsors of amendment No. 2955 intended to be proposed to S. 2349, an original bill to provide greater transparency in the legislative process.

AMENDMENT NO. 2959

At the request of Mr. SCHUMER, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from California (Mrs. BOXER) were added as cosponsors of amendment No. 2959 proposed to S. 2349, an original bill to provide greater transparency in the legislative process.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. COLEMAN (for himself, Mr. REED, Mr. TALENT, Mr. LIEBERMAN, Mr. ISAKSON, Ms. LANDRIEU, Mr. COCHRAN, Mr. CARPER, Mr. BUNNING, Mrs. LINCOLN, Ms. MURKOWSKI, Mr. LAUTENBERG, and Mr. BURNS):

S. 2393. A bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers; to the Committee on Health, Education, Labor, and Pensions.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the text of my legislation, the Conquer Childhood Cancer Act of 2006, be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2393

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Conquer Childhood Cancer Act of 2006''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Cancer kills more children than any other disease.

(2) Each year cancer kills more children between 1 and 20 years of age than asthma, diabetes, cystic fibrosis, and AIDS, combined.

(3) Every year, over 12,500 young people are diagnosed with cancer.

(4) Each year about 2,300 children and teenagers die from cancer.

(5) One in every 330 Americans develops cancer before age 20.

(6) Some forms of childhood cancer have proven to be so resistant that even in spite of the great research strides made, most of those children die. Up to 75 percent of the children with cancer can now be cured.

(7) The causes of most childhood cancers are not yet known.

(8) Childhood cancers are mostly those of the white blood cells (leukemia's), brain, bone, the lymphatic system, and tumors of the muscles, kidneys, and nervous system. Each of these behaves differently, but all are characterized by an uncontrolled proliferation of abnormal cells.

(9) Eighty percent of the children who are diagnosed with cancer have disease which has already spread to distant sites in the body.

(10) Ninety percent of children with a form of pediatric cancer are treated at one of the more than 200 Children's Oncology Group member institutions throughout the United States

SEC. 3. PURPOSES.

It is the purpose of this Act to authorize appropriations to—

(1) encourage and expand the support for biomedical research programs of the existing National Cancer Institute-designated multicenter national infrastructure for pediatric cancer research;

(2) establish a population-based national childhood cancer database (the Children's Cancer Research Network) to evaluate incidence trends of childhood cancers and to enable the investigations of genetic epidemiology in order to identify causes to aid in development of prevention strategies;

(3) provide informational services to patients and families affected by childhood cancer;

(4) support the development, construction and operation of a comprehensive online public information system on childhood cancers and services available to families; and

(5) establish a fellowship program in pediatric cancer research to foster clinical and translational research career development in pediatric oncologists in the early stages of their career.

SEC. 4. PEDIATRIC CANCER RESEARCH AND AWARENESS.

Subpart 1 of part C of title IV of the Public Health Service Act (42 U.S.C. 285 et seq.) is amended by adding at the end thereof the following:

"SEC. 417E. PEDIATRIC CANCER RESEARCH AND AWARENESS.

''(a) PEDIATRIC CANCER RESEARCH.—

''(1) SPECIAL PROGRAMS OF RESEARCH EXCELLENCE IN PEDIATRIC CANCERS.—The Director of NIH, acting through the National Cancer Institute, shall establish special programs of research excellence in the area of pediatric cancers. Such programs shall demonstrate a balanced approach to research cause, prognosis, prevention, diagnosis, and treatment of pediatric cancers that foster translation of basic research findings into innovative interventions applied to patients.

''(2) FELLOWSHIP OF EXCELLENCE IN PEDIATRIC CANCER RESEARCH.—The Secretary shall develop a grant mechanism for the establishment, in cooperation with the National Cancer Institute-supported pediatric cancer clinical trial groups, of Research Fellowships in Pediatric Cancer to support adequate numbers of pediatric focused clinical and translational investigators thereby facilitating continuous momentum of research excellence.

''(b) NATIONAL CHILDHOOD CANCER REGISTRY.—The Director of NIH shall award a grant for the operation of a population-based national childhood cancer database, the Childhood Cancer Research Network (CCRN), of the Children's Oncology Group, in cooperation with the National Cancer Institute.

''(c) PUBLIC AWARENESS OF PEDIATRIC CANCERS AND AVAILABLE TREATMENTS AND RESEARCH.—The Secretary shall award a grants to recognized childhood cancer professional and advocacy organizations for the expansion and widespread implementation of activities to raise public awareness of currently available information, treatment, and research with the intent to ensure access to best available therapies for pediatric cancers.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, $20,000,000 for each of fiscal years 2007 through 2011. Funds appropriated under this section shall remain available until expended.''.

Mr. REED. Mr. President, I join my colleague, Senator COLEMAN, in introducing the Conquer Childhood Cancer Act. I would also like to recognize Senators TALENT, ISAKSON, COCHRAN, BUNNING, MURKOWSKI, LIEBERMAN, CARPER, LANDRIEU, and LAUTENBERG who have all joined as original cosponsors of the bill.

This bipartisan legislation seeks to achieve several important goals in our battle against childhood cancer. Specifically, it will expand support for pediatric cancer research, foster the career development of more pediatric oncologists, and provide essential information and support to help families deal with this devastating disease. Childhood cancer impacts thousands of children and their families each year. While we have made great steps in treating cancer, we have made relatively little progress in advancing our understanding of the most common forms of pediatric cancer. This legislation will help to provide resources to hopefully one day find a cure.

Each year, more than 12,000 children are diagnosed with cancer, and more than 2,000 of them lose their courageous battle with the disease. Pediatric cancer not only takes a toll on the child, it affects the entire family—the parents, siblings, friends, and extended family all suffer when a child has cancer. I have had the honor of meeting one such family from Warwick, Rhode Island who has taken the pain and devastation of losing their young son to neuroblastoma, a very aggressive childhood cancer, and turned their tragedy into a message of hope. The Haight family is committed, in memory of their nine year old son Ben, to education, advocacy, and lending support to other families going through a similar struggle with pediatric cancer. I never had a chance to meet Ben Haight but his mother Nancy has told me of his tremendous strength and courage. Ben fought every day during his four and a half year battle with this disease and his tragic story highlights the importance of this legislation.

It is my hope that the bill we are introducing today will help to step up our efforts with regard to childhood cancer so that one day Ben's story, and thousands of other children like him, will be one of survival. In Rhode Island alone, a dozen children each year succumb to various forms of childhood cancer. Each of these children had hopes, dreams, and desires that will never be fulfilled and one cannot quantify the impact each of these children could have had on their communities and on society as a whole. We need to be doing more to give these children a chance to grow up and reach their full potential.

The Conquer Childhood Cancer Act will enhance federal efforts in the fight against childhood cancer and will also complement the incredible work of private organizations dedicated to the prevention and cure of pediatric cancer. I would like to commend the CureSearch National Childhood Cancer Foundation for its work in this area. CureSearch brings together academic and research institutions, medical professionals with expertise in pediatric cancer, and children and families afflicted with the disease, to form a national network committed to research, treatment, and cures for childhood cancer.

Thank you, Mr. President. I look forward to working with my colleagues toward swift passage of this important legislation.

By Mr. GRASSLEY:

S. 2395. A bill to amend title 39, United States Code, to require that air carriers accept as mail shipments certain live animals; to the Committee on Homeland Security and Governmental Affairs.

Mr. GRASSLEY. Mr. President I rise to introduce legislation that would address the concerns related to the shipping of live birds through the United States Postal Service. I introduced a similar bill during the 107th Congress with bi-partisan support. It was included in Public Law 107–67.

This bill should close some loopholes that some of the airlines are using to avoid the timely shipping of day-old baby chicks.

Some members of the airline industry stated that they commonly and regularly refuse to transport shipments of some species of live animals for its regularly scheduled cargo service and, therefore, can refuse to carry any live animals by mail under existing law. My bill will make the law apply to ''any air carrier that commonly and regularly carries any live animals as cargo,'' thus making sure that if the air carrier does ship any live animals as cargo, it will be required to ship animals as mail.

There have been accusations that the shipping of day-old poultry could spread avian influenza. I have received information from Avian Health Veterinarians and they have informed me that avian influenza is not an egg transmitted disease. There are no reports of day-old poultry from infected breeders being infected with avian influenza when they hatch.

Poultry health specialists have been examining the vertical transmission, or parents-to-chicks via the egg of avian influenza, for more than 30 years. Studies looking at the avian influenza have consistently failed to reveal evidence of avian influenza virus infections in newly hatched chicks from infected parent flocks.

This clearly shows that day-old poultry are not likely to be naturally infected. So the risk of transmitting avian influenza through shipment of day-old poultry is not an issue.

This bill would also address two other problems that have caused an adverse economic impact to bird shippers. First, the bill requires air carriers that take poultry as mail, to transfer such shipments so that the shipper is guaranteed that the shipment will reach its ultimate destination.

Second, it requires an air carrier to take shipments of poultry as air mail when the outside temperature is between 0 degrees Fahrenheit −17 degrees Celsius and 100 degrees Fahrenheit or 37.77 degrees Celsius from point of origin of the shipment through the point of destination. These temperature parameters are accepted by avian veterinarians as safe and humane.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2395

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

SECTION 1. CONTRACTS FOR TRANSPORTATION OF MAIL BY AIR.

Section 5402(e)(2)(A) of title 39, United States Code, is amended—

(1) in the first sentence—

(A) by inserting ''(i)'' after ''(2)(A)''; and

(B) in clause (i) (as designated by subparagraph (A)), by striking ''may'' and inserting ''shall''; and

(2) by striking the second sentence and inserting the following:

''(ii) A shipment described in clause (i) shall include the transfer of any cargo described in that clause from the point of origin of the shipment to the point of destination.

''(iii) An air carrier shall accept and carry cargo described in clause (i) when the outside temperature is between 0 degrees Fahrenheit (-17.77 degrees Celsius) and 100 degrees Fahrenheit (37.77 degrees Celsius) from point of origin through the point of destination.

''(iv) The authority of the Postal Service under this subparagraph shall apply to any air carrier that commonly and regularly carries any live animals as cargo.''.

By Mr. SMITH (for himself and Mrs. LINCOLN):

S. 2397. A bill to amend the Internal Revenue Code of 1986 to establish long-term care trust accounts and allow a refundable tax credit for contributions to such accounts, and for other purposes; to the Committee on Finance.

Mr. SMITH. Mr. President, I rise today to introduce the Long-Term Care Trust Account Act of 2006. I am pleased to be joined by my colleague Senator BLANCHE LINCOLN.

In the past few years the notion of estate planning has taken on a negative connotation. I am here to introduce a bill that will focus on the positive side of planning for one's future.

As the Chairman of the Senate Special Committee on Aging, I am committed to improving the financing and delivery of long-term care. The Centers for Medicare and Medicaid Services estimate that national spending for long-term care was almost $160 billion in 2002, representing about 12 percent of all personal health care expenditures. While those numbers are already staggering we also know that the need for long-term care is expected to grow significantly in coming decades. Almost two-thirds of people receiving long-term care are over age 65, with this number expected to double by 2030.

For many individuals it will be necessary to find a way to either save for the care needed or purchase long-term care insurance. Long-term care insurance protects assets and income from the devastating financial consequences of long-term health care costs. Today's comprehensive long-term care insurance policies allow consumers to choose from a variety of benefits and offer a wide range of coverage choices. They allow individuals to receive care in a variety of settings including nursing homes, home care, assisted living facilities and adult day care. Some of the most recent policies also provide a cash benefit that a consumer can spend in the manner he or she chooses. Lastly, long-term care insurance allows individuals to take personal responsibility for their long-term health care needs and reduces the strain on state Medicaid budgets. Unfortunately, for many the struggle to pay the immediate costs of long-term care insurance sometimes outweighs the security these products provide.

With our national savings rate in steady decline I fear the American middle class is woefully unprepared to meet the coming challenges of their long-term care needs. As we move forward in our effort to help individuals stay financially stable in their later years, we must encourage them to purchase long-term care insurance and save for long-term care services. The Long-Term Care Trust Account Act of 2006 achieves both goals. My legislation will create a new type of savings vehicle for the purpose of preparing for the costs associated with long-term care services and purchasing long-term care insurance. An individual who establishes a long-term care trust account can contribute up to $5,000 per year to their account and receive a refundable ten percent tax credit on that contribution. Interest accrued on these accounts will be tax free, and funds can be withdrawn for the purchase of long-term care insurance or to pay for long-term care services. The bill will also allow an individual to make contributions to another person's Long-Term Care Trust Account. This will help many relatives in our country that want to help their parents or a loved one prepare for their health care needs.

It is my hope that this legislation will help all Americans save for their long-term care needs. I urge my colleagues on both sides of the aisle to support this important bill.

Thank you, Mr. President.

By Mr. BAUCUS:

S. 2398. A bill to establish an Advanced Research Projects Administration-Energy to initiate high risk, innovative energy research to improve the energy security of the United States, to extend certain energy tax incentives, and for other purposes; to the Committee on Finance.

Mr. BAUCUS. Mr. President, in the years when I first began to serve in Congress, America faced severe problems with supplies of oil. For years, long gas lines, frustration, and questions about the security of our oil supply drove the public debate.

Thirty years have passed. And, frankly, things have not changed all that much. We still use gasoline and coal at staggering rates. And we are still concerned about the security of our oil supply. We do not have lines at gas stations. But last year, prices rose to levels unimaginable just a few years ago.

Prices for gasoline, heating oil, electricity, and natural gas have soared in recent years, hitting working families hard. In the past few weeks, we have seen a terrorist attack on Saudi Arabian oil facilities.

We have seen oil workers kidnapped in Nigeria. We have seen Venezuelan President Hugo Chavez threaten that he would cut off our supply of oil from his country. And we have seen some question whether Iran's role as an oil supplier keeps other countries from properly addressing Iran's threat to nuclear proliferation.

Energy provides one of America's greatest challenges for the 21st century. Our economy has been dependent on oil and coal for about 100 years. And since World War II, natural gas has become part of the equation. Will we continue this dependency for the next 100 years?

The cost of energy will profoundly affect the future competitiveness of the American economy. As the Chinese and Indian economies grow, so will their demand for energy. And that will add further upward pressure to energy prices.

To respond to the challenges of the new world economy, I am introducing legislation in seven key areas to build a foundation for a more competitive America. We must improve education, health care, trade law enforcement, the tax code, and savings. And we must bring a greater focus to energy research and development. Today, I introduce the Energy Competitiveness Act of 2006.

We are trapped in an energy box. It is a box characterized by high imports, ever-increasing prices for oil and natural gas, and environmental danger. We must experiment with ways to break out of that box. To break out, we need an energy research effort modeled after the Manhattan Project, or the Apollo mission to the moon.

America has a brilliant record of gathering the best minds. We meet challenges that may at first seem to be impossible. During World War II, the Manhattan Project brought together brilliant physicists and engineers to build an atomic bomb in 3 short years. And after President

Kennedy described his vision to a joint session of Congress in May of 1961, the Apollo space program put a man on the moon in just 8 years.

Looking back, these achievements were stunning. Both projects started out with no guarantee of success. Each could have ended in utter failure. Yet because of the talent, ingenuity, and focus of creative minds, they both succeeded.

Breaking out of the energy box poses a similar challenge. Success is not guaranteed. But we have got to give it our best shot.

Today I am introducing the Energy Competitiveness Act of 2006. My legislation would create a new energy research agency. It would extend key alternative energy tax relief. It would help our Nation face the challenges of a newly competitive global economy. It would help to move us into a new energy future.

We have the greatest research scientists on the planet. We have the most technically talented workforce in the world. But we do not have the vigor that we need in energy research. Energy research is a backwater, compared to other research efforts in biotechnology, medicine, computers, and defense-oriented projects.

With the Manhattan Project and the Apollo space program, America proved that we can gather the best talent for a focused mission and succeed. It is time that we begin a similar effort on energy.

We need to create a new agency to initiate cutting-edge, innovative energy research and development aimed at taking us to a new energy future. Doing so is essential to our effort to improve our economic competitiveness.

The new agency is modeled on DARPA—the Defense Advanced Research Projects Agency—in the Department of Defense. Among the revolutionary technologies that DARPA has developed are the internet and stealth technology for aircraft. DARPA has been a tremendous success.

The National Academy of Sciences, the National Academy of Engineering, and the Institute of Medicine joined to form the Committee on Prospering in the Global Economy of the 21st Century. Norm Augustine chaired the Committee. Based on DARPA's achievements, last fall, the Committee recommended the creation of an ARPA–E: Advanced Research Projects Agency—Energy.

This was one of a number of recommendations that the Committee made in its impressive report on the future competitive challenges that America faces. The Committee recommended that ARPA–E be designed to

conduct transformative, out-of-the-box energy research.

My bill proposes that ARPA–E be a small agency with a total of 250 people. A minimum of 180 of them would be technical staff.

A director of the agency and four deputies would lead ARPA–E. I propose that ARPA–E be funded at $300 million in fiscal year 2007, $600 million in 2008, $1.1 billion in 2009, $1.5 billion in 2010, and $2.0 billion in 2011.

We would require that the staff have a technical background. The agency would use the Experimental Personnel Authority designed for DARPA. That authority authorizes higher salaries than for typical Federal employees, and faster hiring, so that the agency could get to work quickly.

To keep the intense, innovative focus that we want, technical staff would be limited to 3 to 4 years at the agency. Managers would be limited to 4 to 6 years. The director could give both groups extended terms of employment if the director so chose.

For contracts, the agency would use the DARPA procedure. That procedure allows more flexible contracting arrangements than are normally possible under the Federal Acquisition Regulations. To ensure that ARPA–E would conduct innovative research, 75 percent of research projects initiated by ARPA–E would not be peer reviewed.

The ARPA–E would be authorized to award cash prizes to encourage and accelerate energy research accomplishments.

Finally, the bill would require a report by the end of fiscal year 2007 on whether ARPA–E would need its own energy research lab.

The Energy Competitiveness Act would also increase our commitment to develop promising energy technologies. In the Energy Policy Act of 2005, last year's Energy bill, we established several important incentives to foster new forms of energy production and to encourage conservation.

America's investment in alternative energy and conservation lags well behind that of other developed countries. The 2005 Energy bill put us on the right track by expanding the tax credit for electricity from renewable resources. It created incentives for coal gasification technologies. It encouraged investment in refineries that can handle North American feedstocks. And it established tax credits for energy-efficient buildings and equipment.

Unfortunately, these provisions are either short-term or capped at insufficient levels. The Energy Competitiveness Act that I introduce today would bolster the first steps made in 2005. The bill that I introduce today would extend these important provisions and increase the amount of tax incentives available.

The bill would extend through 2010 the tax credit for electricity produced from wind, biomass, geothermal, and other renewable sources. It would also increase the volume caps on Clean Renewable Energy Bonds and coal gasification tax credits.

The bill would make permanent enhanced depreciation for new refining capacity that is capable of refining non-conventional feedstocks.

North America has abundant energy resources that could ease our demand for oil from the Mideast. But today, many of our refineries are incapable of processing heavier feedstocks, such as oil from shale or tar sands. Making this provision permanent would provide the needed certainty for long-term investments in capital intensive refining projects.

The Energy Competitiveness Act that I introduce today would encourage businesses to purchase alternative fuel and electric vehicles. And it would extend through 2010 many of the incentives from the 2005 bill that promote investment in energy-efficient buildings and equipment.

We are seeing exciting new efforts in America to strengthen our energy competitiveness.

We need to build on this foundation by creating an aggressive energy research agency that will push the limits of new technology and discover alternative energy sources.

America has massive coal reserves. So coal gasification is receiving greater attention. Gasification involves breaking down coal under heat and pressure to create synthetic natural gas. We must address the environmental issues. But if this technology can be improved, then America will be able to take a huge step toward energy independence.

There are exciting developments in wind energy. In Montana, the Judith Gap Wind Farm has been generating power at full capacity for several weeks. The farm includes 90 wind turbines. Each turbine can produce enough electricity for roughly 400 homes.

The entire farm can produce the electricity needed to supply 300,000 customers. Montana was one of nine States that put in place more than 100 megawatts of wind power generation in 2005. And my State ranks in the top 15 States in the Nation for wind power capacity.

Fusion is another possible area where aggressive research could lead to huge payoffs. Continuing research will help us to determine whether energy production through fusion is a practical option.

Ethanol is also gaining as an alternative energy option. In 2005, Americans invested more than $850 million in ethanol plants. Ford Motor Company has plans for producing 250,000 vehicles in 2006 that will be able to use several different types of fuel, including ethanol.

Brazil, with the help of ethanol, expects to become energy independent this year. Ethanol accounts for 20 percent of Brazil's fuel transport market. Seven out of every 10 cars in Brazil can run on ethanol, gasoline, or a mixture of both.

In Iceland, all electricity generation is from renewable sources. Iceland is now taking the next step, and has started an initiative to replace the use of fossil fuels with hydrogen by 2050.

To achieve this, in 1999, Icelanders founded a public-private partnership called Icelandic New Energy. This partnership is the main driver in hydrogen energy research and implementation in Iceland. Public hydrogen-fueled buses began service in December of last year.

And experiments continue with hydrogen-driven consumer motorcycles, small cars, and fishing boats.

We live in a much larger and more complex nation than Iceland or Brazil. But we can share their vision of a future fueled by alternative energy and improved conservation.

There are also exciting developments in nanotechnology, solar power, energy-efficient materials, biomass, and green buildings.

All of these are examples of possible directions for our Nation's energy future. But we need a more aggressive and focused research and development effort to push these alternatives. And we need an effort to create scientific breakthroughs to supplement existing technologies.

We have got to give it our best shot. As President Franklin Roosevelt said, we must conduct ''bold, persistent experimentation.''

Our economic security is at stake. Our ability to compete in the new world economy is at stake.

ARPA–E will help us move forward on existing technologies. It will help us to find new technologies that are not even imaginable today. And the tax incentives will keep us on the right track until more dramatic breakthroughs occur.

I urge my colleagues to look closely at this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2398

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Energy Competitiveness Act of 2006''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—ADVANCED RESEARCH PROJECTS ADMINISTRATION-ENERGY

Sec. 101. Advanced Research Projects Administration-Energy.

TITLE II—ENERGY TAX INCENTIVES

Subtitle A—Energy Infrastructure Tax Incentives

Sec. 201. Extension of credit for electricity produced from certain renewable resources.

Sec. 202. Extension and expansion of credit to holders of clean renewable energy bonds.

Sec. 203. Extension and expansion of qualifying advanced coal project credit.

Sec. 204. Extension and expansion of qualifying gasification project credit.

Subtitle B—Domestic Fossil Fuel Security

Sec. 211. Extension of election to expense certain refineries.

Subtitle C—Conservation and Energy Efficiency Provisions

Sec. 221. Extension of energy efficient commercial buildings deduction.

Sec. 222. Extension of new energy efficient home credit.

Sec. 223. Extension of residential energy efficient property credit.

Sec. 224. Extension of credit for business installation of qualified fuel cells and stationary microturbine power plants.

Sec. 225. Extension of business solar investment tax credit.

Subtitle D—Alternative Fuels and Vehicles Incentives

Sec. 231. Extension of excise tax provisions and income tax credit for biodiesel and alternative fuels.

Sec. 232. Exception from depreciation limitation for certain alternative and electric passenger automobiles.

TITLE I—ADVANCED RESEARCH PROJECTS ADMINISTRATION-ENERGY

SEC. 101. ADVANCED RESEARCH PROJECTS ADMINISTRATION-ENERGY.

(a) ESTABLISHMENT.—There is established the Advanced Research Projects Administration-Energy (referred to in this section as ''ARPA–E'').

(b) GOALS.—The goals of ARPA–E are to reduce the quantity of energy the United States imports from foreign sources and to improve the competitiveness of the United States economy by—

(1) promoting revolutionary changes in the critical technologies that would promote energy competitiveness;

(2) turning cutting-edge science and engineering into technologies for energy and environmental application; and

(3) accelerating innovation in energy and the environment for both traditional and alternative energy sources and in energy efficiency mechanisms to—

(A) reduce energy use;

(B) decrease the reliance of the United States on foreign energy sources; and

(C) improve energy competitiveness.

(c) DIRECTOR.—

(1) IN GENERAL.—ARPA–E shall be headed by a Director (referred to in this section as the ''Director'') appointed by the President.

(2) POSITIONS AT LEVEL V.—Section 5316 of title 5, United States Code, is amended by adding at the end the following:

''Director, Advanced Research Projects Administration-Energy.''.

(d) DUTIES.—

(1) IN GENERAL.—In carrying out this section, the Director shall award competitive grants, cooperative agreements, or contracts to institutions of higher education, companies, or consortia of such entities (which may include federally funded research and development centers) to achieve the goal described in subsection (b) through acceleration of—

(A) energy-related research;

(B) development of resultant techniques, processes, and technologies, and related testing and evaluation; and

(C) demonstration and commercial application of the most promising technologies and research applications.

(2) SMALL-BUSINESS CONCERNS.—The Director shall carry out programs established under this section, to the maximum extent practicable, in a manner that is similar to the Small Business Innovation Research Program established under section 9 of the Small Business Act (15 U.S.C. 638) to ensure that small-business concerns are fully able to participate in the programs.

(e) PERSONNEL.—

(1) PROGRAM MANAGERS.—

(A) APPOINTMENT.—The Director shall appoint employees to serve as program managers for each of the programs that are established to carry out the duties of ARPA–E under this section.

(B) DUTIES.—Program managers shall be responsible for—

(i) establishing research and development goals for the program, as well as publicizing goals of the program to the public and private sectors;

(ii) soliciting applications for specific areas of particular promise, especially areas for which the private sector cannot or will not provide funding;

(iii) selecting research projects for support under the program from among applications submitted to ARPA–E, based on—

(I) the scientific and technical merit of the proposed projects;

(II) the demonstrated capabilities of the applicants to successfully carry out the proposed research project; and

(III) such other criteria as are established by the Director; and

(iv) monitoring the progress of projects supported under the program.

(2) OTHER PERSONNEL.—

(A) IN GENERAL.—Subject to subparagraph (B), the Director shall appoint such employees as are necessary to carry out the duties of ARPA–E under this section.

(B) LIMITATIONS.—The Director shall appoint not more than 250 employees to carry out the duties of ARPA–E under this section, including not less than 180 technical staff, of which—

(i) not less than 20 staff shall be senior technical managers (including program managers designated under paragraph (1)); and

(ii) not less than 80 staff shall be technical program managers.

(3) EXPERIMENTAL PERSONNEL AUTHORITY.—In appointing personnel for ARPA–E, the Director shall have the hiring and management authorities described in section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 5 U.S.C. 3104 note).

(4) MAXIMUM DURATION OF EMPLOYMENT.—

(A) PROGRAM MANAGERS AND SENIOR TECHNICAL MANAGERS.—

(i) IN GENERAL.—Subject to clause (ii), a program manager and a senior technical manager appointed under this subsection shall serve for a term not to exceed 4 years after the date of appointment.

(ii) EXTENSIONS.—The Director may extend the term of employment of a program manager or a senior technical manager appointed under this subsection for not more than 4 years through 1 or more 2-year terms.

(B) TECHNICAL PROGRAM MANAGERS.—A technical program manager appointed under this subsection shall serve for a term not to exceed 6 years after the date of appointment.

(5) LOCATION.—The office of an officer or employee of ARPA–E shall not be located in the headquarters of the Department of Energy.

(f) TRANSACTIONS OTHER THAN CONTRACTS AND GRANTS.—

(1) IN GENERAL.—To carry out projects through ARPA–E, the Director may enter into transactions (other than contracts, cooperative agreements, and grants) to carry out advanced research projects under this section under similar terms and conditions as the authority is exercised under section 646(g) of the Department of Energy Organization Act (42 U.S.C. 7256(g)).

(2) PEER REVIEW.—Peer review shall not be required for 75 percent of the research projects carried out by the Director under this section.

(g) PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.—The Director may carry out a program to award cash prizes in recognition of outstanding achievements in basic, advanced, and applied research, technology development, and prototype development that have the potential for application to the performance of the mission of ARPA–E under similar terms and conditions as the authority is exercised under section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396).

(h) COORDINATION OF ACTIVITIES.—The Director—

(1) shall ensure that the activities of ARPA–E are coordinated with activities of Department of Energy offices and outside agencies; and

(2) may carry out projects jointly with other agencies.

(i) REPORT.—Not later than September 30, 2007, the Director shall submit to Congress a report on the activities of ARPA–E under this section, including a recommendation on whether ARPA–E needs an energy research laboratory.

(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) $300,000,000 for fiscal year 2007;

(2) $600,000,000 for fiscal year 2008;

(3) $1,100,000,000 for fiscal year 2009;

(4) $1,500,000,000 for fiscal year 2010; and

(5) $2,000,000,000 for fiscal year 2011.

TITLE II—ENERGY TAX INCENTIVES

Subtitle A—Energy Infrastructure Tax Incentives

SEC. 201. EXTENSION OF CREDIT FOR ELECTRICITY PRODUCED FROM CERTAIN RENEWABLE RESOURCES.

Section 45(d) of the Internal Revenue Code of 1986 (relating to qualified facilities) is amended by striking ''2008'' each place it appears and inserting ''2011''.

SEC. 202. EXTENSION AND EXPANSION OF CREDIT TO HOLDERS OF CLEAN RENEWABLE ENERGY BONDS.

(a) IN GENERAL.—Section 54(m) of the Internal Revenue Code of 1986 (relating to termination) is amended by striking ''2007'' and inserting ''2010''.

(b) ANNUAL VOLUME CAP FOR BONDS ISSUED DURING EXTENSION PERIOD.—Paragraph (1) of section 54(f) of the Internal Revenue Code of 1986 (relating to limitation on amount of bonds designated) is amended to read as follows:

''(1) NATIONAL LIMITATION.—

''(A) INITIAL NATIONAL LIMITATION.—With respect to bonds issued after December 31, 2005, and before January 1, 2008, there is a national clean renewable energy bond limitation of $800,000,000.

''(B) ANNUAL NATIONAL LIMITATION.—With respect to bonds issued after December 31, 2007, and before January 1, 2011, there is a national clean renewable energy bond limitation for each calendar year of $800,000,000.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after the date of the enactment of this Act.

SEC. 203. EXTENSION AND EXPANSION OF QUALIFYING ADVANCED COAL PROJECT CREDIT.

(a) IN GENERAL.—Section 48A(d)(3)(A) of the Internal Revenue Code of 1986 (relating to aggregate credits) is amended by striking ''$1,300,000,000'' and inserting ''$1,800,000,000''.

(b) AUTHORIZATION OF ADDITIONAL INTEGRATED GASIFICATION COMBINED CYCLE PROJECTS.—Subparagraph (B) of section 48A(d)(3) of te Internal Revenue Code of 1986 (relating to aggregate credits) is amended to read as follows:

''(B) PARTICULAR PROJECTS.—Of the dollar amount in subparagraph (A), the Secretary is authorized to certify—

''(i) $800,000,000 for integrated gasification combined cycle projects the application for which is submitted during the period described in paragraph (2)(A)(i),

''(ii) $500,000,000 for projects which use other advanced coal-based generation technologies the application for which is submitted during the period described in paragraph (2)(A)(i), and

''(iii) $500,000,000 for integrated gasification combined cycle projects the application for which is submitted during the period described in paragraph (2)(A)(ii).''.

(c) APPLICATION PERIOD FOR ADDITIONAL PROJECTS.—Subparagraph (A) of section 48A(d)(2) of the Internal Revenue Code of 1986 (relating to certification) is amended to read as follows:

''(A) APPLICATION PERIOD.—Each applicant for certification under this paragraph shall submit an application meeting the requirements of subparagraph (B). An applicant may only submit an application—

''(i) for an allocation from the dollar amount specified in clause (i) or (ii) of paragraph (3)(A) during the 3-year period beginning on the date the Secretary establishes the program under paragraph (1), and

''(ii) for an allocation from the dollar amount specified in paragraph (3)(A)(iii) during the 3-year period beginning at the termination of the period described in clause (i).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the amendments made by section 1307 of the Energy Policy Act of 2005.

SEC. 204. EXTENSION AND EXPANSION OF QUALIFYING GASIFICATION PROJECT CREDIT.

(a) IN GENERAL.—Section 48B(d)(1) of the Internal Revenue Code of 1986 (relating to qualifying gasification project program) is amended by striking ''$350,000,000'' and inserting ''$850,000,000''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the amendments made by section 1307 of the Energy Policy Act of 2005.

Subtitle B—Domestic Fossil Fuel Security

SEC. 211. EXTENSION OF ELECTION TO EXPENSE CERTAIN REFINERIES.

(a) IN GENERAL.—Section 179C(c)(1) of the Internal Revenue Code of 1986 (defining qualified refinery property) is amended—

(1) by striking ''and before January 1, 2012'' in subparagraph (B) and inserting ''and, in the case of any qualified refinery described in subsection (d)(1), before January 1, 2012'', and

(2) by inserting ''if described in subsection (d)(1)'' after ''of which'' in subparagraph (F)(i).

(b) CONFORMING AMENDMENT.—Subsection (d) of section 179C of the Internal Revenue Code of 1986 is amended to read as follows:

''(d) QUALIFIED REFINERY.—For purposes of this section, the term 'qualified refinery' means any refinery located in the United States which is designed to serve the primary purpose of processing liquid fuel from—

''(1) crude oil, or

''(2) qualified fuels (as defined in section 45K(c)).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the amendment made by section 1323(a) of the Energy Policy Act of 2005.

Subtitle C—Conservation and Energy Efficiency Provisions

SEC. 221. EXTENSION OF ENERGY EFFICIENT COMMERCIAL BUILDINGS DEDUCTION.

Section 179D(h) of the Internal Revenue Code of 1986 (relating to termination) is amended by striking ''2007'' and inserting ''2010''.

SEC. 222. EXTENSION OF NEW ENERGY EFFICIENT HOME CREDIT.

(a) IN GENERAL.—Subsection (g) of section 45L of the Internal Revenue Code of 1986 (relating to new energy efficient home credit) is amended to read as follows:

''(g) TERMINATION.—This section shall not apply to—

''(1) any qualified new energy efficient home meeting the energy saving requirements of subsection (c)(1) acquired after December 31, 2010, and

''(2) any qualified new energy efficient home meeting the energy saving requirements of paragraph (2) or (3) of subsection (c) acquired after December 31, 2007.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the amendments made by section 1332 of the Energy Policy Act of 2005.

SEC. 223. EXTENSION OF RESIDENTIAL ENERGY EFFICIENT PROPERTY CREDIT.

Section 25D(g) of the Internal Revenue Code of 1986 (relating to termination) is amended by striking ''2007'' and inserting ''2010''.

SEC. 224. EXTENSION OF CREDIT FOR BUSINESS INSTALLATION OF QUALIFIED FUEL CELLS AND STATIONARY MICROTURBINE POWER PLANTS.

Sections 48(c)(1)(E) and 48(c)(2)(E) of the Internal Revenue Code of 1986 (relating to termination) are each amended by striking ''2007'' and inserting ''2010''.

SEC. 225. EXTENSION OF BUSINESS SOLAR INVESTMENT TAX CREDIT.

Sections 48(a)(2)(A)(i)(II) and 48(a)(3)(A)(ii) of the Internal Revenue Code of 1986 (relating to termination) are each amended by striking ''2008'' and inserting ''2011''.

Subtitle D—Alternative Fuels and Vehicles Incentives

SEC. 231. EXTENSION OF EXCISE TAX PROVISIONS AND INCOME TAX CREDIT FOR BIODIESEL AND ALTERNATIVE FUELS.

(a) BIODIESEL.—Sections 40A(g), 6426(c)(6), and 6427(e)(5)(B) of the Internal Revenue Code of 1986 are each amended by striking ''2008'' and inserting ''2010''.

(b) ALTERNATIVE FUEL.—

(1) FUELS.—Sections 6426(d)(4) and 6427(e)(5)(C) of the Internal Revenue Code of 1986 are each amended by striking ''September 30, 2009'' and inserting ''December 31, 2010''.

(2) REFUELING PROPERTY.—Section 30C(g) of such Code is amended by striking ''2009'' and inserting ''2010''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2007.

SEC. 232. EXCEPTION FROM DEPRECIATION LIMITATION FOR CERTAIN ALTERNATIVE AND ELECTRIC PASSENGER AUTOMOBILES.

(a) IN GENERAL.—Paragraph (1) of section 280F(a) of the Internal Revenue Code of 1986 (relating to limitation) is amended by adding at the end the following new subparagraph:

''(D) SPECIAL RULE FOR CERTAIN ALTERNATIVE MOTOR VEHICLES AND QUALIFIED ELECTRIC VEHICLES.—Subparagraph (A) shall not apply to any motor vehicle for which a credit is allowable under section 30 or 30B.''.

(b) CONFORMING AMENDMENT.—Subparagraph (C) of section 280F(a)(1) of the Internal Revenue Code of 1986 is amended by striking clause (ii) and by redesignating clause (iii) as clause (ii).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 394—EXPRESSING THE SENSE OF THE SENATE THAT ALL PEOPLE IN THE UNITED STATES SHOULD PARTICIPATE IN A MOMENT OF SILENCE TO REFLECT UPON THE SERVICE AND SACRIFICE OF MEMBERS OF THE ARMED FORCES BOTH AT HOME AND ABROAD

Ms. STABENOW submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 394

Whereas it was through the brave and noble efforts of the forefathers of the United States that the United States first gained freedom and became a sovereign country;

Whereas there are more than 1,300,000 active component and more than 1,100,000 reserve component members of the Armed Forces serving the Nation in support and defense of the values and freedom that all people in the United States cherish;

Whereas the members of the Armed Forces deserve the utmost respect and admiration of the people of the United States for putting their lives in danger for the sake of the freedoms enjoyed by all people of the United States;

Whereas members of the Armed Forces are defending freedom and democracy around the globe and are playing a vital role in protecting the safety and security of all the people of the United States;

Whereas the United States officially celebrates and honors the accomplishments and sacrifices of veterans, patriots, and leaders who fought for freedom, but does not yet officially pay tribute to those who currently serve in the Armed Forces;

Whereas all people of the United States should participate in a moment of silence to support the troops; and

Whereas March 26th, 2006, is designated as ''National Support the Troops Day'': Now, therefore, be it

Resolved, That it is the sense of the Senate that all people in the United States should participate in a moment of silence to reflect upon the service and sacrifice of members of the Armed Forces both at home and abroad.

SENATE RESOLUTION 395—ESTABLISHING THE AMERICAN COMPETITIVENESS THROUGH EDUCATION (ACE) RESOLUTION

Mr. HARKIN (for himself, Mr. KENNEDY, Mr. REID, Mrs. BOXER, Mrs. MURRAY, Ms. STABENOW, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 395

Whereas the economy and future of the United States depend on maintaining a highly skilled and educated workforce with the ability to compete in an increasingly high-tech global economy;

Whereas millions of hard-working middle-class families now struggle to afford the rising cost of higher education, which averages $12,127 per year at a public 4-year college and $29,026 per year at a private 4-year college for the 2005–2006 school year;

Whereas between 2000 and 2005, the cost of tuition and fees increased 57 percent at public 4-year colleges and 32 percent at private 4-year colleges;

Whereas during the 1985–1986 school year, the maximum Federal Pell Grant covered 55 percent of the cost of tuition, fees, room and board at a public 4-year college, but during the 2005–2006 school year the maximum Federal Pell Grant covers only 33 percent of such cost, leaving today's students burdened with more debt or unable to afford a college education at all;

Whereas at the same time that college costs are rising substantially, President Bush recently signed into law the largest cut in student loan programs in the history of the Nation and now proposes a budget for fiscal year 2007 that would eliminate new funding for Federal Perkins Loans and freeze the maximum Federal Pell Grant award at $4,050, where the maximum Federal Pell Grant has been since 2003, reducing the real value of the maximum Federal Pell Grant to the families who depend upon it;

Whereas the President's budget also breaks promises to our children, their parents, and their schools;

Whereas school districts must meet tough new standards under the No Child Left Behind Act of 2001 (Public Law 107–110; 115 Stat. 1425), but the President's budget underfunds this effort by $15,400,000,000;

Whereas all children deserve an education that will prepare them for the 21st century global economy, but the President is proposing to leave 3,700,000 children behind by failing to fully fund title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) at the level promised in the No Child Left Behind Act of 2001;

Whereas in 1975 Congress committed to fully funding the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), in order to provide an appropriate education to students with special needs, yet for the second year in a row the President's budget retreats on that commitment by reducing the Federal Government's share of the cost for educating students with special needs, placing a greater financial burden on States and local school districts;

Whereas research shows that every dollar invested in high-quality early childhood education yields $13 in benefits to the public, but the President's budget would eliminate Head Start services for 19,000 children;

Whereas despite the importance of education, the President now is proposing a $2,100,000,000 cut to Federal education funding, which would be the largest cut in the 26-year history of the Department of Education;

Whereas the President's budget proposes to eliminate or substantially reduce funding for 42 existing education programs, including Safe and Drug-Free Schools and Communities State Grants, Educational Technology State Grants, Elementary and Secondary School Counseling Programs, Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR–UP), and Federal TRIO Programs;

Whereas every child deserves a safe, healthy, supervised place to go after school, but the President's budget denies these opportunities to 2,000,000 disadvantaged students by funding 21st Century Community Learning Centers at less than half the level promised in the No Child Left Behind Act of 2001; and

Whereas the education cuts in the President's budget would eliminate the ability of many working families to ensure a quality education for their children, deny many young people the opportunities that flow from a college education, reduce the competitiveness of the United States workforce, and harm the Nation's economy: Now, therefore, be it

Resolved,

SECTION 1. SENSE OF THE SENATE.

It is the sense of the Senate that—

(1) Congress should act to make college more affordable by—

(A) increasing tax benefits to offset college costs, such as expanding the Hope Scholarship Credit and the deductibility of college tuition;

(B) substantially increasing the size of Federal Pell Grants to better reflect the increase in the cost of higher education; and

(C) making student loans more affordable by reducing interest rates and fees for students and families;

(2) Congress should keep its promises to the children of the United States, particularly by fully funding the No Child Left Behind Act of 2001, the Individuals with Disabilities Education Act, and the Head Start Act (42 U.S.C. 9831 et seq.); and

(3) Congress should reject the cuts in the President's education budget for fiscal year 2007.

SEC. 2. SHORT TITLE.

This resolution may be cited as the ''American Competitiveness through Education Resolution'' or the ''ACE Resolution''.

SENATE RESOLUTION 396—CONGRATULATING ROSEY FLETCHER FOR HER OLYMPIC BRONZE MEDAL IN THE PARALLEL GIANT SLALOM

Mr. STEVENS (for himself and Ms. MURKOWSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 396

Whereas on February 23, 2006, Rosey Fletcher became the first woman from the United States to win an Olympic medal in the parallel giant slalom;

Whereas Rosey Fletcher won a bronze medal for her performance at the 2006 Torino Olympic Winter Games;

Whereas Rosey Fletcher is the only snowboarder to have competed in 3 Winter Olympic Games;

Whereas Rosey Fletcher was a silver medalist at the 1999 and 2001 world championships and is ranked 8th in the parallel giant slalom on the World Cup circuit;

Whereas February 23, 2006, was declared ''Rosey Fletcher Day'' by Alyeska Resort in honor of her Olympic achievement and mentoring of young Alaskan athletes; and

Whereas Rosey Fletcher is a hometown hero from Girdwood, Alaska: Now, therefore, be it

Resolved, That the Senate congratulates Rosey Fletcher for winning the bronze medal in the parallel giant slalom.

SENATE RESOLUTION 397—RECOGNIZING THE HISTORY AND ACHIEVEMENTS OF THE CURLING COMMUNITY OF BEMIDJI, MINNESOTA

Mr. COLEMAN (for himself and Mr. DAYTON) submitted the following resolution; which was considered and agreed to:

S. RES. 397

Whereas the citizens of Bemidji, Minnesota, have enjoyed the sport of curling ever since the Hibbing Curling Club demonstrated the sport during the Winter Carnival of 1932;

Whereas many families who live in Bemidji have participated in the sport for over 4 generations, the latest of whom enjoy the opportunity to enroll in high school courses that are held at the Bemidji Curling Club and focus on the fundamentals of curling;

Whereas members of the Bemidji community gathered at the Tourist Information Building and organized the now famous Bemidji Curling Club on January 13, 1935;

Whereas the Club brought the Bemidji community together, as members routinely shared their equipment with fellow curlers until the Club could afford to purchase a sufficient supply of stones, brooms, and other items;

Whereas the Bemidji Curling Club has promoted the participation of women in the sport of curling for almost 60 years;

Whereas the tireless efforts of parents and fellow members of the Club have inspired a large number of youths in the Bemidji community to participate in junior leagues;

Whereas teams belonging to the Bemidji Curling Club have won over 50 State and national titles;

Whereas, after producing generations of champion curlers, the City of Bemidji, the Bemidji Curling Club, and the town of Chisolm have the honor of calling themselves the home of the 2006 United States Men's and Women's Olympic Curling Teams;

Whereas the citizens of Bemidji and Chisolm celebrated the strong performances of each Olympic curling team, and watched with pride as the Men's Olympic Curling Team captured the bronze medal in Torino; and

Whereas the Bemidji Curling Club and the City of Bemidji continues to foster the growth and development of curling by hosting the United States World Team Trials in March of 2006: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the curling community of Bemidji for its efforts in promoting the sport of curling in Minnesota and the United States; and

(2) respectfully requests the Enrolling Clerk of the Senate to transmit an enrolled copy of this resolution to—

(A) the City of Bemidji; and

(B) the Bemidji Curling Club.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2968. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table.

SA 2969. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2970. Mr. SUNUNU (for himself, Mr. MCCAIN, Mr. GRAHAM, and Mr. ENSIGN) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2971. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2972. Mr. TALENT (for himself, Mr. FRIST, Mr. ALLEN, and Mrs. DOLE) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2973. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2974. Mr. MCCAIN (for himself, Mr. KYL, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2975. Mr. COBURN submitted an amendment intended to be proposed by him

to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2976. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2977. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2978. Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. OBAMA, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2979. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2980. Mr. ENSIGN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2981. Mr. ENSIGN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2982. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2983. Mr. ENSIGN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2984. Mr. MCCAIN (for himself, Mr. COBURN, Mr. DEMINT, Mr. ENSIGN, Mr. GRAHAM, and Mr. SUNUNU) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2985. Mr. MCCAIN (for himself, Mr. COBURN, Mr. DEMINT, Mr. ENSIGN, Mr. GRAHAM, and Mr. SUNUNU) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2986. Mr. MCCAIN (for himself, Mr. COBURN, Mr. DEMINT, Mr. ENSIGN, Mr. GRAHAM, and Mr. SUNUNU) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2987. Mr. MCCAIN (for himself, Mr. COBURN, Mr. DEMINT, Mr. ENSIGN, Mr. GRAHAM, and Mr. SUNUNU) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2988. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2989. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2990. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2991. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2992. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2993. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2994. Mr. BENNETT submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2995. Mr. OBAMA submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2996. Mr. HAGEL (for himself and Mr. SUNUNU) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2997. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 2349, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2968. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. FULL DISCLOSURE OF ENTITIES RECEIVING FEDERAL FUNDS.

(a) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''agency'' means an Executive agency as defined under section 105 of title 5, United States Code.

(2) CONTRACTOR ENTITY.—The term ''contractor entity'' means any entity that receives Federal funds as a general contractor or subcontractor at any tier in connection with a Federal contract.

(3) COVERED ENTITY.—The term ''covered entity'' means any entity that receives Federal funds—

(A) through a grant or loan, except—

(i) a grant or loan under entitlement authority; or

(ii) a loan designated by the Office of Management and Budget under subsection (b)(3); or

(B) under a statutory provision that directly references the entity receiving Federal funds, including any appropriations Act (or related committee or conference report) that specifically identifies the entity.

(4) ENTITLEMENT AUTHORITY.—The term ''entitlement authority'' has the meaning given under section 3 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622).

(5) ENTITY.—The term ''entity''—

(A) includes any State or local government; and

(B) shall not include the Federal Government.

(b) OFFICE OF MANAGEMENT AND BUDGET.—The Office of Management and Budget—

(1) shall issue a Federal funds application number to each covered entity or contractor entity that applies for such number, except that if more than 1 covered entity or contractor entity share a single tax identification number, only 1 Federal funds application number shall be issued for those covered entities or contractor entities;

(2) shall develop and establish an updated searchable database website accessible to the public of the information on—

(A) each covered entity required to be submitted under subsection (c)(3), including links to other websites described under subsection (c)(3); and

(B) each contractor entity required to be submitted under subsection (d)(3);

(3) may promulgate regulations to designate loan programs which are not covered by this section if—

(A) the Federal funds under that program are received only by individuals; and

(B) the agency administering the program exercises minimal discretion in determining recipients other than the application of specific criteria of eligibility; and

(4) after consultation with agencies, promulgate regulations to provide exemptions for disclosures of information, covered entities, and contractor entities in the interest of national defense or national security.

(c) REQUIREMENTS FOR COVERED ENTITIES.—Each covered entity shall—

(1) apply to the Office of Management and Budget for a Federal funds application number;

(2) use the Federal funds application number in any application or other document relating to the receipt of Federal funds; and

(3) not later than 45 days before the end of each fiscal year, file a report with the Office of Management and Budget that includes—

(A) the dollar amount, of any Federal funds received by the entity in the previous 5 years and the identification of such amounts in each year, including an identification of the source of funds from programs based on the Catalogue of Federal Assistance, if applicable;

(B) the entity's—

(i) primary office and any additional offices;

(ii) the tax status; and

(iii) tax identification number;

(C) the full name, address, and social security numbers of each officer and director of the entity;

(D) an overall annual financial disclosure statement for the previous year (with specific amounts for total lobbying expenses, travel expenses, rent, salaries, and decorating expenses);

(E) the full name, address, and social security number of each employee making more than $50,000 each year in gross income;

(F) any links to the website of the covered entity providing additional information on that covered entity; and

(G) any other relevant information the Office of Management and Budget may require.

(d) REQUIREMENTS FOR CONTRACTOR ENTITIES.—Each contractor entity shall—

(1) apply to the Office of Management and Budget for a Federal funds application number;

(2) use the Federal funds application number in any application or other document relating to the receipt of Federal funds; and

(3) not later than 45 days before the end of each fiscal year, file a report with the Office of Management and Budget that includes—

(A) the dollar amount, of any Federal funds received by the entity in the previous 5 years and the identification of such amounts in each year, including an identification of the source of funds from programs based on the Catalogue of Federal Assistance, if applicable; and

(B) the entity's—

(i) primary office and any additional offices;

(ii) the tax status; and

(iii) tax identification number.

(e) FEDERAL AGENCIES.—Each agency shall—

(1) use the Federal funds application number with respect to any document relating to a covered entity or contractor entity receiving Federal funds, including applications, correspondence, contracts, memoranda, proposals, agreements, and receipts; and

(2) make such information relating to covered entities or contractor entities and such documents available to the Office of Management and Budget as the Office may require.

(f) APPLICATION OF CERTAIN FEDERAL LAWS TO COVERED ENTITIES AND CONTRACTOR ENTITIES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the provisions of law described under paragraph (2) shall apply to a covered entity or contractor entity to the greatest extent practicable as though that covered entity or contractor entity is a Federal agency, if the covered entity or contractor entity has business expenditures or a

business budget in any year equal to or greater than 10 percent of the amount of Federal funds received by that covered entity or contractor entity in that year.

(2) APPLICABLE LAWS.—The provisions of law referred to under paragraph (1) are—

(A) section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act); and

(B) subchapter I of chapter 57 of title 5, United States Code (relating to travel and subsistence expenses and mileage allowances).

(g) REGULATIONS.—The Office of Management and Budget shall promulgate regulations to carry out this section.

(h) EFFECTIVE DATES.—

(1) IN GENERAL.—This section shall take effect on January 2, 2007.

(2) REGULATIONS.—Subsection (g) shall take effect on the date of enactment of this Act.

SA 2969. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

Strike after the first word and, insert the following:

SEC. ___. FULL DISCLOSURE OF ENTITIES RECEIVING FEDERAL FUNDS.

(a) DEFINITIONS.—In this section:

(1) AGENCY.—The term ''agency'' means an Executive agency as defined under section 105 of title 5, United States Code.

(2) CONTRACTOR ENTITY.—The term ''contractor entity'' means any entity that receives Federal funds as a general contractor or subcontractor at any tier in connection with a Federal contract.

(3) COVERED ENTITY.—The term ''covered entity'' means any entity that receives Federal funds—

(A) through a grant or loan, except—

(i) a grant or loan under entitlement authority; or

(ii) a loan designated by the Office of Management and Budget under subsection (b)(3); or

(B) under a statutory provision that directly references the entity receiving Federal funds, including any appropriations Act (or related committee or conference report) that specifically identifies the entity.

(4) ENTITLEMENT AUTHORITY.—The term ''entitlement authority'' has the meaning given under section 3 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622).

(5) ENTITY.—The term ''entity''—

(A) includes any State or local government; and

(B) shall not include the Federal Government.

(b) OFFICE OF MANAGEMENT AND BUDGET.—The Office of Management and Budget—

(1) shall issue a Federal funds application number to each covered entity or contractor entity that applies for such number, except that if more than 1 covered entity or contractor entity share a single tax identification number, only 1 Federal funds application number shall be issued for those covered entities or contractor entities;

(2) shall develop and establish an updated searchable database website accessible to the public of the information on—

(A) each covered entity required to be submitted under subsection (c)(3), including links to other websites described under subsection (c)(3); and

(B) each contractor entity required to be submitted under subsection (d)(3);

(3) may promulgate regulations to designate loan programs which are not covered by this section if—

(A) the Federal funds under that program are received only by individuals; and

(B) the agency administering the program exercises minimal discretion in determining recipients other than the application of specific criteria of eligibility; and

(4) after consultation with agencies, promulgate regulations to provide exemptions for disclosures of information, covered entities, and contractor entities in the interest of national defense or national security.

(c) REQUIREMENTS FOR COVERED ENTITIES.—Each covered entity shall—

(1) apply to the Office of Management and Budget for a Federal funds application number;

(2) use the Federal funds application number in any application or other document relating to the receipt of Federal funds; and

(3) not later than 45 days before the end of each fiscal year, file a report with the Office of Management and Budget that includes—

(A) the dollar amount, of any Federal funds received by the entity in the previous 5 years and the identification of such amounts in each year, including an identification of the source of funds from programs based on the Catalogue of Federal Assistance, if applicable;

(B) the entity's—

(i) primary office and any additional offices;

(ii) the tax status; and

(iii) tax identification number;

(C) the full name, address, and social security numbers of each officer and director of the entity;

(D) an overall annual financial disclosure statement for the previous year (with specific amounts for total lobbying expenses, travel expenses, rent, salaries, and decorating expenses);

(E) the full name, address, and social security number of each employee making more than $50,000 each year in gross income;

(F) any links to the website of the covered entity providing additional information on that covered entity; and

(G) any other relevant information the Office of Management and Budget may require.

(d) REQUIREMENTS FOR CONTRACTOR ENTITIES.—Each contractor entity shall—

(1) apply to the Office of Management and Budget for a Federal funds application number;

(2) use the Federal funds application number in any application or other document relating to the receipt of Federal funds; and

(3) not later than 45 days before the end of each fiscal year, file a report with the Office of Management and Budget that includes—

(A) the dollar amount, of any Federal funds received by the entity in the previous 5 years and the identification of such amounts in each year, including an identification of the source of funds from programs based on the Catalogue of Federal Assistance, if applicable; and

(B) the entity's—

(i) primary office and any additional offices;

(ii) the tax status; and

(iii) tax identification number.

(e) FEDERAL AGENCIES.—Each agency shall—

(1) use the Federal funds application number with respect to any document relating to a covered entity or contractor entity receiving Federal funds, including applications, correspondence, contracts, memoranda, proposals, agreements, and receipts; and

(2) make such information relating to covered entities or contractor entities and such documents available to the Office of Management and Budget as the Office may require.

(f) APPLICATION OF CERTAIN FEDERAL LAWS TO COVERED ENTITIES AND CONTRACTOR ENTITIES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the provisions of law described under paragraph (2) shall apply to a covered entity or contractor entity to the greatest extent practicable as though that covered entity or contractor entity is a Federal agency, if the covered entity or contractor entity has business expenditures or a business budget in any year equal to or greater than 10 percent of the amount of Federal funds received by that covered entity or contractor entity in that year.

(2) APPLICABLE LAWS.—The provisions of law referred to under paragraph (1) are—

(A) section 552 of title 5, United States Code (commonly referred to as the Freedom of Information Act); and

(B) subchapter I of chapter 57 of title 5, United States Code (relating to travel and subsistence expenses and mileage allowances).

(g) REGULATIONS.—The Office of Management and Budget shall promulgate regulations to carry out this section.

(h) EFFECTIVE DATES.—

(1) IN GENERAL.—This section shall take effect on January 1, 2007.

(2) REGULATIONS.—Subsection (g) shall take effect on the date of enactment of this Act.

SA 2970. Mr. SUNUNU (for himself, Mr. MCCAIN, Mr. GRAHAM, and Mr. ENSIGN) submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

Beginning on page 4, strike line 21 and all that follows through page 6, line 7, and insert the following:

SEC. 103. EARMARKS.

The Standing Rules of the Senate are amended by adding at the end the following:

''RULE XLIV

''EARMARKS

''1. In this rule—

''(1) the term 'earmark' means a provision that specifies the identity of a non-Federal entity to receive assistance and the amount of the assistance; and

''(2) the term 'assistance' means budget authority, contract authority, loan authority, and other expenditures, and tax expenditures or other revenue items.

''2. It shall not be in order to consider any Senate bill or Senate amendment or conference report on any bill, including an appropriations bill, a revenue bill, and an authorizing bill, unless a list of—

''(1) all earmarks in such measure;

''(2) an identification of the Member or Members who proposed the earmark; and

''(3) an explanation of the essential governmental purpose for the earmark;

is available along with any joint statement of managers associated with the measure to all Members and made available on the Internet to the general public for at least 48 hours before its consideration.''.

SEC. 104. AVAILABILITY OF CONFERENCE REPORTS ON THE INTERNET.

(a) IN GENERAL.—

(1) AMENDMENT.—Rule XXVIII of all the Standing Rules of the Senate is amended by adding at the end the following:

''7. It shall not be in order to consider a conference report unless such report is available to all Members and made available to the general public by means of the Internet for at least 48 hours before its consideration.''.

SA 2971. Mr. ENSIGN submitted an amendment intended to be proposed by

him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

On page 8, line 7, after ''principal.'' insert ''This clause shall not apply to a gift, meal, refreshment, or travel provided by a State, local, or tribal government.''.

SA 2972. Mr. TALENT (for himself, Mr. FRIST, Mr. ALLEN, and Mrs. DOLE) submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

On page 16, between lines 3 and 4, insert the following:

SEC. 114. LINE ITEM VETO.

(a) FINDINGS.—The Senate finds that —

(1) the Federal Government has struggled with deficits since World War II, balancing its budget only 9 times since 1950;

(2) the national debt is currently more than $8,200,000,000,000, or 66 percent of the total gross domestic product, and is a long-term threat to our economic health;

(3) the number of earmarks in appropriations bills has tripled over the last 5 years, to more than 14,000;

(4) every President for the last 25 years has asked Congress to pass a line item veto to help reduce the deficit by eliminating wasteful spending;

(5) 43 Governors have line item veto authority, and numerous studies have shown that the line item veto is effective at reducing State spending;

(6) Congress passed the Line Item Veto Act (Public Law 104-30; 110 Stat. 1200) in the 104th Congress, by a 294-134 vote in the House of Representatives and a 69-31 vote in the Senate;

(7) in 1998 the Supreme Court of the United States, in a 6-3 decision, found the Line Item Veto Act unconstitutional;

(8) the Congress and the President share a responsibility to the American people to spend their money wisely; and

(9) the Federal Government should use every tool possible to help reduce the deficit, and the line item veto is a time-tested method of doing so.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that Congress should provide the President with a constitutionally acceptable line item veto authority.

SA 2973. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

On page 14, between lines 2 and 3, insert the following:

SEC. 12. ADDITIONAL EMPLOYMENT RIGHTS.

(a) IN GENERAL.—Section 104 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450i) is amended by striking subsection (j) and inserting the following:

''(j) ADDITIONAL EMPLOYMENT RIGHTS.—

''(1) DEFINITION OF TRIBAL EMPLOYEE.—In this subsection, the term 'tribal employee', with respect to an Indian tribal government, means an individual acting under the day-to-day control or supervision of the Indian tribal government, unaffected by the control or supervision of any independent contractor, agency or organization, or intervening sovereignty.

''(2) RIGHTS OF CERTAIN EMPLOYEES.—Notwithstanding sections 205 and 207 of title 18, United States Code, an officer or employee of the United States assigned to an Indian tribe under section 3372 of title 5, United States Code, or section 2072 of the Revised Statutes (25 U.S.C. 48), or an individual that was formerly an officer or employee of the United States and who is a tribal employee or an elected or appointed official of an Indian tribe carrying out an official duty of the tribal employee or official may communicate with and appear before any department, agency, court, or commission on behalf of the Indian tribe on any matter, including any matter in which the United States is a party or has a direct and substantial interest.

''(3) NOTIFICATION OF INVOLVEMENT IN PENDING MATTER.—An officer, employee, or former officer or employee described in paragraph (2) shall submit to the head of each appropriate department, agency, court, or commission, in writing, a notification of any personal and substantial involvement the officer, employee, or former officer or employee had as an officer or employee of the United States with respect to the pending matter.''.

(b) EFFECTIVE DATE.—The effective date of the amendment made by this section shall be the date that is 1 year after the date of enactment of this Act.

SA 2974. Mr. MCCAIN (for himself, Mr. KYL, and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

On page 16, strike line 1 and insert the following:

SEC. 113. REPORTING OF CONTRIBUTIONS BY INDIAN TRIBES.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by inserting after section 304 the following new section:

''REPORTS BY INDIAN TRIBES

''SEC. 304A. (a)(1) IN GENERAL.—Each Indian tribe shall file reports of contributions made to a candidate, a political committee, or a Federal account of a State, district, or local committee of a political party in accordance with the provisions of this subsection.

''(2) REPORTS.—

''(A) ELECTION YEAR.—

''(i) IN GENERAL.—In any calendar year during which there is a regularly scheduled election, an Indian tribe shall file a report—

''(I) for the first calendar quarter in which contributions are made that aggregate in excess of $1,000 for the calendar year; and

''(II) for any calendar quarter after the quarter described in subclause (I) in which additional contributions are made.

''(ii) TIMING OF REPORTS.—A report required under clause (i) shall be filed no later than the 15th day after the last day of the calendar quarter, and shall be complete as of the last day of the calendar quarter: except that the report for the quarter ending on December 31 shall be filed no later than January 31 of the following calendar year.

''(iii) INITIAL REPORT.—The report required under clause (i)(I) shall include information with respect to contributions made during all preceding quarters during the calendar year.

''(B) OTHER YEARS.—

''(i) IN GENERAL.—In any other calendar year, an Indian tribe shall file a report—

''(I) for the first reporting period described in clause (ii) in which contributions are made that aggregate in excess of $1,000 in the calendar year; and

''(II) for any reporting period after the period described in subclause (I) in which additional contributions are made.

''(ii) REPORTING PERIODS DESCRIBED.—The reporting periods described in this clause are—

''(I) the period beginning January 1 and ending June 30 of such calendar year; and

''(II) the period beginning July 1 and ending December 31 of such calendar year.

''(iii) TIMING OF REPORT.—The reports required under clause (i) shall be filed—

''(I) in the case of the reporting period described in clause (ii)(I), no later than July 31; and

''(II) in the case of the reporting period described in clause (ii)(II), no later than January 31 of the following calendar year.

''(iv) INITIAL REPORT.—The report required under clause (i)(I) shall include information with respect to contributions made during any preceding reporting period during the calendar year.

''(b) CONTENTS OF REPORT.—Each report under this section shall disclose—

''(1) the total amount of contributions made by the Indian tribe to candidates, political committees, and Federal accounts of State, district, and local committees of political parties during the reporting period;

''(2) the name and address of each such candidate, political committee, and Federal account to which the Indian tribe made a contribution during the reporting period, with respect to which the contribution or contributions have an aggregate amount or value in excess of $200 within the calendar year (or election cycle, in the case of an authorized committee of a candidate for Federal office), together with the date and amount of any such contribution;

''(3) the name and address of the Indian tribe and the unique identifier assigned to the Indian tribe under subsection (c); and

''(4) the name, address, and position of the custodian of the books and accounts of the Indian tribe.

''(c) UNIQUE IDENTIFIER.—The Commission, in consultation with the Secretary of the Interior, shall assign a unique identifier to each Indian tribe for the purpose of filing reports under this section.''.

(b) DEFINITION OF INDIAN TRIBE.—Section 301 of such Act (2 U.S.C. 431) is amended by adding at the end the following new paragraph:

''(27) INDIAN TRIBE.—The term 'Indian tribe' means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation (as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.''.

SEC. 114. EFFECTIVE DATE.

SA 2975. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 5, line 20 between ''available'' and ''on'', insert ''in an electronically searchable format''.

SA 2976. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 6, line 6 between ''available'' and ''to'', insert ''in an electronically searchable format''.

SA 2977. Mrs. FEINSTEIN submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 5, strike lines 4 through 17 and insert the following:

''(2) the term 'covered earmark' means an earmark that includes any matter not committed to the conferees by either House; and

''(3) the term 'assistance' means budget authority, contract authority, loan authority, and other expenditures, and tax expenditures or other revenue items.

''2. It shall not be in order to consider any Senate bill or Senate amendment or conference report on any bill, including an appropriations bill, a revenue bill, and an authorizing bill, unless a list of—

''(1) all covered earmarks in such measure;

''(2) an identification of the Member or Members who proposed the covered earmark; and

''(3) an explanation of the essential governmental purpose for the covered earmark;

SA 2978. Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. OBAMA, and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

TITLE III—OFFICE OF PUBLIC INTEGRITY

SEC. 301. ESTABLISHMENT OF OFFICE OF PUBLIC INTEGRITY.

There is established, as an independent office within the legislative branch of the Government, the Office of Public Integrity (referred to in this title as the ''Office'').

SEC. 302. DIRECTOR.

(a) APPOINTMENT OF DIRECTOR.—The Office shall be headed by a Director who shall be appointed by agreement of the Speaker of the House of Representatives, the majority leader of the Senate, and the minority leaders of the House of Representatives and the Senate. The selection and appointment of the Director shall be without regard to political affiliation and solely on the basis of fitness to perform the duties of the Office.

(b) VACANCY.—A vacancy in the directorship shall be filled in the manner in which the original appointment was made.

(c) TERM OF OFFICE.—The Director shall serve for a term of 5 years and may be reappointed.

(d) REMOVAL.—

(1) AUTHORITY.—The Director may be removed by a majority of the appointing authority for—

(A) disability that substantially prevents the Director from carrying out the duties of the Director;

(B) inefficiency;

(C) neglect of duty; or

(D) malfeasance, including a felony or conduct involving moral turpitude.

(2) STATEMENT OF REASONS.—In removing the Director, a statement of the reasons for removal shall be provided in writing to the Director.

(e) COMPENSATION.—The Director shall be compensated at the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code.

SEC. 303. DUTIES AND POWERS OF THE OFFICE.

(a) DUTIES.—The Office is authorized—

(1) to receive, monitor, and oversee reports filed by registered lobbyists under the Lobbying Disclosure Act of 1995;

(2) to assume all other responsibilities and authorities of the Secretary of the Senate and the Clerk of the House of Representatives under the Lobbying Disclosure Act of 1995;

(3) to refer to the Select Committee on Ethics of the Senate and Committee on Standard of Official Conduct of the House of Representatives, as appropriate, any information it comes across that relates to a possible violation of ethics rules or standards of the relevant body;

(4) to conduct periodic and random reviews and audits of reports filed with it to ensure compliance with all applicable laws and rules; and

(5) to provide informal guidance to registrants under the Lobbying Disclosure Act of 1995 of their responsibilities under such Act.

(b) POWERS.—

(1) OBTAINING INFORMATION.—Upon request of the Office, the head of any agency or instrumentality of the Government shall furnish information deemed necessary by the Director to enable the Office to carry out its duties.

(2) REFERRALS TO THE DEPARTMENT OF JUSTICE.—Whenever the Director has reason to believe that a violation of the Lobbying Disclosure Act of 1995 may have occurred, he shall refer that matter to the Department of Justice for it to investigate.

(3) GENERAL AUDITS.—The Director shall have the authority to conduct general audits of filings under the Lobbying Disclosure Act of 1995.

SEC. 304. ADMINISTRATION AND STAFF.

(a) STAFF AND SUPPORT SERVICES.—The Director may appoint and fix the compensation of such staff as the Director considers necessary.

(b) APPLICABILITY OF CIVIL SERVICE LAWS.—The Director and other members of the staff of the Office shall be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service.

(c) EXPERTS AND CONSULTANTS.—The Director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(d) PHYSICAL FACILITIES.—The Architect of the Capitol, in consultation with the appropriate entities in the legislative branch, shall locate and provide suitable office space for the operation of the Office on a nonreimbursable basis. The facilities shall serve as the headquarters of the Office and shall include all necessary equipment and incidentals required for the proper functioning of the Office.

(e) ADMINISTRATIVE SUPPORT SERVICES AND OTHER ASSISTANCE.—

(1) IN GENERAL.—Upon the request of the Director, the Architect of the Capitol and the Administrator of General Services shall provide to the Director on a nonreimbursable basis such administrative support services as the Commission may request.

(2) ADDITIONAL SUPPORT.—In addition to the assistance set forth in paragraph (1), departments and agencies of the United States may provide the Director such services, funds, facilities, staff, and other support services as the Director may deem advisable and as may be authorized by law.

(f) USE OF MAILS.—The Office may use the United States mails in the same manner and under the same conditions as Federal agencies and shall, for purposes of the frank, be considered a commission of Congress as described in section 3215 of title 39, United States Code.

(g) PRINTING.—For purposes of costs relating to printing and binding, including the cost of personnel detailed from the Government Printing Office, the Office shall be deemed to be a committee of the Congress.

SEC. 305. EXPENSES.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this title.

(b) FINANCIAL AND ADMINISTRATIVE SERVICES.—The Director may place orders and enter into agreements for goods and services with the head of any agency, or major organizational unit within an agency, in the legislative or executive branch of the Government in the same manner and to the same extent as agencies are authorized to do so under sections 1535 and 1536 of title 31, United States Code.

SEC. 306. TRANSFER OF RECORDS.

Not later than 90 days after the effective date of this Act, the Office of Public Records in the Senate and the Office of Clerk of the House of Representatives shall transfer all records to the Office with respect to their former duties under the Lobbying Disclosure Act of 1995 and the Ethics in Government Act of 1978.

SEC. 307. TRANSFER OF JURISDICTION TO OFFICE OF PUBLIC INTEGRITY.

(a) FILING OF REGISTRATIONS.—Section 4 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1603) is amended—

(1) in subsection (a)(1), by striking ''Secretary of the Senate and the Clerk of the House of Representatives'' and inserting ''Office of Public Integrity''; and

(2) in subsection (d), by striking ''Secretary of the Senate and the Clerk of the House of Representatives'' and inserting ''Office of Public Integrity''.

(b) REPORTS BY REGISTERED LOBBYISTS.—Section 5(a) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604(a)) is amended by striking ''Secretary of the Senate and the Clerk of the House of Representatives'' and inserting ''Office of Public Integrity''.

(c) DISCLOSURE AND ENFORCEMENT.—Section 6(a) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1605) is amended by striking ''Secretary of the Senate and the Clerk of the House of Representatives'' and inserting ''Office of Public Integrity''.

(d) PENALTIES.—Section 7 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1606) is amended by striking ''Secretary of the Senate or the Clerk of the House of Representatives'' and inserting ''Office of Public Integrity''.

(e) RULES OF CONSTRUCTION.—Section 8(c) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1607(c)) is amended by striking ''Secretary of the Senate or the Clerk of the House of Representatives'' and inserting ''Office of Public Integrity''.

(f) ESTIMATES BASED ON TAX REPORTING SYSTEM.—Section 15(c)(1) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1610(c)(1)) is amended by striking ''Secretary of the Senate and the Clerk of the House of Representatives'' and inserting ''Office of Public Integrity''.

SEC. 308. OPI EMPLOYEES UNDER THE CONGRESSIONAL ACCOUNTABILITY ACT.

Section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 3) is amended—

(1) in paragraph (3)—

(A) in subparagraph (H), by striking ''or'';

(B) in subparagraph (I), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(J) the Office of Public Integrity.''; and

(2) in paragraph (9), by striking ''and the Office of Technology Assessment'' and inserting ''the Office of Technology Assessment, and the Office of Public Integrity''.

SEC. 309. PROHIBITION ON FILING AND OTHER ASSOCIATED FEES.

The Office shall not—

(1) charge any registrant a fee for filings with the Office required under the Lobbying Disclosure Act of 1995; or

(2) charge such a registrant a fee for obtaining an electronic signature for such a filing.

SEC. 310. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided by subsection (b), this title shall take effect on January 1, 2007.

(b) EXCEPTION.—Sections 302, 304, and 305 shall take effect upon the date of enactment of this Act.

SA 2979. Mr. COLLINS submitted an amendment intended to be proposed by her to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

On page 22, lines 12 through 14, strike ''the registrant or employee listed as a lobbyist provided, or directed or arranged to be provided,'' and insert ''the registrant provided, or directed or arranged to be provided, or the employee listed as a lobbyist directed or arranged to be provided,''.

SA 2980. Mr. ENSIGN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

On page 5, line 2 strike ''a non-Federal'' and insert ''an''.

SA 2981. Mr. ENSIGN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

On page 3, strike line 9 and all that follows through page 4, line 20, and insert the following:

(a) IN GENERAL.—A point of order may be made by any Senator against consideration of a conference report on a general appropriations bill that includes any new or general legislation, any unauthorized appropriation, or new matter or nongermane matter not committed to the conferees by either House. The point of order shall be made and voted on separately for each item in violation of this section.

(b) DISPOSITION.—If the point of order against a conference report under subsection (a) is sustained, then—

(1) the matter in such conference report shall be deemed to have been struck;

(2) when all other points of order under this section have been disposed of—

(A) the Senate shall proceed to consider the question of whether the Senate should recede from its amendment to the House bill, or its disagreement to the amendment of the House, and concur with a further amendment, which further amendment shall consist of only that portion of the conference report not deemed to have been struck;

(B) the question shall be debatable; and

(C) no further amendment shall be in order; and

(3) if the Senate agrees to the amendment, then the bill and the Senate amendment thereto shall be returned to the House for its concurrence in the amendment of the Senate.

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of ⅗ of the Members, duly chosen and sworn. An affirmative vote of ⅗ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) DEFINITIONS.—In this section:

(1)(A) The term ''unauthorized appropriation'' means an appropriation—

(i) not specifically authorized by law or Treaty stipulation (unless the appropriation has been specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law); or

(ii) the amount of which exceeds the amount specifically authorized by law or Treaty stipulation (or specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law) to be appropriated.

(B) An appropriation is not specifically authorized if it is restricted or directed to, or authorized to be obligated or expended for the benefit of, an identifiable person, program, project, entity, or jurisdiction by earmarking or other specification, whether by name or description, in a manner that is so restricted, directed, or authorized that it applies only to a single identifiable person, program, project, entity, or jurisdiction, unless the identifiable person, program, project, entity, or jurisdiction to which the restriction, direction, or authorization applies is described or otherwise clearly identified in a law or Treaty stipulation (or an Act or resolution previously passed by the Senate during the same session or in the estimate submitted in accordance with law) that specifically provides for the restriction, direction, or authorization of appropriation for such person, program, project, entity, or jurisdiction.

(2) The term ''new or general legislation'' has the meaning given that term when it is used in paragraph 2 of Rule XVI of the Standing Rules of the Senate.

(3) The term ''new matter'' means any matter not committed to conferees by either House.

(4) The term ''nongermane matter'' has the meaning given that term when it is used in Rule XXII of the Standing Rules of the Senate.

SA 2982. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

On page 25, after line 11, insert the following:

Section 7 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1606) is amended by adding at the end the following: ''An officer of an organization described in section 501(c) of the Internal Revenue Code of 1986 who engages in lobbying activities with Federal funds as prohibited by section 18 shall be imprisoned for not more than 5 years and fined under title 18 of the United States Code, or both.''.

SA 2983. Mr. ENSIGN (for himself and Mr. MCCAIN) submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 3, line 12, strike ''shall be made and voted on separately for each item in violation of this section'' and insert ''may be made and voted on separately for each item in violation of this section''.

It shall be in order for a Senator to raise a single point of order that several provisions of a conference report or an amendment between the Houses violate subparagraph (a). The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some or all of the provisions against which the Senator raised the point of order, then only those provisions against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this paragraph. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order, in accordance with subparagraph (g), as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with the rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

SA 2984. Mr. MCCAIN (for himself, Mr. COBURN, Mr. DEMINT, Mr. ENSIGN, Mr. GRAHAM, and Mr. SUNUNU) submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 5, line 21, strike ''24 hours'' and insert ''48 hours''.

On page 6, line 7, strike ''24 hours'' and insert ''48 hours''.

On page 16, between lines 3 and 4, insert the following:

SEC. 114. REFORM OF CONSIDERATION OF APPROPRIATIONS BILLS IN THE SENATE.

(a) IN GENERAL.—Rule XVI of the Standing Rules of the Senate is amended by adding at the end the following:

''9. (a) On a point of order made by any Senator:

''(1) No new or general legislation nor any unauthorized appropriation may be included in any general appropriation bill.

''(2) No amendment may be received to any general appropriation bill the effect of which will be to add an unauthorized appropriation to the bill.

''(3) No unauthorized appropriation may be included in any amendment between the Houses, or any amendment thereto, in relation to a general appropriation bill.

''(b)(1) If a point of order under subparagraph (a)(1) against a Senate bill or amendment is sustained—

''(A) the new or general legislation or unauthorized appropriation shall be struck from the bill or amendment; and

''(B) any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the bill or amendment, as directed by the chairman of the Committee on the Budget, shall be made and the allocation of discretionary budgetary resources allocated under section 302(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(2)) shall be reduced accordingly.

''(2) If a point of order under subparagraph (a)(1) against an Act of the House of Representatives is sustained when the Senate is not considering an amendment in the nature of a substitute, then an amendment to the House bill is deemed to have been adopted that—

''(A) strikes the new or general legislation or unauthorized appropriation from the bill; and

''(B) modifies, if necessary and as directed by the chairman of the Committee on the Budget, the total amounts appropriated by the bill to reflect the deletion of the matter struck from the bill and reduces the allocation of discretionary budgetary resources allocated under section 302(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(2)) accordingly.

''(c) If the point of order against an amendment under subparagraph (a)(2) is sustained, then the amendment shall be out of order and may not be considered.

''(d)(1) If a point of order under subparagraph (a)(3) against a Senate amendment is sustained, then—

''(A) the unauthorized appropriation shall be struck from the amendment;

''(B) any modification of total amounts appropriated, as directed by the chairman of the Committee on the Budget, necessary to reflect the deletion of the matter struck from the amendment shall be made and the allocation of discretionary budgetary resources allocated under section 302(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(2)) shall be reduced accordingly; and

''(C) after all other points of order under this paragraph have been disposed of, the Senate shall proceed to consider the amendment as so modified.

''(2) If a point of order under subparagraph (a)(3) against a House of Representatives amendment is sustained, then—

''(A) an amendment to the House amendment is deemed to have been adopted that—

''(i) strikes the new or general legislation or unauthorized appropriation from the House amendment; and

''(ii) modifies, if necessary and as directed by the chairman of the Committee on the Budget, the total amounts appropriated by the bill to reflect the deletion of the matter struck from the House amendment and reduces the allocation of discretionary budgetary resources allocated under section 302(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(2)) accordingly; and

''(B) after all other points of order under this paragraph have been disposed of, the Senate shall proceed to consider the question of whether to concur with further amendment.

''(e) The disposition of a point of order made under any other paragraph of this rule, or under any other Standing Rule of the Senate, that is not sustained, or is waived, does not preclude, or affect, a point of order made under subparagraph (a) with respect to the same matter.

''(f) A point of order under subparagraph (a) may be waived only by a motion agreed to by the affirmative vote of three-fifths of the Senators duly chosen and sworn. If an appeal is taken from the ruling of the Presiding Officer with respect to such a point of order, the ruling of the Presiding Officer shall be sustained absent an affirmative vote of three-fifths of the Senators duly chosen and sworn.

''(g) Notwithstanding any other rule of the Senate, it shall be in order for a Senator to raise a single point of order that several provisions of a general appropriation bill or an amendment between the Houses on a general appropriation bill violate subparagraph (a). The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some or all of the provisions against which the Senator raised the point of order, then only those provisions against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this paragraph. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order, in accordance with subparagraph (f), as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with the rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

''(h) For purposes of this paragraph:

''(1) The term 'new or general legislation' has the meaning given that term when it is used in paragraph 2 of this rule.

''(2) The term 'new matter' means matter not committed to conference by either House of Congress.

''(3)(A) The term 'unauthorized appropriation' means an appropriation—

''(i) not specifically authorized by law or Treaty stipulation (unless the appropriation has been specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law); or

''(ii) the amount of which exceeds the amount specifically authorized by law or Treaty stipulation (or specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law) to be appropriated.

''(B) An appropriation is not specifically authorized if it is restricted or directed to, or authorized to be obligated or expended for the benefit of, an identifiable person, program, project, entity, or jurisdiction by earmarking or other specification, whether by name or description, in a manner that is so restricted, directed, or authorized that it applies only to a single identifiable person, program, project, entity, or jurisdiction, unless the identifiable person, program, project, entity, or jurisdiction to which the restriction, direction, or authorization applies is described or otherwise clearly identified in a law or Treaty stipulation (or an Act or resolution previously passed by the Senate during the same session or in the estimate submitted in accordance with law) that specifically provides for the restriction, direction, or authorization of appropriation for such person, program, project, entity, or jurisdiction.

''10. (a) On a point of order made by any Senator, no new or general legislation, nor any unauthorized appropriation, new matter, or nongermane matter may be included in any conference report on a general appropriation bill.

''(b) If the point of order against a conference report under subparagraph (a) is sustained—

''(1) the new or general legislation, unauthorized appropriation, new matter, or nongermane matter in such conference report shall be deemed to have been struck;

''(2) any modification of total amounts appropriated, as directed by the chairman of the Committee on the Budget, necessary to reflect the deletion of the matter struck shall be deemed to have been made and the allocation of discretionary budgetary resources allocated under section 302(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(2)) shall be deemed to be reduced accordingly;

''(3) when all other points of order under this paragraph have been disposed of—

''(A) the Senate shall proceed to consider the question of whether the Senate should recede from its amendment to the House bill, or its disagreement to the amendment of the House, and concur with a further amendment, which further amendment shall consist of only that portion of the conference report not deemed to have been struck (together with any modification of total amounts appropriated and reduction in the allocation of discretionary budgetary resources allocated under section 302(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(2)) deemed to have been made);

''(B) the question shall be debatable; and

''(C) no further amendment shall be in order; and

''(4) if the Senate agrees to the amendment, then the bill and the Senate amendment thereto shall be returned to the House for its concurrence in the amendment of the Senate.

''(c) The disposition of a point of order made under any other paragraph of this rule, or under any other Standing Rule of the Senate, that is not sustained, or is waived, does not preclude, or affect, a point of order made under subparagraph (a) with respect to the same matter.

''(d) A point of order under subparagraph (a) may be waived only by a motion agreed to by the affirmative vote of three-fifths of the Senators duly chosen and sworn. If an appeal is taken from the ruling of the Presiding Officer with respect to such a point of order, the ruling of the Presiding Officer shall be sustained absent an affirmative vote of three-fifths of the Senators duly chosen and sworn.

''(e) Notwithstanding any other rule of the Senate, it shall be in order for a Senator to raise a single point of order that several provisions of a conference report on a general appropriation bill violate subparagraph (a). The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some or all of the provisions against which the Senator raised the point of order, then only those provisions against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this paragraph. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order, in accordance with subparagraph (d), as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with the rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

''(f) For purposes of this paragraph:

''(1) The terms 'new or general legislation', 'new matter', and 'unauthorized appropriation' have the same meaning as in paragraph 9.

''(2) The term 'nongermane matter' has the same meaning as in Rule XXII and under the precedents attendant thereto, as of the beginning of the 109th Congress.''.

(b) PROHIBITION ON OBLIGATION OF FUNDS FOR APPROPRIATIONS EARMARKS INCLUDED ONLY IN CONGRESSIONAL REPORTS.—

(1) IN GENERAL.—No Federal agency may obligate any funds made available in an appropriation Act to implement an earmark that is included in a congressional report accompanying the appropriation Act, unless the earmark is also included in the appropriation Act.

(2) DEFINITIONS.—For purposes of this subsection:

(A) The term ''assistance'' includes an award, grant, loan, loan guarantee, contract, or other expenditure.

(B) The term ''congressional report'' means a report of the Committee on Appropriations

of the House of Representatives or the Senate, or a joint explanatory statement of a committee of conference.

(C) The term ''earmark'' means a provision that specifies the identity of an entity to receive assistance and the amount of the assistance.

(D) The term ''entity'' includes a State or locality.

(3) EFFECTIVE DATE.—This subsection shall apply to appropriation Acts enacted after December 31, 2006.

(c) LOBBYING ON BEHALF OF RECIPIENTS OF FEDERAL FUNDS.—The Lobbying Disclosure Act of 1995 is amended by adding after section 5 the following:

''SEC. 5A. REPORTS BY RECIPIENTS OF FEDERAL FUNDS.

''(a) IN GENERAL.—A recipient of Federal funds shall file a report as required by section 5(a) containing—

''(1) the name of any lobbyist registered under this Act to whom the recipient paid money to lobby on behalf of the Federal funding received by the recipient; and

''(2) the amount of money paid as described in paragraph (1).

''(b) DEFINITION.—In this section, the term 'recipient of Federal funds' means any recipient of Federal funds, including an award, grant, loan, loan guarantee, contract, or other expenditure.''.

SA 2985. Mr. MCCAIN (for himself, Mr. COBURN, MR. DEMINT, Mr. ENSIGN, Mr. GRAHAM, and Mr. SUNUNU) submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 16, between lines 3 and 4, insert the following:

SEC. 114. REFORM OF CONSIDERATION OF APPROPRIATIONS BILLS IN THE SENATE.

Rule XVI of the Standing Rules of the Senate is amended by adding at the end the following:

''9. (a) On a point of order made by any Senator:

''(1) No new or general legislation nor any unauthorized appropriation may be included in any general appropriation bill.

''(2) No amendment may be received to any general appropriation bill the effect of which will be to add an unauthorized appropriation to the bill.

''(3) No unauthorized appropriation may be included in any amendment between the Houses, or any amendment thereto, in relation to a general appropriation bill.

''(b)(1) If a point of order under subparagraph (a)(1) against a Senate bill or amendment is sustained—

''(A) the new or general legislation or unauthorized appropriation shall be struck from the bill or amendment; and

''(B) any modification of total amounts appropriated necessary to reflect the deletion of the matter struck from the bill or amendment, as directed by the chairman of the Committee on the Budget, shall be made and the allocation of discretionary budgetary resources allocated under section 302(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(2)) shall be reduced accordingly.

''(2) If a point of order under subparagraph (a)(1) against an Act of the House of Representatives is sustained when the Senate is not considering an amendment in the nature of a substitute, then an amendment to the House bill is deemed to have been adopted that—

''(A) strikes the new or general legislation or unauthorized appropriation from the bill; and

''(B) modifies, if necessary and as directed by the chairman of the Committee on the Budget, the total amounts appropriated by the bill to reflect the deletion of the matter struck from the bill and reduces the allocation of discretionary budgetary resources allocated under section 302(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(2)) accordingly.

''(c) If the point of order against an amendment under subparagraph (a)(2) is sustained, then the amendment shall be out of order and may not be considered.

''(d)(1) If a point of order under subparagraph (a)(3) against a Senate amendment is sustained, then—

''(A) the unauthorized appropriation shall be struck from the amendment;

''(B) any modification of total amounts appropriated, as directed by the chairman of the Committee on the Budget, necessary to reflect the deletion of the matter struck from the amendment shall be made and the allocation of discretionary budgetary resources allocated under section 302(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(2)) shall be reduced accordingly; and

''(C) after all other points of order under this paragraph have been disposed of, the Senate shall proceed to consider the amendment as so modified.

''(2) If a point of order under subparagraph (a)(3) against a House of Representatives amendment is sustained, then—

''(A) an amendment to the House amendment is deemed to have been adopted that—

''(i) strikes the new or general legislation or unauthorized appropriation from the House amendment; and

''(ii) modifies, if necessary and as directed by the chairman of the Committee on the Budget, the total amounts appropriated by the bill to reflect the deletion of the matter struck from the House amendment and reduces the allocation of discretionary budgetary resources allocated under section 302(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(2)) accordingly; and

''(B) after all other points of order under this paragraph have been disposed of, the Senate shall proceed to consider the question of whether to concur with further amendment.

''(e) The disposition of a point of order made under any other paragraph of this rule, or under any other Standing Rule of the Senate, that is not sustained, or is waived, does not preclude, or affect, a point of order made under subparagraph (a) with respect to the same matter.

''(f) A point of order under subparagraph (a) may be waived only by a motion agreed to by the affirmative vote of three-fifths of the Senators duly chosen and sworn. If an appeal is taken from the ruling of the Presiding Officer with respect to such a point of order, the ruling of the Presiding Officer shall be sustained absent an affirmative vote of three-fifths of the Senators duly chosen and sworn.

''(g) Notwithstanding any other rule of the Senate, it shall be in order for a Senator to raise a single point of order that several provisions of a general appropriation bill or an amendment between the Houses on a general appropriation bill violate subparagraph (a). The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some or all of the provisions against which the Senator raised the point of order, then only those provisions against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this paragraph. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order, in accordance with subparagraph (f), as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with the rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

''(h) For purposes of this paragraph:

''(1) The term 'new or general legislation' has the meaning given that term when it is used in paragraph 2 of this rule.

''(2) The term 'new matter' means matter not committed to conference by either House of Congress.

''(3)(A) The term 'unauthorized appropriation' means an appropriation—

''(i) not specifically authorized by law or Treaty stipulation (unless the appropriation has been specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law); or

''(ii) the amount of which exceeds the amount specifically authorized by law or Treaty stipulation (or specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law) to be appropriated.

''(B) An appropriation is not specifically authorized if it is restricted or directed to, or authorized to be obligated or expended for the benefit of, an identifiable person, program, project, entity, or jurisdiction by earmarking or other specification, whether by name or description, in a manner that is so restricted, directed, or authorized that it applies only to a single identifiable person, program, project, entity, or jurisdiction, unless the identifiable person, program, project, entity, or jurisdiction to which the restriction, direction, or authorization applies is described or otherwise clearly identified in a law or Treaty stipulation (or an Act or resolution previously passed by the Senate during the same session or in the estimate submitted in accordance with law) that specifically provides for the restriction, direction, or authorization of appropriation for such person, program, project, entity, or jurisdiction.

''10. (a) On a point of order made by any Senator, no new or general legislation, nor any unauthorized appropriation, new matter, or nongermane matter may be included in any conference report on a general appropriation bill.

''(b) If the point of order against a conference report under subparagraph (a) is sustained—

''(1) the new or general legislation, unauthorized appropriation, new matter, or nongermane matter in such conference report shall be deemed to have been struck;

''(2) any modification of total amounts appropriated, as directed by the chairman of the Committee on the Budget, necessary to reflect the deletion of the matter struck shall be deemed to have been made and the allocation of discretionary budgetary resources allocated under section 302(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(2)) shall be deemed to be reduced accordingly;

''(3) when all other points of order under this paragraph have been disposed of—

''(A) the Senate shall proceed to consider the question of whether the Senate should recede from its amendment to the House bill, or its disagreement to the amendment of the

House, and concur with a further amendment, which further amendment shall consist of only that portion of the conference report not deemed to have been struck (together with any modification of total amounts appropriated and reduction in the allocation of discretionary budgetary resources allocated under section 302(a)(2) of the Congressional Budget Act of 1974 (2 U.S.C. 633(a)(2)) deemed to have been made);

''(B) the question shall be debatable; and

''(C) no further amendment shall be in order; and

''(4) if the Senate agrees to the amendment, then the bill and the Senate amendment thereto shall be returned to the House for its concurrence in the amendment of the Senate.

''(c) The disposition of a point of order made under any other paragraph of this rule, or under any other Standing Rule of the Senate, that is not sustained, or is waived, does not preclude, or affect, a point of order made under subparagraph (a) with respect to the same matter.

''(d) A point of order under subparagraph (a) may be waived only by a motion agreed to by the affirmative vote of three-fifths of the Senators duly chosen and sworn. If an appeal is taken from the ruling of the Presiding Officer with respect to such a point of order, the ruling of the Presiding Officer shall be sustained absent an affirmative vote of three-fifths of the Senators duly chosen and sworn.

''(e) Notwithstanding any other rule of the Senate, it shall be in order for a Senator to raise a single point of order that several provisions of a conference report on a general appropriation bill violate subparagraph (a). The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some or all of the provisions against which the Senator raised the point of order, then only those provisions against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this paragraph. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order, in accordance with subparagraph (d), as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with the rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.

''(f) For purposes of this paragraph:

''(1) The terms 'new or general legislation', 'new matter', and 'unauthorized appropriation' have the same meaning as in paragraph 9.

''(2) The term 'nongermane matter' has the same meaning as in Rule XXII and under the precedents attendant thereto, as of the beginning of the 109th Congress.''.

SA 2986. Mr. MCCAIN (for himself, Mr. COBURN, MR. DEMINT, Mr. ENSIGN, Mr. GRAHAM, and Mr. SUNUNU) submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 16, between lines 3 and 4, insert the following:

SEC. 114. PROHIBITION ON OBLIGATION OF FUNDS FOR APPROPRIATIONS EARMARKS INCLUDED ONLY IN CONGRESSIONAL REPORTS.

(a) IN GENERAL.—No Federal agency may obligate any funds made available in an appropriation Act to implement an earmark that is included in a congressional report accompanying the appropriation Act, unless the earmark is also included in the appropriation Act.

(b) DEFINITIONS.—For purposes of this section:

(1) The term ''assistance'' includes an award, grant, loan, loan guarantee, contract, or other expenditure.

(2) The term ''congressional report'' means a report of the Committee on Appropriations of the House of Representatives or the Senate, or a joint explanatory statement of a committee of conference.

(3) The term ''earmark'' means a provision that specifies the identity of an entity to receive assistance and the amount of the assistance.

(4) The term ''entity'' includes a State or locality.

(c) EFFECTIVE DATE.—This section shall apply to appropriation Acts enacted after December 31, 2006.

SA 2987. Mr. MCCAIN (for himself, Mr. COBURN, MR. DEMINT, Mr. ENSIGN, Mr. GRAHAM, and Mr. SUNUNU) submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 16, between lines 3 and 4, insert the following:

SEC. 114. LOBBYING ON BEHALF OF RECIPIENTS OF FEDERAL FUNDS.

The Lobbying Disclosure Act of 1995 is amended by adding after section 5 the following:

''SEC. 5A. REPORTS BY RECIPIENTS OF FEDERAL FUNDS.

''(a) IN GENERAL.—A recipient of Federal funds shall file a report as required by section 5(a) containing—

''(1) the name of any lobbyist registered under this Act to whom the recipient paid money to lobby on behalf of the Federal funding received by the recipient; and

''(2) the amount of money paid as described in paragraph (1).

''(b) DEFINITION.—In this section, the term 'recipient of Federal funds' means any recipient of Federal funds, including an award, grant, loan, loan guarantee, contract, or other expenditure.''.

SA 2988. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

TITLE III—REFORM OF SECTION 527 ORGANIZATIONS

SEC. 301. SHORT TITLE.

This title may be cited as the ''527 Reform Act of 2005''.

SEC. 302. TREATMENT OF SECTION 527 ORGANIZATIONS.

(a) DEFINITION OF POLITICAL COMMITTEE.—Section 301(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(4)) is amended—

(1) by striking the period at the end of subparagraph (C) and inserting ''; or''; and

(2) by adding at the end the following:

''(D) any applicable 527 organization.''.

(b) DEFINITION OF APPLICABLE 527 ORGANIZATION.—Section 301 of such Act (2 U.S.C. 431) is amended by adding at the end the following new paragraph:

''(27) APPLICABLE 527 ORGANIZATION.—

''(A) IN GENERAL.—For purposes of paragraph (4)(D), the term 'applicable 527 organization' means a committee, club, association, or group of persons that—

''(i) has given notice to the Secretary of the Treasury under section 527(i) of the Internal Revenue Code of 1986 that it is to be treated as an organization described in section 527 of such Code; and

''(ii) is not described in subparagraph (B).

''(B) EXCEPTED ORGANIZATIONS.—A committee, club, association, or other group of persons described in this subparagraph is—

''(i) an organization described in section 527(i)(5) of the Internal Revenue Code of 1986;

''(ii) an organization which is a committee, club, association or other group of persons that is organized, operated, and makes disbursements exclusively for paying expenses described in the last sentence of section 527(e)(2) of the Internal Revenue Code of 1986 or expenses of a newsletter fund described in section 527(g) of such Code;

''(iii) an organization which is a committee, club, association, or other group that consists solely of candidates for State or local office, individuals holding State or local office, or any combination of either, but only if the organization refers only to one or more non-Federal candidates or applicable State or local issues in all of its voter drive activities and does not refer to a Federal candidate or a political party in any of its voter drive activities; or

''(iv) an organization described in subparagraph (C).

''(C) APPLICABLE ORGANIZATION.—For purposes of subparagraph (B)(iv), an organization described in this subparagraph is a committee, club, association, or other group of persons whose election or nomination activities relate exclusively to—

''(i) elections where no candidate for Federal office appears on the ballot; or

''(ii) one or more of the following purposes:

''(I) Influencing the selection, nomination, election, or appointment of one or more candidates to non-Federal offices.

''(II) Influencing one or more applicable State or local issues.

''(III) Influencing the selection, appointment, nomination, or confirmation of one or more individuals to non-elected offices.

''(D) EXCLUSIVITY TEST.—A committee, club, association, or other group of persons shall not be treated as meeting the exclusivity requirement of subparagraph (C) if it makes disbursements aggregating more than $1,000 for any of the following:

''(i) A public communication that promotes, supports, attacks, or opposes a clearly identified candidate for Federal office during the 1-year period ending on the date of the general election for the office sought by the clearly identified candidate (or, if a runoff election is held with respect to such general election, on the date of the runoff election).

''(ii) Any voter drive activity during a calendar year, except that no disbursements for any voter drive activity shall be taken into account under this subparagraph if the committee, club, association, or other group of persons during such calendar year—

''(I) makes disbursements for voter drive activities with respect to elections in only 1 State and complies with all applicable election laws of that State, including laws related to registration and reporting requirements and contribution limitations;

''(II) refers to one or more non-Federal candidates or applicable State or local issues in all of its voter drive activities and does

not refer to any Federal candidate or any political party in any of its voter drive activities;

''(III) does not have a candidate for Federal office, an individual who holds any Federal office, a national political party, or an agent of any of the foregoing, control or materially participate in the direction of the organization, solicit contributions to the organization (other than funds which are described under clauses (i) and (ii) of section 323(e)(1)(B)), or direct disbursements, in whole or in part, by the organization; and

''(IV) makes no contributions to Federal candidates.

''(E) CERTAIN REFERENCES TO FEDERAL CANDIDATES NOT TAKEN INTO ACCOUNT.—For purposes of subparagraphs (B)(iii) and (D)(ii)(II), a voter drive activity shall not be treated as referring to a clearly identified Federal candidate if the only reference to the candidate in the activity is—

''(i) a reference in connection with an election for a non-Federal office in which such Federal candidate is also a candidate for such non-Federal office; or

''(ii) a reference to the fact that the candidate has endorsed a non-Federal candidate or has taken a position on an applicable State or local issue, including a reference that constitutes the endorsement or position itself.

''(F) CERTAIN REFERENCES TO POLITICAL PARTIES NOT TAKEN INTO ACCOUNT.—For purposes of subparagraphs (B)(iii) and (D)(ii)(II), a voter drive activity shall not be treated as referring to a political party if the only reference to the party in the activity is—

''(i) a reference for the purpose of identifying a non-Federal candidate;

''(ii) a reference for the purpose of identifying the entity making the public communication or carrying out the voter drive activity; or

''(iii) a reference in a manner or context that does not reflect support for or opposition to a Federal candidate or candidates and does reflect support for or opposition to a State or local candidate or candidates or an applicable State or local issue.

''(G) APPLICABLE STATE OR LOCAL ISSUE.—For purposes of this paragraph, the term 'applicable State or local issue' means any State or local ballot initiative, State or local referendum, State or local constitutional amendment, State or local bond issue, or other State or local ballot issue.''.

(c) DEFINITION OF VOTER DRIVE ACTIVITY.—Section 301 of such Act (2 U.S.C. 431), as amended by subsection (b), is further amended by adding at the end the following new paragraph:

''(28) VOTER DRIVE ACTIVITY.—The term 'voter drive activity' means any of the following activities conducted in connection with an election in which a candidate for Federal office appears on the ballot (regardless of whether a candidate for State or local office also appears on the ballot):

''(A) Voter registration activity.

''(B) Voter identification.

''(C) Get-out-the-vote activity.

''(D) Generic campaign activity.

''(E) Any public communication related to activities described in subparagraphs (A) through (D).

Such term shall not include any activity described in subparagraph (A) or (B) of section 316(b)(2).''.

(d) REGULATIONS.—The Federal Election Commission shall promulgate regulations to implement this section not later than 60 days after the date of enactment of this Act.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date which is 60 days after the date of enactment of this Act.

SEC. 303. RULES FOR ALLOCATION OF EXPENSES BETWEEN FEDERAL AND NON-FEDERAL ACTIVITIES.

(a) IN GENERAL.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by adding at the end the following:

''SEC. 325. ALLOCATION AND FUNDING RULES FOR CERTAIN EXPENSES RELATING TO FEDERAL AND NON-FEDERAL ACTIVITIES.

''(a) IN GENERAL.—In the case of any disbursements by any political committee that is a separate segregated fund or nonconnected committee for which allocation rules are provided under subsection (b)—

''(1) the disbursements shall be allocated between Federal and non-Federal accounts in accordance with this section and regulations prescribed by the Commission; and

''(2) in the case of disbursements allocated to non-Federal accounts, may be paid only from a qualified non-Federal account.

''(b) COSTS TO BE ALLOCATED AND ALLOCATION RULES.—

''(1) IN GENERAL.—Disbursements by any separate segregated fund or nonconnected committee, other than an organization described in section 323(b)(1), for any of the following categories of activity shall be allocated as follows:

''(A) 100 percent of the expenses for public communications or voter drive activities that refer to one or more clearly identified Federal candidates, but do not refer to any clearly identified non-Federal candidates, shall be paid with funds from a Federal account, without regard to whether the communication refers to a political party.

''(B) At least 50 percent, or a greater percentage if the Commission so determines by regulation, of the expenses for public communications and voter drive activities that refer to one or more clearly identified candidates for Federal office and one or more clearly identified non-Federal candidates shall be paid with funds from a Federal account, without regard to whether the communication refers to a political party.

''(C) At least 50 percent, or a greater percentage if the Commission so determines by regulation, of the expenses for public communications or voter drive activities that refer to a political party, but do not refer to any clearly identified Federal or non-Federal candidate, shall be paid with funds from a Federal account, except that this paragraph shall not apply to communications or activities that relate exclusively to elections where no candidate for Federal office appears on the ballot.

''(D) At least 50 percent, or a greater percentage if the Commission so determines by regulation, of the expenses for public communications or voter drive activities that refer to a political party and refer to one or more clearly identified non-Federal candidates, but do not refer to any clearly identified Federal candidates, shall be paid with funds from a Federal account, except that this paragraph shall not apply to communications or activities that relate exclusively to elections where no candidate for Federal office appears on the ballot.

''(E) Unless otherwise determined by the Commission in its regulations, at least 50 percent of any administrative expenses, including rent, utilities, office supplies, and salaries not attributable to a clearly identified candidate, shall be paid with funds from a Federal account, except that for a separate segregated fund such expenses may be paid instead by its connected organization.

''(F) At least 50 percent, or a greater percentage if the Commission so determines by regulation, of the direct costs of a fundraising program or event, including disbursements for solicitation of funds and for planning and administration of actual fundraising events, where Federal and non-Federal funds are collected through such program or event shall be paid with funds from a Federal account, except that for a separate segregated fund such costs may be paid instead by its connected organization. This paragraph shall not apply to any fundraising solicitations or any other activity that constitutes a public communication.

''(2) CERTAIN REFERENCES TO FEDERAL CANDIDATES NOT TAKEN INTO ACCOUNT.—For purposes of paragraph (1), a public communication or voter drive activity shall not be treated as referring to a clearly identified Federal candidate if the only reference to the candidate in the communication or activity is—

''(A) a reference in connection with an election for a non-Federal office in which such Federal candidate is also a candidate for such non-Federal office; or

''(B) a reference to the fact that the candidate has endorsed a non-Federal candidate or has taken a position on an applicable State or local issue (as defined in section 301(27)(G)), including a reference that constitutes the endorsement or position itself.

''(3) CERTAIN REFERENCES TO POLITICAL PARTIES NOT TAKEN INTO ACCOUNT.—For purposes of paragraph (1), a public communication or voter drive activity shall not be treated as referring to a political party if the only reference to the party in the communication or activity is—

''(A) a reference for the purpose of identifying a non-Federal candidate;

''(B) a reference for the purpose of identifying the entity making the public communication or carrying out the voter drive activity; or

''(C) a reference in a manner or context that does not reflect support for or opposition to a Federal candidate or candidates and does reflect support for or opposition to a State or local candidate or candidates or an applicable State or local issue.

''(c) QUALIFIED NON-FEDERAL ACCOUNT.—

''(1) IN GENERAL.—For purposes of this section, the term 'qualified non-Federal account' means an account which consists solely of amounts—

''(A) that, subject to the limitations of paragraphs (2) and (3), are raised by the separate segregated fund or nonconnected committee only from individuals, and

''(B) with respect to which all requirements of Federal, State, or local law (including any law relating to contribution limits) are met.

''(2) LIMITATION ON INDIVIDUAL DONATIONS.—

''(A) IN GENERAL.—A separate segregated fund or nonconnected committee may not accept more than $25,000 in funds for its qualified non-Federal account from any one individual in any calendar year.

''(B) AFFILIATION.—For purposes of this paragraph, all qualified non-Federal accounts of separate segregated funds or nonconnected committees which are directly or indirectly established, financed, maintained, or controlled by the same person or persons shall be treated as one account.

''(3) FUNDRAISING LIMITATION.—

''(A) IN GENERAL.—No donation to a qualified non-Federal account may be solicited, received, directed, transferred, or spent by or in the name of any person described in subsection (a) or (e) of section 323.

''(B) FUNDS NOT TREATED AS SUBJECT TO ACT.—Except as provided in subsection (a)(2) and this subsection, any funds raised for a qualified non-Federal account in accordance with the requirements of this section shall not be considered funds subject to the limitations, prohibitions, and reporting requirements of this Act for any purpose (including

for purposes of subsection (a) or (e) of section 323 or subsection (d)(1) of this section).

''(d) DEFINITIONS.—

''(1) FEDERAL ACCOUNT.—The term 'Federal account' means an account which consists solely of contributions subject to the limitations, prohibitions, and reporting requirements of this Act. Nothing in this section or in section 323(b)(2)(B)(iii) shall be construed to infer that a limit other than the limit under section 315(a)(1)(C) applies to contributions to the account.

''(2) NONCONNECTED COMMITTEE.—The term 'nonconnected committee' shall not include a political committee of a political party.

''(3) VOTER DRIVE ACTIVITY.—The term 'voter drive activity' has the meaning given such term in section 301(28).''.

(b) REPORTING REQUIREMENTS.—Section 304(e) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(e)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5); and

(2) by inserting after paragraph (2) the following new paragraph:

''(3) RECEIPTS AND DISBURSEMENTS FROM QUALIFIED NON-FEDERAL ACCOUNTS.—In addition to any other reporting requirement applicable under this Act, a political committee to which section 325(a) applies shall report all receipts and disbursements from a qualified non-Federal account (as defined in section 325(c)).''.

(c) REGULATIONS.—The Federal Election Commission shall promulgate regulations to implement the amendments made by this section not later than 180 days after the date of enactment of this Act.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date which is 180 days after the date of enactment of this Act.

SEC. 304. CONSTRUCTION.

No provision of this title, or amendment made by this title, shall be construed—

(1) as approving, ratifying, or endorsing a regulation promulgated by the Federal Election Commission;

(2) as establishing, modifying, or otherwise affecting the definition of political organization for purposes of the Internal Revenue Code of 1986; or

(3) as affecting the determination of whether a group organized under section 501(c) of the Internal Revenue Code of 1986 is a political committee under section 301(4) of the Federal Election Campaign Act of 1971.

SEC. 305. JUDICIAL REVIEW.

(a) SPECIAL RULES FOR ACTIONS BROUGHT ON CONSTITUTIONAL GROUNDS.—If any action is brought for declaratory or injunctive relief to challenge the constitutionality of any provision of this title or any amendment made by this title, the following rules shall apply:

(1) The action shall be filed in the United States District Court for the District of Columbia and shall be heard by a 3-judge court convened pursuant to section 2284 of title 28, United States Code.

(2) A copy of the complaint shall be delivered promptly to the Clerk of the House of Representatives and the Secretary of the Senate.

(3) A final decision in the action shall be reviewable only by appeal directly to the Supreme Court of the United States. Such appeal shall be taken by the filing of a notice of appeal within 10 days, and the filing of a jurisdictional statement within 30 days, of the entry of the final decision.

(4) It shall be the duty of the United States District Court for the District of Columbia and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of the action and appeal.

(b) INTERVENTION BY MEMBERS OF CONGRESS.—In any action in which the constitutionality of any provision of this title or any amendment made by this title is raised (including but not limited to an action described in subsection (a)), any Member of the House of Representatives (including a Delegate or Resident Commissioner to Congress) or Senate shall have the right to intervene either in support of or opposition to the position of a party to the case regarding the constitutionality of the provision or amendment. To avoid duplication of efforts and reduce the burdens placed on the parties to the action, the court in any such action may make such orders as it considers necessary, including orders to require intervenors taking similar positions to file joint papers or to be represented by a single attorney at oral argument.

(c) CHALLENGE BY MEMBERS OF CONGRESS.—Any Member of Congress may bring an action, subject to the special rules described in subsection (a), for declaratory or injunctive relief to challenge the constitutionality of any provision of this title or any amendment made by this title.

(d) APPLICABILITY.—

(1) INITIAL CLAIMS.—With respect to any action initially filed on or before December 31, 2008, the provisions of subsection (a) shall apply with respect to each action described in such subsection.

(2) SUBSEQUENT ACTIONS.—With respect to any action initially filed after December 31, 2008, the provisions of subsection (a) shall not apply to any action described in such subsection unless the person filing such action elects such provisions to apply to the action.

SEC. 306. SEVERABILITY.

If any provision of this title or any amendment made by this title, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this title and the amendments made by this title, and the application of the provisions and amendments to any person or circumstance, shall not be affected by the holding.

SA 2989. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

On page 6, line 7, strike ''for at least 24 hours before its consideration.'' and insert ''for (1) at least 24 hours before its consideration; and (2) for at least 72 hours before its consideration if at least 35 percent of the conferees have filed a notice with the Senate that such final conference report was not debated and voted upon in open session.''

SA 2990. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

At the appropriate place, insert the following:

SEC. ____. AMENDMENTS AND MOTIONS TO RECOMMIT.

Paragraph 1 of rule XV of the Standing Rules of the Senate is amended to read as follows:

''1. (a) Except as provided in subparagraph (b), all motions and amendments shall be reduced to writing, if desired by the Presiding Officer or by any Senator, and shall be read before being debated.

''(b) All amendments and all motions to recommit with instructions, shall be reduced to writing and copied and provided by the clerk to the desks of the Majority Leader and the Minority Leader and shall be read before being debated.''.

SA 2991. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

On page 6, line 7, strike ''24 hours'' and insert ''48 hours''.

SA 2992. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

On page 6, after line 7, insert the following:

''8. It shall not be in order to consider a report of a committee of conference under paragraph 1 of this rule unless an official written cost estimate or table by the Congressional Budget Office is available at the time of consideration.''.

SA 2993. Mr. CONRAD submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

On page 6, after line 19, insert the following:

(c) CBO SCORE.—Section 312 of the Congressional Budget Act of 1974 (2 U.S.C. 643) is amended by adding at the end the following:

''(g) CBO SCORE FOR CONFERENCE REPORTS.—It shall not be in order to consider a report of a committee of conference for any measure that has a budgetary impact unless an official written cost estimate or table by the Congressional Budget Office is available at the time of consideration.''.

SA 2994. Mr. BENNETT submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

Strike Title 2, Section 220.

SA 2995. Mr. OBAMA submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

SEC. ____. PROHIBITION ON PAID COORDINATION LOBBYING ACTIVITIES.

Rule XXXVII of the Standing Rules of the Senate is amended by adding at the end the following:

''13. A Member of the Senate or an employee of the Senate earning in excess of 75 percent of the salary paid to a Senator shall not engage in paid lobbying activity in the year after leaving the employment of the Senate, which shall include the development, coordination, or supervision of strategy or activity for the purpose of influencing legislation before either House of Congress.''.

SA 2996. Mr. HAGEL (for himself and Mr. SUNUNU) submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process;

which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. AUDIT AND STUDY RELATING TO GOVERNMENT-SPONSORED ENTERPRISES.

(a) ANNUAL AUDITS.—The Secretary of Housing and Urban Development shall annually conduct an audit of the Fannie Mae Foundation and the Freddie Mac Foundation, or any successors thereto.

(b) STUDY AND REPORT ON LOBBYING ACTIVITIES.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study of the lobbying activities of government-sponsored entities to examine whether such activities further each of their congressionally chartered missions.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit a report to Congress on the results of the study under paragraph (1).

(c) DEFINITIONS.—As used in this section, the term ''government-sponsored enterprise'' means—

(1) the Federal National Mortgage Association and any affiliate thereof;

(2) the Federal Home Loan Mortgage Corporation and any affiliate thereof; and

(3) the Federal home loan banks.

SA 2997. Ms. COLLINS submitted an amendment intended to be proposed by her to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 16, line 8 strike ''the'' and ''Transparency'', strike ''Legislative'' and insert ''Lobbying.''

On page 44, line 18 between ''section'' and ''; or'' strike ''503'' and insert ''263.''

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. COLEMAN. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to conduct a hearing during the session of the Senate on Thursday, March 9, 2006, at 10:30 a.m. in SR328A, Senate Russell Office Building. The purpose of this committee hearing will be to review the United States Department of Agriculture's Management and Oversight of the Packers and Stockyards Act

The PRESIDING, OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. COLEMAN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 9, 2006, at 9:30 a.m., in open session to receive testimony on the defense authorization request for fiscal year 2007 and the future year's defense program.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. COLEMAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 9, 2006, at 10 a.m., to conduct a hearing on ''A Review of Self-Regulatory Organizations in the Securities Markets.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. COLEMAN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, March 9, 2006, at 3:15 p.m., on Nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. COLEMAN. 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 Thursday, March 9 at 10 a.m. The purpose of this hearing is to consider the pending nominations of Raymond L. Orbach, of California, to be under Secretary for Science, Department of Energy; Alexander A. Karsner, of Virginia, to be an Assistant Secretary of Energy (Energy Efficiency and Renewable Energy); Dennis R. Spurgeon, of Florida, to be Assistant Secretary of Energy (Nuclear Energy); and David Longly Benhardt, of Colorado, to be solicitor of the Department of the Interior.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. COLEMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, March 9, 2006, at 9 a.m. in Senate Dirksen Building Room 226.

Agenda

I. Nominations: Steven G. Bradbury, to be an Assistant Attorney General for the Office of Legal Counsel; John F. Clark, to be Director of the United States Marshals Service; Donald J. DeGabrielle, Jr., to be U.S. Attorney for the Southern District of Texas; John Charles Richter, to be U.S. Attorney for the Western District of Oklahoma; Amul R. Thapar, to be U.S. Attorney for the Eastern District of Kentucky; Mauricio J. Tamargo, to be Chairman of the Foreign Claims Settlement Commission of the United States.

II. Bills: S. ___Comprehensive Immigration Reform, Chairman's Mark; S. 1768, A bill to permit the televising of Supreme Court proceedings; Specter, Leahy, Cornyn, Grassley, Schumer, Feingold, Durbin; S. 829, Sunshine in the Courtroom Act of 2005; Grassley, Schumer, Cornyn, Leahy, Feingold, Durbin, Graham, DeWine, Specter; S. 489, Federal Consent Decree Fairness Act; Alexander, Kyl, Cornyn, Graham, Hatch; S. 2039, Prosecutors and Defenders Incentive Act of 2005; Durbin, Specter, DeWine, Leahy, Kennedy, Feinstein, Feingold; S. 2292, A bill to provide relief for the Federal judiciary from excessive rent charges; Specter, Leahy, Cornyn, Feinstein, Biden.

III. Matters: S.J. Res. 1, Marriage Protection Amendment, Allard, Sessions, Kyl, Hatch, Cornyn, Coburn, Brownback.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. COLEMAN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate for a hearing entitled, ''The President's FY2007 Budget Request and Legislative Proposals for the SBA'' on Thursday, March 9, 2006, beginning at 10 a.m. in room 428A of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. COLEMAN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Thursday, March 9, 2006, to hear the legislative presentation of the Paralyzed Veterans of America, the Blinded Veterans of America, the Non-Commissioned Officers Association, the Military Order of the Purple Heart, and the Jewish War Veterans.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. COLEMAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 9, 2006 at 2:30 p.m. to hold a closed business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. COLEMAN. Mr. President, I as unanimous consent that the Special Committee on Aging be authorized to meet Thursday, March 9, 2006 from 10 a.m.–12 p.m. in Dirksen 138 for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CLEAR AIR, CLIMATE CHANGE AND NUCLEAR SAFETY

Mr. COLEMAN. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air, Climate Change, and Nuclear Safety be authorized to hold a hearing on Thursday, March 9th at 9:30 a.m. to conduct oversight of the Nuclear Regulatory Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CONSTITUTION, CIVIL RIGHTS AND PROPERTY RIGHTS

Mr. COLEMAN. Mr. President, I ask unanimous consent that the Subcommittee on Constitution, Civil Rights and Property Rights be authorized to meet to conduct a markup to

consider S.J. Res. 12, The Flag Desecration Resolution on Thursday, March 9, 2006 at 1:30 p.m. in Dirksen Senate Office Building Room 226.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, AND INTERNATIONAL SECURITY

Mr. COLEMAN. Mr. President, I ask unanimous consent that the Subcommittee on Federal Financial Management, Government Information, and International Security be authorized to meet on Thursday, March 9, 2006, at 2:30 p.m. for a hearing regarding ''Reporting Improper Payments: A Report Card on Agencies' Progress''

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. McCONNELL. Mr. President, I ask unanimous consent that at 10 a.m. on Monday, March 13, the Senate begin consideration of the budget resolution, if available; provided further that the time until 11:30 be equally divided; and I further ask that the Senate then proceed to a period of morning business from the hours of 11:30 to 1:30 p.m. with that time equally divided.

I further ask unanimous consent that at 1:30 the Senate resume consideration of the budget resolution.

Finally, I ask unanimous consent that on Friday, March 10, it be in order for the Budget Committee to file reported legislation from 11 a.m. to 12 noon.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING ROSEY FLETCHER FOR WINNING GIANT SLALOM OLYMPIC BRONZE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 396 which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 396) congratulating Rosey Fletcher for winning the Giant Slalom Olympic Bronze Medal.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 396) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 396

Whereas on February 23, 2006, Rosey Fletcher became the first woman from the United States to win an Olympic medal in the parallel giant slalom;

Whereas Rosey Fletcher won a bronze medal for her performance at the 2006 Torino Olympic Winter Games;

Whereas Rosey Fletcher is the only snowboarder to have competed in 3 Winter Olympic Games;

Whereas Rosey Fletcher was a silver medalist at the 1999 and 2001 world championships and is ranked 8th in the parallel giant slalom on the World Cup circuit;

Whereas February 23, 2006, was declared ''Rosey Fletcher Day'' by Alyeska Resort in honor of her Olympic achievement and mentoring of young Alaskan athletes; and

Whereas Rosey Fletcher is a hometown hero from Girdwood, Alaska: Now, therefore, be it

Resolved, That the Senate congratulates Rosey Fletcher for winning the bronze medal in the parallel giant slalom.

RECOGNIZING THE HISTORY AND ACHIEVEMENTS OF THE CURLING COMMUNITY OF BEMIDJI, MINNESOTA

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to consideration of S. Res. 397 which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 397) recognizing the history and achievements of the curling community of Bemidji, Minnesota.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 397) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 397

Whereas the citizens of Bemidji, Minnesota, have enjoyed the sport of curling ever since the Hibbing Curling Club demonstrated the sport during the Winter Carnival of 1932;

Whereas many families who live in Bemidji have participated in the sport for over 4 generations, the latest of whom enjoy the opportunity to enroll in high school courses that are held at the Bemidji Curling Club and focus on the fundamentals of curling;

Whereas members of the Bemidji community gathered at the Tourist Information Building and organized the now famous Bemidji Curling Club on January 13, 1935;

Whereas the Club brought the Bemidji community together, as members routinely shared their equipment with fellow curlers until the Club could afford to purchase a sufficient supply of stones, brooms, and other items;

Whereas the Bemidji Curling Club has promoted the participation of women in the sport of curling for almost 60 years;

Whereas the tireless efforts of parents and fellow members of the Club have inspired a large number of youths in the Bemidji community to participate in junior leagues;

Whereas teams belonging to the Bemidji Curling Club have won over 50 State and national titles;

Whereas, after producing generations of champion curlers, the City of Bemidji, the Bemidji Curling Club, and the town of Chisolm have the honor of calling themselves the home of the 2006 United States Men's and Women's Olympic Curling Teams;

Whereas the citizens of Bemidji and Chisolm celebrated the strong performances of each Olympic curling team, and watched with pride as the Men's Olympic Curling Team captured the bronze medal in Torino; and

Whereas the Bemidji Curling Club and the City of Bemidji continues to foster the growth and development of curling by hosting the United States World Team Trials in March of 2006: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the curling community of Bemidji for its efforts in promoting the sport of curling in Minnesota and the United States; and

(2) respectfully requests the Enrolling Clerk of the Senate to transmit an enrolled copy of this resolution to—

(A) the City of Bemidji; and

(B) the Bemidji Curling Club.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that at 5:30 p.m. on Monday, March 13, the Senate proceed to executive session and an immediate vote on the confirmation of Calendar No. 520, Leo Gordon to be a Judge of the United States Court of International Trade; provided further that following that vote the President be immediately notified of the Senate's action and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATIONS RECOMMITTED

Mr. McCONNELL. Mr. President, as in executive session, I ask unanimous consent that Executive Calendar Nos. 550 and 561 be recommitted to the HELP Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, MARCH 13, 2006

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 a.m. on Monday, March 13; 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 the budget resolution as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. McCONNELL. Mr. President, I say to our colleagues, we have a number of items to complete next week before the March recess. This afternoon,

the Committee on the Budget, under the leadership of Chairman GREGG, ordered reported a budget resolution that we will take up for floor consideration on Monday at 10 o'clock. In addition to the budget resolution, we will have to address the debt limit and other Executive Calendar items. We will have a full week, and Members should expect some late nights.

The first vote of next week will occur on Monday at 5:30. This vote will be on an Executive Calendar item.

ADJOURNMENT UNTIL MONDAY, MARCH 13, 2006, AT 10 A.M.

Mr. MCCONNELL. Therefore, Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:42 p.m., adjourned until Monday, March 13, 2006, at 10 a.m.

EXTENSIONS OF REMARKS

CONGRATULATING THE SLOVAK LEAGUE OF AMERICA ON THE OCCASION OF ITS 54TH CONGRESS IN SCRANTON, PENNSYLVANIA

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to the Slovak League of America which is celebrating its 54th Congress on March 31 in Scranton, Pennsylvania, an event hosted by the Ladies Pennsylvania Slovak Catholic Union.

The Slovak League of America is a civic and cultural federation of Americans of Slovak ancestry that was founded in Cleveland, Ohio, in 1907.

The Slovak League was founded in response to the need to bring the sad political and social plight of the Slovak nation to the attention of all Americans.

Since Slovakia's independence from the Czech Republic in 1993, the Slovak League actively promotes close American-Slovak ties through various cultural and educational exchanges and projects.

As an umbrella organization, it represents the overwhelming majority of organized Americans of Slovak ancestry. The Slovak League remains a positive bridge uniting the old world and the new so that Slovak culture and traditions are better appreciated. Slovak Americans can be very proud of their many contributions to the cultural, educational, business and religious traditions which form the fabric of American life.

Mr. Speaker, please join me in congratulating the Slovak League of America on this auspicious occasion. The determination and commitment of a proud people to celebrate their ethnic heritage and pass on their cultural traditions to new generations enriches the quality of life in this nation for all and should be applauded.

CONGRATULATING MS. CHELSEA COOK

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Ms. Chelsea Cooke for being named to the 2006 University Interscholastic League Class 2A All-Tournament team for girl's basketball. Ms. Cook helped lead Argyle to its first state championship in any team sport with the 51–33 victory over Wall in the Texas State Championship Game.

In addition to her valuable teamwork in the state championship game, Cook shined as she dominated in the semifinal win over Poth, just missing a triple-double with 14 points, 8 rebounds and 8 assists. She then followed that up with seven points, eight rebounds and five assists in the title game.

Chelsea Cook has illustrated her talent and team spirit. She is very deserving to be named as a member of the All-Tournament team.

I extend my sincere congratulations to Ms. Chelsea Cook on receiving this award and praise her dedication to help fellow teammates, her sport, and her school.

PAYING TRIBUTE TO MARIANNE BLUM FOR 50 YEARS IN THE NURSING PROFESSION

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Marianne Blum, who, this month, will pass the 50-year mark in her career as a nurse.

Enrolled in grammar school 2 years early and finishing high school a year ahead of her classmates, Marianne entered the Long Island College Hospital School of Nursing at age 16. After graduating in 1956, she began her career at the Manhattan Veterans Hospital, and then moved to Queens General Medical Center to be a surgical staff nurse. There, she met her husband Herbert, an emergency room physician. The two moved to California in the 1980s.

Marianne is known for her compassionate, kind and level headed demeanor. Even in chaotic situations she can be counted on for excellent care. Patients will say that she does everything she can to make sure they are comfortable and keep their dignity and self esteem while being institutionalized.

At the age of 66, Marianne is currently working at Del Mar Gardens Nursing and Rehabilitation Center, a long-term assisted care center in Henderson, NV. Retirement is nowhere in her near future and, at a time when nursing shortages are a nationwide concern, her continued service is greatly appreciated.

Mr. Speaker, it is an honor to recognize Marianne Blum on the floor of the House. She is a fine example of the workforce in Nevada and a good role model for aspiring young women.

A TRIBUTE TO SARAH KEYS EVANS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Sarah Keys Evans, a distinguished member of hte Brooklyn community. It behooves us to pay tribute to this outstanding leader and I hope my colleagues will join me in recognizing her impressive accomplishments.

Sarah Keys Evans was born in rural Washington, NC, in 1929. As the second oldest of seven children, she lived in a small community and is a proud graduate of Mercy Catholic High School. She went on to Perth Amboy, NJ Hospital School of Nursing in 1948, and moved to New York that December. She found a kind home at the Franciscan Handmaids of Mary Convent in Harlem for Career Girls, and remained in New York for 2 years before enlisting in the Women Army Corps in 1951.

Following her honorable discharge as a private first class in 1953, she worked full-time and attended beauty school at night. What followed was a successful 30-year career as a hair stylist, including her ownership of Glamour Nook, Ltd. However, Sarah Keys Evans had no way of knowing that her stand for dignity would lay the foundation for Rosa Parks and the Montgomery, AL, bus boycott.

In August 1952, while traveling home on furlough from the Army in uniform, Sarah Keys Evans was asked to give up her seat on the bus for a white sailor. She refused and was arrested and fined $25.00 for her actions. Her proud stance led to a 3-year legal battle that culminated in the historic ruling that outlawed segregation in interstate bus travel. In November of 1955, the Interstate Commerce Commission reversed the "separate but equal" policy and ruled that black passengers who paid the same amount for rail and bus fare as white passengers must receive the same service, without being shunted into seats reserved only for Blacks.

Sarah Keys Evans's brave actions resulted in many well-deserved honors. Her contributions to America's civil rights movement brought an award from the New York State Beauty Culture Association and the Martin Luther King, Jr. "Living the Dream Award."

The former Sarah L. Keys married George C. Evans, Jr., a native of Beaumont, TX, in 1958. She has lived in Brooklyn since 1954.

Mr. Speaker, I believe that it is incumbent on this body to recognize the accomplishments of Sarah Keys Evans, as she offers her talents, perseverance and community services for the good of our Nation.

Mr. Speaker, Sarah Keys Evan's selfless service has continuously demonstrated a level of altruistic dedication that makes her most worthy of our recognition today.

Mr. Speaker, please join our community in honoring Sarah Keys Evans for her dedication and outstanding service to our community.

CONGRATULATING THE 2005 PENN HIGH SCHOOL SPELL BOWL TEAM ON WINNING THE STATE CHAMPIONSHIP

HON. CHRIS CHOCOLA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. CHOCOLA. Mr. Speaker, I rise today to congratulate the 2005 Penn High School Spell Bowl Team on winning its seventh consecutive Indiana State Championship on November 12, 2005.

This incredible team won all six of its invitational competitions in 2005, as well as eight consecutive regional championships.

The Penn High School Spell Bowl Team has been unbeaten since the beginning of the 1999 season, winning a State-best 44 consecutive competition championships.

The 2005 Penn High School Spell Bowl team members are Carolyn Chang, Jenny DeVito, Linda Huang, Josh Kelver, Kelsey McClure, Calvin Molnar, Jasmyn Russell, Kurt Vanlandingham, Yeona Chun, Sarah Han, Eunice Jeong, Sarah Kiefer, Adam McGinn, Vik Rao, Courtney Stuck, Justin Villa, Ashika David, Alvin Hu, Virginian Johnson, Alissa Kish, Laura McGinn, Brendan Roberts, Naoko Sugama, and Abby Walton.

The team is coached by Pete De Kever.

Mr. Speaker, this amazing team deserves our admiration, but without the support and help of their parents, these young men and women would not have been able to accomplish these great things, so I stand here to congratulate them as well.

On behalf of the citizens of the Second Congressional District of Indiana, I congratulate the Penn High School Spell Bowl Team on winning the 2005 Indiana State Spell Bowl Championships.

IN HONOR OF THE 60TH ANNIVERSARY OF THE CATHOLIC WAR VETERANS, POST 579 OF SS. CYRIL AND METHODIUS CATHOLIC CHURCH OF LAKEWOOD, OHIO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of all members past and present, of the Catholic War Veterans, Post 579, as they commemorate sixty years of unity, honor and steadfast service to our community and to our country.

The members of the Catholic War Veterans, Post 579, reflect a legacy of support andfriendship for United States Veterans and their families. Their individual and collective service is framed in honor, integrity, courage and great sacrifice. The Catholic War Veterans, representing all branches of the U.S. Armed Forces, is a brethren of soldiers connected by triumph, tragedy and is held aloft by friendship, faith and community.

Led by Post Commander and WWII Veteran John Sterba, the Catholic War Veterans volunteer their time and efforts to ensure that the memory and service of the men and women who served our country, will never be forgotten. Every Memorial Day for the past fifty-four years, nearly 14,000 American Flags mark the graves of veterans laid to rest at Holy Cross Cemetery—a unified community endeavor organized and carried out annually by the Catholic War Veterans and volunteers from local churches.

Mr. Speaker and Colleagues, please join me in honor and recognition of the 60th Anniversary of the Catholic War Veterans, Post 579, of SS. Cyril and Methodius Catholic Church. Unwavering service and deep sacrifice personifies the duty of our United States Veterans, forever reflecting humankind's innate struggle and quest for peace, justice and resolution—and their individual and collective contribution to our Nation will be remembered for all time.

TRIBUTE TO WILSON HIGH SCHOOL

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to an extraordinary group of students and their dedicated teacher and mentor. They are one of the American Government classes from Wilson High School and will represent the state of South Carolina in the national We the People . . . The Citizen and the Constitution Mock Congressional Hearing Competition. That event will be held here in Washington, DC during the month of April. Located in Florence, South Carolina, Wilson High School is one of the outstanding public schools I proudly represent in this body.

These young scholars have worked diligently to reach the national finals and through their experiences have gained profound knowledge and understanding of the fundamental principles and values of our constitutional democracy.

The students are: Jordan Berry, Robert Bonanno, Alyssa Carver, Kevin Cielo, Alexx Diera, Amanda Fan, Jessica Frieson, Carrie Goforth, Meagan Harley, James Howell, David Hubbs, Praveen Jacob, Challis King, Amit Om, Bradley Orr, Louis Palles, Robert Razick, Daniel Schuetz, and Ana Weiland.

In addition, I would like to commend their teacher, Yvonne Rhodes, who deserves much of the credit for the success of the class. This is the third time Mrs. Rhoads has led a team of Wilson High Students to these national competitions. We certainly hope for their continued success. Also worthy of special recognition is Beth DeHart, the state coordinator, and Marsha Burch, the district coordinator, who are among those responsible for implementing the We the People program in my district.

We the People is one of the most extensive educational programs in the country specifically developed to educate young people about the Constitution and the Bill of Rights. The three-day national competition is modeled after congressional hearings and they consist of oral presentations by the high school students before a panel of judges. The students' testimony is followed by a period of questioning by the simulated congressional committee. The judges probe students for their depth of understanding and ability to apply their constitutional knowledge.

Findings suggest that national finalists are less cynical about politics and public officials and participate in politics at a higher rate than do their peers. Administered by the Center for Civic Education, the We the People program has provided curriculum materials at the upper elementary, middle, and high school levels for more than 26.5 million students nationwide. Members of Congress and our staffs enhance the program by discussing current constitutional issues with students and teachers and by participating in other educational activities. As a former high school history teacher, I am pleased to know that this program provides students with a working knowledge of our Constitution, Bill of Rights, and the principles of our democratic government.

The class from Wilson High School is currently conducting research and preparing for the upcoming national competition in Washington, D.C. I wish these young scholars the best of luck at We the People's national finals and I look forward to greeting them when they visit the Capitol.

Mr. Speaker, please join me and my colleagues as we congratulate these young scholars from Wilson High School as they compete in this national civics competition.

RECOGNIZING MURRAY UFBERG AS HE IS HONORED BY THE FRIENDS OF SCOUTING OF THE NORTHEASTERN PENNSYLVANIA COUNCIL, BOY SCOUTS OF AMERICA

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Attorney Murray Ufberg, of Wilkes-Barre, Pennsylvania, who is being honored by the Friends of Scouting of the Northeastern Pennsylvania Council, Boy Scouts of America.

Mr. Ufberg was chosen by the Friends of Scouting for this honor due to his years of community service and civic leadership.

Mr. Ufberg is the managing partner of the law firm of Rosenn, Jenkins and Greenwald, L.L.P. He currently serves on the Commonwealth of Pennsylvania Independent Regulatory Review Commission.

He is a member of the board of trustees of College Misericordia, the board of directors of WVIA-TV/FM and he serves as the chairman of the Community Relations Council of the Jewish Federation of Greater Wilkes-Barre.

Mr. Ufberg also serves on the boards of directors of the Jewish Federation, the Jewish Community Center of Wyoming Valley and Penn's Northeast, Inc. He is a member of the Luzerne County Advisory Committee to the Pennsylvania Economy League and of the Keystone College President's Advisory Council.

Mr. Ufberg has served as chairman of the United Way of Wyoming Valley's General Campaign in 1990 and he served on and chaired the board of directors of the United Way. He is a past chairman of the Greater Wilkes-Barre Chamber of Business and Industry and he chaired the Luzerne County Business Roundtable.

He is past president of Congregation Ohav Zedek, the Jewish Community Center and the Jewish Federation of Greater Wilkes-Barre. He also served as president of the Seligman J. Strauss Lodge and he was past president of the Duquesne University School of Law Alumni Association of Northeastern Pennsylvania.

Mr. Ufberg has been a practicing attorney in the Wyoming Valley for 37 years. He is admitted to practice law before the Pennsylvania Supreme Court, the Luzerne County Court of Common Pleas and various federal courts. He is a member of the Wilkes-Barre Law and Library Association and the Pennsylvania and American Bar Associations. He graduated from Wyoming Seminary and received degrees from Bucknell University and the Duquesne University School of Law.

Mr. Ufberg resides in Kingston, Pennsylvania, with his wife, Margery Ann. They are the parents of three children.

Mr. Speaker, please join me in congratulating Mr. Ufberg on this auspicious occasion. His commitment to community service has helped improve the quality of life in the greater Wyoming Valley and it is fitting that the Northeastern Pennsylvania Council, Boy Scouts of America, recognizes his contributions.

CONGRATULATING MS. ALLY CLARDY

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Ms. Ally Clardy for being named to the 2006 University Interscholastic League Class 2A All-Tournament team for girl's basketball. Ms. Clardy helped lead Argyle to its first state championship in any team sport with the 51–33 victory over Wall in the Texas State Championship Game.

In addition to being an outstanding team member, Ms. Clardy was selected the tournament's ''Most Valuable Player'' honor by scoring 20 points in the Texas State Championship Game. She also contributed 14 points in the state semifinal game.

Ally Clardy has illustrated her talent and team spirit. She is very deserving to be names as a member of the All-Tournament team.

I extend my sincere congratulations to Ms. Ally Clardy on receiving this award and praise her dedication to help fellow teammates, her sport, and her school.

IN HONOR AND RECOGNITION OF OTHMAN SHEMISA, M.D.

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Othman Shemisa, MD., Ph.D, for his dedication and concern for families and individuals in need, here in Cleveland and miles beyond.

Dr. Shemisa was recently honored by the Islamic Center of Cleveland for his volunteer efforts in assisting the victims of Hurricane Katrina. Last September, Dr. Shemisa traveled to New Orleans, where he lived for more than a month, volunteering his time and medical expertise to heal the women, men and children who had been left injured or sick in the wake of the devastating storm.

Dr. Shemisa 's professional excellence, integrity and contribution is reflected throughout his family medical practice, as well as within the research and academic community, where he has served as professor, lecturer and researcher. Moreover, Dr. Shemisa's unwavering focus on assisting the most vulnerable members of our society—our poor and disenfranchised citizens, has uplifted the lives of countless families and individuals throughout the Cleveland area. His focus on outreach and advocacy is clearly evidenced throughout Cleveland's Arab American community, where he is an active member and leader.

Mr. Speaker and Colleagues, please join me in honor and recognition of Dr. Othman Shemisa, whose willingness to help those in need and sincere concern for others reflects America's greatest legacy—our generous and compassionate citizenry. Dr. Shemisa's medical expertise, energy and efforts in giving back to the community serves to strengthen the very foundation that unifies our Cleveland community, reflecting hope for a better tomorrow for each and every one of us.

PAYING TRIBUTE TO BILL BOYD

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Bill Boyd who died on December 21, 2005. Bill will be remembered for his contributions to the Southern Nevada Officials Association as a baseball umpire and to the youth of Henderson and Las Vegas as a mentor and friend.

Bill began his career as an umpire in San Diego, where he was president and instructional chair-person of the Baseball Umpires Association from 1986 to 1993. He was also a football coach at three different high schools in the San Diego area. His most famed pupil was current NFL player John Lynch, whom he coached at Torrey Pines High School in Del Mar, California. In 1995, Bill moved with his family to Henderson and began serving as an umpire. He umpired Division I collegiate baseball in the Mountain West conference and the Western Athletic Conference, and was an alternate umpire for the Las Vegas 51s.

Youth Baseball, however, was his passion. Bill could be seen at almost every youth playoff game or tournament in the area. He umpired at the American Legion World Series and many other youth sporting events, including football around the Las Vegas Valley. He cared for everyone around him and showed it through his dedicated service and good example, on and off the field.

Mr. Speaker, today, as I stand on the floor of the House, I am honored for the opportunity to pay tribute to Bill Boyd and the great life that he lived.

A TRIBUTE TO DR. SHEILA TOMLIN-REID

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. TOWNS. Mr. Speaker, I ask today that we recognize Dr. Sheila Tomlin-Reid, a distingulshed member of the Brooklyn community. I am honored to pay tribute to this outstanding leader and I hope my colleagues will join me in recognizing her impressive accomplishments.

Dr. Sheila Tomlin-Reid excelled in her education earning both a Masters of Science Degree in School Administration, Supervision and Leadership from Touro College School of Education and Psychology in New York City and a Masters of Science Degree and Advanced Post Graduate certificate in Guidance and Counseling from Brooklyn College of the City University of New York. In addition, she received a Doctorate in Education from Nova Southeastern University, Fort Lauderdale, Florida.

Dr. Sheila Tomlin-Reid has worked with energy and dedication for many years as an Assistant Principal with the Department of Education at FDNY High School for Fire and Life Safety. Her passion and concern for New York's youth inspired her to found The Tomlin Foundation in 2003. Dr. Reid, who is currently CEO of the foundation, established the foundation to commemorate the life and visions of Elliott and Michael Tomlin. The foundation strives to provide educational scholarships to inner-city youth, which financially assists their goals and educational pursuits. The foundation also provides mentorship programs and health awareness programs to inner-city children and community residents.

Dr. Reid is an active member of the community, especially in the area of health and wellness of women. Dr. Reid is a member of the Professional Women's Speaker Bureau which specializes in seminars, workshops and counseling designed to motivate women to increase self-esteem, personal and professional development, business etiquette and leadership skills. She is also a member of the Women's Caucus of Edolphus Towns Organization and a member of Calvary U.F.W Baptist Church in Brooklyn.

Dr. Sheila Tomlin-Reid is a phenomenal role model to not only the women of our community, but to our community as a whole. She has worked to better the lives of women and young children with contagious persistence. Her passionate and sensitivity deserves our thanks and f(x that I ask that we applaud Dr. Reid's outstanding achievements in our community.

Mr. Speaker, I believe that it is incumbent on this body to recognize the accomplishments of Dr. Sheila Tomlin-Reid, as she offers her talents and community services for the good of our local communities.

Mr. Speaker, Dr. Sheila Tomlin-Reid selfless service has continuously demonstrated a level of altruistic dedication that makes her most worthy of our recognition today.

Mr. Speaker, please join our community in honoring Dr. Sheila Tomlin-Reid for her dedication and outstanding service to our community.

CONGRATULATING THE JIMTOWN JIMMIES ON WINNING THE INDIANA CLASS 2A FOOTBALL CHAMPIONSHIP

HON. CHRIS CHOCOLA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. CHOCOLA. Mr. Speaker, I rise today to congratulate the Jimtown Jimmies on winning the Indiana Class 2A Football Championship.

The Jimmies scored 31.1 points per game, allowing their opponents only 6.7. They averaged 12.7 first downs per game, and 293.7 yards. Their strong showing on both sides of the ball led them to a 14-1 season record.

It was truly a remarkable season for Jimtown. Their 14-win season included six shutouts, and in 11 of those victories, they held their opponent to 10 points or less.

Their season culminated in the Class 2A state championship game on November 26, 2005, at the RCA Dome in Indianapolis, Indiana.

Deadlocked at seven points with the North Posey Vikings at halftime, the Jimtown Jimmies went on to score 28 second-half points, while holding their opponents to zero, and won the game 35-7.

I'd like to congratulate everyone involved in making this season successful: Their school Superintendent Jerry Cook, Principal Nathan Dean; Assistant Principal Mitch Mawhorter; Athletic Director Bill Sharpe; Head Coach Bill Sharpe; Assistant Coaches: Ned Cook, Gene Johnson, Mark Ward, Mark Kerrn, Scott Bovenkerk, David Sharpe, Matt LaFree, Mike Hosinski, David Pontius, Travis Daniels, Athletic Trainer Rick Yurko; Student Managers: Julia Politowics, Nicole Hayes, and Ricky Hayes.

The Indiana Class 2A Football Champs are: Caleb Pettis, Matthew Yurko, Zachary Fisher, Zachary DuBois, Colton Vincent, Adam Sharpe, Mark Svetanoff, John Soli, Tyler Nine, Mike Meyer, Joshua Ruben, Tony Byers, Brandon Kozelka, Brian DeShone, Joshua Deak, Tyler Forgey, Garrett Kavas, Mark Clere, Tyler Spurgeon, Ryan Konrath, David Schenk, Nate Klosinski, Lantz Kulp, Zach Spurgeon, Ross Bauman, Allen Konrath, Nick Maygar, Braxton Metcalf, Jason Sharp, Owen Peterkin, Jared Ward, Chris Vogel, Logan Frye, Josh Polston, Brett Horien, Scott Kindig, Travis Barber, J.J. Short, Seth Anglemeyer, Brad McClellan, Robert Morris, Josh Slocum, Anthony Lowe, Steve Thayer, Brandtley Miller, Kyle Clodfelter, Adam Zimmer, Nick Pooler, Jordan Pirtle, Ty Thomsen, Shazzar Mack, Chris Gregory, Rob George, Jesse Bowen, Andrew Allman, Leon Myrick, James Byers, Chris Reid, Eric Vance, Adrian Worsham, Seth Kindig, Ryan Johnson, Graig Armstrong, Tristin Funnell, Justin Nowak, Ron Shekell, Brandon Riffle, Robert Reid, Rich Hahn, Brandon Bridwell, Ethan Legg, Matt Peters, Zach Stone, Kevin Kelley, Jon Shafer, John Dickson, Derek Willard, Anthony Edwards, Dalton Swann, Austin Pirtle, Elijah Tucker, Matt Pepple, Trevor Herrli, David Johnson, Kyle Moyer, and Derek Watts.

Mr. Speaker, as a parent myself, I would be remiss if I did not congratulate the parents of these young men as well. Their support was vital to the victory of this team and they deserve our gratitude as well.

Again, on behalf of their parents, fans, and classmates as well as the very proud citizens of the Second Congressional District of Indiana, I would like to congratulate the Jimtown Jimmies on winning the Indiana Class 2A Football Championship.

TRIBUTE TO ORANGEBURG COUNTY

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. CLYBURN. Mr. Speaker, I rise today to commend Orangeburg County, South Carolina upon their receipt of the All-America County Award. This award, the oldest and most prestigious civic award in existence, recognizes communities for their outstanding problem solving efforts through local collaboration. It gives me great pleasure to acknowledge their tremendous achievement.

I would also like to applaud the efforts of the local leaders that have worked so hard and accomplished so much. They include the Orangeburg County Council: John H. Rickenbacker, Harry F. Wimberly, Clyde B. Livingston, Heyward H. Livingston, Johnny Ravenell, and Johnnie Wright, Sr.; the Orangeburg County Administrator: Bill Clark; and the Orangeburg County Development Commission: B. Jeannine Kees, George R. Dean, Joey A. Williamson, Jr., E. J. Ayers, Willie R. Cantey, Barron Driskell, James C. Hunter, Jr., Ken Middleton, Marion F. Moore, Harry Nesmith, Alva Whetsell, Jr., and C. Gregory Robinson.

Community pride has spurred many of the creative ideas leading to Orangeburg County's All-America County Award. This honor is a testament to business, government, and education communities working together for the good of the whole. These partnerships can be seen throughout the county. With this cooperative approach by the entire ''county community,'' improvements have been made to the quality of life for all citizens in the County of Orangeburg. Inventive initiatives have been implemented in the following areas: community development and revitalization, creative funding for public infrastructure, and improvement of the lives of ''at-risk'' children.

Revitalization and community development have also been achieved in all 17 municipalities. This economic development achievement reflects 100 percent participation of local areas, including the following: Orangeburg, Livingston, North, Neeses, Woodford, Norway, Branchville, Santee, Rowesville, Springfield, Holly Hill, Eutawville, Bowman, Cordova, Cope, Vance, and Elloree.

Funding through the Penny Sales Tax Capital Project has provided critical infrastructure investment in road construction, water and wastewater facilities, and other important areas such as parks and recreational projects. The original penny tax in 1998 funded 116 projects across the county, totaling $53 million in investment. The renewal in 2004 provides investment funds for 108 projects totaling $71 million.

Creative youth and outreach projects such as Healing Species, a 3rd grade curriculum, which uses neglected and abused dogs in crime prevention seminars, have improved the lives of ''at-risk'' children county-wide. Created by Orangeburg County, the program is now being replicated nationally. The Youth Enhancement Summit is another successful community collaboration. Partnering with the County, South Carolina State University, and the South Carolina Department of Juvenile Justice, the initiative brings children's service agencies across the entire county together to improve their overall effectiveness.

Additionally, Orangeburg County's Community of Character effort is a collaborative initiative to partner with all segments of the community such as education, business, industry, family, faith, government, media, and civic. It establishes a community culture that encourages, recognizes, and rewards good character. Orangeburg County is one of only two counties in South Carolina, and 28 counties nationwide who have passed character resolutions.

Mr. Speaker, I ask that you and my colleagues join me in commending Orangeburg County for its well-deserved distinction as All-America County. Orangeburg County continues to make great strides in education, economic growth, and community development. Its dedicated citizens work everyday to create new promise. I am proud to represent them in this body and of their hard work and vision.

RECOGNIZING THOMAS KARAM AS HE IS HONORED BY THE FRIENDS OF SCOUTING OF THE NORTHEASTERN PENNSYLVANIA COUNCIL, BOY SCOUTS OF AMERICA

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Mr. Thomas F. Karam, of Waverly, Pennsylvania, who is being honored by the Friends of Scouting of the Northeastern Pennsylvania Council, Boy Scouts of America.

Mr. Karam was chosen for this accolade due to his business accomplishments and his community service.

Mr. Karam is recently retired from Southern Union Company, where he served from 2001 to 2005 as president and chief operating officer.

He previously served as executive vice president of corporate development for the company and president and CEO of its PG Energy Division.

Mr. Karam had also been president and CEO of Pennsylvania Enterprises, Inc., from 1996 until 1999, when it was acquired by Southern Union. From September, 1995, to August, 1996, he served as executive vice president of Pennsylvania Enterprises.

Before joining Pennsylvania Enterprises and then Southern Union, from 1986 to 1995, Mr. Karam developed a strong background in finance and investment banking as vice president of investment banking at Legg Mason, Inc., Baltimore. From 1984 to 1986, he served

as vice president of investment banking for Thomson McKinnon, New York City.

Mr. Karam earned bachelor of science degrees in political science and accounting from the University of Scranton. He serves on the board of trustees of the University of Scranton. He also serves on the executive committee of the board of directors of Team Pennsylvania and on the board of directors of the Boys and Girls Clubs of Northeast Pennsylvania.

Mr. Karam and his wife, Flora Keating Karam, reside in Waverly, Pennsylvania. They are the parents of two children.

Mr. Speaker, please join me in congratulating Mr. Karam on the occasion of this honor. His leadership and commitment to service is an inspiration to the entire community and his recognition by the Northeastern Pennsylvania Council, Boy Scouts of America is well deserved.

IN MEMORY OF MR. JOSEPH ''JOE'' BLAIR, JR.

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. BURGESS. Mr. Speaker, I rise today to give tribute to Mr. Joseph ''Joe'' Blair, Jr., from Everman, Texas in the 26th Congressional District of Texas, for his lifelong contributions to his community. Mr. Blair was a founder of the Wildcat Sportsman Club, which is dedicated to helping Dunbar High School student athletes. Mr. Blair died on February 21, 2006 at the age of 66.

I would like to recognize and celebrate Joseph Blair's life. Born and raised in Stop Six, Mr. Blair was a long time resident of Everman. After graduating from Prairie View A&M University he became a local businessman and was owner of Hipper-Throne Shoe Repair Service. In addition to his professional career, he was an active member of Allen Chapel African Methodist Episcopal Church and participated on the Fort Worth school district's redistricting committee. Throughout his life he was passionate about bettering his community.

Through the Wildcat Sportsman Club, Mr. Blair was able to mentor local students. Joe was proud of Dunbar High School, and he wanted the students there to know they were capable of achieving great things. In an effort to spread this message of encouragement to college students, he regularly planned trips to Prairie View A&M with fellow alumni to discuss the importance of continuing their education.

Joe Blair has been honored by receiving a proclamation from the Fort Worth City Council for his many years of community service, and today, I extend my sympathies to his family and friends on his passing.

The compassion shown by Mr. Joseph Blair is truly remarkable, and he should serve as an example to all. Such a man can never be replaced and will be dearly missed.

IN HONOR OF JAMES ''JIMMY'' DEANE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Jimmy Deane, as he is named the Irish Good Person of the Year by the Irish Good Fellowship Club of Cleveland, Ohio. Mr. Deane's lifelong leadership and advocacy on behalf of worker's rights has served to empower countless individuals and families throughout our labor community.

With the promise of honest work and hope for a new beginning, Mr. Deane journeyed to America from Ireland in 1962. He began work as a laborer in the construction trades and became a member of the union in 1962. In 1991, he was appointed to the position of Field Representative, and in 1995, he accepted the appointment of Business Manager. Throughout his union tenure, Mr. Deane remained focused on workers' rights, benefits, and safety. As a result of his concern, expertise and leadership, Laborers' Union, Local 310 reflected fiscal responsibility, integrity and effectiveness in representing and protecting its members.

Mr. Deane's activism extends throughout our local labor and political landscapes. He is a member of the Laborers District Council of Ohio, an Executive Board Trustee of the Ohio Laborers Training Fund, and has also served as delegate to the AFL–CIO. Though his Irish homeland lives forever in his heart, Mr. Deane wholly embraced all that is America. His activism within our democratic processes and support of local candidates continues to strengthen our community and illuminates the core foundation of America—a union of workers who fight for equal representation, protection and justice for all.

Mr. Speaker and Colleagues, please join me in honor, gratitude and recognition of my good friend, Mr. Jimmy Deane, as he is rightfully named the Irish Good Person of the Year. Mr. Deane's integrity, conviction, and exceptional ability to bring people and ideas together for the common good, has served to raise the bar on all levels within the union, the workplace, and within our community. I wish Jimmy Deane and his entire family an abundance of health, peace and happiness, today and always.

PAYING TRIBUTE TO BOULDER CITY, NEVADA

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Boulder City, Nevada, which celebrates its seventy-fifth anniversary on March 11, 2006.

Boulder City is a unique community located in southern Nevada, with a population of approximately 15,000 people. The City was created by the Federal Government to provide homes for those who built Hoover Dam. In April 1931, the Boulder City Company was organized to manage the town of Boulder City for the Government, and the majority of the town was ready for occupancy by the end of that same year.

Constructed during the Great Depression, Boulder City was designed to be a model city to which Americans could look to in hope of a better future. In order to accommodate more than 5,000 men and their families in boulder City, Six Companies built housing for employees, a department store, a post office, a laundry, a recreation hall, a school, and a hospital. For a mere $1.60 per day, the workers received a private room with a bed, mattress, pillow, bedding, chair, meals, and transportation to work.

Life during construction of Hoover Dam was not easy. Temperatures would often reach more than 115 degrees during the day and only fall to 95 degrees at night. The heat was so intense that groups of people would huddle beneath the shadows or stand in the river in an effort to keep cool. During the summer of 1933, one worker every two days died due to heat prostration.

Although the population of Boulder City declined following the completion of Hoover Dam, it did not become a ghost town as many predicted. October 1, 1959, Boulder City was incorporated under Nevada law, and it was officially separated from the U.S. Government. There was some opposition to the separation of Boulder City from the Government and concerns that the policies prohibiting gambling and hard liquor sales would be overturned. The leaders of Boulder City elected to continue the conservative restrictions set by the Government during the construction of Hoover Dam. Boulder City today is the only town in Nevada that does not allow gambling establishments within its City limits.

Today, Boulder City is a place where you can enjoy numerous outdoor activities. Consider climbing the river mountain trail with it breathtaking view of Lake Mead and Las Vegas. The world-renown Bootleg Canyon Trail is located in Boulder City. It has cross country trails and downhill trails used primarily by bicyclists, but also enjoyed by hikers. Boulder City's newest recreational project is the Bootleg Canyon Park. This area is currently being developed for various desert preserves and gardens, with walking trails throughout the park. Boulder City treasures its valuable assets and its uniqueness. It will continue to maintain and embellish its resources, both natural and man-made, to ensure future generations will benefit from its numerous outdoor activities, its recreational areas and parks, its walk able areas, and its open spaces.

Mr. Speaker, It is an honor to recognize Boulder City and its accomplishments in Nevada's history. It was built as a model for all American cities and continues to give hope for a better future.

A TRIBUTE TO ESTER E. WATERMAN

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Ester E. Waterman, a distinguished member of the Brooklyn community. It behooves us to pay tribute to this outstanding leader and I hope my colleagues will join me

in recognizing her impressive accomplishments.

Ester E. Waterman is the daughter of Joseph and Mavis Waterman. Ms. Waterman was born in Trinidad, West Indies and spent her childhood in San Fernando, Trinidad. In 1970, Ms. Waterman migrated to the United States where she attended Erasmus Hall High School. Upon high school graduation, Ms. Waterman was accepted to New York University. A tireless and devoted undergraduate, Ms. Waterman worked her way through college and graduated with a degree in Computer Science. Her professional experience includes American Express, Alexander & Alexander Benefit Services and AON Consulting Company.

Today, Ester E. Waterman is an active community resident of Brooklyn, New York and an inspiration to those around her. She is deeply committed to her love for children and learning. In 1998, Ms. Waterman fulfilled her community's need for a childcare service when she established "Loving Arms Learning Day Care Center."

Community members and leaders alike have praised Ms. Waterman's work. In 2002, The Caribbean American International Child Care Network Inc. & United Family Services Inc. recognized Ms. Waterman for her work and dedication to children. In 2004, New York City Councilmember Leroy Comrie awarded Ms. Waterman with the New York City Council Citation for Child Care and in 2005, New York State Assemblyman Nick Perry presented her with the New York State Assembly Certificate of Merit.

Ms. Waterman continues to dedicate her time to the people and children of Brooklyn. She has truly made a strong positive impact on the community and for that I ask that we recognize and give thanks to Ester E. Waterman for her wonderful contribution to our community.

Mr. Speaker, I believe that it is incumbent on this body to recognize the accomplishments of Ester E. Waterman, as she offers her talents and community services for the good of our local communities.

Mr. Speaker, Ester E. Waterman selfless service has continuously demonstrated a level of altruistic dedication that makes her most worthy of our recognition today.

Mr. Speaker, please join our community in honoring Ester E. Waterman for her dedication and outstanding service to our community.

CONGRATULATING ROBERT COLLINS AS HE IS NAMED ''MAN OF THE YEAR'' BY THE PITTSTON FRIENDLY SONS OF SAINT PATRICK

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Robert P. Collins, of Wyoming, Pennsylvania, who is being honored by the Friendly Sons of St. Patrick of Greater Pittston as their "Man of the Year" for 2006.

Raised in the city of Wilkes-Barre, Pennsylvania, he attended St. Mary's High School in Wilkes-Barre. He also attended St. Joseph's Seminary in Callicoon, New York. He is a member of the Third Order of St. Francis.

Mr. Collins served with the United States Army during the Korean War and has been the president of the United States Army 306th Field Hospital Association for the past 20 years.

He is a life member of the Disabled American Veterans, Kingston Post 102, and the Veterans of Foreign Wars, Wyoming Post 396. He is a past commander of American Legion Post 670 and the Korean Veterans Association of the Wyoming Valley.

Mr. Collins is a member of St. Joseph's Church in Wyoming where he has served as a lector and altar server. He is a life member of the Knights of Columbus Council 302, Wilkes-Barre, and Bishop Hafey Assembly Fourth Degree Knights of Columbus.

Mr. Collins is a life member of the Wyoming Hose Company, No. 1, and is a former school board member of the Wyoming Area School District.

Mr. Collins is a past president of the Ancient Order of Hibernians, Avoca Division, the Northeastern Pennsylvania Emerald Society and the Donegal Society of Wilkes-Barre.

Mr. Collins was a member of the Governor's Committee on the Handicapped, having served three Pennsylvania Governors. He was also a member of the White House Committee on the Handicapped, having served three Presidents.

Mr. Collins was assistant to the President of Nelson Manufacturing Company for seven years and has been affiliated with the Metcalf and Shaver Funeral Home for 36 years.

Married to the late Mary Eicke Collins of Wyoming, they had three children.

Mr. Speaker, please join me in congratulating Mr. Collins on the occasion of this honor. Mr. Collins epitomizes what it means to be a community servant. The countless hours he has spent supporting worthy causes and projects has improved the quality of life in the greater Wyoming Valley immensely.

CONGRATULATING MR. MIKE TRIMBLE

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Mike Trimble of the Denton Record-Chronicle for winning the Distinguished Writing Award for Editorials from the American Society of Newspaper Editors.

The American Society of Newspaper Editors is the principal organization of American newspaper editors and annual awards for distinguished individuals in various categories of writing and photography are given. This year, the awards will be presented on April 27th during ASNE's convention in Seattle.

Mr. Trimble, who is described by coworker Donna Fielder as having "a down-home, Mark Twain kind of way that is always engaging and sometimes mind-boggling," was chosen in the category of Editorial Writing from a contest that attracted almost 600 entries this year. Trimble is often described as a man who "inspires people to laugh, to cry, to think and to protest."

The Denton Record Chronicle is my hometown paper and since coming to Congress, I have frequently worked with Mike Trimble. His writing is both informative and fair, and I commend Mike for the integrity and honesty of his writings over the years. I look forward to many more years of excellent journalism.

I extend my sincere congratulations to Mr. Mike Trimble on receiving the ASNE Distinguished Writing Award and commend his dedication and desire to help educate our local community through quality writing.

PAYING TRIBUTE TO SONJA AND MIKE SALTMAN

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Sonja and Mike Saltman for their contributions to the communities of southern Nevada and their humanitarian efforts worldwide. On Saturday, March 11, 2006 they will be presented with the David L. Simon Bridge Builder for Peace Award during the Champions of Freedom Dinner Gala at the Venetian Resort Hotel Casino.

Mike Saltman is President of The Vista Group, a developer and manger of office, retail, industrial and housing projects in Nevada, California, Florida and Utah. He is a partner with FFL Partners, Bounty Hunter, LLC, VMA California, LLC, a Director of US Bank's Advisory Board in Las Vegas, and practiced as a private attorney in Munich, Germany, in the 1970s. While in Munich, he also held the post of Corporate Counsel and Director of International Operations for Shareholders Capital Corporation. Additionally, Mike served as Staff Counsel, IOS in London and Geneva. Mike Saltman's community activities include membership in the Urban Land Institute, Nevada Development Authority Board of Trustees, National Home Builders Association, the Clean Air Action Plan Task Force and the World Presidents' Organization. He is a member of the Young Presidents Association and a board member of the Nevada Dance Theatre, the Las Vegas Symphony, KNPR—Nevada Public Radio and The Nevada Institute of Contemporary Arts.

Sonja Saltman earned her master's degree in psychology from the University of Nevada, Las Vegas in 1980, is a Co-Founder and board member of the Existential Humanistic Institute, which seeks therapeutic methods for dealing with psychological problems, and is the only non-Jewish member of the Anti-Defamation League. Sonja is an Emerald Lion of Judah, has served on the Women's Division Board and currently serves on the Women's Philanthropy Executive Council of The United Jewish Community.

In 2003, Sonja and Mike co-founded the Saltman Center for Conflict Resolution at UNLV's William S. Boyd School of Law. The Saltman Center has already undertaken significant efforts related to teaching, scholarship and public service. Sonja and Mike also support several UNLV academic programs through the President's Inner Circle Giving Club and a graduation award in the College of Liberal Arts.

Not only interested in the local area, Sonja and Mike have devoted their lives to many

causes around the world. In 1967, Mike set up several companies in Israel to help put the country on the fast track to success. In Bosnia, Sonja and Mike have done incredible work. Undeterred by the front line proximity to the fighting, they buy and rebuild damaged homes in the ravaged country to provide shelter for those who are most needy. Mike actually strapped on his tool belt and grabbed a hammer to help. This is a man of great determination who is unable to sit by and watch his dream being built by others. They also provide food and other basic needs to grateful Bosnians.

While working with a group that brings humanitarian aid to all walks of life in Bosnia, Mike came across a family who had to wade across a river in order to rebuild their home on the other side. Efforts to rebuild the bridge had been thwarted by conflicts with Serbs in the area. Mike offered his finances and services and the bridge was built. Several families have used the bridge to help rebuild their homes.

Mr. Speaker, I am honored to recognize Sonja and Mike Saltman on the floor of the House today. Through their promotion of peace, understanding and compassion throughout the world, they have built many bridges, traversing great spans that bring people, ideas and dreams together.

IN HONOR OF JUSTICE ADRIAN HARDIMAN OF THE SUPREME COURT OF IRELAND AND JUSTICE YVONNE MURPHY OF THE CIRCUIT COURT OF IRELAND

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor, welcome and recognition of Justice Adrian Hardiman of the Supreme Court of Ireland and Justice Yvonne Murphy of the Circuit Court of Ireland—united in marriage and also in their quest for truth and justice—and I welcome them both to Cleveland, Ohio, on St. Patrick's Day, March 17, 2006.

For the past twenty-seven years, Tim Collins and Thomas Scanlon have organized the St. Patrick's Day Party and Parade, a joyous event that brings people together in the heart of Cleveland and is one that promotes and preserves the treasured traditions of their beloved Irish homeland. Once again, Euclid Avenue will spring to life as a sea of green and the spirited sound of drums and bagpipes begin their march along our city streets. This enchanted day promises old friendships renewed, the discovery of new ones, and serves as a living bridge that transcends space and time, connecting the north coast of Cleveland to the shores of the Emerald Isle.

Justice Adrian Hardiman was born in Dublin and was called to the Bar in 1974, the Inner Bar as Senior Counsel in 1989, and was appointed to the Supreme Court in 2000. Justice Hardiman continues to be actively involved in social issues in Ireland. He speaks fluent Irish and is an advocate within the Court on behalf of the rights of those who speak native Irish. In 1974, Justice Hardiman married Justice Yvonne Murphy, judge of the Circuit Court of Ireland. They have three sons. Justice Murphy was born in Donegal and was a practicing barrister in County Donegal until being appointed as Judge of the Circuit Court in 1998. She has worked as a journalist in both print and radio mediums and is the author of several books, including ''Journalism and the Law'' and ''Insider Dealing''. Justice Murphy is chairwoman of the Irish Association of Women Judges.

Mr. Speaker and Colleagues, please join me in honor of the Honorable Justice Adrian Hardiman and the Honorable Justice Yvonne Murphy, for joining us in Cleveland as we celebrate St. Patrick's Day. Please also join me in recognition of Tim Collins and Thomas Scanlon for organizing this wondrous St. Patrick's Day party this year, as they have for the past 27 years. ''Ni dheanfaidh smaoineamh an treabhadh duit—You'll never plough a field by turning it over in your mind''—Old Irish Proverb.

RECOGNIZING WILLIAM ANZALONE AS HE RECEIVES THE SWINGLE AWARD FROM THE PITTSON FRIENDLY SONS OF SAINT PATRICK

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to my good friend Attorney William Anzalone of Wilkes-Barre, Pennsylvania, who is being honored by the Friendly Sons of St. Patrick of Greater Pittston as the recipient of their annual Swingle Award.

Mr. Anzalone owns and operates Anzalone Law Offices, a personal injury trial practice with offices in Wilkes-Barre, Scranton and Stroudsburg, Pennsylvania.

A past president of the Luzerne County Bar Association, the Northeastern Pennsylvania Trial Lawyers Association and the Luzerne County Bar Charitable Foundation, he has received certification by the National Board of Trial Advocacy and the American Board of Trial Advocates.

Attorney Anzalone has been chosen by his peers for the title of ''Super Lawyer'' for the past three years, a distinction that places him in the top five percent of practicing lawyers in Pennsylvania.

Bill has served numerous civic organizations. He is a past president of the Wilkes-Barre Chapter of UNICO, having chaired its annual football game for several years. He currently serves as chairman of UNICO's gift committee.

He is a past member of the board of directors of the St. Vincent DePaul Soup Kitchen, the Lackawanna Junior College, the Greater Wilkes-Barre Chamber of Business and Industry and Leadership Wilkes-Barre.

In 2005, he was inducted into the Luzerne County Sports Hall of Fame due to his performance as a defensive back on Temple University's football team.

Bill is married to the former Tina Medico and they are the parents of three beautiful children.

Mr. Speaker, please join me in congratulating Attorney Anzalone on this auspicious occasion. Attorney Anzalone's contributions to his community speak for themselves. His commitment to service is an inspiration to all.

CONGRATULATING THE DALLAS/FORT WORTH INTERNATIONAL AIRPORT

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. BURGESS. Mr. Speaker, I rise today to congratulate The Dallas/Fort Worth International Airport for being named the best cargo airport in the world by Air Cargo World magazine.

Based on an evaluation by survey participants, the winner is chosen from the categories of performance, value, facilities and operations. The survey was announced in Air Cargo World in the March 6th issue.

The Dallas/Fort Worth International Airport soared above tough competition in order to earn the title of ''World's Best Cargo Airport.'' Not only has the airport been experiencing impressive growth this past year, they have also done so while maintaining excellence as a top priority.

As a representative of part of the DFW Airport, and a frequent traveler between DFW and Washington Reagan, I am grateful to lmow that they have earned such a wonderful distinction of excellence.

I extend my sincere congratulations to the Dallas/Fort Worth International Airport and its CEO Jeff Fegan, for their demand for quality and merit, as well as their integral role in securing our citizens.

PAYING TRIBUTE TO AMERICAN LEGION BOULDER CITY POST 31

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor American Legion Boulder City Post 31 which celebrates its 87th birthday this month.

American Legion Boulder City Post 31 was organized October 12, 1931 by WWI Veterans working on the Hoover Dam project, with a charter membership of over 400. The permanent charter was granted March 28, 1932.

After being without their own building for several years, the members decided to construct a permanent home for Post 31. They made extensive use of volunteer labor, including many recently discharged WWII Veterans, and used surplus building materials obtained from a number of government agencies. The building was completed in 1948 and has been the home of Post 31 since that time. Activities held in the new building, such as movies and dances with live bands, constituted some of the first entertainment in Boulder City.

One of the most popular events put on by Post 31 is the well-known Fourth of July celebration and parade known as the ''Damboree.'' A symbol of the service to and involvement with the community, the parade is still popular, with the American Legion Post 31 Color Guard leading the event every year.

Post 31 continues to give dedicated service the community and the military. They reiniti-ated the blue star program used in the Second World War so that families may show a banner in their windows when they have someone

in the active military. When conflicts began in Iraq and Afghanistan, Post 31 had beautiful metal signs made to display names of members of the military from Boulder City that are on active duty. These signs are on every light pole along Veterans Memorial Drive in Boulder City. Each month Post 31 collects used ink cartridges and old cell phones to raise money that goes toward the American Legion Legacy Fund, which helps educate children of members of the military who lost their lives during the present conflict in the Middle East.

Mr. Speaker, I am honored to recognize American Legion Boulder City Post 31 on the floor of the House today. I congratulate them for 87 years of contributions to the veterans and citizens of southern Nevada and thank them for their continued service.

CONGRATULATING JUDGE MARK CIAVARELLA, JR. AS HE IS NAMED ''MAN OF THE YEAR'' BY THE WILKES-BARRE FRIENDLY SONS OF SAINT PATRICK

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Luzerne County Court of Common Pleas Judge Mark A. Ciavarella, Jr., who is being honored by the Wilkes-Barre Friendly Sons of St. Patrick as their 2006 ''Man of the Year.''

A son of Mary Cunningham Ciavarella and the late Mark A. Ciavarella, Sr., Judge Ciavarella was born and raised in the East End section of Wilkes-Barre, Pennsylvania.

Following his graduation from St. Mary's High School, he earned his Bachelor of Arts degree with honors in history/government and pre-law from King's College. While at King's he attained membership in the Aquinas Honor Society.

He was awarded his Juris Doctorate degree from Duquesne University School of Law in 1975. While at Duquesne, he was inducted into the Order of Barristers, which is an organization that recognizes individuals who have attained outstanding achievement in appellate advocacy.

From 1975 until 1995, Judge Ciavarella maintained a private law practice in the City of Wilkes-Barre. He was a partner in the law firm of Lowery, Ciavarella and Rogers.

From 1976 until 1978, he served as solicitor for the City of Wilkes-Barre and from 1978 until December 31, 1995 he served as solicitor for the Wilkes-Barre City Zoning Hearing Board.

In November of 1995, he was elected to the Luzerne County Court of Common Pleas and in November 2005, he was retained by the voters of Luzerne County for another 10-year term.

Judge Ciavarella was formerly a member of Wilkes-Barre Police Civil Service Commission; the pastoral council and finance committee of St. Therese's Church in Wilkes-Barre; Scranton Catholic Diocesan School Board; United Rehabilitation Services, Inc.; Wilkes-Barre Area School District Long Range Planning Committee; Wyoming Valley Catholic Youth Center Girls Co-Swim Coach and a member of the board of directors of the Luzerne County Association for Retarded Citizens.

He also served as chairman of the Wyoming Valley Catholic Youth Center's Board of Directors and he was an assistant little league coach.

Judge Ciavarella is currently a member of the Wyoming Valley Catholic Youth Center's Board of Directors and the Wilkes-Barre Chapter of UNICO.

In addition to his duties handling criminal and civil judicial matters, he also serves as Luzerne County Juvenile Court Judge.

Judge Ciavarella is married to the former Cindy Baer. The couple has three children.

Mr. Speaker, please join me in congratulating Judge Ciavarella on the occasion of this fine honor. Judge Ciavarella has served his community well both on the bench of the Luzerne County Court and in the many leadership roles he has undertaken with numerous civic organizations. The quality of life in the greater Wyoming Valley is made better due to the works of people like Judge Mark Ciavarella.

TRIBUTE TO SHANNON ALLEN

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. CUELLAR. Mr. Speaker, I rise today to honor Shannon Allen for her heroic actions Wednesday, January 25, 2006 at Rayburn Elementary School in McAllen, Texas.

At approximately 2:00 pm on Wednesday, an intruder entered the Rayburn Elementary School where Mrs. Allen is the Principal. Maria Tovar, the academic coordinator, escorted the intruder to the administrative office for failure to have a school identification card. Mrs. Tovar discovered the intruder was carrying a handgun and instructed him to place the weapon in a nearby waste basket. Mrs. Allen was informed of the situation and initiated a lock down of the entire school via code over the intercom. When Mrs. Allen approached the intruder he became agitated and attempted to reach for the loaded and cocked handgun in the waste basket. Mrs. Allen, out of concern for the safety of her students and staff, tackled the intruder to prevent him from retrieving the gun.

Mrs. Allen was able to restrain the intruder with the assistance of Coach Jason Duon and custodian Joe Rico. Seconds later, Officer Ed Perez handcuffed and placed the intruder in custody.

Mr. Speaker, Shannon Allen endangered her life to protect her students and staff at Rayburn Elementary School. Given her heroic actions, I rise to honor Shannon Allen.

TRIBUTE TO WILLIAM ''JACK'' GENTRY ON EARNING THE BEN FRANKLIN AWARD

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to congratulate Mr. Jack Gentry, the winner of the Benjamin Franklin Community Newspaper and Postal Partnership Award of Excellence.

Nominated for this award because of his commitment to provide top-notch customer service, it is an honor to highlight the Florida postmaster's excellence on the floor today.

It is encouraging to learn of the many lengths Mr. Gentry would reach to ensure reliable delivery of the community's newspapers.

Rather than going through the everyday motions of his postal route, Jack helped improve the delivery system—even making it more efficient.

I am sure the members of the community who benefit from Mr. Gentry's dedication to quality service are as thrilled as I am he will be recognized for his great work.

Mr. Gentry will receive this award today at the Library of Congress. I commend him for his work ethic and commitment to community newspapers.

HONORING THE RANDOLPH-CLAY RED DEVILS

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. BISHOP of Georgia. Mr. Speaker, Cuthbert, Georgia is a small, rural community, six hundred and sixty-nine miles from the U.S. Capitol. It is home to a rich agrarian tradition, the oldest known pecan tree in the state of Georgia and a high school basketball team known as the Red Devils, who on March 1, 2006, did something that they hadn't done in over three years. They lost a game.

Yet I rise today, not in recognition of this inconsequential loss, but in honor of the remarkable team that won ninety straight games, breaking the Georgia High School Association's record for the most consecutive wins and inspiring a community to believe in the impossible.

For forty-four years, Coach Joe Williams has led the Randolph-Clay Red Devils to 964 wins and six state titles. His focus on aggressive, man-to-man defense has forced his players to test their limits and grow as competitors, at the same time that he has molded boys into a team of men that every young player in Cuthbert dreams of playing for.

For three years the Red Devils have dominated every court that they have taken, winning nearly all of their games by double figures, including a 100–30 victory over Central Talbotton. Yet they took every game seriously, stating simply, ''We play basketball.''

As long as high school basketball is played in the state of Georgia, teams will attempt to duplicate the Red Devils' history-making streak. But they won't succeed; because, while they will emulate their style of play, it is impossible to capture the passion and the ability that has defined these exceptional young men and the dream that they have made legend.

Therefore, here in this hallowed hall, I rise on behalf of the people of Cuthbert, the Second Congressional District and the state of Georgia to honor the extraordinary accomplishment of Coach Williams and the Randolph-Clay Red Devils. You have inspired us all.

ARTHUR WINSTON ''EMPLOYEE OF THE CENTURY''

HON. DIANE E. WATSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Ms. WATSON. Mr. Speaker, I rise today to honor a great American and my constituent, Mr. Arthur Winston. This year Mr. Winston will mark over three quarters of a century as an employee of the transportation agencies that have made Los Angeles County's buses and trains move millions of people a year. In fact, since Mr. Winston began his employment with the Los Angeles County Metropolitan Transportation Agency's (Metro) predecessor agencies in 1924, millions of people have been safely delivered on billions of trips across Los Angeles County. Arthur can and should be proud to have been an important part of the historic growth of mass transit in California's 22nd Congressional District, which I proudly represent, and throughout the rest of Los Angeles County.

Arthur Winston was born in Okemie, Oklahoma on March 22, 1906 before Oklahoma was officially recognized as a state. He and his family moved to Los Angeles in 1918, when Arthur was 12. His father found work in the maintenance department for one of Metro's predecessors, the Pacific Electric Railway Company. Arthur attended Jefferson High School in Southern California, graduating in 1922.

Arthur Winston was 28 years old when he started his remarkable 72 years of continuous work at Metro. If you account for the years he spent, beginning at age 15, helping his father at the Pacific Electric Railway Company, Arthur has worked a remarkable 76 years for Los Angeles transit agencies. Mr. Winston was first employed by Metro's predecessor agency in December 1924 and worked until mid-1928. He resumed his employment with the agency in January of 1934. Amazingly, Arthur has missed only one day of work in 76 years, having taken a day off on the day of his wife's death in 1988.

In 1996, Arthur Winston received a Congressional Citation from President Clinton as ''Employee of the Century.'' In his more than seven decades of Metro employment, Arthur has received many honors for his work ethic and longevity on the job. In 1997 Metro's Board of Directors named the agency's bus operating division in South Central Los Angeles (Chesterfield Square) after him. He has also appeared on the Oprah Winfrey television show and has appropriately been honored by a large number of community and civic organizations in Los Angeles County.

At the Arthur Winston Division, Arthur is a service attendant leader, directing a crew of 11 employees who clean, maintain, and refuel 240 Metro buses before they go out onto city streets. Remarking about his longevity at Metro, Arthur had this to say, ''I stayed with Metro through all these years because I felt comfortable here. After a certain age I decided to stay on the job until I'm 100 years old.''

Arthur Winston turns 100 on March 22, 2006 and has announced his retirement from Metro, quite fittingly, on his birthday. In the meantime, Arthur will spend his remaining days on the job waking up at his usual time, 4 a.m., and driving his 1994 Toyota sedan to work.

Mr. Speaker, I am pleased to join Los Angeles Metro in saluting Arthur Winston and his unparalleled work ethic. May Arthur Winston's long record of public service serve to inspire Americans, young and old, to dedicate their energy and intellect for the benefit of the general public.

TRIBUTE TO JASON McELWAIN

HON. THOMAS M. REYNOLDS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. REYNOLDS. Mr. Speaker, today I rise to recognize an outstanding young man, his supportive teammates, and an inspirational performance on the basketball court. In a matter of just 4 minutes, Jason McElwain and the Greece Athena High School Trojans showed us all the power of dedication, teamwork, and perseverance.

Jason has always been a steadfast and energetic contributor to the Greece Athena Varsity Basketball team in his role as team manager. Although never getting a chance to play, Jason placed his heart and soul into helping the team and became an indispensable teammate, day in and day out.

Jason also has been challenged everyday by autism, a disability that, while difficult, has not undercut Jason's goals or his involvement with the team. In turn, Jason's teammates, led by Coach Jim Johnson, have embraced him and believed in him. To them, Jason is not an autistic team manager; rather he is simply, emphatically a teammate. And a passionate teammate—Jason never misses practice and is always a helpful supporter at games, dispensing water bottles and advice from the team bench dressed in his trademark shirt and tie.

That was until February 15, when Coach Johnson told Jason to suit up in the Trojan uniform for the first time for the last game of the regular season. Jason's dedication, his teammates' support, his coach's trust, all were set to pay off in a most dramatic way.

With only 4 minutes remaining in the game, Jason got the call off the bench. He took the floor, and his fellow students went wild. They held up signs. They chanted his nickname, ''J-Mac.'' The cheers and chants would only grow louder as Jason put on a performance that the town of Greece will never forget. In his short but remarkable debut for Greece Athena, Jason made not one, not two, but six 3 pointers, and finished the game with 20 points. As his final shot swished clean through the net with 2 seconds to play, the raucous fans rushed the court. Coach Johnson, along with most, was brought to tears. Jason's teammates hoisted him upon their shoulders. A true hero and the true meaning of teamwork were discovered that night on the hardwood in Greece.

And the Trojans weren't finished. Two weeks later, that teamwork propelled the Spartans to the very top, as they won their sectional championship. Jason, back in his shirt and tie, yet never more important a teammate, cheered and assisted from the bench. When the championship trophy was presented, Jason was the first to lift it over his head.

Jason's perseverance and his teammates' support serve as a great example to us all. Mr. Speaker, in recognition of their remarkable achievement, I ask that this honorable body join me in honoring Jason McElwain and the Greece Athena High School Basketball Trojans.

BRAIN INJURY AWARENESS DAY

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, I am a member of the Brain Injury Task Force—a group dedicated to drawing attention to this tragic and life-altering impairment. I am also proud to represent Nazareth Hospital, a facility that has provided healthcare services to the Philadelphia region for over 60 years and a national leader in the acute and chronic care of stroke.

Today, representatives of Nazareth Hospital are on Capitol Hill for Brain Injury Awareness Day. This important event helps to increase awareness for Traumatic Brain Injury, TBI, and the specific challenges facing individuals who have suffered brain injury and their families.

As many know, brain injury comes in many forms. The two most prevalent brain injuries—stroke and trauma—affect more than 2.2 million Americans, and these numbers are expected to grow. TBI has been called ''the signature injury of modem American warfare'' due to the unprecedented number of service men and women who have suffered from head trauma while deployed in Iraq and Afghanistan. This reality, coupled with the growing number of seniors in the U.S., means that our healthcare system will have to provide for more and more brain injury patients in the coming years.

There is currently no cure for individuals with brain injuries. So they must vigilantly manage their chronic symptoms, often relying on the care and assistance of their families, friends and facilities like Nazareth Hospital.

Nazareth is ahead of the curve—providing high-quality education and case management system for brain injury patients based on years of experience of working with patients, primary care physicians, nurses, family members, and other care givers.

Because of their experience, the Department of Defense is considering a partnership with Nazareth. The DOD recognizes that Nazareth has a proven education and brain injury management plan, and believes it might be a system worth applying to military hospitals and clinics. As a strong supporter of public-private sector cooperation, I will be working to advance this shared effort.

Together, I know we can reduce the emotional and financial effects of brain injury, and I am honored to represent an organization at the forefront of developing new treatments and discoveries. And, I am confident that Nazareth Hospital's first-rate care, which has benefited so many in my district, will be an asset for DOD as it expands continuing care services for the men and women who have sacrificed so much for our Nation.

NATIONAL UNIFORMITY FOR FOOD ACT OF 2005

SPEECH OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2006

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4167) to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes:

Mr. DINGELL. Mr. Chairman, H.R. 4167 is being considered today without benefit of hearings and with no Subcommittee markup. As a result, Members have not had a full opportunity to learn about and debate the provisions of this legislation. This is no minor bill—it would bar States from adopting food safety, labeling, and warning standards that are not identical to Federal standards.

State food and drug officials are very concerned about the impact this bill could have on public health. They have expressed their opinion that this legislation would harm homeland security. The State food and drug officials are certainly a credible group and their concerns are not new.

Almost two years ago, the Association of Food and Drug Officials told us that a bill virtually identical to the one before us today, ''threatens to eviscerate this system. The ramifications of this bill, intended or not, will dissolve our Nation's biodefense capabilities.''

They went on to say that this legislation ''undermines our Nation's whole biosurveillance system by preempting and invalidating many of the State and Local food safety laws and regulations that provide the necessary authority for State and Local agencies to operate food safety and security programs. The pre–9/11 concept embodied in this bill is very much out of line with current threats that confront our food safety and security system.''

They also said that preemption and invalidation of State and local food safety and security activities will ''severely hamper'' the U.S. Food and Drug Administration's ability to detect and respond to acts of terrorism. They added, ''Our current food safety and security system will be significantly disrupted . . . and our inability to track suspected acts of intentional adulteration will be exploited by those who seek to do harm to our Nation.'' The Association of Food and Drug Officials has recently restated these concerns with respect to H.R. 4167.

On September 23, 2004, I wrote a letter to Secretary Thompson asking whether or not he agreed with these assertions. I never received a reply to my letter, so here we are today, voting on this bill and we do not know whether or not the Administration believes it poses a threat to homeland security. Indeed, we do not have the benefit of the Administration's views on any aspect of this bill. Does the Administration support this bill, or not? This bill affects public health and the American public deserves more than stony silence from this Administration.

What is wrong with having a hearing to explore what the language in this bill means? Why was the report on this bill filed less than 24 hours before amendments were due at the Rules Committee? Why did the Rules Committee deny important amendments such as an amendment by Representative DeGette to ensure that FDA has the necessary funds to implement the law, or an amendment by Representative Stupak to allow States to warn consumers when their meat has been injected with carbon monoxide?

This process will ultimately hurt the ability to get legislation to the President's desk. I am sympathetic to the need for national uniformity, however, I cannot support this bill without more careful consideration.

I urge my colleagues to vote no on this bill.

HONORING WALT AND KAREN WORTHY AND THE STAFF OF THE DAVENPORT HOTEL

HON. CATHY McMORRIS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Miss McMORRIS. Mr. Speaker, I rise today to recognize Walt and Karen Worthy and the staff of The Davenport Hotel for ranking among the top ten hotels nationwide in customer satisfaction. In a recent survey completed by Expedia.com, The Davenport Hotel was the only Pacific Northwest hotel on the list. The Davenport Hotel also ranked third on Expedia.com's traveler's picks for the top ten four-star hotels nationwide.

Originally built in 1914 by Mr. Lewellyn ''Louis'' Davenport, The Davenport Hotel quickly became known around the world. It was the first hotel to have air conditioning, a central vacuum system, housekeeping carts, and accordion ballroom doors. Mr. Davenport sold the hotel in 1945 and the hotel was eventually closed in 1985.

Mr. Worthy and his wife, Karen, purchased The Davenport Hotel in May 2000 after most lost hope that the abandoned hotel would ever regain its grand status among hotels in America. Through their hard work and personal financial investment, they, along with their staff, have restored The Davenport Hotel to its once world famous status. To this day, the motto of Mr. Davenport remains their own:

''In all things, the hotel sincerely tries to so well please its guests that they will be glad they came, sorry to leave and eager to return.''—Louis Davenport. 1914, Walt Worthy, 2002.

Mr. Speaker, I rise today to acknowledge Mr. and Mrs. Worthy and the staff for their exceptional service to the city of Spokane and the nation, and to thank them for the role they have played in revitalizing the downtown area of Spokane, Washington. I invite my colleagues to join me in congratulating Walt and Karen Worthy and the staff of The Davenport Hotel on this hard earned, and much deserved, rank among the top ten hotels nationwide for customer satisfaction.

CONGRATULATING THE CORNELL BLACK ALUMNI ASSOCIATION ON ITS 30TH ANNIVERSARY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. RANGEL. Mr. Speaker, it is with great pride that I rise today to honor The Cornell Black Alumni Association as they prepare to celebrate not only the 30th Anniversary of their revered organization, but the 100th Anniversary of Alpha Phi Alpha Fraternity, Inc.

Founded in 1976, the Cornell Black Alumni Association, CBAA, was conceived as an organization devoted to providing a communication network for Black alumni. It's current mission is to promote the professional development of Black alumni; to provide opportunities for alumni to give back to the Cornell community; to provide support for current Black students at Cornell through the endowment of scholarships and the development of other resources; and to aid in maintaining the diversity of the student body at Cornell by assisting the University in its recruitment efforts.

The distinctive attributes of this fine Association speak volumes for their ambition, commitment, and drive to inspiring young people to pursue higher education, is to be applauded.

Through their leadership, knowledge, and vigorous enthusiasm, the Cornell Black Alumni Association has served the Cornell family and community admirably and with great integrity. They have, in the very best traditions of Cornell University, reached out and have given back whereby their efforts have resulted in countless programs that have had a direct and significant impact on alumni and future Cornell students.

By the same token, Alpha Phi Alpha Fraternity, Inc., of which I am a proud member has supplied voice and vision to African-Americans and people of color around the world since its inception in 1906 on the campus of Cornell University. This first intercollegiate Greek-letter fraternity initially served as a study and support group for minority students who faced racial prejudice, both educationally and socially at Cornell. However, in time, the Fraternity would succeed in laying a firm foundation for Alpha Phi Alpha's principles of scholarship, fellowship, good character, and the uplifting of humanity.

Mr. Speaker, this June as the Cornell Black Alumni Association celebrates their 30th Anniversary and the centennial of Alpha Phi Alpha, it is my hope that they will seize every opportunity to ''celebrate the legacy and embrace the future.

FREEDOM FOR FIDEL GARCÍA ROLDÁN

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about Fidel García Roldán, a political prisoner in totalitarian Cuba.

Mr. García Roldán is a pro-democracy activist and a member of the 24 February Movement, named for both the commencement of

the glorious Cuban War of Independence in 1895, and the day in 1996 when two civilian aircraft carrying four members of the Brothers to the Rescue organization were shot down over international waters by the Cuban dictatorship's fighter jets. The 24 February Movement desires, and struggles for, freedom in Cuba.

According to reports, Mr. García Roldán has been imprisoned since April 16, 2004 and, after a sham trial, sentenced to 4 years in the totalitarian gulag. In the U.S. Department of State's Country Reports on Human Rights Practices—2005, it is reported "On February 19, a 'reeducation specialist' forced political prisoner Fidel García Roldán into a cell, pushed him against the wall, then hit him repeatedly in the head."

That same report details the abhorrent conditions in the gulag:

> Prison conditions continued to be harsh and life threatening. Conditions in detention facilities also were harsh. Prison authorities frequently beat, neglected, isolated, and denied medical treatment to detainees and prisoners, particularly those convicted of political crimes or those who persisted in expressing their views . . . Prisoners sometimes were held in "punishment cells," which usually were located in the basement of a prison, with continuous semi-dark conditions, no available water, and only a hole for a toilet.

Mr. García Roldán, despite being imprisoned, despite facing even more severe maltreatment in the inhuman gulag, continues to advocate for liberty. Mr. García Roldán is a brilliant example of the heroism of the Cuban people. No matter how intense the repression, no matter how horrifically brutal the consequences of a dignified struggle for liberty, the totalitarian gulags are full of men and women of all backgrounds and ages who represent the best of the Cuban nation.

Mr. Speaker, we must speak out and act against this abominable disregard for human rights, human dignity, and human freedom just 90 miles from our shore. It is categorically unacceptable that men and women who demand freedom from tyranny are locked in dungeons and abused by totalitarian monsters. My Colleagues, we must demand the immediate and unconditional release of Fidel García Roldán and every political prisoner in totalitarian Cuba.

ENDORSEMENT OF PROFESSOR JEFFREY LEIGH SEDGWICK

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. OLVER. Mr. Speaker, I ask that this statement be inserted into the CONGRESSIONAL RECORD at the appropriate place:

"On Tuesday the Senate Judiciary Committee will hold a hearing on the nomination of Professor Jeffrey Leigh Sedgwick to head the Bureau of Justice Statistics. For over 24 years Professor Sedgwick has taught students at the University of Massachusetts the intricacies of the American Political System. Throughout the course of his established career he has also spread his expertise to other educational institutions, such as Smith College in Massachusetts and the University of Virginia. It is time now for Professor Sedgwick to loan his knowledge and experience to the Federal Government as the head of the Bureau of Justice Statistics.

"Professor Sedgwick has devoted much of his career to the study and interpretation of criminal justice and through the years he has developed a strong sense of our Nation's criminal justice system. His in-depth research has led to a number of books, articles and editorials offering insight into crime and punishment in the United States. These qualifications give Professor Sedgwick a solid foundation for taking over the responsibilities of the head of the Bureau of Justice Statistics.

"This would not be Professor Sedgwick's first experience in the Federal Government. In 1984 he served as the Deputy Director for Data Analysis within the Bureau of Justice Statistics. In this position he gained a familiarity for the work that this bureau does and moved on to a career of studying crime and justice. Professor Sedgwick is indisputably qualified to take over operations at the Bureau of Justice Statistics and I urge my colleagues in the Senate to confirm him for this post."

HONORING GREATER BETHEL AFRICAN METHODIST EPISCOPAL CHURCH IN OVERTOWN FOR 110 YEARS OF SERVICE TO THE COMMUNITY

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. MEEK of Florida. Mr. Speaker, today I rise to pay tribute to the Greater Bethel African Methodist Episcopal Church (BAME) as it celebrates its 110th Anniversary on Sunday, March 12, 2006 in the Overtown community of Miami-Dade County, Florida. This important milestone is truly a testament to the leadership of the church and the commitment of the faithful and the church's theme reflects it: "Greater Bethel AME: A Beacon of Light Shining Bright for 110 Years."

I commend the entire Greater Bethel AME family, including the Senior Pastor, Reverend Milton Broomfield and Ms. Barbara Brown, the Chairperson, on this wonderful occasion. It is the thorough exercise of faith that we are emboldened by God's Blessed Assurance spoken through the Prophet Isaiah (Chapter 58, Verses 9–11): ". . . You shall call, and the Lord will answer. For if you bestow your bread on the hungry and satisfy the afflicted, then light shall rise for you in the darkness . . . and the Lord will guide you always."

Greater Bethel AME Church symbolizes an unshakable monument that has manifested and continues to manifest our community's faith in God. The longevity of this landmark church—not only through its members' genuine caring of one another, but also through the outreach efforts of its services and good works for those it has been privileged to serve—is truly remarkable. Despite the pain and agony that our community suffered in the midst of many years of disenfranchisement and misrepresentation, Greater Bethel AME Church stood out as a beacon of Hope and a citadel of Truth by which God has called our community to respond to the mandate of Christian stewardship.

It is with this spirit that I recognize this historic Church on its 110th Anniversary, defined by determination and courage throughout its ministry. We are grateful for what Greater Bethel AME Church symbolizes for all of us, even as we look forward to the challenges of the future.

PRESENTATION OF THE TOUCHSTONE AWARD TO RICHARD J. KURTZ

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. ROTHMAN. Mr. Speaker, I rise today to recognize my good friend, Richard J. Kurtz, as he receives the prestigious Touchstone Award, the highest honor bestowed by the Englewood Hospital and Medical Center in Englewood, New Jersey. This award is bestowed by the Medical Center to an individual who exemplifies the premier standard for philanthropic endeavors.

Richard Kurtz, the founder of the Kamson Corporation in Englewood Cliffs, is a prominent real estate investor, developer, philanthropist, and a good friend to so many. The leadership and unwavering dedication shown by Richard to community service, humanitarian values and charitable causes is well-known, both in northern New Jersey and throughout the Nation.

Richard actively serves on many boards including the Jewish Community Center (JCC) on the Palisades, the Englewood Hospital and Medical Center, and he serves as chairman of the Englewood Hospital and Medical Center Foundation. He has also given his enthusiastic and generous support to the Boy Scouts of America, Cresskill Athletic Boosters, Walk for Awareness: Our Fight Against Breast Cancer, Quest Autism Foundation and the Jewish Home at Rockleigh. Richard has given generously to his alma mater, the University of Miami, and the Katrina relief efforts. His service to these distinguished boards and causes embodies his belief in and commitment to compassion and caring for others.

Richard's devotion to his wife, Patti, his children and their spouses, Pamela Kurtz, Sharon and Jeff Kurtz, and Kimberly and Joseph Spadaccini, and six grandchildren is a reflection of this dedicated family man and community leader. Richard is an extraordinary individual, and he is very deserving of the renowned honor embodied by the Touchstone Award. I am pleased to extend my congratulations to my good friend Richard Kurtz and his family on this wonderful occasion.

USA PATRIOT ACT ADDITIONAL REAUTHORIZING AMENDMENTS ACT OF 2006

SPEECH OF

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2006

Mr. CARDIN. Madam Speaker, one of the most important responsibilities for Congress after the September 11 terrorist attacks is to balance the needs of law enforcement to have effective tools to combat terrorism with the civil liberties and civil rights of Americans.

I am pleased that the Senate bill strengthens the civil liberties protections of the PATRIOT Act, and provides for increased judicial oversight of the Justice Department as it uses these powers.

The bill before us enacts a number of much-needed procedural changes that will enhance judicial oversight of Section 215 orders. Under current law, the recipient of a Section 215 order lacks an explicit statutory right to petition the FISA (Foreign Intelligence Surveillance Act) court to modify or set aside either the production order or the non-disclosure requirement. The conference report provides that recipients have an explicit right to challenge the legality of the Section 215 order in certain FISA courts. This bill further expands the individual's right to challenge the government assertion that a business records search must remain secret.

The legislation also reforms the FBI process used to issue National Security Letters (NSL). Unlike current law, the conference report explicitly permits recipients of NSLs to consult with an attorney to challenge the letter in court. This bill further strengthens individual rights by allowing the recipient of an NSL to consult with an attorney in secret, and does not require the recipient to disclose the name of the attorney to the FBI.

Finally, this bill provides that public, academic, or research libraries that offer Internet access or other electronic research tools are not considered to be electronic communication services, and therefore are not subject to search by an NSL.

ROCKY MOUNTAIN NATIONAL PARK WILDERNESS AND THE INDIAN PEAKS WILDERNESS EXPANSION ACT

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. UDALL of Colorado. Mr. Speaker, today I am introducing a revised bill to designate as wilderness most of the lands within the Rocky Mountain National Park, in Colorado.

Since introduction of my previous bill (H.R. 3193), I have heard from a number of local communities and other interests on the western side of the park regarding some issues and accommodations they would like to see reflected in the bill. The bill I am introducing today reflects that input.

This legislation will provide important protection and management direction for some truly remarkable country, adding well over 200,000 acres in the park to the National Wilderness Preservation System. The bill is similar to one previously introduced by my predecessor, Representative David Skaggs, and one I introduced in the 107th and 108th Congresses. Those bills in turn were based on similar measures earlier proposed, including some by former Senator Bill Armstrong and others.

Over a number of years my predecessor and I have worked with the National Park Service and others to refine the boundaries of the areas proposed for wilderness designation and consulted closely with many interested parties in Colorado, including local officials and both the Northern Colorado Water Conservancy District and the St. Vrain & Left Hand Ditch Water Conservancy District. These consultations provided the basis for many of the provisions of the bill I am introducing today, particularly regarding the status of existing water facilities.

Unlike these previous bills, the new bill includes designation as wilderness of more than 700 acres in the Twin Sisters area south of Estes Park. These lands were acquired by the United States and made part of the park after submission to Congress of the original wilderness recommendation for the park in the 1970s, and so were not included in that recommendation. They are lands of a wilderness character and their designation will not conflict with any current uses.

Since I introduced the earlier bill in this Congress, the communities bordering the park have been considering this wilderness proposal. The communities and local governments along the eastern side of the Park have expressed support for this proposal, including the Town of Estes Park and Larimer County.

On the west side, the Town of Grand Lake and Grand County requested that about 650 acres inward from the Park boundary around the Town be omitted from the wilderness designation in order to allow the Park to respond to potential forest fire threats. The revised bill reflects this change.

In addition, the Town of Grand Lake, Grand County and the Headwaters Trails Alliance (a group composed of local communities in Grand County that seeks to establish opportunities for mountain biking) requested that an additional non-wilderness area remain along the western park boundary, running south along Lake Granby from the Town to the park's southern boundary. This request was made to allow the National Park Service to retain the option of authorizing construction of a possible future mountain bike route within this part of the park.

The revised bill introduced today responds to that request by omitting from wilderness an area, called the East Shore Trail Area, in this part of the park. However, it provides that the area will become wilderness 25 years after enactment unless a bicycle trail has been constructed before then.

During the discussions of the previous version of the bill, it was suggested that the existing Indian Peaks Wilderness Area (within the Arapaho National Forest) should be expanded.

The new bill adopts that suggestion by inclusion of a new section that would expand the Indian Peaks Wilderness Area by 1,000 acres in the area south of the park and north of Lake Granby. The lands involved are currently managed as part of the Arapaho National Recreation Area, which accordingly would be reduced by about 1,000 acres.

In addition, this section of the revised bill would amend the original Indian Peaks Wilderness Act to reflect this additional acreage as well as the 2,232-acre Ranch Creek Addition and the 963-acre Fourth of July Addition to the Indian Peaks Wilderness Area that were made in the James Peak Wilderness and Protection Area Act in 2001. These changes will be reflected by a new official map for both areas which will establish the precise location of the Indian Peaks Wilderness Area boundary north of Lake Granby and the corresponding boundary change to the Arapaho National Recreation Area.

Finally, a new section has been added to authorize the park to lease a property called the Leiffer Property. This 11-acre property was donated to the National Park Service in 1977, under terms requiring it to be retained by the Park Service. It is an isolated tract outside the boundaries of the park and has two buildings, including a house that is listed on the National Register of Historic Places. The Park Service would like to have the option of leasing the tract, but their leasing authority is limited to "property administered . . . as part of the National Park System," and this property does not qualify because it is neither within nor contiguous to the park's boundaries. The new section would allow the Park Service to lease the property as if it were located inside or contiguous to the park.

The wilderness designation for the park will cover some 94 percent of the park, including Longs Peaks and other major mountains along the Great Continental Divide, glacial cirques and snow fields, broad expanses of alpine tundra and wet meadows, old-growth forests, and hundreds of lakes and streams, all untrammeled by human structures or passage. Indeed, examples of all the natural ecosystems that make up the splendor of the Park are included in the wilderness that would be designated by this bill.

The features of these lands and waters that make Rocky Mountain National Park a true gem in our national parks system also make it an outstanding wilderness candidate.

The wilderness boundaries will assure continued access for use of existing roadways, buildings and developed areas, privately owned land, and areas where additional facilities and roadwork will improve park management and visitor services. In addition, specific provisions are included to assure that there will be no adverse effects on continue use of existing water facilities.

This bill is based on National Park Service recommendations, prepared more than 25 years ago and presented to Congress by President Richard Nixon. It seems to me that, in that time, there has been sufficient study, consideration, and refinement of those recommendations so that Congress can proceed with this legislation. I believe that this bill constitutes a fair and complete proposal, sufficiently providing for the legitimate needs of the public at large and all interested groups, and deserves to be enacted.

It took more than a decade before the Colorado delegation and the Congress were finally able, in 1993, to pass a statewide national forest wilderness bill. Since then, action has been completed on bills designating wilderness in the Spanish Peaks area of the San Isabel National Forest as well as in the Black Canyon of the Gunnison National Park, the Gunnison Gorge, the Black Ridge portion of the Colorado Canyons National Conservation Area, and the James Peak area of the Arapaho-Roosevelt National Forests.

We now need to continue making progress regarding wilderness designations for deserving lands, including other public lands in our state that are managed by the Bureau of Land Management. And the time is ripe for finally resolving the status of the lands within Rocky Mountain National Park that are dealt with in the bill I am introducing today.

All Coloradans know that the question of possible impacts on water rights can be a primary point of contention in Congressional debates over designating wilderness areas. So,

it's very important to understand that the question of water rights for Rocky Mountain National Park wilderness is entirely different from many considered before, and is far simpler.

To begin with, it has long been recognized under the laws of the United States and Colorado, including a decision of the Colorado Supreme Court, that Rocky Mountain National Park already has extensive federal reserved water rights arising from the creation of the national park itself.

This is not, so far as I have been able to find out, a controversial decision, because there is a widespread consensus that there should be no new water projects developed within Rocky Mountain National Park. And, since the park sits astride the continental divide, there's no higher land around from which streams flow into the park, so there is no possibility of any upstream diversions. And it's important to emphasize that in any event water rights associated with wilderness would amount only to guarantees that water will continue to flow through and out of the park as it always has. This preserves the natural environment of the park, but it doesn't affect downstream water use.

The bottom line is that once water leaves the park, it will continue to be available for diversion and use under Colorado law regardless of whether or not lands within the park are designated as wilderness.

These legal and practical realities are reflected in my bill—as in my predecessor's—by inclusion of a finding that because the park already has these extensive reserved rights to water, there is no need for any additional reservation of such right, and an explicit disclaimer that the bill effects any such reservation.

Some may ask, why should we designate wilderness in a national park? Isn't park protection the same as wilderness, or at least as good? The answer is that the wilderness designation will give an important additional level of protection to most of the park.

Our national park system was created, in part, to recognize and preserve prime examples of outstanding landscape. At Rocky Mountain National Park in particular, good Park Service management over the past 83 years has kept most of the park in a natural condition. And all the lands that are covered by this bill are currently being managed, in essence, to protect their wilderness character. Formal wilderness designation will no longer leave this question to the discretion of the Park Service, but will make it clear that within the designated areas there will never be roads, visitor facilities, or other manmade features that interfere with the spectacular natural beauty and wildness of the mountains.

This kind of protection is especially important for a park like Rocky Mountain, which is relatively small by western standards. As nearby land development and alteration has accelerated in recent years, the pristine nature of the park's backcountry becomes an increasingly rare feature of Colorado's landscape.

Further, Rocky Mountain National Park's popularity demands definitive and permanent protection for wild areas against possible pressures for development within the park. While only about one tenth the size of Yellowstone National Park, Rocky Mountain sees nearly the same number of visitors each year as does our first national park.

At the same time, designating these carefully selected portions of Rocky Mountain as wilderness will make other areas, now restricted under interim wilderness protection management, available for overdue improvements to park roads and visitor facilities.

So, Mr. Speaker, this bill will protect some of our nation's finest wild lands. It will protect existing rights. It will not limit any existing opportunity for new water development. And it will affirm our commitment in Colorado to preserving the very features that make our State such a remarkable place to live. So, I think the bill deserves prompt enactment.

PERSONAL EXPLANATION

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mrs. MYRICK. Mr. Speaker, I was unable to participate in the following votes. If I had been present, I would have voted as follows:

February 28, 2006: Rollcall vote 14, on the motion to suspend the rules and pass H.R. 1096, to establish the Thomas Edison National Historical Park, I would have voted ''aye.'' Rollcall vote 15, on the motion to suspend the rules and agree to H. Res. 668—celebrating the 40th anniversary of Texas Western's 1966 NCAA Basketball Championship, I would have voted ''aye.'' Rollcall vote 16, on the motion to suspend the rules and pass H.R. 1259—to authorize the President to award a gold medal on behalf of the Congress, I would have voted ''aye.''

March 1, 2006: Rollcall vote 17, on the motion to suspend the rules and agree to H. Res. 357—honoring Justice Sandra Day O'Connor, I would have voted ''aye.''

March 2, 2006: Rollcall vote 18, on ordering the previous question, H. Res. 702—providing for consideration of H.R. 4167, to amend the Federal Food, Drug, and Cosmetic Act, I would have voted ''aye.''

TRIBUTE TO FAMILY-LIFE TV

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. ENGLISH of Pennsylvania. Mr. Speaker, today I rise to recognize and honor the 30th Anniversary of Family-Life TV. Throughout its existence, Family-Life TV has offered quality religious, entertainment, and informational programming and it is my hope that it will continue to provide these services long into the future.

Founded on March 7, 1976, Family-Life TV was the brainchild of David J. Croyle. Too young to legally run the station himself, David's father, Reverend Robert F. Croyle, served as the station's first President. This role passed to David upon his father's death in 2001.

The station initially broadcasted three hours each day and only reached cable subscribers in central Armstrong County. Since that time, Family-Life TV has grown rapidly. It now offers 24 hour programming and reaches cable subscribers well beyond its initial range. Additionally, Family-Life TV has ventured into the realm of the internet, touching the lives of individuals from over 30 different nations worldwide.

Family-Life TV has become the thread that binds the Armstrong community together and ties it to the world. For this, its record of impeccable quality programming, and its 30 years of broadcasting, Family-Life TV deserves thanks and congratulations.

Mr. Speaker, I hope my fellow members will join me at this time, and once again congratulate Family-Life TV on its 30th Anniversary and wish it a long and successful future.

OPPOSITION TO LIMITATIONS ON RELIGIOUS FREEDOM IN ROMANIA

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. JONES of North Carolina. Mr. Speaker, I rise today to express my opposition to any limitations on religious freedom In Romania.

The religion bill that recently passed the Romanian Senate, discriminates against virtually all Christians except the dominant Orthodox Church. The bill that now stands before the Chamber of Deputies would in many ways treat Evangelical Protestants and Catholics as inferior.

The Romanian bill would restrict minority religious education and the use of church cemeteries, and would not protect private legal rights for all religious denominations or allow tax incentives to donors.

The spokesperson for a leading human rights group in Bucharest said ''the draft law infringes many laws and the Constitution of Romania, as well as international human rights commitments to which Romania is subject'' and that ''it would close the possibility for religious communities, such as the Greek Catholic churches, to reclaim any property in the hands of other faiths.'' The head of the Romanian Evangelical Alliance, Dr. Paul Negrut, pronounced NAY GROOTS, with whom I met two weeks ago said: ''this is a very critical time for religious liberty in Romania.''

Because we as Americans have to stand for religious freedom everywhere, we are especially concerned about this development in an emerging democracy that is a friend and ally of the U.S.

As one who has championed the Houses of Worship bill in the U.S. Congress, it is a personal matter of importance to me.

I urge the Romanian President and the Romanian Parliament to reject this discriminatory religious bill to help protect freedom of religion and to help improve U.S.-Romanian relations.

CALLING FOR THE IMMEDIATE CONSIDERATION OF THE ''FAIR LABOR STANDARDS ACT OF 2005''

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. BACA. Mr. Speaker, I rise to call for the immediate passage of H. Res. 614, a bill which allows for the consideration of the Fair labor Standards Act of 2005, to provide for an increase in the Federal minimum wage.

The Fair Labor Standards Act of 2005 will provide a desperately needed raise in the minimum wage from $5.15 per hour to $7.25 per hour.

The members of the Congress that have denied a minimum wage increase while voting themselves seven pay increases worth $28,000 should be ashamed of themselves.

On Tuesday, January 17th, 2006, Maryland became the 18th state in the Nation to enact a law that will make Maryland's minimum wage higher than the federal. Even in my home state of California, the minimum wage is $6.75 an hour. The current minimum has not been raised in over 7 years!

The minimum wage was established to assure that people who work are not forced to live in poverty. Wage inequality keeps increasing in the United States, in part because of the declining real value of the minimum wage, yet this Congress refused to adjust the minimum wage even for inflation. If the minimum wage had kept pace with inflation since 1968 (when it was $1.60 an hour) it would have been $9.14 an hour in 2005.

Nearly 36 million people live below the poverty-line today—4.3 million more than when President Bush took office—and that number includes 13 million children. Among full-time, year-round workers, poverty has doubled since the late 1970s—from roughly 1.3 million then to more than 2.6 million today. And a report from the Children's Defense Fund shows that a single parent working full-time at the current minimum wage earns enough to cover only 40 percent of the cost of raising two children.

Today, the minimum wage is 33 percent of the average hourly wage of American workers, the lowest level since 1949.

Contrary to misinformation spread by opponents of the minimum wage, adults make up the largest share of workers who would benefit from a minimum wage increase. Forty percent of minimum wage workers are the sole breadwinners in their families. Moreover, despite what many opponents of the minimum wage say, there is no evidence of job loss from the last minimum wage increase.

A hike in the federal minimum wage is long overdue! We must restore the value of the federal wage floor in order to lift families out of poverty. An increase in the minimum wage is both humane and good for the economy because it would raise the standard of living of millions of Americans, while providing the economy with a needed boost by increasing the purchasing power of working families.

Seven and a half million workers and their families would directly benefit from the proposed minimum wage increase. An additional eight million workers would benefit indirectly, via resulting raises. Women and minorities would especially benefit. 61 percent of minimum wage earners are women and almost one-third of those women are raising children; And 35 percent of them are their families' sole earners! 19 percent of minimum wage earners are Hispanic American; and 15 percent are African American.

Women and minorities are disproportionately affected by the refusal of this Congress to pass a higher minimum wage. This issue shouldn't be a political debate. It should simply be about helping America's families. And that help won't come until workers in those low-wage occupations are paid more than poverty-level wages. I have always and will continue to fight for a minimum wage that provides a future for America's families.

NATIONAL UNIFORMITY FOR FOOD ACT OF 2005

SPEECH OF

HON. JOHN J.H. "JOE" SCHWARZ

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2006

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4167) to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes:

Mr. SCHWARZ of Michigan. Mr. Chairman, the National Uniformity for Food Act deserves our full support. The issue is important to consumers and has achieved bipartisan support.

This act is consistent with our long tradition of prudent Congressional oversight of interstate commerce to protect American consumers. The act is simple. Its purpose is to provide equitable protection of consumers by requiring the States and the FDA to provide consumers with a single standard for food safety that is based on a consensus interpretation of all available science.

I believe the National Uniformity for Food Act is the best way to ensure that the safeguards we now have over meat, poultry, drugs, and many other products be applied to packaged food. Under the bill, States would retain their important functions such as sanitation, inspections and enforcement. The act contains mechanisms to review State food safety laws and consider them for national application.

This act provides important Federal protections, while retaining valuable input from States and coordination between State and Federal food safety experts. There is no better way to assure Americans that packaged food they find on our store shelves is safe for them and their families. I urge all my colleagues to join me in supporting this important act.

COMMEMORATING THE SESQUICENTENNIAL ANNIVERSARY OF LA CROSSE, WISCONSIN

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. KIND. Mr. Speaker, I rise today in celebration of the sesquicentennial anniversary of my hometown of La Crosse, Wisconsin. I cannot think of a better place to grow up, live, and raise a family. From the rolling bluffs to the lakes and rivers and the miles of hiking and biking trails, La Crosse truly is God's country. Its warm, generous, and adventurous citizens are examples of the best our country has to offer.

This beautiful river town was founded at the confluence of the Mississippi, the La Crosse, and the Black Rivers, an area first used by Native Americans as a passageway through the prairie lands of the Upper Midwest. The Native Americans were followed by French fur traders, who established commerce with the Indians living along the river's edge. The traders named La Crosse after the Native American game played with netted sticks used to catch a ball. From the Native Americans and French fur traders to the vast grain barges of today, the movement of goods along the water keeps La Crosse thriving.

La Crosse was founded in 1841, by a pioneer from New York named Nathan Myrick. Myrick established a trading post on Barron Island where he first traded with the Ho-Chunk Indians. Once Myrick extended his business to trading with steamboat passengers, settlers began targeting La Crosse for its rich farming potential. Soon thereafter, the lumber industry blossomed. Using the river as their natural transportation, lumberjacks floated logs downriver to be processed. By 1858, the railroad was built, bringing with it additional growth and development.

Having been born and raised in the city and traveled to other places around the world, I truly appreciate the solid Midwestern values and spirit of the people in La Crosse—values that emphasize kindness, honesty, family, and community combined with the can-do attitude of the town's founders.

Home to ten grade schools, two high schools, two universities, and one technical school, La Crosse highly values quality education for its youth. The city has adjusted to the changing times to remain an important center of transportation, commerce, and industry in western Wisconsin. La Crosse has succeeded in establishing a family- and business-friendly environment and will continue to thrive well beyond its next 150 years.

La Crosse's sesquicentennial provides an opportunity to commemorate the town's history, ancestors, and traditions. With its historic homes, commercial district, natural areas, museums, restaurants, and specialty shops, La Crosse provides residents and visitors with much to choose from. I enthusiastically invite all my colleagues, their families and friends to visit the Coulee Region and the city of La Crosse.

The people of La Crosse are committed to growth in their community while maintaining the harmony of the surrounding land, and I am proud to call this beautiful and friendly city my home.

CONGRATULATING PETER J. FORBES AS HE IS HONORED BY THE QUIET MAN SOCIETY OF SCRANTON, PENNSYLVANIA

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Mr. Peter J. Forbes, of northeastern Pennsylvania, this year's recipient of The Quiet Man Society's "Michael F. King, Jr. Armed Forces Veterans Award."

The award is presented annually to a local individual who, after serving in the Armed Forces, by their actions and involvement in community events, exhibited exemplary continued service to God, family and country.

The award was endowed by The Quiet Man Society in honor of Mr. King, a charter member of the Society, who was wounded twice in

World War II. He is best remembered for the countless hours he spent serving St. Paul's Church, Holy Rosary Church, Holy Family Residence, The Penn Ridge Club and the Irish American Men's Association.

Mr. Forbes served with the Australian Army in the Republic of South Vietnam in the 3rd Battalion, Royal Australian Regiment, in 1971 as a combat medic. He also served as a drum major and a piper.

Following a successful business career, Mr. Forbes settled in northeastern Pennsylvania where he currently serves as national commander of the Veterans of the Vietnam War, Inc., and the Veterans Coalition, which is headquartered in Pittston, Luzerne County.

Mr. Forbes has made it known that he will dedicate his award to the memory of three Scranton natives who served during the Vietnam War and are believed to have made the ultimate sacrifice and were declared missing in action. Their names are: Frederick Krupa, Wesley Ratzel and Lothar Terla.

To further honor the memories of these men, Mr. Forbes will present a synopsis of their service records to student representatives at each of Scranton's four high schools so the stories of their heroic service can be retold and so the present generation understands that they and all others who have died fighting for our country are gone . . . but not forgotten.

Mr. Speaker, please join me in congratulating Mr. Forbes for his selfless service to military veterans. Those who serve to protect others deserve the best this grateful nation has to give. Mr. Forbes has spent many years advocating for veterans rights, a crusade that has improved the quality of life for all who have worn a uniform and volunteered to place themselves in harm's way.

TRIBUTE TO HARRY BERGER

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Ms. SCHAKOWSKY. Mr. Speaker, in honor of the 90th birthday of Harry Berger, I am proud to share with my colleagues a tribute to this great American, lovingly written by his son Robert I. Berger. Clearly Mr. Berger is deserving of this recognition by the United States House of Representatives.

Harry Berger was born on March 26, 1916 in Hungary. During World War II, he and his family were forcibly removed from their homes and taken by the Nazis to live in a crowded Jewish ghetto. Not long after, my father, along with other men his age, were taken by German and Hungarian soldiers to work as slave laborers for the balance of the war. After my father was liberated by American soldiers, and unable to return to his home because it was then under Russian control, he obtained a temporary visa to live and work in Brussels, Belgium. It was there that my father met my mother, Helen Berger, a survivor of Auschwitz, with whom he will celebrate 58 years of marriage on February 28, 2006.

My parents, together with me age 2½, arrived in the United States on January 6, 1952, and settled in the Albany Park neighborhood of Chicago. My sister Margaret was born in Chicago in 1954. My parents and I became naturalized citizens in 1957. In 1964, my parents achieved the American dream and purchased their own home in the Rogers Park neighborhood of Chicago where they lived until 1992 when they moved to Lincolnwood, Illinois.

My father worked as a tailor at Broadlane Clothiers in the Uptown neighborhood of Chicago from the time he arrived in the United States until the store closed in approximately 1980. My father then worked for Lytton's and then Mark Shale on Michigan Avenue, where he was awarded Employee of the Year honors before retiring in 1995.

In addition to having worked hard to provide for his family, my father made time and worked tirelessly for many good causes in the service of others. My father served on the Synagogue Board and Men's Club Board of Congregation Ezras Israel in the Rogers Park neighborhood of Chicago and served two terms as President of the Men's Club and two terms as President of the Congregation. More amazing is that my father served as President of the Congregation when he was in his mid-eighties.

My father was also a Board Member and two term President of the Zionist Organization of Chicago (ZOC), the Chicago chapter of the Zionist Organization of America (ZOA). The ZOA is one of the oldest and largest Israel advocacy organizations in the United States. Founded in 1897, to support the establishment of a Jewish state, past presidents of the ZOA include Justice Louis D. Brandeis. In 1996, the ZOC honored my father and mother with the State of Israel Award for their long-time commitment and service to the organization and to the State of Israel.

My father has also helped raise hundreds of thousands of dollars for the State of Israel. In 2001, my father and mother were honored at an Israel Bond Luncheon that raised over one half million dollars in Israel bonds. My father has supported many other Jewish charities including the JUF.

My father has lived in the United States for the past 54 years and has loved all of the ideals for which this country was founded. He has been an exemplary citizen, never taking for granted the freedom and opportunity that this country afforded him and his family. He has voted in every election, he has always kept informed of the issues facing America, and he has worked for candidates for various elective office. My father has lived the American dream. He came to this country a Holocaust survivor and refugee with a wife and young son and barely a penny to his name. He worked hard, bought a home, paid off the mortgage, raised two children, provided for his family, and has and continues to live a decent and productive life.

One of my father's great pleasures is sports. As a young boy in Hungary he loved to play soccer. In his new home, he came to understand and love baseball, football and basketball. He loves the White Sox, Cubs, Bears and Bulls, and would often take me to games on Sundays, his one day off of work. My father's joy was immeasurable when his beloved White Sox finally won the World Series this past Fall.

My father's 90 years, 54 of them in the United States, is an example of what Tom Brokaw called "The Greatest Generation." He provided for his family and found time and energy to help others. His life is to be celebrated and honored.

HONORING EDGERTON PUBLIC LIBRARY

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Ms. BALDWIN. Mr. Speaker, I rise today to extend congratulations to the Edgerton Public Library in Edgerton, Wisconsin, on the occasion of its grand opening celebration. Housed in the Carnegie building originally built in 1907, the library is an impressive tribute to the people of Edgerton.

A public library serves as the cornerstone of democracy. A library fosters intellectual freedom and makes available to all citizens an extensive information network. In a local setting, citizens have access to global resources of information. The educational importance of a public library is immensely important in improving the community by providing access to higher learning, A library is a requirement for a cultivated democratic society.

A public library allows citizens to perform their civic duties placed upon them in our noble democratic nation. It not only provides free worldwide access to information, but also is a place where residents can obtain information about their community, and where internet access, tax forms and voter registration forms are provided. The role of the public library is essential in supporting a democratic state. The Edgerton Public Library has gone beyond its civic duty in providing these services for the public.

In spite of the many challenges they faced, the people of Edgerton were committed to this important project. I am proud to recognize the efforts of a community that created a dream and followed through to success. I join the residents of Edgerton in celebrating the grand opening of the newly expanded and renovated Edgerton Public Library and wish them the best for many years to come.

INTRODUCTION OF THE DISTRICT OF COLUMBIA LEGISLATIVE AUTONOMY ACT OF 2006

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Ms. NORTON. Mr. Speaker, I am introducing the District of Columbia Legislative Autonomy Act of 2006, the second in a series of "Free and Equal D.C." bills to remove the remaining congressional statutes that impose discriminatory and unequal treatment on the District of Columbia as a U.S. jurisdiction, on its elected and public officials, and on its citizens. These bills are different from the No Taxation without Representation Act, which in addition to providing equal treatment, would remedy a major violation of basic human rights recognized under international law and treaties and, moreover, a human rights denial found only in the United States. Residents justifiably focus on this most basic of infringements, but our city can and must make more progress on other unnecessary requirements and denials that violate the rights of the taxpaying American citizens who live in the Nation's capital as well.

The Free and Equal D.C. series addresses privileges, rights and benefits universally enjoyed not only by the citizens of State and local jurisdictions, but also by the four territories, under Federal principles of local control that govern the United States. Among the most important are the right to enact local budget, civil and criminal laws free from Federal interference. This bill's fraternal twin, the most important in the Free and Equal D.C. series, H.R. 1629, the District of Columbia Budget Autonomy Act of 2005, sponsored by Government Reform Committee Chairman TOM DAVIS and I, was introduced last year as the first bill of the series. The Senate passed the bill in 2003, and my goal is to achieve passage by both Houses this session.

Because the period of congressional review involves only legislative days, when Congress is in session, not calendar days, D.C. laws typically do not become law for months, not days. A required hold on all D.C. bills, forces the City Council to pass most legislation using a cumbersome and complicated process in which bills are passed concurrently on an emergency, temporary, and permanent basis to ensure that the operations of the large and rapidly changing city continue. The Legislative Autonomy bill would eliminate the need for the District to engage in this Byzantine process that often requires a two-thirds super majority even for ordinary legislation.

This second bill in the Free and Equal D.C. series would eliminate the congressional review period for civil and criminal District acts of 30 days and 60 days respectively. I have introduced today's legislative autonomy bill before, but today's bill is particularly timely because of substantial changes in congressional approach and practices in responding to Council-passed law. In effect, Congress has eliminated the review or layover period. My bill would do no more than align D.C. City Council practices with the approaches Congress uses today.

Moreover, although control of the Congress changed in 1994 for the first time in 40 years, no resolution of disapproval has been heard in committee or used on the floor of either House. Instead of the cumbersome formal filing of bills that require processing in the House and the Senate, both use other more efficient processes, particularly appropriations or attachments to other bills. My bill would eliminate a formal review system that has died of old age and non-use. Congress has walked away from layover review and should allow the city to do the same.

Today's bill, of course, does not prevent review of District laws by Congress. Under Article I, Section 8 of the Constitution, the House Government Reform Committee and the Senate Government Affairs Committee could scrutinize every piece of legislation passed by the City Council, if desired, and could change or strike legislation under the plenary constitutional authority over the District. However, today Congress prefers more rapid approaches. My bill merely eliminates the automatic hold placed on local legislation and eliminates the need for the City Council to use a Byzantine emergency and temporary process to keep the District functioning under law.

Since the Home Rule Act became effective in 1974, of over 2000 legislative acts that have been passed by the Council and signed into law by the Mayor, only three resolutions to disapprove a D.C. bill have been enacted, and two involved a distinct Federal interest; only 43 acts have been challenged by a congressional disapproval resolution. Federal law to correct for a Federal interest, of course, would be appropriate for any jurisdiction, but placing a hold on 2000 bills has not only proved unnecessary, but has meant untold costs in money, staff and time to the District and the Congress.

We continually urge the District government to pursue greater efficiency and savings. Congress must now do its part to promote greater efficiency both here and in the District by streamlining its own cumbersome, redundant, and obsolescent review processes. Eliminating the hold on D.C. legislation would not only save scarce D.C. taxpayer revenue; my bill would benefit the city's bond rating, which is effected by the shadow of congressional review that delays the certainty of finality to District legislation. At the same time, Congress would give up none of its plenary power because the Congress may intervene into any District matter at any time.

Thus, the limited legislative autonomy granted in this bill would allow the District to realize the greater measure of meaningful self-government and Home Rule it deserves and has more than earned in the 32 years since the Home Rule Act became effective. This goal can be achieved not only without prejudice to congressional authority. A congressional practice for many years now that has meant savings to Congress should now be reciprocated to the City Council as well. I urge my colleagues to pass this important measure.

ON THE INTRODUCTION OF HER BILL SUPPORTING A SALVADORAN-AMERICAN DAY

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Ms. SOLIS. Mr. Speaker, I rise today to introduce a bill supporting the goals and ideals of a Salvadoran-American Day (El Dia del Salvadoreño) in recognition of all Salvadoran-Americans for their hard work, dedication and contribution to the stability and well-being of the United States.

Forty years of internal political turmoil forced hundreds of thousands of individuals from the Republic of El Salvador to flee the country and seek peace and security in the United States. Currently, there are over 900,000 Salvadoran-Americans living in the United States, with the majority of them living in California, the Washington, DC Metropolitan Area and New York. In the Los Angeles metropolitan area alone, there are roughly 400,000 Salvadoran-Americans.

In California, the state with the largest population of Salvadoran Americans, El Dia del Salvadoreño is widely celebrated among the Latino community. This celebration of Salvadoran traditions dates back to 1525, when on August 6 the city of Villa De San Salvador was founded. August 6 also marks the date when Salvadorans around the United States celebrate the ''Fiestas Agostinas'' (August Holidays.) This celebration pays homage to the cultural festivities of El Salvador while adapting itself to the lives of Salvadorans in the United States. Celebrated by Salvadoran-Americans in California and throughout our country, Salvadoran-American Day has grown in significance over the years.

Let us not forget that our Nation was built by people from many nations and cultures whose lives and work have contributed to the greatness of our Nation. Likewise, we must recognize the efforts of Salvadoran-Americans for their cultural and economic contributions to the United States and support the ideals of a Salvadoran-American Day.

IN HONOR AND REMEMBRANCE OF LENA CARDOSO COSTA

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. HONDA. Mr. Speaker, I rise today with my colleague Congressman DENNIS CARDOZA, to share the obituary of Lena Cardoso Costa a loving mother to our dear friend and colleague, Congressman JIM COSTA. She was a loving mother, grandmother, and great-grandmother who meant a great deal to a great many people. Knowing of the important bond between JIM COSTA and his mother Lena, we express our deepest sympathies for his loss.

Mr. Speaker, please join us in honoring and remembering the life of Lena Cardoso Costa.

OBITUARY TO LENA CARDOSO COSTA

Surrounded by loved ones Lena Cardoso Costa completed her long journey of 90 years during which she contributed generously to the lives of her family and her community. As a member of what has been described as ''America's Greatest Generation'', she knew first hand the hard-scrabble days of the Great Depression, the uncertainty of living in a nation at war and the joy that comes from seeing the success of her children and family.

Born in Corcoran, California on August 20, 1915 to Joseph and Georgina Cardoso, Portuguese emigrants from the Azore Islands, Lena Cardoso was raised in Stratford, California along with her 5 brothers and 2 sisters. Her parents came to America to establish for themselves and their children a better life. During Lena's childhood her family endured very difficult economic times, but they persevered to realize the American Dream. The values of Lena's parents, hard work and dedication to family, were passed on to their children.

On October 11, 1936, Lena Cardoso married Manuel Costa and joined the large extended family of John C. Costa Sr. Along with his brother and his wife, John and Mary Costa, Lena and Manuel established a dairy and farming business that moved permanently to the Kearney Park area in 1942.

During the 1950's, 1960's and 1970's Lena was deeply involved in her community, cooking at the Kearney Elementary School and serving on the school's district's Board of Trustees. Because she had to quit school at the 9th grade to help her family, she placed an extraordinary importance on education for her children and grandchildren. As a matter of fact, Lena decided for her own satisfaction in 1985, at age 70, to go back to school and earned her General Education Degree.

In addition, Lena was appointed to the Fresno County Social Services Commission upon which she served through the late 60's and early 70's. She was active in the Fresno County Cabrillo Club for over 60 years in support of the club's numerous civic and charitable events and for years represented

the club at the Naturalization ceremonies for new citizens. Lena served as a delegate to the state Democratic convention and was a member of the Fresno Democratic Women's Club. One of her proudest moments was on January 4, 2005 when she saw her son, Jim, sworn in as a Member of Congress in Washington, D.C. as the Representative for the 20th Congressional District.

During her lifetime Lena was well read and enjoyed as hobbies traveling, painting, ceramics and playing cards. For over 50 years she and a group of friends played bridge together at least once a month. Lena was also active within the Portuguese lodges SPRSI and as a charter member of the UPPEC of Kerman.

Lena Costa is survived by her children, Congressman Jim Costa of Fresno and Bette O'Sullivan and her husband Denis of Mountain Lakes, NJ; grandchildren Roberta Rasmussen Vinkhuyzen and her husband Dr Erik Vinkhuyzen of Tokyo, Japan; Eric Rasmussen of Los Gatos; Dr Christopher Rasmussen of Pasadena; Kurt Rasmussen of Eureka; and Laura Rasmussen Nichols and her husband Kallen, who is stationed at Lemoore Naval Air Station; Kerin O'Sullivan Berghaier and her husband Richard of Chalfont, PA; Cathlyn O'Sullivan Markel and her husband Howard of Zephyrhills, FL; and Patricia O'Sullivan Jacobson and her husband Michael of Randolph, NJ. Lena is also survived by her great-grandchildren Saskia, Pascale, and Lukas Vinkhuyzen; Shayla Nichols and Tucker Rasmussen; Nikolas and Alexander Jacobson; and Emma Rose Markel.

She is also survived by her sister Elsie Martin of Hanford; brothers Tony Cardoso of Kerman, Emidio Cardoso of Fresno, Lee Cardoso of Hanford, Dimas Cardoso of Pismo Beach; and brother-in-law Leonel Costa of Fallon Nevada. She leaves 26 nieces and nephews that she loved dearly.

Lena Costa was preceded in death by her husband Manuel and sister Georgina Roza.

IN MEMORY OF KUNI HIRONAKA

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Ms. MATSUI. Mr. Speaker, today I rise in tribute to a dear friend, tireless volunteer and community leader. Kuni Hironaka, served our nation through many decades of service at McClellan Air Force Base as well as volunteering with numerous community organizations in the Sacramento region with great passion, integrity and commitment. He passed away on March 8th. As his family and friends gather to honor and remember his wonderful life, I ask all my colleagues to join me in saluting one of Sacramento's most well-respected figures, and my friend, Kuni Hironaka.

Kuni was born and raised in Sacramento, where he lived for most of his life. He worked for 37 years at McClellan Air Force Base as a civilian employee. In 1967 he observed that Asian Americans were not a protected minority in the federal workforce. At McClellan there were no Asian American supervisors or foremen in the maintenance department or in the base's management, even though there were a considerable number of qualified individuals with the experience and education necessary to do the job well.

Taking a personal and professional risk, Kuni strived to change this. He repeatedly inquired with the McClellan Air Force Base chain of command and did not rest until the Department of Defense reviewed their hiring and promotion practices. Ultimately, his decision to challenge the status quo resulted in more qualified Asian Americans being promoted in the civilian workforce and the removal of the term "Oriental" as an ethnic identifier. Kuni played a crucial role in ensuring that all minorities were treated fairly and protected in the workplace.

Kuni was always one to give back to our community, spending most of his free time helping others. He was active with the Sacramento Chapter of the Japanese American Citizens League, the Sacramento Asian Sports Foundation, Bocho Doshi Kai and the South Tanoshimi Kai. The day of his passing, he spent all morning volunteering at the Japanese American National Bowling Association's annual tournament.

In recognition of his longtime dedication to numerous non-profit causes and his commitment to civil rights, Kuni was honored as an "Asian Pacific American Heritage Hero" by Sacramento's public television station, KVIE, just last April. It was a fitting honor for a man who gave so much to so many others.

Bob and I were truly lucky to know Kuni so well and to be able to call him our friend. He was always there to help us and our family. Brian, Amy, Anna and I, as well as countless others in Sacramento will miss him deeply.

Kuni is survived by a loving family, including his wonderful wife Rose, their four children, David, Amy, Arlene, and Richard, and seven grandchildren.

Mr. Speaker, as Kuni Hironaka's family members and friends gather to honor his legacy and many contributions, I am honored to pay tribute to one of my closest friends. I ask all my colleagues to join with me in paying respect to and acknowledging the life of an extraordinarily caring man.

IN RECOGNITION OF 50-YEAR MEMBERS OF KAPPA ALPHA PSI FRATERNITY, INC.

HON. ALBERT RUSSELL WYNN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. WYNN. Mr. Speaker, I rise today to recognize and thank my college fraternity, Kappa Alpha Psi Fraternity, Inc., for the support and encouragement they are providing to the Eastern Province of Kappa Alpha Psi Fraternity, Inc., in recognizing its 50-year brothers and senior Kappas. I have been a member of this great fraternity for 36 years.

Kappa Alpha Psi Fraternity, Inc. was founded nearly 100 years ago, in 1911, at Indiana University, Bloomington, Indiana, by eleven young African American male students, and chartered by the State of Indiana on May 15, 1911. These undergraduate students were in their late teens and early twenties and were sophomores and juniors, at Indiana University. Their parents and/or grandparents had been either slaves or freed slaves. An excerpt, in pertinent part, from the articles of incorporation reads as follows: "All the subscribers hereto, who are colored citizens of the United States and Students of Indiana University, do hereby associate themselves together . . . for the purpose of founding a National, Secret, Greek Letter Fraternity . . . to stimulate fellow students to the attainment of high, intellectual, moral and social worth."

During the past nearly 100 years, the fraternity has grown to 370 alumni chapters and 375 undergraduate chapters. The fraternity is divided into 12 provinces (regions) throughout the United States, and in several countries abroad. My local chapter, the Hyattsville/Landover (MD) Alumni Chapter is situated in the Eastern Province. The province has 53 Chapters with approximately 1,800 brothers affiliated with chapters assigned to it.

New membership in the fraternity is not limited or restricted to undergraduate students only. Unlike many other national college fraternities, our alumni chapters are most viable and play a significant "training for leadership" role to its undergraduate brothers. This role is accomplished while these alumni members are raising families and achieving in all fields of human endeavor, including rendering community services. We also provide scholarships and loans to high school students, as well as college students, even to those who are not members of Kappa Alpha Psi.

It is noteworthy, that social outlets available to these alumni brothers during the last nearly 100 years made it most feasible and propitious to continue bonding together as they worked with the younger brothers and others in the community.

The Eastern Province has been diligent in its recognition of its senior brothers and brothers who have been members of the fraternity for fifty or more years. Beginning in May 2006, they will initiate an annual recognition activity for these brothers, in conjunction with national initiatives and special amenities, honoring their length of life and service to the fraternity and community-at-large.

Somewhere in heaven, the chapter invisible, I know our esteemed founders are smiling after noting that our senior and fifty year brothers are not being placed on the shelf and forgotten.

KBBF'S 35TH ANNIVERSARY

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Ms. WOOLSEY. Mr. Speaker, I rise today to honor the Bilingual Broadcasting Foundation, Inc. for establishing KBBF 89.1. This station has served my constituents in Sonoma County for 35 years. KBBF is an example of how local broadcasters can serve and benefit their communities. In an era where media outlets are owned by fewer and fewer corporations, KBBF's voice rings brightly throughout the North Bay.

KBBF was the dream of a few Sonoma State University students who had a vision of establishing a community owned and operated, non-commercial, bilingual, bi-cultural, educational FM radio station that would be committed to social change and advocacy for the poor and would be devoted to meeting the educational, informational, and cultural needs of the Spanish speaking community.

Its founding Board of Directors was far from the Fortune 500. It was made up of people like you and me; a farm worker, a lawyer, a

housewife, a local professor and a college student. No wonder KBBF connects so well to the community it serves.

The first test broadcast of KBBF–FM on March 31, 1973 made radio history by being the first public bi-lingual radio station in the United States. Regular broadcasts began two months later on May 31, 1973.

By 1976 the Bilingual Broadcasting Foundation, Inc. Board of Directors developed a statement of goals consistent with the philosophy of the original founders. In addition to social change and advocacy, the Board charged KBBF with programming goals to coordinate and facilitate efforts to advance the political, social, educational and economic conditions of the Chicano, and Spanish-speaking community and to provide an avenue to develop leadership and creative potential for the youth. The Board of Directors and KBBF have received national recognition from the John F. Kennedy Foundation and the Corporation for Public Broadcasting for achieving these goals.

Mr. Speaker, I congratulate KBBF 89.1 on its 35th Anniversary for serving my constituents and the nation by being the first bilingual educational FM radio station in the United States.

PERSONAL EXPLANATION

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. LARSON of Connecticut. Mr. Speaker I regret that I was out of the Chamber on Wednesday, March 8, 2006 and was unable to return before time expired on rollcall vote No. 32 on HR 4167, the National Uniformity for Food Act of 2005. Had I been allowed to record my vote, I would have voted "no" on rollcall vote No. 32.

IN RECOGNITION OF THE 100TH ANNIVERSARY OF THE BLINN HOUSE

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. SCHIFF. Mr. Speaker, I rise today to honor the Blinn House in Pasadena, California. This year, the Blinn House will celebrating its 100th Anniversary.

Edmund Blinn, an Oak Park, Illinois native enjoyed Pasadena when visiting with his wife Kate and their four children. In 1905, the Blinns decided to leave Oak Park for the warm climate and beauty of Pasadena. They hired George W. Maher to design their California home in the Midwestern Prairie School Style in 1906. Maher designed the interior of the house using harmonious natural materials with a repeated theme of wisteria vines. In his design for the Blinn house, Maher used a segmental or broken-arch theme throughout the house. Tiffany inspired leaded-glass windows with a wisteria vine motif artfully border the broken-arch windows.

At the turn of the last century a group of prestigious Chicago architects led the world in the advancement of new ideas in the design and construction of commercial buildings. Their work is better known as the Chicago School of Architecture. One of the architects, Louis Sullivan, embellished his building designs to incorporate simple repetitive patterns taken from nature. Young architects such as George W. Maher and Frank Lloyd Wright admired Sullivan's work, and while working in a community with other Midwestern architects founded the Prairie School of Architecture. The Prairie School architects created a uniquely American style of architecture which brought natural elements of the countryside to the cities.

The Blinn House was designated a Pasadena Cultural Heritage Landmark in 1977. In 2001, it was placed on both the National Register of Historic Places and the California Register of Historical Resources. In 2002, the Blinn House Foundation was formed for the purpose of maintaining and preserving this Pasadena legacy. Home to the Women's City Club since 1945, the Blinn House continues to serve the Pasadena community as a meeting place for women's civic, cultural, and educational activities.

I am proud to recognize the Blinn House upon its 100th Anniversary and I ask all Members to join me today in honoring this historic house.

NATIONAL UNIFORMITY FOR FOOD ACT OF 2005

SPEECH OF

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 8, 2006

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 4167) to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes:

Mr. MOORE of Kansas. Mr. Chairman, while I am a cosponsor of H.R. 4167, the National Uniformity for Food Act, I am concerned about the process in which the bill was brought to the floor for consideration, without a committee hearing or markup. I believe that any major legislation should be subject to a committee hearing, where members can provide input and offer amendments. I support uniform, national food safety label standards, because I believe it will enhance consumer protection. I am, however, opposed to the process in which the House will consider this legislation today, which is why I am voting against H. Res. 710, the rule for consideration of H.R. 4167.

INTRODUCTION OF H.R. XXXX, COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES REFORM ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mrs. MALONEY. Mr. Speaker, this bill reforms the process by which the government reviews foreign acquisitions of companies doing business in the United States for national security concerns. These reforms are badly needed. Even prior to the Dubai ports debacle, the nonpartisan Government Accounting Office had identified several serious problems with the process by which the interagency Committee on Foreign Investment in the United States reviews foreign acquisitions. The need for reform was dramatically illustrated by the failure of CFIUS process in the Dubai ports deal. Not one of the twelve agencies involved managed to identify the Dubai ports deal as one which "could affect the national security" of the United States—even though it involved acquisition of port management at 20 ports on the East Coast and Gulf by the government of Dubai.

As a threshold matter, the bill creates the CFIUS by statute and specifies the membership. It adds the Director of National Intelligence to the present group, so that the concerns of the intelligence community are represented.

The bill requires a 45-day investigation of national security concerns by CFIUS, and a , recommendation to the President, in all cases of acquisition by foreign governments. This was Congress' clear intent in enacting the Byrd Amendment. But as the GAO reported, and as we have seen in the Dubai ports case, the Administration has found several ways to evade doing an investigation through strained interpretations of the statutory language.

The bill also requires that sign off at the Deputy Secretary level or above for any transaction that is not subject to a 45-day investigation but which is subject to a mitigation agreement to resolve national security concerns raised. These agreements need to be reviewed at the highest levels.

The bill also requires CFIUS to consider and specifically respond to a list of factors that might affect national security. The present statute allows but does not require such consideration. Most important, the bill adds to the list of factors that must be considered whether the transaction affects critical infrastructure. According to the GAO report, the Departments of Justice, Homeland Security and Defense all believe that a deal's effect on critical infrastructure should be considered in the CFIUS process but Treasury has prevented such consideration.

The bill requires an annual report to Congress on transactions completed and a quarterly report on pending transactions. Although the present law expressly permits Congress access to all information in the CFIUS process, Treasury has refused and continues to refuse Congress access to key information. These reports will provide, among other things, information on the nature of the transaction, the national security concerns raised by any agency; how those concerns were mitigated; and whether such acquisition was completed or not, as well as any Presidential decisions made under the statute.

Perhaps the most dangerous transactions are those that escape the CFIUS process altogether through withdrawal, as the GAO reported. To correct the problem created by companies that withdraw before completion of the CFIUS process but proceed with the transaction, the bill requires that CFIUS impose restrictions on the company after withdrawal to address any national security concerns raised, set specific time frames for the company to

refile, and track actions taken by the company during the withdrawal period.

IN TRIBUTE TO THE SHREWSBURY HIGH SCHOOL DREAM TEAM

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. MCGOVERN. Mr. Speaker, I rise today to recognize the Shrewsbury High School DREAM Team. During their 10 years of exceptional service, the DREAM Team, which stands for Daring to Reform Education on AIDS Matters, has played a vital role in helping those impacted by the AIDS virus. In addition to spreading awareness about AIDS, the DREAM Team is committed to helping those in the Worcester area plagued by hunger, homelessness, and other problems.

Since its creation in 1996, the Shrewsbury High School DREAM Team has raised awareness in youth of the importance of not being complacent about social crises. Although the organization's initial objective was helping the local population affected by the AIDS virus, their objective has widened to a variety of social causes, as can be seen by their involvement with the Holiday Christmas Party this year at the Community Health Link Shelter in Leominster, through which over 400 presents were collected. The Dream Team also sponsored a food drive at Thanksgiving that benefited St. Anne's Outreach Services and the Worcester County Food Bank in Shrewsbury.

The DREAM Team's concern for those in need and their acknowledgement of the critical role today's youth play in alleviating social problems is fundamental in the education of the town of Shrewsbury and the nation at large. I am grateful to the DREAM Team for their contribution to my community and ask my colleagues to join in me in honoring this exemplary organization.

IN MEMORY OF HELEN MARY WILLIAMS

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. SCHIFF. Mr. Speaker, I rise today to honor the life of Helen Mary Williams. Helen Mary passed away on Tuesday, January 10, 2006. She will be missed dearly by countless members of the community which she served so thoughtfully over the past 30 years.

Helen Mary was born in Chicago, Illinois and grew up during the Great Depression. She attended Coe College and graduated Cum Laude in 1942 with a Bachelor's degree in Speech. While in college, she volunteered for her local radio station, becoming one of the first women in Iowa to be on the radio. She went on to become Assistant Program Director at WIND in Gary, Indiana. Later, she moved back to Chicago where she was a writer and broadcaster for CBS.

In the late 1950s, Mrs. Williams decided to become a teacher and she made her way to Pasadena, California. As a science teacher at Cleveland Elementary School, Mrs. Williams founded the Junior Audubon Science Club in 1959. The Club was dedicated to teaching inner-city youth about nature. With the help of community activists and involved parents, the science club expanded and was renamed Outward Bound Adventures (OBA) and incorporated as a nonprofit environmental educational youth organization. When asked about the beginnings of OBA, Mrs. Williams said, ''It was really laughable when we started doing these trips back in 1959 and 1960. None of the leaders had done much in the way of High Sierra trips, so we goofed a bit. But we also learned. And now we found out that kids are basically kids; by that I mean, they respond well to positive reinforcement both inside and outside the classroom.''

Mrs. Williams knew that OBA was exactly the type of program that every inner-city youth should have available to them, and by 1969, Mrs. Williams and OBA had served over 20,000 urban youth. Helen Mary Williams was a visionary. She had faith that people would believe in her vision; she had faith that every child could learn and improve academic and social skills by being exposed to the wonders of the great outdoors. Mrs. Williams served on the OBA Board of Directors until her death and received many awards throughout her career. The time and energy she gave to children and their parents was remarkable. Helen Mary leaves behind more than 30,000 youth and adults whose lives have been forever changed.

I ask all Members of the United States House of Representatives to join me today in honoring the life of Helen Mary Williams.

HONORING THE LIFE OF GORDON ROGER ALEXANDER BUCHANAN PARKS

HON. TODD TIAHRT

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. TIAHRT. Mr. Speaker, I rise today to honor the life of Gordon Roger Alexander Buchanan Parks and to extend my condolences to his family and friends on his death this week.

Mr. Parks was born in 1912 in Fort Scott, Kansas, where he also spent his childhood years. His life was an example of hope, tenacity, courage and accomplishment. He inspired many with thought-provoking photographs and images as seen through his lenses. He captured the poverty of many Americans, highlighted racism, and made us aware of people largely ignored.

He also captured inspiring images of beauty and courage that attested to the freedom of the human spirit. Mr. Parks was a man who found beauty nearly everywhere he went. His work told the story of freedom, of breaking boundaries and of hope in difficult times.

Freedom was, in Mr. Parks' own words, what his work was about. He helped African Americans gain new ground in their struggle for recognition of their civil rights. He helped make America aware of the gang wars within some of our urban cities. And he captured beauty wherever he saw it.

He brought to America many untold stories from other parts of the world, including his famous Life magazine account of Flavio da Silva, the young Brazilian boy suffering from tuberculosis. Like other works of Mr. Parks, his pictures elicited action. Approximately $30,000 was sent from readers to help bring Flavio to America where he was soon cured of tuberculosis.

Mr. Parks' success was not just in his numerous honors and awards for a lifetime of outstanding work as a photojournalist, author, film director, and musician, but also as an individual who triumphed over racism, poverty and a lack of formal education. Rather than lashing out in anger at the injustice he both experienced and witnessed though much of his life, he chose to challenge the status quo through his photography, his writings and his stories.

Kansans learned many important lessons from Mr. Parks. It took a lot of grace and courage for him to address the injustices of his past, and for that we are grateful. America needs more people who will strive to do good in the face of adversity. Our country and the world are a better place because of his example.

In 1986 Kansas honored Mr. Parks by naming him Kansan of the Year. Then in 1988, President Ronald Reagan awarded him with the National Medal of Arts. More recently, he received the University of Kansas' William Allen White Foundation National Citation for journalistic merit in 2006.

I hope the House of Representatives will quickly pass the resolution in honor of Mr. Parks sponsored by my Kansas colleague, JIM RYUN. It is appropriate that Congress acknowledge his life and many positive contributions to our country.

I hope the memory of Mr. Parks will live on for generations and that his family and friends will find solace in the legacy he leaves behind. May Gordon Parks rest in peace.

CELEBRATING THE 45TH ANNIVERSARY OF THE PEACE CORPS AND NATIONAL PEACE CORPS WEEK

HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mrs. JONES of Ohio. Mr. Speaker, I rise today to honor the many men and women that serve on the Peace Corps. I believe you can either be part of the problem or part of the solution. The many men and women that serve on the Peace Corps are part of the solution in creating international peace. In 1961 when John F. Kennedy established the Peace Corps he intended to promote world peace and friendships.

Today, in the twenty first century Peace Corps members play a vital role in the United States by serving other countries in the cause of peace. The volunteers work on many different projects that help people in interested countries meet their needs for trained men and women, and also help encourage a better understanding of Americans on the part of the peoples served.

Members of the Peace Corps serve our country by assisting countries around the world. Finding common ways to address global challenges such as, the HIV/AIDS epidemic and also building unbending bonds of friendship across an ever shrinking world is one of the many developmental programs the Peace Corps offers.

Another project that Peace Corps members assisted in was the Hurricane Katrina relief efforts project. Along with FEMA they aided the many victims in need of help from the unfortunate natural disaster. Members of the Peace Corps not only bring back ideas from different cultures, they also share their American culture with foreign countries.

Join me in applauding our fellow Peace Corps members on 45 years of dedicated service to our country. I wish them much success and encourage our young people to take advantage of the great opportunities the Peace Corps has to offer.

HONORING AND PRAISING THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE ON THE OCCASION OF ITS 97TH ANNIVERSARY

SPEECH OF

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 1, 2006

Mr. CARDOZA. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to the National Association for the Advancement of Colored People (NAACP) as they celebrate the 97th anniversary of their inception.

Since February 12, 1909, the NAACP has strived to promote their mission to ensure the political, educational, social, and economic equality of rights for all persons and to eliminate racial hatred and racial discrimination.

As the oldest and largest civil rights organization in the nation, the members of the NAACP have sought to remove all barriers of racial discrimination through non-violence and positive reinforcement.

The NAACP won one of the nation's greatest legal victories—the 1954 Supreme Court decision Brown v. Board of Education. The NAACP was also a prominent power that lobbied for the passage of the Civil Rights Acts of 1957, 1960, and 1964. The Voting Rights Act of 1965 and the Fair Housing Act were also achievements of this longstanding organization.

In 2005, the National Association for the Advancement of Colored People launched the Disaster Relief Fund to help Hurricane Katrina survivors in Louisiana, Mississippi, Texas, Florida, and Alabama rebuild their lives.

Today the NAACP is a network of more than 2,200 affiliates covering all 50 states, the District of Columbia, Japan and Germany. As a Californian, it is with honor that I note that our state contains 72 branches and youth units.

The perseverance demonstrated by members of the NAACP reflects the strength of this exceptional organization. Over the past 97 years, this national organization has provided communities around the United States with strong and passionate leaders who have fought for social change. I congratulate them on their successes and look forward to many more years of continued achievements in the future.

I commend the NAACP and look forward to celebrating their centennial in 3 years.

A TRIBUTE TO FOOTHILL FAMILY SERVICE

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. SCHIFF. Mr. Speaker, I rise today to honor Foothill Family Service of Pasadena, California. During the month of March, 2006, Foothill Family Service will be celebrating its 80th Anniversary.

Believing that strong communities begin with healthy families, the mission of Foothill Family Service is to strengthen and support adults, children and families so that they can lead productive lives. Foothill Family Service is committed to the prevention and treatment of child abuse, domestic violence, school failure, teen pregnancy and school violence.

Foothill Family Service offers a plethora of mental health and social service programs to residents of the San Gabriel Valley, Pomona Valley, Glendale and Burbank communities. Some of the programs offered are Child Abuse Prevention and Treatment, Mental Health Treatment, Family Violence Prevention, Teen Pregnancy Prevention, Dual Diagnosing Services, Counseling, and Senior Services. ESTEEM School-Based Services is a program that provides on-site counseling and mental health services at schools in the San Gabriel Valley and in Glendale.

The organization has widespread support throughout the community with many volunteers that donate thousands of hours. Last year, Foothill Family Service assisted more than 20,000 children, adults, and families, most of whom receive subsidized services and have a monthly net income of under $1 ,000. Services are provided in many languages, including English, Spanish, Armenian, Korean, Farsi, Vietnamese, Cantonese, Mandarin, and Japanese.

I am proud to recognize Foothill Family Service upon its 80th Anniversary and I ask all Members to join me in congratulating this invaluable organization for their remarkable achievements.

RECOGNIZING JIM MALONEY, RECIPIENT OF THE 2006 GOIN' SOUTH CIVIC PRIDE AWARD

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. HIGGINS. Mr. Speaker, it gives me great pleasure to stand here today to recognize Jim Maloney a remarkable citizen who will be honored on March 11, 2006, by Goin' South, a civic, social, and cultural organization based in South Buffalo, New York.

Jim is a retired railroad conductor from South Buffalo, NY. He and his wife Delores have 4 children, 12 grandchildren and 3 great grandchildren. Mr. Maloney is actively involved at St. Thomas Aquinas Parish and serves as President of the S.T.A. Travel Club. He also volunteers his time to assist Bishop Timon/St. Jude High School in their fundraising efforts.

Mr. Maloney's recent and most notable contribution to the South Buffalo community was unveiled in the summer of 2005 in the form of a Law Enforcement Memorial at McKinley Parkway and Abbott Road in Heacock Park. Jim and Delores Maloney's son Daniel died tragically in the line of duty and it was his heroic sacrifice that served as Jim's inspiration. He sought to create a visual reminder of the sacrifices that law enforcement officers make every day.

Turning his vision into reality, Jim worked tirelessly with the help of friends to create the beautifully designed memorial which displays the names of over 70 fallen Western New York Law enforcement officers.

Mr. Speaker, Jim Maloney is being honored as the recipient of the 2006 Goin' South Civic Pride Award for his hard work, civic contributions and steadfast commitment to honoring Western New York's law enforcement officers who died in the line of duty. It is my distinct honor to recognize him here today.

RECOGNIZING DR. TAN SIU LIN FOR HIS SERVICE TO OUR COMMUNITY ON GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Ms. BORDALLO. Mr. Speaker, I rise today to recognize Dr. Tan Siu Lin for his service to our community and his civic involvement on Guam. Dr. Tan, an entrepreneur and philanthropist, has supported many community projects and initiatives since he and his family first established a business on Guam in 1972. His civic contributions have spanned the fields of education, journalism, information technology and business. Today, Dr. Tan continues to fill important leadership roles on our island and remains involved in many notable community and philanthropic projects that benefit the Western Pacific Region.

The preservation of culture has always been an important goal of Dr. Tan, who was born in Quanzhou, China in 1930. He founded the Chinese School of Guam, the Chinese Park of Guam, and Gee How Oak Tin Association of Guam. He served as the chairman of the United Chinese Association of Guam during its early stages and successfully led the organization through a period of sustained growth and activity. Today, he continues to serve the United Chinese Association of Guam as their Honorary Chairman.

He has endowed a scholarship at the University of Guam in support of academic excellence. He established ''The Overseas Chinese Newspaper of Guam'' to share news among the Chinese community of Guam and to promote and highlight accomplishments of their community.

His entrepreneurial success has not overshadowed his humanity and his community service. His personal motto is: ''deliver to the community with what you have earned from it.'' He has been recognized by the governments of Malaysia and the Philippines for his philanthropic contributions. Organizations in Hong Kong and Micronesia have also honored him for his work in support of charitable causes.

As he marks another milestone this week with the opening of a new business venture on Guam, I take this occasion to recognize his achievements and his community service. I

join his wife Lam Pek Kim and his children Henry, Willie, Lilly, Jerry, Raymond and Sunny in recognizing his many professional accomplishments and his service to our community.

TRIBUTE TO MR. RAÚL DÁVILA

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. SERRANO. Mr. Speaker, I rise today to honor the life and work of Raúl Dávila, the late, great Puerto Rican actor. Mr. Dávila was a leading light in the Hispanic acting community and a good friend. He will be missed by all who knew or knew of him.

Mr. Dávila was born in San Juan, Puerto Rico on September 15, 1934. He graduated from the University of Puerto Rico and Tulane University. By the time he was in his early twenties, he was acting in soap operas and other works broadcast on the island of Puerto Rico. In spite of his success in Puerto Rico, he soon felt the pull to move to a larger market and to take on more challenges. In late 1963, like so many of his generation, he moved to New York.

Upon arriving in New York, he immersed himself in the vibrant and vital Hispanic acting and arts scene. He began to work as an actor, and starred in many television shows, both in Spanish and English. He, along with other Hispanic actors, fought valiantly for the rights and recognition that Hispanic actors deserved.

One manner in which Mr. Dávila successfully pushed for equal opportunities for Hispanic actors was through his leadership at the Hispanic Organization of Latin Actors, or HOLA, of which he was president many times. Part of HOLA's mission statement reads that the organization seeks "to expand the presence of Hispanic actors in both the Latino and mainstream entertainment and communications media by facilitating industry access to employing professional and emerging Hispanic actors." Raúl Dávila's service to the community, of which he was such a vital part, focused directly on that mission. He sought to open doors for Hispanic actors here in the United States.

Today we often take for granted much of the success that Latino performers have in show business. It is important, however, to remember that this was not always the case. We must recognize those who led the way. For this reason, it is fitting that we honor this Puerto Rican actor, who was not only a pioneer in his field, but also set the standard for others to follow in the decades to come.

We must also recognize Mr. Dávila's artistic achievements, which were many. He was the star of many "telenovelas," popular Spanish-language soap operas, as well as well-received appearances in movies like "The Believers," "The Man with My Face," and "Counterplot." He was perhaps best known for his role in "Carmelo Y Punto." His acting in the play "Who's Afraid of Virginia Woolf" won him a prize in 1972 from the Puerto Rican Cultural Institute, and a prize from the newspaper "El Tiempo." He also never gave up his love of learning about his craft, earning a Masters in Dramatic Arts from the Pasadena Playhouse in California later in life.

Mr. Speaker, with the passing of Raúl Dávila, we have lost one of the leaders in the Hispanic acting community. His passion for acting and his dedication to promoting opportunities for other Hispanic actors was truly inspirational. Although he has passed on, his works will continue to inspire and impact the lives of generations to come. Surely, that is the mark of great life. I ask that my colleagues join me in paying tribute to Raúl Dávila.

IN SUPPORT OF H.R. 1259—TO AWARD A CONGRESSIONAL GOLD MEDAL ON BEHALF OF THE TUSKEGEE AIRMEN

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Mr. LEWIS of Georgia. Mr. Speaker, I rise today in strong support of this resolution, H.R. 1259, to authorize the President to award a gold medal on behalf of the Congress, collectively, to the Tuskegee Airmen in recognition of their unique military record, which inspired revolutionary reform in the Armed Forces.

The Tuskegee Airmen, formed from 1,000 pilots, bombardiers and navigators, overcame segregation and racial discrimination to become national heroes and advanced our society by desegregating our armed forces. While in combat, the Tuskegee Airmen completed 15,000 missions and never lost an Allied bomber under their escort.

The Tuskegee Airmen were the first people of color in U.S. military history to see air combat. This group of brave soldiers became one of the most respected Army Air Corp Fighter Groups of World War II.

In joining the fight to save Europe and the world from a cruel and heinous regime, the Tuskegee Airmen fought for freedom that they could not enjoy in their own country. In taking to the air during the launch of military aviation, these brave men were also fighting a war against bigotry and racism at home. Thus, they deserve the kind of recognition that the Gold Medal will give them.

The Tuskegee Airmen are now in their 80's, so we must pass this bill immediately to honor these WWII heroes so these medals will not be a posthumous honor.

RECOGNIZING DAVID D. TUNCAP FOR HIS YEARS OF SERVICE TO THE PEOPLE OF GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 9, 2006

Ms. BORDALLO. Mr. Speaker, I rise today to recognize David D. Tuncap of Tamuning, Guam for his service to our community in four decades of public service and leadership both in government and the private sector. Mr. Tuncap is one of those rare individuals on Guam whose vision and contributions to our visitor industry have benefited our community and made our island a better place to live.

Mr. Tuncap served in the Government of Guam as a Director of the Department of Commerce from 1975 to 1976 and as the first Executive Manager of the Guam Airport Authority from 1976 to 1978. He also served from 1976 to 1978 and from 1981 to 1996 as the Chairman of the Board of Directors of the Guam Visitors Bureau. In addition to his government experience, Mr. Tuncap held several senior management positions in the private sector in businesses related to the visitor industry. Mr. Tuncap was a key player in the development of Guam's visitor industry and in the period of rapid growth and expansion of our island's tourist infrastructure in the 1970s and 1980s. During his tenure at GVB he promoted the Chamorro culture as the foundation of the visitor experience to Guam.

David Tuncap has been a leader on Guam both within the visitor industry and as a community advocate. He is recognized as a visionary who helped to diversify and grow our island's economy. On the occasion of his retirement, I join our island in saluting his impressive accomplishments and in thanking him for his years of service to our community.

I know his wife Dolores, and his daughters, Antoinette Jo Ann, Nora Jean, Tania Paulette, are especially proud of his accomplishments. I also join them in commending David Tuncap for his lifetime of achievements and for the fine example of what it means to be a dedicated public servant and a successful business leader.

Daily Digest

HIGHLIGHTS

The House passed H.R. 2829, Office of National Drug Control Policy Reauthorization Act of 2005.

Senate

Chamber Action

Routine Proceedings, pages S1925–S1985

Measures Introduced: Seven bills and four resolutions were introduced, as follows: S. 2393–2399, and S. Res. 394–397. **Page S1965**

Measures Passed:

Trade Relations: Senate passed H.R. 1053, to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Ukraine, clearing the measure for the President. **Page S1953**

Subsequently, S. 632, Senate companion measure, was indefinitely postponed. **Page S1953**

Congratulating Rosey Fletcher: Senate agreed to S. Res. 396, congratulating Rosey Fletcher for her Olympic bronze medal in the parallel giant slalom. **Page S1984**

Recognizing Minnesota Curling Community: Senate agreed to S. Res. 397, recognizing the history and achievements of the curliing community of Bemidji, Minnesota. **Page S1984**

Legislative Transparency and Accountability Act: Senate continued consideration of S. 2349, to provide greater transparency in the legislative process, taking action on the following amendments proposed thereto: **Pages S1944–45**

Pending:

Wyden/Grassley Amendment No. 2944, to establish as a standing order of the Senate a requirement that a Senator publicly disclose a notice of intent to object to proceeding to any measure or matter. **Page S1944**

Schumer Amendment No. 2959 (to Amendment No. 2944), to prohibit any foreign-government-owned or controlled company that recognized the Taliban as the legitimate government of Afghanistan during the Taliban's rule between 1996–2001, may own, lease, operate, or manage real property or facility at a United States port. **Page S1944**

During consideration of this measure today, Senate also took the following action:

By 51 yeas to 47 nays (Vote No. 36), two-thirds of the Senators voting, a quorum being present, not having voted in the affirmative, Senate rejected the motion to close further debate on the bill. **Page S1944**

Subsequently, Senator Frist entered a motion to reconsider the vote by which the motion to invoke cloture on the bill failed. **Page S1944**

A unanimous-consent agreement was reached providing that second-degree amendments be filed no later than 2 p.m., on Monday, March 13, 2006. **Page S1933**

Budget Resolution—Agreement: A unanimous-consent-time agreement was reached providing for consideration of the budget resolution, if available, at 10 a.m., on Monday, March 13, 2006, with the time equally divided until 11:30 a.m.; further, that following a period of morning business from 11:30 a.m. to 1:30 p.m., with that time equally divided, Senate will continue consideration of the budget resolution. **Page S1984**

Committee Authority—Agreement: A unanimous-consent agreement was reached providing for the Committee on the Budget to file certain reported legislation from 11 a.m. to 12 noon, on Friday, March 10, 2006. **Page S1984**

Gordon Nomination—Agreement: A unanimous-consent agreement was reached providing that at 5:30 p.m., on Monday, March 13, 2006, Senate begin consideration of the nomination of Leo Maury Gordon, of New Jersey, to be a Judge of the United States Court of International Trade, and vote immediately on the confirmation of the nomination. **Page S1984**

Nomination Referrals—Agreement: A unanimous-consent agreement was reached providing that the nominations of Kent D. Talbert, of Virginia, to be General Counsel, Department of Education, and Horace A. Thompson, of Mississippi, to be a Member of the Occupational Safety and Health Review Commission, be recommitted to the Committee on Health, Education, Labor, and Pensions. **Page S1984**

Messages From the House: **Pages S1958–59**

Measures Referred: **Page S1959**

Enrolled Bills Presented: **Page S1959**

Petitions and Memorials: **Pages S1959–64**

Executive Reports of Committees: **Pages S1964–65**

Additional Cosponsors: **Pages S1965–66**

Statements on Introduced Bills/Resolutions: **Pages S1966–72**

Additional Statements: **Pages S1957–58**

Amendments Submitted: **Pages S1972–83**

Authorities for Committees to Meet: **Pages S1983–84**

Record Votes: One record vote was taken today. (Total—36) **Page S1944**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 5:43 p.m., until 10 a.m., on Monday, March 13, 2006. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S1984–85.)

Committee Meetings

(Committees not listed did not meet)

PACKERS AND STOCKYARDS ACT

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the Department of Agriculture's management and oversight of the Packers and Stockyards Act, focusing on competitiveness in livestock and poultry markets, and developing and sharing information on competitive conditions with key stakeholders, after receiving testimony from James E. Link, Administrator, Grain Inspection, Packers and Stockyards Administration, and Phyllis K. Fong, Inspector General, both of the Department of Agriculture; and Daniel Bertoni, Acting Director, Natural Resources and Environment, Government Accountability Office.

APPROPRIATIONS: DEPARTMENT OF AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2007 for the Department of Agriculture, after receiving testimony from Mike Johanns, Secretary, Charles Connor, Deputy Secretary, Keith Collins, Chief Economist, and W. Scott Steele, Budget Officer, all of the Department of Agriculture.

SUPPLEMENTAL APPROPRIATIONS

Committee on Appropriations: Committee concluded a hearing to examine the proposed supplemental funding request for additional resources to assist in ongoing military, diplomatic, and intelligence operations in the Global War on Terror; stabilization and counter-insurgency activities in Iraq and Afghanistan, and other humanitarian assistance, after receiving testimony from Donald H. Rumsfeld, Secretary of Defense; Condoleezza Rice, Secretary of State; General Peter Pace, USMC, Chairman, Joint Chiefs of Staff; and General John Abizaid, USA, Commander, U.S. Central Command.

DEPARTMENT OF DEFENSE AUTHORIZATION

Committee on Armed Services: Committee concluded open and closed hearings to examine the defense authorization request for fiscal year 2007 and the future years defense program, focusing on the naval workforce, and projection of naval power in the global war on terror, after receiving testimony from Donald C. Winter, Secretary of the Navy; Admiral Michael G. Mullen, USN, Chief of Naval Operations; and General Michael W. Hagee, USMC, Commandant of the Marine Corps.

SECURITIES MARKETS SELF-REGULATION

Committee on Banking, Housing, and Urban Affairs: Committee held a hearing to examine self-regulatory organizations in the securities markets, focusing on strengths and weaknesses of the current system, conflicts of interest, and eliminating excessive market data fees, receiving testimony from John A. Thain, New York Stock Exchange, Inc., Robert Glauber, National Association of Securities Dealers, both of New York, New York; Marc E. Lackritz, Securities Industry Association, Ann Yerger, Council of Institutional Investors, and Richard Ferlauto, American Federation of State, County, and Municipal Employees, AFL–CIO, all of Washington, D.C.; and Henry T.C. Hu, University of Texas at Austin School of Law.

Hearing recessed subject to the call.

2007 BUDGET

Committee on the Budget: Committee ordered favorably reported an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2007 and including the

appropriate budgetary levels for fiscal years 2006 and 2008 through 2011.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Vice Admiral Thad W. Allen, of Maryland, to be Commandant of the U.S. Coast Guard, and Admiral, Department of Homeland Security, who was introduced by Senator McCain, and Robert M. McDowell, of Virginia, to be a Member of the Federal Communications Commission, who was introduced by Senator Allen, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the nominations of Raymond L. Orbach, of California, to be Under Secretary for Science, Alexander A. Karsner, of Virginia, to be Assistant Secretary for Energy Efficiency and Renewable Energy, who was introduced by Senator Allen, and Dennis R. Spurgeon, of Florida, to be Assistant Secretary for Nuclear Energy, all of the Department of Energy, and David Longly Bernhardt, of Colorado, to be Solicitor of the Department of the Interior, after each nominee testified and answered questions in their own behalf.

NUCLEAR REGULATORY COMMISSION

Committee on Environment and Public Works: Subcommittee on Clean Air, Climate Change, and Nuclear Safety concluded an oversight hearing to examine the Nuclear Regulatory Commission, focusing on activities to implement the provisions of the Energy Policy Act of 2005 initiatives to meet challenges posed by today's nuclear arena, and current and anticipated new reactor licensing activities and human capital initiatives, after receiving testimony from Nils J. Diaz, Chairman, and Edward McGaffigan, Jr., Jeffrey S. Merrifield, Gregory B. Jaczko, and Peter B. Lyons, each a Commissioner, all of the Nuclear Regulatory Commission.

FEDERAL PAYMENTS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine Federal agencies' progress relating to reporting improper payments, focusing on the success or failure of agencies to report and/or reduce improper payments in fiscal year 2005 performance and accountability reports, and to discuss whether or not the various ways in which agencies measure improper payments is accurately depicting the magnitude of the problem, after receiving testimony from Linda M. Combs, Controller, Office of Federal Financial Management, Office of Management and Budget; McCoy Williams, Director, Financial Management and Assurance, Government Accountability Office; Mark Everson, Commissioner, Internal Revenue Service; James B. Lockhart, Deputy Commissioner, Social Security Administration; Charles Johnson, Assistant Secretary of Health and Human Services for Budget, Technology and Finance; and Samuel T. Mok, Chief Financial Officer, Department of Labor.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the nominations of Donald J. DeGabrielle, Jr., of Texas, to be United States Attorney for the Southern District of Texas, John Charles Richter, of Oklahoma, to be United States Attorney for the Western District of Oklahoma, Amul R. Thapar, of Kentucky, to be United States Attorney for the Eastern District of Kentucky, and Mauricio J. Tamargo, of Florida, to be Chairman of the Foreign Claims Settlement Commission of the United States, all of the Department of Justice.

Also, Committee continued markup of proposed legislation providing for comprehensive immigration reform, but did not complete action thereon, and recessed subject to the call.

SMALL BUSINESS ADMINISTRATION BUDGET

Committee on Small Business and Entrepreneurship: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2007 for the Small Business Administration, after receiving testimony from Hector V. Barreto, Administrator, Small Business Administration.

VETERANS ORGANIZATIONS

Committee on Veterans Affairs: Committee concluded a hearing to examine the legislative presentations of certain veteran's organizations, after receiving testimony from Randy L. Pleva, Sr., Paralyzed Veterans of America, Larry Belote, Blinded Veterans Association, and David L. Magidson, Jewish War Veterans of the United States of America, all of Washington, D.C.; Richard C. Schneider, Non Commissioned Officers Association of the United States of America, Alexandria, Virginia; and James D. Randles, Military Order of the Purple Heart of the U.S.A., Inc., Springfield, Virginia.

LONG-TERM CARE FINANCING

Special Committee on Aging: Committee concluded a hearing to examine how to prepare Americans for long-term care financing, focusing on awareness and incentives to encourage people to take responsibility for long term care needs, after receiving testimony

from Robert F. Danbeck, Associate Director, Human Resources Products and Services, Office of Personnel Management; Eileen J. Tell, Long Term Care Group, Inc., Natick, Massachusetts; Malcolm Cheung, Long-Term Care Prudential Financial, Livingston, New Jersey, on behalf of American Council of Life Insurers; Joanne Vidinsky, Alzheimer's Association, San Francisco, California; and Robert B. Friedland, Center on an Aging Society, Washington, D.C.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 28 public bills, H.R. 4911–4938; and 8 resolutions, H. Con. Res. 355; and H. Res. 715–721 were introduced. **Pages H866–68**

Additional Cosponsors: **Pages H868–69**

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Dent to act as Speaker pro tempore for today. **Page H793**

Office of National Drug Control Policy Reauthorization Act of 2005: The House passed H.R. 2829, to reauthorize the Office of National Drug Control Policy Act, by a yea-and-nay vote of 399 yeas to 5 nays, Roll No. 38. **Pages H802–47**

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. **Pages H811–46**

Agreed to:

Souder Manager's amendment (No. 1 printed in H. Rept. 109–387) that makes technical and conforming changes to account for changes in law within the jurisdiction of those Committees that waived formal business meetings on the bill. The amendment strikes the mandatory restrictions on certification of budgets related to enforcement in certain contexts of the "Drug Free Student Loan" provision; **Pages H820–21**

Souder amendment (No. 2 printed in H. Rept. 109–387) which directs the Director of ONDCP, in consultation with other federal agencies, to convene an international summit on the threat of methamphetamine and synthetic drug precursor chemicals. The Director shall do so to intensify and coordinate an effective international response along with other affected countries in order to prevent methamphetamine production and precursor diversion. The amendment provides that the Director must carry out the amendment within 12 months from the enactment of the bill; **Pages H821–22**

Boozman amendment (No. 3 printed in H. Rept. 109–387) which ensures that the effects of illicit drug abuse on children of substance abusers are considered in the annual National Drug Control Strategy. The amendment requires ONDCP to conduct a study and the President to report to Congress on drug court programs that conduct hearings in non-traditional public places, such as schools; **Pages H822–24**

Cuellar amendment (No. 5 printed in H. Rept. 109–387) that directs the ONDCP to conduct a study of the incidences of kidnapped, killed, and missing Americans along the U.S.-Mexico border and report to Congress on how to prevent such crimes; **Page H827**

Filner amendment (No. 6 printed in H. Rept. 109–387) that instructs the ONDCP to develop a strategy to combat border tunnels for drug trafficking and to recommend to Congress a criminal penalty for digging or using border tunnels for such acts; **Pages H827–28**

Graves amendment (No. 7 printed in H. Rept. 109–387) which requires the ONDCP to submit a report to Congress explaining its participation in and support of a conference addressing harm reduction in methamphetamine abuse, not prevention. Additionally, ONDCP must explain what management and reporting systems ONDCP will change to ensure that the Administration is more supportive of efforts fighting the methamphetamine epidemic; **Pages H828–30**

Jackson-Lee of Texas amendment (No. 9 printed in H. Rept. 109–387) which requires the ONDCP to perform an assessment of illicit drug and alcohol use by children, and appropriate intervention methods. The amendment requires ONDCP to report to Congress on its assessment. The amendment specifies items to assess that were not considered by the National Survey on Drug Use and Health, such as the role of Federal, state, and local criminal justice systems in providing intervention; **Pages H832–33**

Lungren, Dan, of California amendment (No. 10 printed in H. Rept. 109–387) which requires the Director of ONDCP to provide for a program that advises states on establishing laws and policies to address alcohol and other drug issues, as well as drafting and revising model state drug laws. The amendment authorizes funding for each of fiscal years 2007 through 2011 for that purpose; **Pages H833–34**

Lynch amendment (No. 11 printed in H. Rept. 109–387) that directs the ONDCP to request the Institute of Medicine of the National Academy of Sciences to enter into an agreement under which the Institute agrees to conduct a study on iatrogenic addiction associated with oxycodone hydrochloride controlled-release tablets and directs the ONDCP to report to Congress on the study; **Pages H834–35**

Renzi amendment (No. 14 printed in H. Rept. 109–387) that directs the ONDCP to report to Congress on the representation of tribal governments in High Intensity Drug Trafficking Areas Program and in high intensity drug trafficking areas designated under that program. The report shall include a list of tribal governments represented, an explanation of the rationale for the level of representation, and recommendations by the director for the methods for increasing the number of tribal governments represented in the Program; **Pages H840–41**

Chabot amendment (No. 4 printed in H. Rept. 109–387) that commissions studies on: State Drug Endangered Children programs focusing on meth and reports back to Congress within 6 months with recommendations for a National Drug Endangered Children policy; and comparing state precursor control laws and reports back to Congress within 6 months with a list of best practices with respect to such laws (by a recorded vote of 403 ayes to 2 noes, Roll No. 34); **Pages H824–27, H844**

Hooley amendment (No. 8 printed in H. Rept. 109–387) which requires ONDCP to submit to Congress a comprehensive strategy that addresses the increased threat from methamphetamine and includes interdiction and precursor chemical controls, demand reduction, treatment and efforts to prevent the diversion of precursor chemicals on an international level (by a recorded vote of 403 ayes to 3 noes, Roll No. 35); and **Pages H830–31, H844–45**

Rehberg amendment (No. 13 printed in H. Rept. 109–387) that ensures that no less than 10 percent of national media campaign funds will be expended on advertisements specifically intended to reduce methamphetamine use. The amendment grants the Director the authority to award grants to private entities producing research-based public service messages, with the goal of reducing first-time meth use among young people. The amendment funds may be redirected if domestic meth lab seizures decrease by at least 75 percent from the 2006 level (by a recorded vote of 399 ayes to 9 noes, Roll No. 37). **Pages H837–40, H846**

Rejected:

Paul amendment (No. 12 printed in H. Rept. 109–387) which sought that the act shall not be in effect after September 30, 2011 (by a recorded vote of 85 ayes to 322 noes, Roll No. 36). **Pages H835–37, H845–46**

H. Res. 713, the rule providing for consideration of the bill was agreed to by voice vote, after agreeing to order the previous question by a yea-and-nay vote of 223 yeas to 195 nays, Roll No. 33. **Pages H795–H802**

Meeting Hour: Agreed that when the House adjourns today it adjourn to meet at 2 p.m. on Monday, March 13, and further, when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, March 14, 2006, for Morning Hour debate. **Page H847**

Providing for a recess of the House for a Joint Meeting to receive Her Excellency Ellen Johnson Sirleaf, President of the Republic of Liberia: Agreed that it may be in order at any time on Wednesday, March 15, 2006, for the Speaker to declare a recess, subject to the call of the chair, for the purpose of receiving in Joint Meeting Her Excellency Ellen Johnson Sirleaf, President of the Republic of Liberia. **Page H848**

Calendar Wednesday: Agreed by unanimous consent to dispense with the Calendar Wednesday business of Wednesday, March 15, 2006. **Page H848**

Committee Election: The House agreed to H. Res. 715, electing the following member to the following standing committee:

Committee on Agriculture: Representative Sodrel. **Page H848**

House Office Building Commission—Resignation: Read a letter from Representative DeLay whereby he resigned from the House Office Building Commission, effective immediately. **Page H848**

House Office Building Commission—Appointment: The Chair announced the Speaker's appointment of Representative Boehner to the House Office Building Commission. **Page H848**

Quorum Calls—Votes: Two yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages H802, H844, H844–45, H845, H846, and H846–47. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Farm and Foreign Agricultural Services. Testimony was heard from the following officials of the USDA: J.B. Penn, Under Secretary, Farm and Foreign Agricultural Services; A. Ellen Terpstra, Administrator, Foreign Agricultural Service; Teresa Lasseter, Administrator, Farm Service Agency; Eldon Gould, Administrator, Risk Management Agency; and Dennis Kaplan, Budget Office.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session to hold a hearing on Army Budget and Acquisition. Testimony was heard from the following officials of the Department of the Army: Francis J. Harvey, Secretary; and GEN Peter J. Schoomaker, USA, Chief of Staff.

DEPARTMENT OF HOMELAND SECURITY

Committee on Appropriations: Subcommittee on Department of Homeland Security held a hearing on United States Coast Guard. Testimony was heard from ADM Thomas H. Collins, USCG, Commandant, U.S. Coast Guard, Department of Homeland Security.

LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies held a hearing on the Department of Education. Testimony was heard from Margaret Spellings, Secretary of Education.

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on DOE, Environment Management. Testimony was heard from James Rispoli, Assistant Secretary, Environmental Management, Department of Energy.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing, and Related Programs held a hearing on HIV/AIDS Programs. Testimony was heard from Mark Dybul, M.D., Deputy U.S. Global AIDS Coordinator and Chief Medical Officer, Department of State.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on the Forest Service. Testimony was heard from Dale Bosworth, Chief, Forest Service, USDA.

SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies held a hearing on the Secretary of State. Testimony was heard from Condoleezza Rice, Secretary of State.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST U.S. PACIFIC COMMAND AND U.S. FORCES KOREA

Committee on Armed Services: Held a hearing on the Fiscal Year 2007 National Defense Authorization Budget Request for the U.S. Pacific Command and U.S. Forces Korea. Testimony was heard from the following officials of the Department of Defense: ADM William J. Fallon, Commander, U.S. Pacific Command; and GEN B.B. Bell, USA, Commander, United Nations Command, Combined Forces Command, U.S. Forces Korea

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST MISSILE DEFENSE AGENCY AND BALLISTIC MISSILE DEFENSE PROGRAMS

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on the Fiscal Year 2007 National Defense Authorization budget request for the Missile Defense Agency and Ballistic Missile Defense Programs. Testimony was heard from the following officials of the Department of Defense: LTG Trey Obering, USAF, Director, Missile Defense Agency; LTG Larry J. Dodgen, USA, Commander, U.S. Army Space and Missile Defense Command; David W. Duma, Operational Test and Evaluation; and Peter Flory, Assistant Secretary, International Security Affairs.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST DOD MAJOR ROTORCRAFT PROGRAMS

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing on Fiscal year 2007 National Defense Authorization Act Budget Request for the Department of Defense

major rotorcraft programs. Testimony was heard from the following officials of the Department of Defense: Tony Melita, Defense Systems, Director, Land Warfare, Office of the Secretary; BG Stephen Mundt, USA, Director of Aviation, U.S. Army; Thomas Laux, Program Executive Officer for Air, ASW, Assault and Special Mission Programs, Naval Air Systems Command; LTG John G. Castellaw, USMC, Deputy Commandant for Aviation, U.S. Marine Corps; and MG Stanley Gorenc, USAF, Director, Operational Capability Requirements, Deputy Chief of Staff, Air and Space Operations, U.S. Air Force.

DOE'S FISCAL YEAR BUDGET PROPOSAL

Committee on Energy and Commerce: Held a hearing entitled ''Department of Energy's Fiscal Year 2007 Budget Proposal.'' Testimony was heard from Samuel W. Bodman, Secretary of Energy.

GULF COAST REGION—FEDERAL ROLE IN FACILITATING RECOVERY AND LONG-TERM BUILDING EFFORTS

Committee on Financial Services: Subcommittee on Housing and Community Opportunity held a hearing entitled ''The Federal Role in Facilitating Recovery and Long-term Rebuilding Efforts in the Gulf Coast Region.'' Testimony was heard from Donald E. Powell, Federal Coordinator for Gulf Coast Rebuilding, Department of Homeland Security.

MISCELLANEOUS MEASURES; REGULATION OF DIETARY SUPPLEMENTS

Committee on Government Reform: Ordered reported the following measures: H.R. 4855, to amend the District of Columbia College Access Act of 1999 to reauthorize for 5 additional years the public and private school tuition assistance programs established under the Act; S. 1736, To provide for the participation of employees in the judicial branch in the Federal leave transfer program for disasters and emergencies; H.R. 4674, To designate the facility of the United States Postal Service located at 110 North Chestnut Street in Olathe, Kansas, as the ''Governor John Anderson, Jr. Post Office Building;'' H.R. 4688, To designate the facility of the United States Postal Service located at 1 Boyden Street in Badin, North Carolina, as the ''Mayor John Thompson 'Tom' Garrison Memorial Post Office;'' H.R. 4786, To designate the facility of the United States Postal Service located at 535 Wood Street in Bethlehem, Pennsylvania, as the ''H. Gordon Payrow Post Office Building;'' H.R. 4805, To designate the facility of the United States Postal Service at 105 North Quincy Street in Clinton, Illinois, as the ''Gene Vance Post Office Building;'' H. Res. 85, Supporting the goals and ideals of National ''MPS Day;'' H. Res. 517, amended, Recognizing the life of Wellington Timothy Mara and his outstanding contributions to the New York Giants Football Club, the National Football League, and the United States; and H. Res. 556, Expressing the sense of the House of Representatives that a National Methamphetamine Prevention Week should be established to increase awareness of methamphetamine and to educate the public on ways to help prevent the use of that damaging narcotic.

The Committee approved a Committee Report on the National Drug Control Strategy for 2006 and the National Drug Control Budget for Fiscal Year 2007.

The Committee also held a hearing entitled ''The Regulation of Dietary Supplements: A Review of Consumer Safeguards.'' Testimony was heard from the following officials of the Department of Health and Human Services: Robert E. Brackett, M.D., Director, Center for Food Safety and Applied Nutrition, FDA; and Paul M. Coates, M.D., Director, Office of Dietary Supplements, NIH; C. Lee Peeler, Deputy, Bureau of Consumer Protection, FTC; and public witnesses.

TRANSPORTATION SECURITY ADMINISTRATION REORGANIZATION ACT OF 2005

Committee on Homeland Security: Began mark up of H.R. 4439, Transportation Security Administration Reorganization Act of 2005.

Will continue March 16.

ONLINE FREEDOM OF SPEECH ACT

Committee on House Administration: Ordered reported H.R. 1606, Online Freedom of Speech Act.

AFGHANISTAN: PROGRESS REPORT

Committee on International Relations: Subcommittee on Middle East and Central Asia and the Subcommittee on Oversight and Investigations held a joint hearing on Afghanistan: Progress Report. Testimony was heard from the following officials of the Department of State: James R. Kunder, Assistant Administrator, Bureau for Asia and the Near East; and Thomas A. Schweich, Principal Deputy Assistant Secretary, Bureau of International Narcotics and Law Enforcement Affairs; and Maureen E. Quinn, Coordinator for Afghanistan, Bureau of South and Central Asian Affairs; and RADM Robert T. Moeller, USA, Director, Plans and Policy, U.S. Central Command, Department of Defense.

AFGHANISTAN: IS THE AID GETTING THROUGH?

Committee on International Relations: Subcommittee on Oversight and Investigations held a hearing on Afghanistan: Is the Aid Getting Through? Testimony was heard from public witnesses.

STATE/FEDERAL NOTARY RECOGNITION

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held a hearing on H.R. 1458, To require any Federal or State court to recognize any notarization made by a notary public licensed by a State other than the State where the court is located when such notarization occurs in or affects interstate commerce. Testimony was heard from public witnesses.

OVERSIGHT—FISH AND WILDLIFE SERVICE/NOAA BUDGET

Committee on Resources: Subcommittee on Fisheries and Oceans held an oversight hearing on the FY '07 Budget Request of the U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration. Testimony was heard from H. Dale Hall, Director, U.S. Fish and Wildlife Service, Department of the Interior; and VADM Conrad C. Lautenbacher, Jr., USN (Ret.), Under Secretary, Oceans and Atmosphere, NOAA, Department of Commerce.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on the following measures: H.R. 1370, Federal Land Asset Inventory Reform Act; H.R. 1644, Puerto Rico Karst Conservation Act; H.R. 2110, Colorado Northern Front Range Mountain Backdrop Protection Study Act; H.R. 4382, Southern Nevada Readiness Center Act; H.R. 4789, To require the Secretary of the Interior to convey certain public land located wholly or partially within the boundaries of the Wells Hydroelectric Project of Public Utility District No. 1 of Douglas County, Washington, to the utility district; and S. 56, Rio Grand Natural Area Act. Testimony was heard from Representatives Hastings of Washington and Porter; Joel Holtrop, Deputy Chief, National Forest System, Forest Service, USDA; Tom Lonnie, Assistant Director, Minerals, Realty, and Resource Protection, Bureau of Land Management, Department of the Interior; and public witnesses.

LOBBYING REFORM—REFORMING GIFT AND TRAVEL RULES

Committee on Rules: Continued hearings on lobby reform entitled "Lobby Reform: Reforming the Gift and Travel Rules." Testimony was heard from former Representative Mickey Edwards of Oklahoma; Robert Hynes, former Minority Counsel, House Committee on Rules; and public witnesses.

FEDERAL ENERGY RESEARCH

Committee on Science: Held a hearing on Should Congress Establish "ARPA–E," The Advanced Research Projects Agency—Energy? Testimony was heard from public witnesses.

SBA FINANCE PROGRAMS

Committee on Small Business: Subcommittee on Tax, Finance and Exports held a hearing entitled "Oversight of the Small Business Administration's Finance Programs." Testimony was heard from Michael Hager, Associate Deputy Administrator, Office of Capital Access, SBA; and public witnesses.

FOREIGN OPERATIONS OF U.S. PORTS

Committee on Transportation and Infrastructure: Subcommittee on Coast Guard and Maritime Transportation held an oversight hearing on Foreign Operations of U.S. Port Facilities. Testimony was heard from Stewart A. Baker, Assistant Secretary, Policy, Department of Homeland Security; and public witnesses.

VETERANS EMPLOYMENT/TRAINING

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held an oversight hearing on the VA's Vocational Rehabilitation and Employment Service contract services and its coordination with the Department of Labor's Veterans' Employment and Training Service. Testimony was heard from Charles S. Ciccolella, Assistant Secretary, Veterans' Employment and Training Service, Department of Labor; July Caden, Director, Vocational Rehabilitation and Employment Program, Veterans Benefits Administration, Department of Veterans Affairs; and a representative of a veterans organization.

FOREIGN INTELLIGENCE SURVEILLANCE ACT

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Background on the Foreign Intelligence Surveillance Act (FISA). Testimony was heard from departmental witnesses.

Joint Meetings

FREEDOM IN BELARUS

Commission on Security and Cooperation in Europe (Helsinki Commission): Commission concluded a hearing to examine the complete absence of political freedom in Belarus and the implications this has on its upcoming elections, after receiving testimony from David J. Kramer, Deputy Assistant Secretary of State

for European Affairs; and Stephen B. Nix, International Republican Institute, Rodger Potocki, National Endowment for Democracy, Iryna Vidanava, Students' Thought, Celeste A. Wallander, Center for Strategic and International Studies, and Patrick Merloe, all of Washington, D.C.

COMMITTEE MEETINGS FOR FRIDAY, MARCH 10, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities, to hold hearings to examine the roles and missions of the Department of Defense regarding homeland defense and support to civil authorities in review of the defense authorization request for fiscal year 2007 and the future years defense program, 9:30 a.m., SR–222.

Committee on the Judiciary: to hold hearings to examine defective products relating to criminal penalties ensuring corporate accountability, 9:30 a.m., SD–226.

House

Committee on Appropriations, on GPO, Library of Congress, Open World Leadership Center, GAO, and CBO, 10 a.m., 2359 Rayburn.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the employment situation for February 2006, 9:30 a.m., 2212 RHOB.

CONGRESSIONAL PROGRAM AHEAD

Week of March 13 through March 18, 2006

Senate Chamber

On *Monday,* at 10 a.m., Senate will begin consideration of the budget resolution, if available. At 11:30 a.m., Senate will begin a period of morning business until 1:30 p.m.; following which, Senate will continue consideration of the budget resolution. Also, at 5:30 p.m., Senate will begin consideration of the nomination of Leo Maury Gordon, of New Jersey, to be a Judge of the United States Court of International Trade, and vote immediately on the confirmation of the nomination.

During the balance of the week, Senate may consider any other cleared legislative and executive business, including the debt-limit.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: March 14, to hold hearings to examine the nominations of Boyd Kevin Rutherford, of Maryland, to be an Assistant Secretary, Gale A. Buchanan, of Georgia, to be Under Secretary for Research, Education, and Economics, Marc L. Kesselman, of Tennessee, to be General Counsel, and Linda Avery Strachan, of Virginia, to be an Assistant Secretary, all of the Department of Agriculture, 10 a.m., SR–328A.

Committee on Appropriations: March 14, Subcommittee on Agriculture, Rural Development, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the Food and Drug Administration, 10 a.m., SD–192.

March 14, Subcommittee on Energy and Water, to hold hearings to examine an overview of the proposed budget estimates for fiscal year 2007 for the Office of Science, the Energy Supply and Conservation account, and the Fossil Energy Research and Development account within the Department of Energy, 2:30 p.m., SD–138.

March 14, Subcommittee on District of Columbia, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the D.C. Courts, D.C. Court Services and Offender Supervision Agency, and the D.C. Public Defender Service, 3 p.m., SD–192.

March 15, Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the the Secretary of the Senate, Architect of the Capitol, and the Capitol Visitor Center, 10:30 a.m., SD–138.

March 15, Subcommittee on Military Construction and Veterans' Affairs and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2007 for military construction, 2:30 p.m., SD–138.

March 16, Subcommittee on Interior and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the Forest Service, 9:30 a.m., SD–124.

March 16, Subcommittee on Agriculture, Rural Development, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2007 for Farm and Foreign Agricultural Services, Research, Education, and Economics, Rural Development, and Natural Resources Conservation Service, 10 a.m., SD–192.

March 16, Subcommittee on Energy and Water, to hold hearings to examine National Nuclear Security Administration budget, 2:30 p.m., SD–124.

Committee on Armed Services: March 13, to hold a closed briefing on an update from the Joint Improvised Explosive Device Defeat Organization, 3 p.m., SR–222.

March 14, Full Committee, to hold hearings to examine military strategy and operational requirements in review of the Defense Authorization Request for fiscal year 2007 and the future years defense program, 9:30 a.m., SH–216.

March 14, Subcommittee on Personnel, to hold hearings to examine health benefits and programs in review of the defense authorization request for fiscal year 2007, 2:30 p.m., SR–325.

March 14, Full Committee, to hold hearings to examine the Joint Strike Fighter F–136 Alternate Engine Program in review of the defense authorization request for fiscal year 2007 and the future years defense program, 2:30 p.m., SH–216.

March 15, Subcommittee on Readiness and Management Support, to hold hearings to examine ground forces readiness in review of the defense authorization request for fiscal year 2007, 9:30 a.m., SR–222.

March 15, Full Committee, to hold hearings to examine the Joint Strike Fighter F136 Alternative Engine Program in review of the defense authorization request for fiscal year 2007 and the future years defense program, 9:30 a.m., SH–216.

March 16, Full Committee, to hold hearings to examine military strategy and operational requirements in review of the defense authorization request for fiscal year 2007 and the future years defense program; to be followed by a closed session in SH–219, 9:30 a.m., SH–216.

March 16, Subcommittee on Strategic Forces, to hold hearings to examine Global Strike Plans and programs in review of the defense authorization request for fiscal year 2007, 3:30 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: March 14, to hold hearings to examine the nominations of James S. Simpson, of New York, to be Federal Transit Administrator, Department of Transportation, and Robert M. Couch, of Alabama, to be President, Government National Mortgage Association, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: March 14, to hold hearings to examine wireless issues spectrum reform, 10 a.m., SD–106.

March 14, Full Committee, to hold hearings to examine Wall Street perspective on telecom, 2:30 p.m., SD–106.

March 15, Full Committee, to hold hearings to examine innovation and competitiveness legislation, 2:30 p.m., SD–562.

March 16, Subcommittee on Disaster Prevention and Prediction, to hold hearings to examine impacts on aviation regarding volcanic hazards, 10 a.m., SD–562.

March 16, Full Committee, business meeting to consider pending calendar business, 3 p.m., SD–562.

Committee on Energy and Natural Resources: March 14, Subcommittee on National Parks, to hold hearings to examine the President's proposed budget request for fiscal year 2007 for the National Park Service, Department of the Interior, 2:30 p.m., SD–366.

March 15, Full Committee, business meeting to consider pending calendar business, 11:30 a.m., SD–366.

Committee on Environment and Public Works: March 16, to hold hearings to examine the Great Lakes Regional Collaboration's strategy to restore and protect the Great Lakes, 9:30 a.m., SD–628.

Committee on Finance: March 14, to hold hearings to examine administrative challenges facing the Social Security Administration, 10 a.m., SD–215.

March 16, Subcommittee on International Trade, to hold hearings to examine Cuno and competitiveness, 9:30 a.m., SD–215.

Committee on Foreign Relations: March 14, to hold hearings to examine a status report on United Nations reform, 9:30 a.m., SD–419.

March 14, Full Committee, business meeting to consider Protocol Amending the Convention Between the Government of the United States of America and the Government of the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Paris on August 31, 1994 (Treaty Doc. 109–04), Convention between the Government of the United States of America and the Government of Bangladesh for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income signed at Dhaka on September 26, 2004 with an exchange of notes enclosed (Treaty Doc. 109–05), Protocol Amending the Convention Between the United States of America and the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Estates, Inheritances, and Gifts signed at Washington on November 24, 1978 (Treaty Doc. 109–07), and Protocol Amending the Convention Between the Government of the United States of America and the Government of Sweden for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income signed at Washington on September 30, 2005 (Treaty Doc. 109–08), 2:15 p.m., S–116, Capitol.

March 15, Full Committee, to hold hearings to examine Post-Palestinian election challenges in the Middle East, 9:30 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: March 15, business meeting to consider S. 1955, to amend title I of the Employee Retirement Security Act of 1974 and the Public Health Service Act to expand health care access and reduce costs through the creation of small business health plans and through modernization of the health insurance marketplace, 9 a.m., SD–430.

March 16, Full Committee, to hold hearings to examine reauthorization of Public Health Security and Bioterrorism Preparedness and Response Act relating to enhancing public health and medical preparedness, 10:30 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: March 14, Permanent Subcommittee on Investigations, to hold hearings to examine Federal contractors with unpaid tax debt, focusing on the extent to which contractors are tax delinquent and what can be done about it, 9:30 a.m., SD–342.

March 15, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine the progress of the programs on the Government Accountability Office's high-risk list, including whether a proposal to create a Chief Management Officer at the Department of Homeland Security and Department of Defense would foster a culture of accountability necessary for improved high-risk program performance, 2:30 p.m., SD–342.

March 16, Subcommittee on Federal Financial Management, Government Information, and International Security, to hold hearings to examine understanding the obligation of Funds Transparency Act, focusing on the need for earmark reform and legislation that would be an important step toward achieving such reform, 2:30 p.m., SD–342.

Committee on Indian Affairs: March 15, to hold hearings to examine S. 1899, to amend the Indian Child Protection and Family Violence Prevention Act to identify and remove barriers to reducing child abuse, to provide for examinations of certain children, 9:30 a.m., SR–485.

Committee on the Judiciary: March 14, to hold hearings to examine consolidation in the oil and gas industry, 10:30 a.m., SD–226.

March 14, Full Committee, to hold hearings to examine judicial and executive nominations, 2 p.m., SD–226.

March 15, Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold hearings to examine hospital group purchasing, focusing on if the industry's reforms are sufficient to ensure competition, 2:30 p.m., SD–226.

Committee on Veterans' Affairs: March 16, to hold hearings to examine the homeless programs administered by the VA, 10 a.m., SR–418.

Special Committee on Aging: March 15, to hold hearings to examine eliminating retirement income disparity for women, 10 a.m., SD–106.

House Committees

Committee on Agriculture, March 15, Subcommittee on General Farm Commodities and Risk Management, hearing to review the Federal Crop Insurance System, 2:30 p.m., 1300 Longworth.

Committee on Appropriations, March 14, hearing on the House of Representatives, Office of Compliance and the Architect of the Capitol, 10 a.m., 2359 Rayburn.

March 14, Subcommittee on Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies, on the Department of Housing and Urban Development, 9:30 a.m., 2358 Rayburn.

March 14, Subcommittee on Military Quality of Life, and Veterans Affairs, and Related Agencies, on Central Command, 1:30 p.m., 143 Capitol.

March 14, Subcommittee on Science, The Departments of State, Justice, and Commerce, and Related Agencies Appropriations, on the Attorney General, 2 p.m., 2359 Rayburn.

March 15, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Marketing and Regulatory Programs, 9:30 a.m., 2362A Rayburn.

March 15, Subcommittee on Energy and Water Development, and Related Agencies, on DOE, Nuclear Waste Disposal, 10 a.m., 2362B Rayburn.

March 15, Subcommittee on Foreign Operations, Export Financing and Related Programs, on USAID Programs, 10 a.m., 2359 Rayburn.

March 15, Subcommittee on Interior, Environment and Related Agencies, on Fish and Wildlife Service, 10 a.m., B–308 Rayburn.

March 15, Subcommittee on Labor, Health and Human Services, Education and Related Agencies, on Centers for Disease Control and Prevention, 9 a.m., 2358 Rayburn.

March 15, Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies, on SBA, 10 a.m., H–309 Rayburn.

March 16, Subcommittee on Agriculture, Rural Development, Food and Drug Administration and Related Agencies, on Food and Nutrition Service, 9:30 a.m., 2362A Rayburn.

March 16, Subcommittee on Defense, executive, on Navy/Marine Corps Budget and Acquisition Overview, 10 a.m., H–140 Capitol.

March 16, Subcommittee on Department of Homeland Security, on Secure Border Initiative/Immigration Customs and Enforcement/Customs Border Protection, 10 a.m., 2359 Rayburn.

March 16, Subcommittee on Energy and Water Development, and Related Agencies, on DOE, Energy Supply and Conservation, 10 a.m., 2362B Rayburn.

March 16, Subcommittee on Interior, Environment and Related Agencies, on Smithsonian, 10 a.m., B–308 Rayburn.

March 16, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, on NIH, 10 a.m., 2358 Rayburn.

March 16, Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies, on SEC, 2 p.m., H–309 Rayburn.

March 16, Subcommittee on Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies, on the Federal Judiciary, 9:30 a.m., 2358 Rayburn.

Committee on Armed Services, March 14, hearing on the Department of Defense Quadrennial Defense Review, 2 p.m., and to mark up H. Res. 685, Requesting the President and directing the Secretary of State and the Secretary of Defense provide to the House of Representatives certain documents in their possession relating to any entity with which the United States has contracted for public relations purposes concerning Iraq, 5:30 p.m., 2118 Rayburn.

March 15, hearing on the Fiscal Year 2007 National Defense Authorization Budget Request for the U.S. Central Command, 10 a.m., 2118 Rayburn.

March 15, Subcommittee in Military Personnel, hearing on the Military Resale and Morale, Welfare Morale, Welfare and Recreation Overview, 2 p.m., 2118 Rayburn.

March 15, Subcommittee on Projection Forces, hearing on the Navy's Fiscal Year 2007 Shipbuilding Acquisition Strategy and How it Supports the Navy's Long-Range Fleet Plan, 3 p.m., 2212 Rayburn.

March 15, Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on Implementing the Global War on Terror strategy: Overcoming Interagency Problems, 5 p.m., 2118 Rayburn.

March 16, full Committee, hearing on the Fiscal Year 2007 National Defense Authorization Budget Request for the U.S. Southern Command, 9 a.m., 2118 Rayburn.

March 16, Subcommittee on Strategic Forces, hearing on Fiscal Year 2007 National Defense Authorization Budget Request for space activities, 1 p.m., 2212 Rayburn.

March 16, Subcommittee on Tactical Air and Land Forces, hearing on the Fiscal Year 2007 National Defense Authorization Budget Request for the Department of the

Navy and the Department of the Air Force Aviation Acquisition Programs, 2 p.m., 2212 Rayburn.

Committee on the Budget, March 16, Hearing on the Key Budget Process Reforms, 10 a.m., 210 Cannon.

Committee on Education and the Workforce, March 16, Subcommittee on Workforce Protections, hearing entitled ''Mine Safety and Health: A Congressional Perspective,'' 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, March 15, Subcommittee on Energy and Air Quality, hearing on Status of the Yucca Mountain Project, 2 p.m., 2123 Rayburn.

March 15, Subcommittee on Health, hearing entitled ''What's the Cost? Proposals to Provide Consumers With Better Information About Healthcare Service Costs,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, March 14, hearing entitled ''Review of the Rudman Report on Fannie Mae, 2 p.m., 2128 Rayburn.

March 16, full Committee, oversight hearing of the Department of Housing and Urban Development, including the Department's budget request for fiscal year 2007, 10 a.m., 2128 Rayburn.

Committee on Government Reform, March 14, Subcommittee on National Security, Emerging Threats and International Relations, hearing entitled ''Drowning in a Sea of Faux Secrets: Policies on Handling of Classified and Sensitive Information,'' 2 p.m., 2154 Rayburn.

March 15, Subcommittee on Energy and Resources, hearing entitled ''Strengthening the Nation's Water Infrastructure: The Army Corps of Engineers' Planning Priorities,'' 2 p.m., 2203 Rayburn.

March 15, Subcommittee on Federal Workforce and Agency Organization, hearing entitled ''Improving the Quality of Healthcare in the FEHBP,'' 2 p.m., 2154 Rayburn.

March 15, Subcommittee on Government Management, Finance and Accountability, hearing entitled ''OMB's Financial Management Line of Business Initiative Too Much Too Soon?'' 2 p.m., 2247 Rayburn.

March 15, Subcommittee on Regulatory Affairs, hearing entitled ''Taking on Water: The National Park Service's Stalled Rulemaking Effort on Personal Watercraft,'' 10 a.m., 2247 Rayburn.

March 16, full Committee, hearing entitled ''Leave No Computer System Behind: A Review of the 2006 Federal Computer Security Scorecards,'' 10 a.m., 2154 Rayburn.

Committee on Homeland Security, March 16, to continue mark up of H.R. 4439, Transportation Security Administration Reorganization Act of 2005, 10 a.m., 311 Cannon.

Committee on International Relations, March 15, hearing on the Status of Reform and Fraud Investigations at the United Nations, 10:30 a.m., 2172 Rayburn.

March 15, Subcommittee on Africa, Global Human Rights and International Operations and the Subcommittee on Europe and Emerging Threats, joint hearing on the Northern Ireland Peace Process: Policing Advances and Remaining Challenges, 2 p.m., 2172 Rayburn.

March 15, Subcommittee on Asia and the Pacific, hearing on Unrest in South Asia: Recent Developments in Nepal and Sri Lanka, 2 p.m., 2200 Rayburn.

March 16, Subcommittee on Africa, Global Human Rights and International Operations, hearing on Monitoring Respect for Human Rights Around the World: A Review of the Country Reports on Human Rights Practices for 2005, 2 p.m., 2172 Rayburn.

March 16, Subcommittee on Western Hemisphere, to mark up the following resolutions: H. Con. Res. 328, Condemning the anti-democratic actions of Venezuelan President Hugh Chavez and expressing the sense of Congress that the United States should strongly support the aspirations of the democratic forces in Venezuela; H. Con. Res. 338, Expressing the sense of Congress regarding the activities of Islamist terrorist organizations in the Western Hemisphere; and H. Con. Res. 353, Commending the people of the Republic of Haiti for holding democratic elections on February 7, 2006, and congratulating President-elect Rene Garcia Preval on his victory in these elections, 2:30 p.m., 2200 Rayburn.

Committee on the Judiciary, March 14, Subcommittee on Commercial and Administrative Law, hearing on H.R. 3509, Workplace Goods Job Growth and Competitiveness Act of 2005, 1 p.m., 2141 Rayburn.

March 16, Subcommittee on Crime, Terrorism and Homeland Security, oversight hearing on United States v. Booker: One Year Later—Chaos or Status Quo? 10:30 a.m., 2141 Rayburn.

Committee on Resources, March 15, hearing on H.R. 4857, To better inform consumers regarding costs associated with compliance for protecting endangered and threatened species under the Endangered Species Act of 1973, 11 a.m.; and a hearing on H.R. 4893, To amend section 20 of the Indian Gaming Regulatory Act to restrict off-reservation gaming, 2 p.m., 1324 Longworth.

March 16, Subcommittee on Energy and Mineral Resources, oversight hearing on the Department of the Interior and United States Forest Service Budgets for Fiscal Year 2007 Energy and Mineral Programs, 10 a.m., 1334 Longworth.

March 16, Subcommittee on Fisheries and Oceans, oversight hearing on the Impact of Hurricanes Katrina and Rita on the National Wildlife Refuge System, 10 a.m., 1324 Longworth.

March 16, Subcommittee on National Parks, oversight hearing entitled ''National Park Service business strategies, including the development and implementation of National Park Service business plans,'' 2 p.m., 1324 Longworth.

Committee on Rules, March 15, Subcommittee on the Legislative and Budget Process, hearing on H.R. 4890, Legislative Line Item Veto Act of 2006, 10 a.m., H–313 Capitol.

Committee on Science, March 15, Subcommittee on Research, hearing on Undergraduate Science, Math and Engineering Education: What's Working? 10 a.m., 2318 Rayburn.

Committee on Small Business, March 15, hearing on the issues confronting the Small Business Administration in the upcoming fiscal years, 2 p.m., 2360 Rayburn.

March 15, Subcommittee on Rural Enterprise, Agriculture and Technology, hearing entitled ''The Missouri River and its Spring Rise: Science or Science Fiction? 10 a.m., 2360 Rayburn.

March 16, Subcommittee on Regulatory Reform and Oversight, hearing on the State of Small Business Security in a Cyber Economy, 2 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, March 15, Subcommittee on Railroads, hearing on Implementation of the Recently Expanded Rail Infrastructure Loan Program, 2 p.m., 2167 Rayburn.

March 16, Subcommittee on Highways, Transit and Pipelines, oversight hearing on Pipeline Safety, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, March 15, oversight hearing on education benefits for the total military force, 10:30 a.m., 334 Cannon.

March 16, Subcommittee on Disability Assistance and Memorial Affairs, oversight hearing on the accuracy of benefits information provided to, and the quality of service received by, individuals calling into the Veterans Benefits Administration, 2 p.m., 334 Cannon.

Committee on Ways and Means, March 15, Subcommittee on Health, Hearing on Long-Term Acute Care Hospitals, 3 p.m., 1100 Longworth.

March 15, Subcommittee on Human Resources, hearing regarding new research on unemployment benefit recipients, 2 p.m., B–318 Rayburn.

March 16, Subcommittee on Select Revenue Measures, hearing on the use of tax preferred bond financing, 10:30 a.m., 1100 Longworth.

March 16, Subcommittee on Social Security, to continue hearings on Social Security number high-risk issues, 10 a.m., B–318 Rayburn.

Next Meeting of the SENATE

10 a.m., Monday, March 13

Senate Chamber

Program for Monday: Senate will begin consideration of the budget resolution, if available. At 11:30 a.m., Senate will begin a period of morning business until 1:30 p.m.; following which, Senate will continue consideration of the budget resolution. Also, at 5:30 p.m., Senate will begin consideration of the nomination of Leo Maury Gordon, of New Jersey, to be a Judge of the United States Court of International Trade, and vote immediately on the confirmation of the nomination.

Next Meeting of the HOUSE OF REPRESENTATIVES

2 p.m., Monday, March 13

House Chamber

Program for Monday: To be announced.

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