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House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mrs. BIGGERT).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 10, 2006.

I hereby appoint the Honorable JUDY BIGGERT 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:

Lord God of the covenant and the cross, You gather by Your providence the 109th Congress today for another session of work.

As Members of this body, we stand with one another. Our strength is our union. Our weakness is found in our division. Unite us for Your purpose and for the good of this Nation.

May we truly represent the diversity of the American people, while we examine the issues of today according to sound principles of truth and justice, which will bring us together.

Help us by our actions to forge blazing hope for this country and for the world.

Lord God, from the many You make us one, both 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 her approval thereof.

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) come forward and lead the House in the Pledge of Allegiance.

Ms. GINNY BROWN-WAITE of Florida led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

H.R. 27. An act to enhance the workforce investment system of the Nation by strengthening one-stop career centers, providing for more effective governance arrangements, promoting access to a more comprehensive array of employment, training, and related services, establishing a targeted approach to serving youth, and improving performance accountability, and for other purposes.

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

S. 2125. An act to promote relief, security, and democracy in the Democratic Republic of the Congo.

IT GETS ''WESTERN''

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

Mr. POE. Madam Speaker, after spending last week with the Terrorism Subcommittee hearing testimony from the people who live and work on our southern border, the realization of the problem for failure to protect the border from invaders was dramatically told by border agents, local law enforcement, and citizens.

Those who pretend we have no insurgency into America live in the Never Never Land of ignorance. Testimony showed that individuals in Mexican uniform, driving Mexican vehicles, still cross into our soil. Human smugglers and narcoterrorists operate fearlessly on our southern border.

Border Patrol Chief Reynaldo Garza put it clearly, ''We do not have control of our border.'' This phrase should alarm even the border-appeaser crowd who take the side of illegals over Americans.

Former Texas Ranger Doyle Holdridge put it best when discussing what it is like on the Texas-Mexico border after sunset. He said, ''It gets western.''

Yes, it is lawlessness on this border that breeds violence, gunfire, drug trafficking, human smuggling and is a ripe place for terrorists to operate. It will continue to get western on our border until border security becomes a national security issue.

And that's just the way it is.

HOUSE REPUBLICANS PREFER STALLING RATHER THAN ACTING ON BORDER SECURITY

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

Mr. PALLONE. Madam Speaker, last week House Republicans held two field hearings on the issue of border security, and they plan to hold more hearings next month.

But, Madam Speaker, the time for hearings is over. It is unprecedented for House Republicans to be holding hearings on legislation that has already passed the House. Instead, it is time for the Senate and the House to begin the tough task of reconciling differences between the two bills so that we can pass a comprehensive border security and immigration bill this year.

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That is how things in Washington are supposed to be done. But this Republican ''Do Nothing'' Congress refuses to lead.

Last week President Bush said negotiations were already under way between the two Chambers. And that is simply not true. Negotiations are not taking place because House Republicans say they want to wait until they have conducted the hearings.

Now, it is bad enough that Washington Republicans refuse to properly fund border security efforts. But now they want to stall any movement on legislation that would secure our borders and reform our Nation's immigration laws. If comprehensive legislation is not passed this year, House Republicans will have nobody to blame but themselves.

BUSH TAX CUTS TACKLE FEDERAL DEFICIT

(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. Madam Speaker, in a rare display of accuracy, today the New York Times highlighted how the Bush tax cuts are helping tremendously reduce the Federal deficit. As the drive-by paper reported, an unexpected steep rise in tax revenues from corporations and the wealthy is driving down the projected deficit this year. On Friday, the Congressional Budget Office reported that corporate tax receipts for the 9 months ending in June hit $250 billion, nearly 26 percent higher than the same time last year, and that overall revenues were $206 billion higher than at this point in 2005.

This incredible increase in tax receipts demonstrates that Republican policies are truly benefiting all sectors of the American economy. By reducing taxes, we have helped American businesses create jobs and, in turn, contribute larger amounts, reducing the Federal deficit. House Republicans will continue to work to make these effective tax cuts permanent.

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

SUPPORTING THE FBI

(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. Madam Speaker, I rise today to alert my fellow Members to a deadline that passed with little comment over the weekend.

Following the FBI search of a Member of this body's office, President Bush sealed the collected files for a period of 45 days. That deadline passed over the weekend.

My question is, What next?

Will this House continue to shield one of its own from criminal investigation and hide behind a misreading of the speech or debate clause, or will we admit that no American is above the law, Member of Congress or not?

I have introduced a resolution making it clear that when law enforcement officers have a valid search warrant in pursuit of criminal misconduct, it is entirely within their rights to search the office of a Member of Congress.

Now that the 45-day hold has passed, I would hope that President Bush would allow law enforcement officers to continue their duties to investigate criminal misconduct wherever it may originate. Currently, there are 20 Members of this body on that resolution, and I would encourage any others who want to send a loud and clear message we are not above the law to join me in cosponsoring it.

OPPOSE THE REID-KENNEDY BILL

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

Ms. FOXX. Madam Speaker, House Republicans have put together a set of five principles on border security and immigration reform that we want to see included in any legislation that is sent to the President. These principles include making border security a top priority, providing our Border Patrol with the resources they need to do their jobs effectively, strengthening immigration law enforcement, punishing employers who knowingly hire illegal aliens, and opposing any efforts to reward those who break our laws.

Madam Speaker, House Republicans passed a great bill last December that incorporated all of these principles. Unfortunately, Democrats and some of our colleagues in the Senate are pushing for alternative legislation that would make our borders even more vulnerable, their Reid-Kennedy bill that would actually weaken our law enforcement and make our country far less secure.

Madam Speaker, the Reid-Kennedy bill would reward those who break our laws. This bill is not the answer to our immigration problems, and I strongly encourage my colleagues to oppose it.

COMMUNICATION FROM SENIOR POLICY ADVISOR, OFFICE OF HON. BOB NEY, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from John Bennett, Senior Policy Advisor, Office of the Honorable BOB NEY, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 5, 2006.

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

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena, issued by the U.S. District Court for the District of Columbia, for documents and testimony.

After consultation with counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

JOHN BENNETT,
Senior Policy Advisor.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

EASTERN MUNICIPAL WATER DISTRICT RECYCLED WATER SYSTEM PRESSURIZATION AND EXPANSION PROJECT

Mr. RADANOVICH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 122) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project, as amended.

The Clerk read as follows:

H.R. 122

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

SEC. 1. SHORT TITLE.

This Act may be cited as the ''Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project''.

SEC. 2. PROJECT AUTHORIZATION.

(a) IN GENERAL.—The Reclamation Wastewater and Groundwater Study and Facilities Act (Public Law 102–575, title XVI; 43 U.S.C. 390h et seq.) is amended by adding after section 16____ the following:

''SEC. 16____. EASTERN MUNICIPAL WATER DISTRICT RECYCLED WATER SYSTEM PRESSURIZATION AND EXPANSION PROJECT, CALIFORNIA.

''(a) AUTHORIZATION.—The Secretary, in cooperation with the Eastern Municipal Water District, California, may participate in the design, planning, and construction of permanent facilities needed to establish operational pressure zones that will be used to provide recycled water in the district.

''(b) COST SHARING.—The Federal share of the cost of the project described in subsection (a) shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—Funds provided by the Secretary shall not be used for operation or maintenance of the project described in subsection (a).

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $12,000,000.

''(e) SUNSET OF AUTHORITY.—The authority of the Secretary to carry out any provisions of this section shall terminate 10 years after the date of enactment of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections in section 2 of Public Law 102–575 is amended by inserting after the item relating to section 16____ the following:

''Sec. 16____. Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project, California.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. RADANOVICH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Madam Speaker, H.R. 122, introduced by Congressman DARRELL ISSA, authorizes the Bureau of Reclamation to participate in a water recycling project with the Eastern Municipal Water District in Southern California. The project will allow the district to be less reliant on imported water.

As water demands grow and supply becomes more scarce in Southern California, this bill will help drought-proof this arid region. The infrastructure investment in this legislation will help the district as its customers transition from agriculture to urban uses. I urge my colleagues to support this legislation.

Madam Speaker, I reserve the balance of my time.

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

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

Mr. PALLONE. Madam Speaker, we on this side of the aisle support passage of H.R. 122. The majority has adequately explained this legislation, and I would simply note that the pending measure would enable the Eastern Municipal Water District to make improvements to its reclaimed water distribution system in Riverside County, California.

The Eastern Municipal Water District is the fifth largest water district in the State of California. This agency has been a leader in building water recycling projects, and this legislation is worthy of our support.

Mr. ISSA. Madam Speaker, I rise today in strong support of my bill H.R. 122.

I would like to thank Chairman RICHARD POMBO and Subcommittee Chairman GEORGE RADANOVICH and their staff for all their hard work in moving this bill to the floor.

My bill simply authorizes a Recycled Water System Pressurization and Expansion Project, which will create a pressurized distribution system to deliver water from Eastern Municipal Water District's reclamation plants to area residents. When fully implemented it will provide greater local protection from drought and reduce the district's need to import water.

The area that the EMWD provides water for is one of the fastest growing in the country. Riverside County is facing constantly increasing pressure to find new sustainable ways to meet the areas water supply needs and to accommodate future growth. It is critical that Congress supports projects like this that will lead to an increased use of reclaimed water, especially in areas such as Southern California where the threat of shortages and drought are almost always present.

I appreciate the Resources Committee support for this bill, and urge my colleagues to support H.R. 122.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the bill, H.R. 122, as amended.

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

A motion to reconsider was laid on the table.

AUTHORIZING SECRETARY OF THE INTERIOR TO CONDUCT FEASIBILITY STUDIES WITHIN SNAKE, BOISE AND PAYETTE RIVER SYSTEMS IN IDAHO

Mr. RADANOVICH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2563) to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in Idaho, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2563

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

SECTION 1. AUTHORITY TO CONDUCT FEASIBILITY STUDIES.

(a) AUTHORITY.—The Secretary of the Interior, acting through the Bureau of Reclamation, is authorized to conduct feasibility studies on projects that address water shortages within the Snake, Boise, and Payette River systems in Idaho, and deemed appropriate for further study by the 2006 Bureau of Reclamation Boise Payette water storage assessment report. Studies conducted under this section must comply with Bureau of Reclamation policy standards and guidelines for studies.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of the Interior $3,000,000 to carry out this section.

(c) SUNSET OF AUTHORITY.—The authority of the Secretary of the Interior to carry out this section shall terminate 10 years after the date of the enactment of this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. RADANOVICH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

H.R. 2563, introduced by Congressman BUTCH OTTER, authorizes the Bureau of Reclamation to conduct feasibility studies to address water shortages within the Snake, Boise, and Payette River systems in Idaho.

Water demands for agriculture, power generation, endangered species requirements and municipal needs are constantly growing and may quickly surpass the supply without long-term planning. It is anticipated that water demand in this region of Idaho will grow by 75 percent in the next 20 years, and new water supplies need to be found to meet these growing demands. Before any feasibility study can be performed, authorizing language must be enacted by Congress. This legislation authorizes such studies. I urge my colleagues to support this legislation.

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Madam Speaker, I reserve the balance of my time.

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

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

Mr. PALLONE. Madam Speaker, we have no objection to passage of H.R. 2563. This legislation gives the Bureau of Reclamation the authority to conduct specific feasibility studies to look at projects that might address the water shortages in the Snake, Boise, and Payette River systems in Idaho.

We have no objection to the current system in its current form.

Mr. OTTER. Madam Speaker, today, we are debating H.R. 2563, a bill to provide broad authority for the Bureau of Reclamation to conduct feasibility studies of new and enhanced water storage opportunities on the Snake, Boise, and Payette Rivers in Idaho. I introduced this legislation and am working for its passage because I believe it is important to find new water resources rather than just dividing up the scarce resources we currently have.

I have been told that consumptive demand in the Boise and Payette basins will increase by at least 135,000 acre feet over the next 20 years. Growing demand now is being met by increased ground water use and conservation efforts, but those are short-term responses that beg the question of future needs.

We also know that most of the water supply in both basins already is allocated and there is little excess capacity to meet future demands. Further, the ability to capture and store additional water is limited by requirements for minimum fish flow, maintenance flows, flood control and annual refill of existing reservoirs. These factors make this undertaking difficult at best, but I believe it is worthwhile and necessary.

Our communities, our economy and our families all depend on water to survive, grow and prosper. Deciding how to use such a rare commodity in a way that does the greatest good for the greatest number, while hewing to the principles of law and equity on which our society is based, is an enormous challenge. The task is further complicated, and brought into sharp focus, by the 6-year drought Idaho recently experienced and is seen in much of the arid West.

Our energy, our economy and our environment all will depend on the ability to anticipate and prioritize future water needs. Our children, our grandchildren and generations to come all are depending on the choices we make today. Preserving water rights while providing for continued growth are a top priority of mine and I will continue to work to achieve that goal.

I encourage a ''yes'' vote on this important piece of legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the bill, H.R. 2563, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

MADERA WATER SUPPLY ENHANCEMENT ACT

Mr. RADANOVICH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3897) to authorize the Secretary of the Interior, acting through the Bureau of Reclamation to enter into a cooperative agreement with the Madera Irrigation District for purposes of supporting the Madera Water Supply and Groundwater Enhancement Project, as amended.

The Clerk read as follows:

H.R. 3897

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 ''Madera Water Supply Enhancement Act''.

SEC. 2. DEFINITIONS.

(a) The term ''District'' means the Madera Irrigation District, Madera, California.

(b) The term ''Project'' means the ''Madera Water Supply and Enhancement Project''.

(c) The term ''Secretary'' means the Secretary of the United States Department of the Interior.

SEC. 3. STUDY AND REPORT.

(a) STUDY.— Pursuant to the Reclamation Act of 1902 (32 Stat. 388) and Acts amendatory thereof and supplemental thereto, the Secretary, acting through the Commissioner of the Bureau of Reclamation, and in consultation and cooperation with the District, is authorized to conduct a study to determine the feasibility of constructing the Project.

(b) REPORT.—

(1) TRANSMISSION.—Upon completion of the study authorized by subsection (a), the Secretary shall transmit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing the results of the study, together with recommendations regarding any recommendation to construct the project.

(2) USE OF AVAILABLE MATERIALS.—In developing the report under this section, the Secretary shall make use of reports and any other relevant information supplied by the District.

(3) DEADLINE.—No later than December 30, 2006, the Secretary shall complete the report and transmit the report to Congress pursuant to subsection (b)(2).

(c) COST SHARE.—

(1) FEDERAL SHARE.—The Federal share of the costs of the feasibility study authorized by this section shall not exceed 50 percent of the total cost of the study.

(2) IN-KIND CONTRIBUTION FOR NON-FEDERAL SHARE.—The Secretary may accept as part of the non-Federal cost share the contribution of such in-kind services by the District as the Secretary determines will contribute to the conduct and completion of the study.

SEC. 4. COOPERATIVE AGREEMENT.

All planning, design, and construction of the Project authorized by this Act shall be undertaken in accordance with a cooperative agreement between the Secretary and the District for the Project. Such cooperative agreement shall set forth in a manner acceptable to the Secretary and the District the responsibilities of the District for participating in the study and related environmental review, including, but not limited to:

(1) preparation of an assessment of the need for the project;

(2) preparation of feasibility and reconnaissance studies;

(3) environmental review;

(4) engineering and design;

(5) construction; and

(6) the administration of contracts pertaining to any of the foregoing.

SEC. 5. AUTHORIZATION FOR THE MADERA WATER SUPPLY AND ENHANCEMENT PROJECT.

(a) AUTHORIZATION OF CONSTRUCTION.—Upon submission of feasibility report described in section 3 and a statement by the Secretary that the project is feasible, the Secretary, acting pursuant to the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388), and Acts amendatory thereof or supplementary thereto, as far as those laws are not inconsistent with the provisions of this Act, is authorized to enter into a cooperative agreement through the Bureau with the District for the support of the design, and construction of the Project.

(b) COST SHARE.—The Federal share of the capital costs of the Project shall not exceed 25 percent of the total cost. Capital costs incurred by the District prior to the date of the enactment of this Act shall be considered a portion of the non-Federal cost share.

(c) IN-KIND SERVICES.—In-kind services performed by the District shall be considered a part of the local cost share to complete the Project authorized by subsection (a).

(d) CREDIT FOR NON-FEDERAL WORK.—The District shall receive credit toward the non-Federal share of the cost of the Project for—

(1) reasonable costs incurred by the District as a result of participation in the planning, design, and construction of the Project; and

(2) for the fair market value of lands used or acquired by the District for the Project.

(e) LIMITATION.—The Secretary shall not provide funds for the operation or maintenance of the Project authorized by this section. The operation and maintenance of the Project shall be the sole responsibility of the District.

(f) PLANS AND ANALYSES CONSISTENT WITH FEDERAL LAW.—Before obligating funds for design or construction under this section, the Secretary shall work cooperatively with the District to use, to the extent possible, plans, designs, and engineering and environmental analyses that have already been prepared by the District for the Project. The Secretary shall ensure that such information as is used is consistent with applicable Federal laws and regulations.

(g) TITLE; RESPONSIBILITY; LIABILITY.—Nothing in this section or the assistance provided under this section shall be construed to transfer title, responsibility or liability related to the Project to the United States.

(h) AUTHORIZATION OF APPROPRIATION.—There is authorized such sums as may be appropriated to carry out this section.

SEC. 6. SUNSET.

The authority of the Secretary to carry out any provisions of this Act shall terminate 10 years after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. RADANOVICH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

H.R. 3897, introduced by myself, authorizes the Bureau of Reclamation to participate in the study, design, and construction of the Madera Water Supply and Enhancement Project. This important water bank project in my congressional district will help improve the water supply in California's San Joaquin Valley.

The over-13,000-acre ranch where the water bank is located is well suited for this project. The soils on and underneath the land are ideal for percolating water from the surface to the aquifer for storage. In addition, the land is valuable habitat for numerous species and contains large sections of the region's native grasslands.

Funding for this project is under way. Madera Irrigation District, which will operate and maintain this project, issued $37.5 million in bonds to purchase the property. Also, the fiscal year 2006 Energy and Water Appropriations measure allocated $200,000 to conduct a study on the feasibility of the water bank.

With increasing demands on its limited water supply, the San Joaquin Valley is falling behind in creating additional water sources. The Madera Water Supply and Enhancement Project will enable water users to store excess river flows in a nearby aquifer. This stored water bank would then be used during dry years and could prove critical to meeting demands.

I urge my colleagues to support this legislation to expand water supply opportunities in the San Joaquin Valley.

Madam Speaker, I reserve the balance of my time.

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

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

Mr. PALLONE. Madam Speaker, we on this side of the aisle have no objection to the passage of H.R. 3897. The majority has adequately explained this legislation, and I would simply note that the groundwater development project that would be authorized by the enactment of this bill could substantially improve water supply reliability in California's Central Valley.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the bill, H.R. 3897, as amended.

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

The title of the bill was amended so as to read: ''A Bill to authorize the Secretary of the Interior, acting through the Bureau of Reclamation to enter into a cooperative agreement with the Madera Irrigation District for purposes of supporting the Madera Water Supply Enhancement Project.''.

A motion to reconsider was laid on the table.

PARK CITY, UTAH, LAND CONVEYANCE

Mr. RADANOVICH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3462) to provide for the conveyance of the Bureau of Land Management parcels known as the White Acre and Gambel Oak properties and related real property to Park City, Utah, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3462

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

SEC. 1. CONVEYANCE OF LAND BY THE BUREAU OF LAND MANAGEMENT TO PARK CITY, UTAH.

(a) LAND TRANSFER.—Subject to the conditions set forth in subsections (b) and (c), and notwithstanding the planning requirements of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary of the Interior shall convey within 180 days of enactment of this Act, to Park City, Utah, all right, title, and interest of the United States in and to two parcels of real property located in Park City, Utah, that are currently under the management jurisdiction of the Bureau of Land Management and designated as parcel 8 (commonly known as the White Acre parcel) and parcel 16 (commonly known as the Gambel Oak parcel). The conveyance shall be subject to all valid existing rights.

(b) DEED RESTRICTION.—The conveyance of the lands under subsection (a) shall be made by a deed or deeds containing a restriction requiring that the lands be maintained as open space and used solely for public recreation purposes or other purposes consistent with their maintenance as open space. This restriction shall not be interpreted to prohibit the construction or maintenance of recreational facilities, utilities, or other structures that are consistent with the maintenance of the lands as open space or its use for public recreation purposes.

(c) CONSIDERATION.—In consideration for the transfer of the land under subsection (a), Park City shall pay to the Secretary of the Interior an amount consistent with conveyances to governmental entities for recreational purposes under the Act of June 14, 1926 (commonly known as the Recreation and Public Purposes Act; 43 U.S.C. 869 et seq.).

SEC. 2. SALE OF LANDS AT AUCTION.

(a) SALE OF LAND.—Notwithstanding the planning provisions of sections 202 and 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712, 1713), the Secretary of the Interior shall, in accordance with that Act and other applicable law, and subject to valid existing rights, offer for sale within 180 days of enactment of this Act, any right, title or interest in and to two parcels of real property located in Park City, Utah, that are currently under the management jurisdiction of the Bureau of Land Management and are designated as parcels 17 and 18 in the Park City, Utah, area.

(b) METHOD OF SALE.—The sale of land under subsection (a) shall be consistent with subsections (d) and (f) of section 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713) through a competitive bidding process and for not less than fair market value.

SEC. 3. DISPOSITION OF LAND SALES PROCEEDS.

(a) IN GENERAL.—All proceeds derived from the sale of the lands described in this Act shall be deposited in a special account in the treasury of the United States and shall be available without further appropriation to the Secretary of the Interior until expended for—

(1) the reimbursement of costs incurred by the Bureau of Land Management in implementing the provisions of this Act, including surveys, appraisals, and compliance with applicable Federal laws; and

(2) environmental restoration projects on Bureau of Land Management administered public lands within the Salt Lake City Field Office of the Bureau of Land Management.

(b) INVESTMENT OF SPECIAL ACCOUNT.—Any amounts deposited in the special account shall earn interest in an amount determined by the Secretary of the Treasury on the basis of the current average market yield on outstanding marketable obligations of the United States of comparable maturities, and may be expended according to the provisions of this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. RADANOVICH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Madam Speaker, H.R. 3462, introduced by Congressman ROB BISHOP, instructs the Secretary of the Interior to convey to Park City, Utah, approximately 110 acres of Bureau of Land Management lands. These lands are located within the corporate limits of Park City, Utah. Park City currently holds a 25-year Recreation and Public Purposes Act lease on these parcels, and once the land is transferred to the city, it will continue to be limited to recreation and open space uses. The City would also be required to satisfy all claims on the property.

Consistent with its long-term management plan for sensitive lands, Park City has begun purchasing large blocks of open space and has placed those lands in conservation status. Park City recently approved a $20 million bond for the purchase of such lands.

H.R. 3462 also directs the Bureau of Land Management to sell a parcel of land that has already been identified for disposal by its agency. This bill is supported by the community of Park City, Summit County, and several environmental and conservation organizations.

I urge its passage.

Madam Speaker, I reserve the balance of my time.

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

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

Mr. PALLONE. Madam Speaker, as introduced, both the Bush administration and Democrats on the Resources Committee had serious concerns with several provisions of this legislation. However, important improvements were made to the bill during consideration by the Resources Committee.

The conveyance authorized by this legislation will now include a deed restriction requiring the land to remain as open space for public recreation, will honor all valid existing rights in the parcels, and will be conveyed for fair market value.

As it now stands, we will not oppose H.R. 3462.

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

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

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

the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the bill, H.R. 3462, as amended.

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

A motion to reconsider was laid on the table.

PAINT BANK AND WYTHEVILLE NATIONAL FISH HATCHERIES CONVEYANCE ACT

Mr. RADANOVICH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5061) to direct the Secretary of the Interior to convey Paint Bank National Fish Hatchery and Wytheville National Fish Hatchery to the State of Virginia.

The Clerk read as follows:

H.R. 5061

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 ''Paint Bank and Wytheville National Fish Hatcheries Conveyance Act''.

SEC. 2. CONVEYANCE OF PAINT BANK AND WYTHEVILLE NATIONAL FISH HATCHERIES TO THE STATE OF VIRGINIA.

(a) IN GENERAL.—Within 180 days after the date of the enactment of this Act, the Secretary of the Interior shall convey to the State of Virginia without reimbursement all right, title, and interest of the United States in and to the property described in subsection (b) for use by the Virginia Department of Fish and Game as part of the State of Virginia fish culture program.

(b) PROPERTY DESCRIBED.—The property referred to in subsection (a) consists of—

(1) the real property comprising Paint Bank National Fish Hatchery and Wytheville National Fish Hatchery, located at Paint Bank and Wytheville, Virginia, respectively, as described in the 1982 Cooperative Agreement between the United States Fish and Wildlife Service and the State of Virginia;

(2) all improvements and related personal property under the control of the Secretary that is located on that real property, including buildings, structures, and equipment; and

(3) all easements, leases, and water rights relating to the property described in paragraphs (1) and (2).

(c) REVERSIONARY INTEREST.—If any of the property conveyed to the State of Virginia under this section is used for any purpose other than the use authorized under subsection (a), all right, title, and interest in and to all property conveyed under this section shall revert to the United States. The State of Virginia shall ensure that all property reverting to the United States under this subsection is in substantially the same or better condition as at the time of transfer to the State.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. RADANOVICH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

I am pleased to support H.R. 5061, introduced by our colleagues, Congressmen Rick Boucher and Virgil Goode, to convey the Paint Bank and Wytheville National Fish Hatcheries to the State of Virginia.

This action is appropriate and timely since the State has been superbly operating these facilities for the past 23 years. During this time nearly 1 million brook, brown, and rainbow trout have been produced each year. In fact, this represents over 40 percent of the total amount of trout that have been stocked for public fishing in Virginia. These fish provide recreational opportunities for thousands of people.

This is not an example of the Federal Government's simply ridding itself of unwanted assets. These two hatcheries are not considered components of the National Fish Hatchery System, and the State of Virginia has demonstrated its commitment to manage these facilities effectively. In fact, the State has spent nearly $400,000 in State resources to improve these hatcheries. However, to undertake additional renovations that may cost as much as $4.5 million, it is necessary that ownership is transferred from the Federal Government. This is a position that is supported by all interested parties.

I urge an ''aye'' vote on this legislation.

Madam Speaker, I reserve the balance of my time.

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

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

Mr. PALLONE. Madam Speaker, we support this legislation that would transfer the Paint Bank and Wytheville National Fish Hatcheries to the Commonwealth of Virginia. Both hatcheries have been operated by the Commonwealth for several years under a long-term management agreement with the U.S. Fish and Wildlife Service. This conveyance will enable the State to finance improvements to upgrade these facilities which would otherwise be left unaddressed by the Fish and Wildlife Service.

I want to commend the bill's Democratic sponsor, Congressman Rick Boucher, for introducing this legislation which will enhance sports fishing opportunities in Virginia.

I urge Members to support this noncontroversial bill.

Mr. BOUCHER. Madam Speaker, I rise in strong support of H.R. 5061, bi-partisan legislation which I introduced with my colleague from Virginia Mr. GOODE.

H.R. 5061 would simply convey two federal fish hatcheries located in the towns of Wytheville and Paint Bank in my Congressional district to the State of Virginia for continued operation by the Virginia Department of Game and Inland Fisheries. The legislation enjoys wide support and no opposition. The U.S. Fish and Wildlife Services as well as the State of Virginia both endorse the conveyance of these two properties.

The two facilities have been operated by the Virginia Department of Game and Inland Fisheries since 1983 under a 25 year lease agreement. In the early 1980's the federal government was in the process of divesting some federal hatcheries which were not involved in fish stock mitigation activities. The Wytheville and Paint Bank hatcheries are not used for fish stock mitigation and breed fish for recreational fishing only—both facilities provide brook, brown and rainbow trout for the stocking of streams on federal lands. At that time, Virginia expressed interest in operating the facilities under a 25 year lease agreement, and the State has been operating the facilities since that time. The lease is set to expire in 2008, and all parties are in agreement that a title transfer before that expiration date is appropriate.

The two facilities have an estimated combined economic effect of $40 million annually and produced a combined total of approximately 290,729 pounds of trout during Fiscal Year 2005.

Since beginning operation of the facilities under the lease agreement, the State has made numerous investments in the two hatcheries. The State has invested approximately $159,350 for improvements to the Wytheville facility and approximately $230,000 at the Paint Bank facility.

In addition, during that time the facilities have been thoroughly tested for various contaminants, and there are now no contaminant issues associated with either hatchery. The State would like to continue operation and investment in the facilities for a variety of reasons. For example, in order for extensive capital expenditures or any federal funding to be used for additional improvements, the ownership must be transferred from the federal government. Given the fact that the State of Virginia would like to assume ownership and that the federal government has been making a broad effort to divest of non-mitigation related hatcheries, this conveyance is in the interest of all parties.

H.R. 5051 would simply transfer title of the Wytheville and Paint Bank Fish Hatcheries to the State of Virginia. I appreciate the work of Subcommittee Chairman GILCHREST and Ranking Member PALLONE as well as that of Chairman POMBO and Ranking Member RAHALL of the House Resources Committee in bringing this measure to the floor for consideration, and I urge its adoption.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the bill, H.R. 5061.

The question was taken.

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

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

The yeas and nays were ordered.

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

CHERRY VALLEY NATIONAL WILDLIFE REFUGE STUDY ACT

Mr. RADANOVICH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5232) to direct the Secretary of the Interior to initiate and complete an evaluation of lands and waters located in Northeastern Pennsylvania for their potential acquisition and inclusion in a future Cherry Valley National Wildlife Refuge, and for other purposes.

The Clerk read as follows:

H.R. 5232

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 ''Cherry Valley National Wildlife Refuge Study Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The scenic Cherry Valley area of Northeastern Pennsylvania is blessed with more than 80 special-concern animal and plant species and natural habitats.

(2) In a preliminary assessment of Cherry Valley, United States Fish and Wildlife Service biologists ranked Cherry Valley very high as a potential national wildlife refuge.

(3) Six species that are listed as endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) have been documented within or near Cherry Valley: The bog turtle (possibly the most significant population of the listed subspecies), the dwarf wedge mussel, the northeastern bulrush, the small whorled pogonia, the bald eagle, and the Indiana bat (a historic resident, with efforts under way to re-establish favorable conditions).

(4) Cherry Valley provides habitat for at least 79 species of national or regional concern, which either nest in Cherry Valley or migrate through the area during critical times in their life cycle, including—

(A) neo-tropical migratory birds such as the Cerulean Warbler, the Worm-eating Warbler, and the Wood Thrush, all of which nest in Cherry Valley;

(B) waterfowl such as the American Black Duck;

(C) several globally rare plants, such as the spreading globeflower; and

(D) anadromous fish species.

(5) The Cherry Valley watershed encompasses a large segment of the Kittatinny Ridge, an important migration route for birds of prey throughout the Northeastern United States. Every migratory raptor species in the Northeast is regularly observed along the Kittatinny Ridge during the autumnal migration, including the bald eagle, the golden eagle, and the broad-winged hawk.

(6) The Kittatinny Ridge also includes a long segment of the Appalachian Trail, a nationally significant natural-cultural-recreational feature.

(7) Many of the significant wildlife habitats found in the Cherry Valley, especially the rare calcareous wetlands, have disappeared from other localities in their range.

(8) Ongoing studies have documented the high water quality of Cherry Creek.

(9) Public meetings over several years have demonstrated strong, deep, and growing local support for a Cherry Valley National Wildlife Refuge, as demonstrated by the following:

(A) Area landowners, business and community leaders, media, and elected officials have consistently voiced their enthusiasm for a Cherry Valley National Wildlife Refuge.

(B) Numerous local communities and public and private conservation entities share complementary goals for protecting Cherry Valley and are energetically conserving wildlife habitat and farmland. Along with State land-management agencies and the National Park Service, these local entities represent potential strong partners for the United States Fish and Wildlife Service, and view a Cherry Valley National Wildlife Refuge as a complement to existing private, county, municipal, and State efforts.

(C) A number of local landowners have already put their land into conservation easements or other conservation arrangements.

(D) A voter-approved Monroe County Open Space Fund and a voter-approved Stroud Township municipal land conservation fund have contributed to many of these projects.

(10) Two federally owned parcels of land are contiguous to the area to be studied under this Act as for acquisition and inclusion in a future Cherry Valley National Wildlife Refuge: The Delaware Water Gap National Recreation Area and a 700-acre segment of the Appalachian Trail owned by the National Park Service.

SEC. 3. STUDY OF REFUGE POTENTIAL AND FUTURE REFUGE LAND ACQUISITION.

(a) STUDY.—The Secretary shall initiate within 30 days after the date of the enactment of this Act a study to evaluate the fish and wildlife habitat and aquatic and terrestrial communities located in Northeastern Pennsylvania and identified on the map entitled, ''Proposed Cherry Valley National Wildlife Refuge—Authorization Boundary'', dated February 24, 2005, for their potential acquisition by the United States Fish and Wildlife Service through donation, exchange, or willing seller purchase and subsequent inclusion in a future Cherry Valley National Wildlife Refuge.

(b) CONSULTATION.—The Secretary, while conducting the study required under this section, shall consult appropriate State and local officials, private conservation organizations, major landowners and other interested persons, regarding the identification of eligible lands, waters, and interests therein that are appropriate for acquisition for a national wildlife refuge and the determination of boundaries within which such acquisitions should be made.

(c) COMPONENTS OF STUDY.—As part of the study under this section the Secretary shall do the following:

(1) Determine if the fish and wildlife habitat and aquatic and terrestrial communities to be evaluated are suitable for inclusion in the National Wildlife Refuge System and management under the policies of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.).

(2) Assess the conservation benefits to be gained from the establishment of a Cherry Valley National Wildlife Refuge including—

(A) preservation and maintenance of diverse populations of fish, wildlife, and plants, including species listed as threatened species or endangered species;

(B) protection and enhancement of aquatic and wetland habitats;

(C) opportunities for compatible wildlife-dependent recreation, scientific research, and environmental education and interpretation; and

(D) fulfillment of international obligations of the United States with respect to fish, wildlife, and their habitats.

(3) Provide an opportunity for public participation and give special consideration to views expressed by local public and private entities regarding lands, waters, and interests therein for potential future acquisition for refuge purposes.

(4) The total area of lands, water, and interests therein that may be acquired shall not in the aggregate exceed 30,000 acres.

(d) REPORT.—The Secretary shall, within 12 months after date of the enactment of this Act, complete the study required by this section and submit a report containing the results thereof to the Committee on Resources of the House of Representatives and the Committee on Environment and Public Works of the Senate. The report shall include—

(1) a map that identifies and prioritizes specific lands, waters, and interests therein for future acquisition, and that delineates an acquisition boundary, for a potential Cherry Valley National Wildlife Refuge;

(2) a cost estimate for the acquisition of all lands, waters, and interests therein that are appropriate for refuge status; and

(3) an estimate of potentially available acquisition and management funds from non-Federal sources.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary $200,000 to carry out the study.

SEC. 4. DEFINITIONS.

In this Act the term ''Secretary'' means the Secretary of the Interior acting through the Director of the United States Fish and Wildlife Service.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. RADANOVICH) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. RADANOVICH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Madam Speaker, I am pleased to support this legislation proposed by Congressmen PAUL KANJORSKI, CHARLES DENT, JIM GERLACH, and TIM HOLDEN, that will direct the Fish and Wildlife Service to evaluate the potential for creating a new Cherry Valley National Wildlife Refuge in Northeast Pennsylvania.

What this measure proposes is a unique approach. While the National Park Service has been following this ''study first'' model for many years, this may be the first time Congress has ever studied the possibility of creating a new national wildlife refuge. This is a sound conservation approach.

Cherry Valley is a beautiful region, and it provides critical habitat for at least six federally listed species and 80 species of national and regional concern. In addition, it is a prime bird migration corridor for bald and golden eagles and broad-winged hawks. The idea of a Cherry Valley National Wildlife Refuge has been endorsed by a number of locally effective bodies, citizen groups, and conservation organizations.

Under the terms of the bill, the Secretary of the Interior is authorized to conduct a 12-month study to evaluate the fish and wildlife habitat and aquatic and terrestrial communities to determine whether their value merits the establishment of a national wildlife refuge. This report will identify priority lands, assess their conservation value, determine the Federal acquisition costs and create a potential acquisition boundary.

I urge an ''aye'' vote on H.R. 5232.

Madam Speaker, I reserve the balance of my time.

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

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

Mr. PALLONE. Madam Speaker, we support this legislation that would direct the Secretary of the Interior to evaluate lands and waters located in the Cherry Valley Region of Northeastern Pennsylvania for their potential designation as a future National Wildlife Refuge.

Witness testimony received during the May 10, 2006, Fisheries Subcommittee hearing on the bill clearly documented that the Cherry Valley Region contains significant ecological habitat for several species of threatened and endangered wildlife, especially for migratory raptors like hawks and eagles.

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Also, the hearing confirmed that the designation of a new Cherry Valley National Wildlife Refuge is a goal strongly supported by local governments and residents. I want to applaud the bill's Democratic sponsor, Congressman PAUL KANJORSKI, for introducing this legislation as a first step towards achieving the ultimate goal of establishing a new Cherry Valley National Wildlife Refuge.

I urge Members to support this worthy bill.

Madam Speaker, I reserve the balance of my time.

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

Mr. PALLONE. Madam Speaker, I yield the balance of my time to the gentleman from Pennsylvania (Mr. KANJORSKI), the sponsor of the bill.

Mr. KANJORSKI. Madam Speaker, I rise in very strong support of the bill I introduced, H.R. 5232, the Cherry Valley National Wildlife Refuge Study Act.

Located in the Pocono Mountains of northeastern Pennsylvania, Cherry Valley provides habitat to more than 75 species of national or regional concern, including several plants and animals listed as either endangered or threatened. These species include the bog turtle and the bald eagle. Monroe County, however, is also the fastest growing county in Pennsylvania, and this development now threatens and will soon encroach upon the habitat of these rare species.

As a result, grass-roots efforts to protect these sensitive habitats have gained momentum and now have widespread support within the local community. Rarely in my career in Congress have I experienced such overwhelming local support for a legislative endeavor as I have encountered for the designation of a national wildlife refuge in Cherry Valley.

Designation of a national wildlife refuge has bipartisan support from elected officials, including all three county commissioners, two State representatives, and a State senator. It also has the support of supervisors from all of the townships included and located in the Cherry Valley area. Moreover, my colleague from Pennsylvania (Mr. DENT) has joined me in sponsoring this legislation because he once represented parts of Cherry Valley when he served as a State senator.

Area business owners have also voiced their support for this effort. For example, the Pocono Builders Association, a building industry trade association in Monroe County, passed a resolution in support of designating Cherry Valley a national wildlife refuge.

Moreover, a number of local landowners have already put their land into easements and other conservation arrangements to facilitate the creation of a national wildlife refuge. Voters have also approved initiatives designed to provide the revenue needed for conservation purposes. Designation of a national wildlife refuge would, therefore, help to coordinate these efforts and provide Federal support for conservation of this important habitat.

In order to determine the appropriate land for inclusion in a potential refuge, I introduced H.R. 5232, the Cherry Valley National Wildlife Refuge Study Act, after consulting with my colleagues and determining the best course of action. The bill authorizes a study to be completed by the Fish and Wildlife Service to determine what specific lands are suitable for inclusion in a potential refuge.

The legislation does not authorize the creation of a national wildlife refuge at this time. The bill is intended merely to study areas for their potential for inclusion in a refuge, not to authorize the creation of another refuge. In addition, the study is designed to provide Congress with the information needed to determine if the designation of a wildlife refuge in Cherry Valley is appropriate.

Before closing, I would like to thank my colleague from New Jersey (Mr. PALLONE) and my colleague from Maryland (Mr. GILCHREST) for holding a hearing on this legislation. I also would like to thank my colleague from California (Mr. POMBO) and my colleague from West Virginia (Mr. RAHALL) for moving this legislation through the House Resources Committee. Their work on this bill is much appreciated.

In summation, I urge passage of this legislation.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the bill, H.R. 5232.

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

A motion to reconsider was laid on the table.

PERMITTING USE OF CAPITOL ROTUNDA FOR A CEREMONY TO COMMEMORATE THE 75TH ANNIVERSARY OF THE DEPARTMENT OF VETERANS AFFAIRS

Mr. EHLERS. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 427) permitting the use of the rotunda of the Capitol for a ceremony to commemorate the 75th anniversary of the establishment of the Department of Veterans Affairs.

The Clerk read as follows:

H. CON. RES. 427

Resolved by the House of Representatives (the Senate concurring), that the rotunda of the Capitol is authorized to be used on July 19, 2006, for a ceremony to commemorate the 75th anniversary of the establishment of the Department of Veterans Affairs. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the capitol may prescribe.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. EHLERS) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

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

For three-quarters of a century, the Department of Veterans Affairs has supported the distinguished men and women of our Armed Forces through the many services they offer. Since its inception in 1930, the VA has worked tirelessly to enhance patient care and veterans benefits, providing excellence in service to those who serve our Nation proudly.

Of the 25 million veterans currently alive, nearly three of every four served during a war or in an official period of hostility. About a quarter of the Nation's population, approximately 70

million people, are potentially eligible for VA benefits and services because they are veterans, family members or survivors of veterans. But the VA stands for more than the collection of services they offer. They represent the desire of all Americans to ensure that we honor those who selflessly answer the call to defend our great Nation with the great dignity and respect they deserve.

On the occasion of its 75th anniversary year, the Department of Veterans Affairs, with the support of Chairman BUYER of the Committee on Veterans' Affairs, has requested use of the Capitol rotunda to commemorate the significant contribution that the VA has made in supporting veterans.

As I have noted in the past, it is important for us to continually identify opportunities to recognize the contribution of our men and women in uniform as a way to give thanks for all that they have given to the American people. As you may know, the Committee on House Administration recently partnered with the Committee on Veterans' Affairs and the Armed Services Committee to introduce the Wall of the Fallen memorial, a tribute to those men and women who have lost their lives in battle in the current conflicts in Iraq and Afghanistan. I was proud to sponsor the Wall of the Fallen in recognition of these heroes, just as I lend my full support to the request of the Department of Veterans Affairs for use of the Capitol rotunda to celebrate their 75 years of service to our Nation's veterans.

Madam Speaker, I reserve the balance of my time.

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

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

Mr. PALLONE. Madam Speaker, I rise today in support of House Concurrent Resolution 427, authorizing the use of the Capitol rotunda on July 19 of this year for a ceremony to commemorate the 75th anniversary of the establishment of the Department of Veterans Affairs. As my colleagues are well aware, Congress must pass a concurrent resolution to use the Capitol rotunda, the respected location of America's historic ceremonies.

I want to thank the gentleman from Indiana for introducing this resolution.

This event will mark the 75th anniversary of the Department of VA in which Congress will use the historic rotunda location to commemorate the service of the VA professionals who provide Federal benefits to veterans and their families.

On July 21, 1930, President Hoover issued an executive order to consolidate various veterans programs to create the Department of Veterans Affairs, which has grown from an organization of 48 hospitals and 30,000 employees into the Nation's second largest Federal agency. Today, the VA employs over 237,000 professionals, is comprised of 157 hospitals and over 850 community-based clinics, provides pensions and disability compensation to more than 3.4 million veterans, and provides a dignified and permanent resting place at the 120 national cemeteries that honor the men and women who served in our Nation's military.

The responsibility to care for veterans, spouses, survivors and dependents can last a long time. For example, five children of Civil War veterans still draw VA benefits. About 440 children and widows of Spanish-American War veterans still receive VA compensation or pensions. Also currently receiving VA benefits are nearly 160,000 survivors of Vietnam-era veterans and over 256,000 survivors of World War II veterans.

Approximately 63 million people are potentially eligible for VA benefits and services because they are veterans, family members or survivors of veterans. More than half of the citizen soldiers who have ever served in uniform throughout our Nation's history are living today, 25 million of whom are living veterans to whom we owe the greatest debt for our freedom.

Madam Speaker, this celebration honors our veterans' sacrifice and dignifies the cause they served by commemorating the very people who serve them.

I urge my colleagues to join me in honoring the 75 years of dutiful service the Department of Veterans Affairs has provided to our Nation's veterans by supporting passage of this concurrent resolution.

Madam Speaker, I reserve the balance of my time.

Mr. EHLERS. Madam Speaker, I am pleased to yield 3 minutes to the gentleman from Indiana (Mr. SOUDER).

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

Mr. SOUDER. Madam Speaker, I am happy to rise in support of this resolution so that we can honor the Veterans Administration.

I have had an unusual several years in my congressional district. All of us work a lot with veterans casework; and certainly with the deaths and injuries that come in Iraq and Afghanistan, we have seen the rise in that kind of casework, as well as the aging veterans from World War II, the Korean War and many other people who have so bravely defended our Nation.

But when the CARES Commission suggested closing inpatient services in Fort Wayne, Indiana, we saw an outpouring of veterans in our community who really made clear why they think that the veterans hospitals are so important and so important to their care. They don't want to go to other cities. They don't want to go to other hospitals. They very much appreciate the service they get at the hospitals.

Even though we haven't allocated enough money to meet all the demands, we haven't modernized many of these hospitals as much as they should be given the service that these dedicated men and women have given in defense of freedom and defense of protecting the rest of us, the fact is they love their hospitals. They love their health care there. They love the fact that they are recognized as veterans when they come in; that they have the camaraderie that they can have with their fellow veterans and the shared experiences; that the people at those hospitals know what kind of sacrifice they have given. They aren't just another cipher as often happens when they go to an emergency room and then they argue about who is going to pay the bill. They know when they go into a veterans hospital and when they come into the Veterans Administration service that they are going to be recognized and treated with the dignity that they deserve.

I want to commend the Veterans Administration. They have a very tough time, with being underfunded, trying to meet the increasing demands, the shifting of where the veterans retire; but we appreciate in Fort Wayne, Indiana, in the CBOCs around the area, the dedicated staff that does the best they can to service the many needy veterans not only in my district but throughout the country.

I enthusiastically support this resolution in favor of using the dome for their 75th anniversary.

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

I just wanted to mention, yesterday I had the occasion with Senator MENENDEZ to be at the Vietnam Veterans Memorial in New Jersey, which is actually in my home county; and it was amazing to me not only was the memorial such a beautiful place to visit. They had an educational center there, and there were so many veterans that just man the place on a voluntary basis just because of their dedication.

It just shows me how so many years after the Vietnam War, many years after other wars, we still have the dedication on the part of our veterans that just volunteer their time and their service just because they believe so strongly in the cause, and in this case, the memorial that represents the sacrifice of Vietnam veterans.

So I just wanted to mention that in conjunction with this service and the resolution that we are about to pass.

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

GENERAL LEAVE

Mr. EHLERS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous matter on the subject of the bill.

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

There was no objection.

Mr. BUYER. Mr. Speaker, I rise today in strong support of H. Con. Res. 427, which will

provide the use of the Capitol rotunda for the recognition of the 75th anniversary of the Department of Veterans Affairs.

It is altogether fitting to use the rotunda, which is reserved for only the most special and solemn occasions, to commemorate the establishment in 1930 of an agency charged "to care for him who shall have borne the battle and for his widow, and his orphan." Those words, spoken in 1865 by Abraham Lincoln in his Second Inaugural Address, have been adopted by VA as the department's motto.

When President Herbert Hoover signed the executive order establishing the Veterans Administration, and consolidating and coordinating federal support of veterans, America had 4.7 million living veterans. The new VA administered 54 hospitals with 31,600 employees.

Today, VA cares for our veterans and their families with 235,000 dedicated professionals who operate and manage the largest health care system in the Nation. These public servants, helped by more than 130,000 volunteers, provide high-quality health care to more than 5 million patients in more than 1,300 sites of care, including 154 medical centers.

The VA provides about 3 million veterans with disability compensation and pension payments, and nearly 600,000 spouses, children and parents of deceased veterans receive benefits.

Our revered dead lie in honored repose in 123 national cemeteries administered by VA in 39 States and Puerto Rico. VA also provides grants to States to encourage the development of State cemeteries; funds have been awarded for 63 operating State cemeteries, and 5 more are under construction.

VA research has won the Nobel Prize and it has been instrumental in developing the CT scan, the pacemaker, and improvements in artificial limbs. The Nation's first liver transplant was conducted by a VA surgeon, and VA has pioneered treatments for schizophrenia, high blood pressure, and tuberculosis.

Many veterans know VA best for its able administration of the 1944 GI Bill. Veterans Administration educational benefits have to date sent more than 21 million veterans, service members and family members to college, many of whom have also used VA loans to buy a home. The GI Bill essentially created the modem American middle class that has brought this country unparalleled prosperity and global leadership.

Today our Nation is engaged in a global war on terror. As they have for generations before them, VA's professionals and volunteers are at their stations in hospitals, rehabilitation centers, offices, and clinics ensuring that our newest veterans and their families have the best support possible.

The contribution of VA and the importance of support for America's veterans were officially recognized on March 15, 1989, with VA's establishment as a Cabinet-level department. Hailing the creation of the Nation's 14th cabinet-level position, President George H.W. Bush said, "There is only one place for the veterans of America, in the Cabinet Room, at the table with the President of the United States of America."

Madam Speaker, there is only one place to celebrate the 75th anniversary of this remarkable agency. That is in the rotunda of the Capitol of the United States of America, and I urge my colleagues to join me in support of this resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. EHLERS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 427.

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

A motion to reconsider was laid on the table.

□ 1445

DIRECTING SECRETARY OF HOMELAND SECURITY TO TRANSFER FUNCTIONS OF UNIT OPERATING ON THE TOHONO O'ODHAM INDIAN RESERVATION

Mr. SOUDER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5589) to direct the Secretary of Homeland Security to transfer to United States Immigration and Customs Enforcement all functions of the Customs Patrol Officers unit operating on the Tohono O'odham Indian reservation.

The Clerk read as follows:

H.R. 5589

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

SECTION 1. SHADOW WOLVES TRANSFER.

(a) TRANSFER OF EXISTING UNIT.—Not later that 90 days after the date of the enactment of this Act, the Secretary of Homeland Security shall transfer to United States Immigration and Customs Enforcement all functions (including the personnel, assets, and liabilities attributable to such functions) of the Customs Patrol Officers unit operating on the Tohono O'odham Indian reservation (commonly known as the ''Shadow Wolves'' unit).

(b) ESTABLISHMENT OF NEW UNITS.—The Secretary is authorized to establish within United States Immigration and Customs Enforcement additional units of Customs Patrol Officers in accordance with this section, as appropriate.

(c) DUTIES.—The Customs Patrol Officer unit transferred pursuant to subsection (a), and additional units established pursuant to subsection (b), shall operate on Indian lands by preventing the entry of terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband into the United States.

(d) BASIC PAY FOR JOURNEYMAN OFFICERS.—A Customs Patrol Officer in a unit described in this section shall receive equivalent pay as a special agent with similar competencies within United States Immigration and Customs Enforcement pursuant to the Department of Homeland Security's Human Resources Management System established under section 841 of the Homeland Security Act (6 U.S.C. 411).

(e) SUPERVISORS.—Each unit described in this section shall be supervised by a Chief Customs Patrol Officer, who shall have the same rank as a resident agent-in-charge of the Office of Investigations within United States Immigration and Customs Enforcement.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. SOUDER) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. SOUDER. Madam Speaker, let me first explain a little bit about who the Shadow Wolves are.

They are a specialized, all-Native American unit of the legacy U.S. Customs Service that were created by an act of Congress in 1972 to patrol the U.S.-Mexican land border within the Tohono O'odham Indian Nation in southern Arizona.

If you kind of visualize the southwest border, California, Arizona, New Mexico and Texas, and then think of Phoenix and Tucson coming straight down, Nogales, and then go towards California going west, that area would be the Tohono O'odham Reservation. It is an artificially defined border with Mexico there, because, in fact, the Tohono O'odham are on both sides of that, and Congressman HAYWORTH here in Congress has a bill to try to address how they can move inside their reservation, particularly as we tighten our border.

But it is a different challenge because, quite frankly, they were there before Mexico and the United States were there. So it is a different type of a challenge on the southwest border as to how we are going to provide security from terrorism, security from narcotics, from other types of items moving through, as well as illegal immigration.

Now, many people don't necessarily know Tohono O'odham as a name right off the bat; it is the Papago Indian tribe is what we historically called them, both in the north up more towards Phoenix and down in the southwest. But the Tohono O'odham view themselves as that name, and now the Federal Government has recognized them by that.

It is a relatively recent change, just like on our north border up by where the Mohawk reservation was; now they are called the Akwesasne Indian reservation, but we have a similar challenge on that side of the border.

Now, the reason the Shadow Wolves were created is when you have a separate nation inside your Nation, one of the hardest things for our drug agents, for our historic INS agents and others to penetrate is inside an Indian Nation. They are very closed societies. They know who is going to be where inside that Nation. It is not easy to penetrate.

And here we had one of the most successful tracking organizations, the Shadow Wolves have been featured in People Magazine, on television, all sorts of newspapers around the country for years because they combine modern technology with ancient tracking techniques, combined with being members inside that Nation to provide law and order inside that Nation.

They arrested and pursued and identified narcotics smugglers along their 76 miles of border, and 2.8 million acres, and they would seize roughly

100,000 pounds of illegal narcotics every year.

But when we created the Department of Homeland Security, we did something very unwise. We decided by splitting the CBP, the Customs and Border Protection, from the ICE agents, we left several agencies in the lurch. One is the Air and Marine Division that didn't either picket fence on the border or do investigations inside. So we are trying to work that out, which has been easier to do over in the water border on the Gulf of Mexico in the Caribbean Sea, but has been much tougher on the Mexican land border with the United States.

But the other is, what do you do with a group like the Shadow Wolves? They don't fit in an ICE box. They have a border, which is where we try to protect the border, but they also do investigations inside. And the Department of Homeland Security, in trying to figure out how to deal with things that don't quite fit, square pegs in a round hole, jammed them in under CBP, and that meant several things. One is, the Shadow Wolves, a distinct entity, disappeared because they scattered them, along with CBP agents, all over the country because it did not fit the organization structure to say, oh, this is a unique thing on the southwest border, let's create a unique thing.

So now inside the Tohono O'odham reservation, we have CBP agents that do not belong to that Nation. We have ICE agents that are not part of that Nation, and we have got Tohono O'odham Native Americans scattered all over the United States. It makes no sense. Needless to say, it is not working that great.

As we look at Nogales and the traffic pouring through in Arizona and as it moves over to Douglas, as we build more fences, as we put more agents on the border, guess what happens? They move over to the open areas, the Barry Goldwater Air Force Range, Tohono O'odham Indian reservation, and the Fish and Wildlife area to the western part of Arizona. They are overrun now.

Just in one hearing we had several years ago, during the time of the hearing, they had had 1,500 pounds of drugs moved through in the previous 3 months, then 1,500 pounds the previous month. During our hearing, with all of the different agents around, they snared something like 1,800 pounds, five different carloads, another group with seven SUVs going through. They put a Blackhawk on them. This has become a no-man's zone.

You cannot break organizations if you do not have investigations within. Rather than breaking up the Shadow Wolves, we should have been doing a similar thing up in New York State. We need to be looking at similar things in Montana where the Black Feet are not quite on the reservation, but how to work with the tribal groups to create tracking organizations that can do both border and investigations.

Now, this bill is an imperfect solution. It puts them over in ICE. They basically need to do both things, but since the government continues to stick with they have got to be either A or B, better be B than A, because making them scattered along like a picket fence and working with CBP, wherever they assign them, makes no sense. We need them back together. We need them as a tracking unit, more like a historic Customs ICE organization.

What this bill does is transfers them, in fact, back to ICE. It moves their pay scale to be like ICE special agents. It grants the chief officer of the Shadow Wolves a rank equivalent to the resident agent in charge of the ICE investigations and authorizes similar units in areas such in the Akwesasne Reservation in upstate New York. That is the basic thrust of the bill.

We know we need to work with the Appropriations Committee. We addressed this in the Homeland Security appropriations bill, but we just moved the dollars over. In fact, we will have to work out some kind of transition, because ICE agents make more than CBP. These people were trained trackers. Then all of a sudden we put them back on the border. It makes no sense. And we in Congress, who created this, need to make sure that we stand behind this great idea before all of them retire.

Many already took early retirement or quit because they saw no commitment to keeping them together as a Native American organization.

Madam Speaker, I rise in strong support of H.R. 5589, which directs the Secretary of Homeland Security to transfer to United States Immigration and Customs Enforcement all functions of the Customs Patrol Officers unit operating on the Tohono O'odham Indian reservation. This legislation responds to an urgent national priority: regaining control of our borders and stopping the cross-border smuggling of people, narcotics, and other contraband. I'd like to thank Majority Leader BOEHNER, Mr. SHADEGG, and Mr. KING of Iowa for their leadership in bringing this joint legislation to the Floor.

The Shadow Wolves are one of the last remaining Customs Patrol Officer (CPO) units in the country. Created by Congress in 1972, the Shadow Wolves operate on the Tohono O'odham Indian Reservation in southern Arizona, which has 76 miles of the U.S.-Mexican border running through it. That reservation has historically been a major conduit for drug smuggling, and the Shadow Wolves—all of them Native Americans who combine modern technology with traditional, Indian tracking techniques—are responsible for stopping the smuggling of drugs, illegal aliens and other contraband between the ports of entry within the 2.8 million acres of the Tohono O'odham Nation. Just since January of this year, the Shadow Wolves have interdicted over 15,000 pounds of illegal drugs that otherwise would have been sold on the streets. The Shadow Wolves have also assisted numerous Federal law enforcement agencies with enforcement issues on the reservation.

Despite being one of our most successful anti-smuggling investigative units, however, the Shadow Wolves are about to disappear altogether. After the formation of the Department of Homeland Security, the Shadow Wolves were taken out of their historic location at the Customs Office of Investigations and arbitrarily assigned to the Tucson Sector of the Border Patrol. This arrangement has been unworkable, because the mission and tactics of the Shadow Wolves (who are more like investigators than patrolmen) simply do not fit the organizational model of the Border Patrol. The Shadow Wolves have already lost nearly a quarter of their personnel due to attrition and to date there have been no qualified replacements.

H.R. 5589 fixes this problem by transferring the Shadow Wolves back to the Office of Investigations, now located within ICE. Once again, the Shadow Wolves will be able to do what they do best: find, follow, and bust major drug and alien smuggling rings, in cooperation with their fellow Immigration and Customs investigators.

I urge my colleagues to support H.R. 5589, and help the Nation take yet another major step in regaining control of our borders.

Madam Speaker, I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Madam Speaker, I yield myself such time as I may consume.

(Mr. THOMPSON of Mississippi asked and was given permission to revise and extend his remarks.)

Mr. THOMPSON of Mississippi. Madam Speaker, I rise in support of H.R. 5589. It is long past its time. This is a bill that should have long since been to the floor. This legislation transfers the Shadow Wolves from Customs and Border Protection to Immigration and Customs Enforcement, and allows the creation of an additional unit.

The Shadow Wolves were created by an act of Congress in 1972 to address criminal activity along the U.S.-Mexican border. This group, comprised entirely of American Indians, focused on identifying, tracking and arresting drug smugglers along 76 miles of the U.S-Mexican border.

With the aid of the Shadow Wolves, over 800 pounds of illegal narcotics are seized from smugglers on the reservation on an average day.

The Shadow Wolves are located in Representative GRIJALVA's district in the Tohono O'odham Nation of southwest Arizona. Although he was unable to be here today, Madam Speaker, he shared with me the importance of ensuring this bill becomes law.

Representative GRIJALVA has witnessed firsthand the almost 35 years of success the Shadow Wolves have had in the region deterring, tracking and intercepting drug smugglers. Their remarkable record should be continued.

Allowing the Shadow Wolves to focus on their investigation functions allows them to better secure our Nation's borders against illegal drugs. In the future, I would like to work with other Members to increase the number of officers within existing units.

I urge my colleagues to support the legislation.

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

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

Madam Speaker, first, let me thank Chairman PETE KING of the Homeland Security Committee and the ranking member, Mr. THOMPSON, for steadily standing behind this and also keeping the pressure on the administration to resolve these types of things, if they will not remix and back off from their determination to artificially divide this agency, at least to accommodate the things that do not quite fit the bureaucratic structure.

I want to thank Chairman LUNGREN of the subcommittee, as well as Chairman ROGERS of the Homeland Security Appropriations Committee for keeping the pressure on in spite of the administration's resistance.

I appreciate the support in ICE of Director Myers, Julie Myers, for her support in trying to work out a compromise and backing off some of the resistance we have had over the last few years. Congressman JOHN SHADEGG of Arizona has been a leader on this, along with Congressman GRIJALVA for a number of years, and his staff has been down there many times.

We have spent much time on the Arizona border. Congressman STEVE KING has become involved in this, as well, from Iowa. And without the persistence of all of the Members, in addition to the support of the chairman, we would never be at the stage we are tonight of actually recognizing that the Shadow Wolves should exist as a separate unit, of authorizing what we earlier did in the appropriations bill, and see if we cannot finally get this done.

We thank the individual members of the Shadow Wolves who stayed, and their patience as we try to put this back together, because this is important to the reservation. I have talked to tribal leaders there and individual homeowners there, and they are so frustrated with all of the crime that is running through their Indian reservation. They so much want to have their destiny controlled by their own people, to the degree we can work this out.

I appreciate their patience as we have done a very belabored, long conflict over how to do this inside Homeland Security. But I think we are finally nearing the final stages of at least getting them in ICE, holding them together as a unit, working with the administration, with the appropriators, with the authorizers. I thank once again Mr. THOMPSON, Chairman KING and all of the relevant Members for moving this bill forward.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. SOUDER) that the House suspend the rules and pass the bill, H.R. 5589.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SOUDER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5589.

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

There was no objection.

RECESS

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

Accordingly (at 2 o'clock and 58 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PEARCE) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2990, CREDIT RATING AGENCY DUOPOLY RELIEF ACT OF 2006

Mrs. CAPITO, from the Committee on Rules, submitted a privileged report (Rept. No. 109–550) on the resolution (H. Res. 906) providing for consideration of the bill (H.R. 2990) to improve ratings quality by fostering competition, transparency, and accountability in the credit rating agency industry, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4411, UNLAWFUL INTERNET GAMBLING ENFORCEMENT ACT OF 2006

Mrs. CAPITO, from the Committee on Rules, submitted a privileged report (Rept. No. 109–551) on the resolution (H. Res. 907) providing for consideration of the bill (H.R. 4411) to prevent the use of certain payment instruments, credit cards, and fund transfers for unlawful Internet gambling, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

H.R. 2563, by the yeas and nays;

H.R. 5061, by the yeas and nays.

Both electronic votes will be conducted as 15-minute votes.

AUTHORIZING SECRETARY OF INTERIOR TO CONDUCT FEASIBILITY STUDIES WITHIN SNAKE, BOISE, AND PAYETTE RIVER SYSTEMS IN IDAHO

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2563, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the bill, H.R. 2563, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 366, nays 1, not voting 65, as follows:

[Roll No. 358]

YEAS—366

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette

Leach
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
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
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Price (NC)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Tiberi
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
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—65

Abercrombie
Baird
Beauprez
Becerra
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Camp (MI)
Cannon
Clay
Crowley
Davis (FL)
Davis, Jo Ann
Doolittle
Doyle
Emerson
Evans
Fattah
Forbes
Ford
Gibbons
Goode
Green (WI)
Grijalva
Gutierrez
Hinchey
Hinojosa
Hulshof
Hyde
Istook
Jenkins
Jones (OH)
Kilpatrick (MI)
LaHood
Lantos
Lee
Lewis (CA)
Lewis (KY)
Maloney
Marchant
McMorris
McNulty
Murtha
Myrick
Nussle
Oberstar
Pelosi
Peterson (PA)
Pomeroy
Pryce (OH)
Reichert
Rogers (MI)
Rush
Sessions
Slaughter
Smith (NJ)
Stark
Strickland
Sullivan
Thornberry
Tiahrt
Tierney
Waters
Wexler

□ 1857

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PAINT BANK AND WYTHEVILLE NATIONAL FISH HATCHERIES CONVEYANCE ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 5061.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. RADANOVICH) that the House suspend the rules and pass the bill, H.R. 5061, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 366, nays 0, not voting 66, as follows:

[Roll No. 359]

YEAS—366

Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Campbell (CA)
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Markey
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
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
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Price (NC)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
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Sherwood
Shimkus
Shuster
Simmons
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Skelton
Smith (TX)
Smith (WA)
Snyder
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Stupak
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
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Weiner
Weldon (FL)
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Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
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Wynn
Young (AK)
Young (FL)

NOT VOTING—66

Abercrombie
Beauprez
Becerra
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Camp (MI)
Cannon
Clay
Crowley
Davis (FL)
Davis, Jo Ann
Doolittle
Doyle
Emerson
Evans
Fattah
Forbes
Ford
Gibbons
Goode
Green (WI)
Grijalva
Gutierrez
Hinchey
Hinojosa
Hulshof
Hyde
Istook
Jenkins
Jones (OH)
Kilpatrick (MI)
LaHood
Lantos
Lee
Lewis (CA)
Lewis (KY)
Maloney
Marchant
Marshall
McMorris
McNulty
Murtha
Myrick
Nussle
Oberstar
Oxley
Pelosi
Peterson (PA)
Pomeroy
Pryce (OH)
Radanovich
Reichert
Rogers (MI)
Rush
Sessions
Slaughter
Smith (NJ)
Stark
Strickland
Sullivan
Tiahrt
Tierney
Waters
Wexler

□ 1913

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and 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. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this Chamber today. Had I been present, I would have voted "yea" on rollcall votes 358 and 359.

PERSONAL EXPLANATION

Ms. KILPATRICK of Michigan. Mr. Speaker, personal business requires me to be in the

district, and I am therefore unable to be present for legislative business scheduled for today, Monday, July 10, 2006. Had I been present I would have voted "yea" on H.R. 2563, a bill to authorize Idaho Water Studies, (Rollcall No. 358); and "yea" on H.R. 5061, the Paint Bank and Wytheville National Fish Hatcheries Conveyance Act, (Rollcall No. 359).

PERSONAL EXPLANATION

Ms. PRYCE of Ohio. Mr. Speaker, I was unable to vote during the following rollcall votes. Had I been present, I would have voted as indicated below:

Rollcall 358, H.R. 2563—To authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in Idaho, and for other purposes, I would have voted "yea."

Rollcall 359, H.R. 5061—Paint Bank and Wytheville National Fish Hatcheries Conveyance Act, I would have voted "yea."

PERSONAL EXPLANATION

Mr. GREEN of Wisconsin. Mr. Speaker, I was absent from Washington on Monday, July 10, 2006. As a result, I was not recorded for rollcall votes 358 and 359. Had I been present, I would have voted –"yea" on rollcall 358 and 359.

□ 1915

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PEARCE). 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.

VIDEO GAME RATING SYSTEM

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

Mr. OSBORNE. Mr. Speaker, the average time spent playing video games for the average young person age 8 to 18 years is 49 minutes a day, just a little bit less than an hour a day.

Ratings of video games are made by the Entertainment Software Ratings Board, also known as the ESRB. The ESRB assigns ratings without first playing the games, based on surveys, which is really a rather unusual way of doing surveys.

The ESRB is actually a part of the video game industry; so in essence, the industry is rating itself, which is inappropriate.

Ratings are often used as marketing tools to increase sales. They are subjective. There are no quantifiable standards in these ratings.

Research done by Dr. Elizabeth Caril of the American Psychological Association and other researchers indicate the following:

Number one, exposure to violent video games increases aggressive behavior, thoughts and anger.

Number two, sexualized violence in video games increases violence toward women and acceptance of rape.

Number three, video games enhance stereotypes of minorities and women.

Number four, violent antisocial behavior is often necessary to win the game, often with no negative results to the aggressor.

Other findings were as follows: often these games employ stalking and killing of victims, and these videos are similar to what the military uses in training soldiers to kill enemy soldiers.

The ratings for the ESRB are as follows: E is a rating which means E for everyone. Yet 64 percent of E-rated games contain violence that reward the player for injuring other people.

T is the next rating, for teenagers, yet 48 percent of the videos did not describe on the label objectionable material contained in the game. And much of the material was as follows: it had violence, blood, sexual themes, profanity, alcohol use. Sixty-nine percent of those games required the player to kill people to win the game. The average was 61 human deaths per hour in these video games.

The next rating is M for age 17 and older, meaning mature. And these ratings contain profanity, drugs, sexual themes, violence, blood and gore. Eighty-one percent of such games did not describe content accurately on the label. Seventy-seven percent of boys under age 17 own an M-rated game, which, of course, would be against the rating system.

And so the final rating is AO, for adults only. But we find this is a seldom-used rating, even though video games are more violent, sexually explicit and profane than ever.

According to David Walsh, president of the National Institute on Media and the Family, psychological and behavioral studies show that violent video games increase real-world aggression in young people. And this is a little bit different than watching television or listening to music because this actually requires you to interact, to do something actively and play in the game. So it has a very definite impact on behavior.

Such games are particularly damaging, as children are developing and maturing and their brains and emotions are maturing.

As technology advances, video games are increasingly realistic, more violent and sexually explicit. More and more games will be sold online, making regulation even more difficult.

So far legislative efforts to rein in the video game industry have been largely negated by the courts. First amendment, free speech, tends to trump the welfare of our young people.

Walsh and others recommend this: they recommend one rating system for all visual media. As most people know, movies have G, PG, PG13, R and X. And yet video games have an entirely different rating system. So the current system is confusing, and each media outlet now has their own rating system, which is inconsistent and makes no sense.

Secondly, the industry should label products harmful if so deserved, such as cigarettes which are harmful and are labeled as being so.

Also, we need to keep M-rated, or mature, video games out of children's hands. As mentioned earlier, 77 percent of boys under age 17 have M-rated videos, and yet there are no penalties at the present time for vendors of these materials if they sell to an underage young person. If you did this in the alcohol industry, of course, you would be fined or penalized in some way.

Also, AO, or adult-only ratings, need to be used on explicit material, and they seldom are.

Independent raters should validate ratings, not industry representatives. The industry should not be rating itself.

And also, parents need to be educated about the rating system.

So, Mr. Speaker, Mr. BACA and I have introduced legislation attempting to bring these rating systems into compliance with normal standards, and we hope that Members of Congress would be willing to take a look at this legislation.

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

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

IT'S TIME FOR A CHANGE IN OUR ECONOMY

Mr. EMANUEL. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore (Mr. MCHENRY). Without objection, the gentleman from Illinois is recognized for 5 minutes.

There was no objection.

Mr. EMANUEL. Mr. Speaker, I would like to read a few excerpts from yesterday's Washington Times editorial entitled "New Job Numbers."

Now the Washington Times, everybody knows, is not exactly a progressive or liberal paper, very conservative.

And I quote: "For the third consecutive month, the Labor Department reported disappointing numbers for job growth. June payroll employment increased by only 121,000 jobs, well below the median projection of 200,000 jobs. And that is on top of May's payrolls increased by only 92,000 jobs, which follows a disappointing 112,000 in April. Altogether, job growth during the second quarter was a disappointing 325,000 jobs, the lowest quarterly increase since 2003.

"The net increase in payroll employment since August has averaged 160,000 jobs. This is to contrast throughout the

Clinton administration where employment increased on average 237,000 jobs per month.

''On average, 25,000 private sector jobs have been created each month since January 2001. That is 25,000. During the Clinton administration, private sector employment increased on average 217,000 jobs per month.

''And then, on top of that, average real weekly earnings of the 80 percent of the private sector workers who are employed in production or nonsupervisory capacity, approximately 91 million Americans, have increased by less than 1 quarter of 1 percent since January 2001. Average real weekly earnings for these same workers have actually declined by 1 percent since August in 2003.''

American people, according to the Washington Times, neither have the jobs nor have they got an increase in their salaries. And that is all the while where energy prices are up, 75 percent, under President Bush, health care costs, the premiums for families are up 78 percent, college costs are up on average 45 percent, and incomes and wages are down. That is what it takes to make and maintain a middle-class life, all the basics, filling up your gas, health care, college education, all skyrocketing.

For the first time since World War II, American savings rates are in negative territory, and this, according to the Bush administration, is the best of times. I would hate to think what the worst of times look like.

And the Washington Times noted how under the President, Americans aren't getting the jobs at the incomes that they are expecting, and the costs for them are going up.

Now, I don't want to look back; but having been part of the Clinton administration, I don't want to have to just be a booster, I would like to remind people we had a surplus 3 years in a row. We eliminated deficit. We started paying down the Nation's debt.

What has happened under this administration? In fact, the debt has increased by nearly $3 trillion in 4 years, the largest increase in the Nation's debt in the shortest period of time in all of American history.

Second, under President Clinton, we created the Hope Scholarship. Lifetime Learning Tax Credit gave middle-class families a tax cut so they could send their kids to college.

What has the Republican Congress with this President done? They have actually had the largest cut in college assistance in American history: $13 billion.

President Clinton thought of actually negotiating a climate change, which would have given us our first energy conservation plan. This administration walked away from it; signed an energy bill. In June of 2005, gas was $2.05. Today it is over $3. Tomorrow will be the anniversary where energy in America, a gallon of gas, has doubled since President Bush has been in the White House. Doubled.

And what has happened to American family wages? Declined by 1 percent. Cost of energy, doubled.

During President Clinton's time, we actually expanded health care for all children whose parents worked full-time. Ten million children got health insurance. What has this Congress and this Republican President done? They cut 6 million kids from health care coverage. I cannot think of a worse thing to do, and this is the son of a pediatrician talking. I cannot think of a worse thing to do but to cut children from health care, from the ability to visit a doctor or a nurse.

Health care under President Clinton went up for coverage. Health care under President Bush, premiums are up and uninsureds are up. Energy costs are up, incomes are down. College costs are up, college coverage is down under the Republicans.

In addition to that, there were many attempts, and we added 20 years to savings on Social Security. And this administrations actually for the first time we are at a negative savings rate.

So it is time for a new direction for a Congress and a President who will take this country in a new place.

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

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

KENTUCKY RIVER

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

Mrs. McCARTHY. Mr. Speaker, I would like to continue a little bit on what my colleague from Illinois was talking about. We are seeing an assault on middle-income families across this Nation.

Today I would like to join my fellow nurses across the Nation in standing up against another assault against our rights.

The Bush administration National Labor Relations Board's rulings in three cases, known as Kentucky River, could strip nurses and thousands of other workers of their right to belong to a union.

Two years ago, Congress stopped the Bush administration's efforts to classify nurses and other employees as supervisors in order to prevent them from receiving overtime pay. Those classified as supervisors do not have protected rights under Federal law to join or to form unions.

Mr. Speaker, I spent 30 years as a nurse; and I can't tell you how many times I was appointed supervisor for the evening. Under the classifications that are coming down today, so many of our nurses would be losing their overtime.

When we see our nurses, we are finally getting people to go into the health care fields, and now we are doing this to them, where they are not going to have the protections.

As American families face record gas prices, rising interest rates and higher cost of living, the Bush Administration once again is trying to make people work harder for less money and for less benefits.

In recent cases the National Labor Relations Board has taken away workers' protections, workers' rights including the rights of disabled workers, temporary employees, and graduate employees.

This summer could bring more such decisions from the Bush labor board. The ''Kentucky River'' decisions could strip hundreds of thousands of workers of their rights under Federal labor law. These decisions could potentially affect workers in a wide range of industries, including health care, building, construction, energy broadcasting, and port shipping. Those at risk of losing these Federal law protections are skilled and experienced workers who, as part of their jobs, give instructions to lesser skilled and experienced workers.

As I said, I had done that for many years. Nurses and others should not be penalized for helping those with less experience.

If workers lose their protections as employees under Federal law, they may be fired or otherwise disciplined for union activity. They will lose the freedom to choose to join or remain a member of a union, and they will lose their ability to have a voice on the job.

For example, for nurses, union membership provides a voice on the job and protections needed to be effective patient advocates. A nurse with a union works with confidence to make tough calls to be a strong patient advocate when patient decisions need to be made. Patients need a strong voice to stand up to those who put the bottom line before a patient's health care.

But these decisions will not affect just nurses. Others affected include foremen on construction jobs like my brother, Tommy, or those who work with a team of workers who could lose their union rights under a broad definition of ''supervisor.'' Many a time I have seen people like my father, who became a supervisor to teach the younger workers on how to weld something. This is what teachers do. It does not matter what field you are in. The older you are, the more experienced you are, you want to take the younger workers under your wing.

Thousands of painters, welders, sheet metal workers, plumbers, electricians, and others could lose their right to be in a union. Workers deserve to be heard on this issue, which is why tens of thousands of union members have asked their Members of Congress to appeal to the labor board for an opportunity to provide oral arguments. Uninterested in hearing from working

people, the Bush-appointed labor board has refused since 2001 to hear oral arguments in any case. In fact, this is the only 5-year period in the last 25 years in which the board has not held any oral arguments.

Mr. Speaker, I ask my colleague to join hundreds of thousands of nurses and other workers to stand up and fight together for accountability from the Bush's labor board. Together, we can make sure these hard-working Americans can have the union representation they deserve and are entitled to.

Mr. Speaker, I think a lot of people forget what the unions have done for this Nation. I think a lot of people forget that it was the unions that basically brought protections. When you think about our coal miners that have been killed in the past year, union representation could have protected them. We in Congress should have been doing that. We have OSHA to protect our workers where hundreds of thousands of people are injured every single year, and yet we see a total eroding of the middle-income families.

Let me tell you what I fear the most: that we are going to have a two-tiered system, the very wealthy and the poorest of the poor. We as Americans can do better.

□ 1930

The SPEAKER pro tempore (Mr. MCHENRY). 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.)

IRAQ'S CYCLE OF RETALIATION AND REVENGE

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

Ms. WOOLSEY. Mr. Speaker, some of the most frightening violence in months has erupted in Iraq over the past week. In fact, today was reported to be the worst day of death and violence since the United States started the war 3½ years ago.

On Saturday, Sunni insurgents bombed and destroyed a Shiite mosque. In response, Shiite gunmen dragged random motorists out of their cars in a Sunni Baghdad neighborhood, killing them, killing them with impunity.

The situation has become absolutely terrifying. And, sadly, the cycle of retaliation and revenge is getting worse, not better. Those who think Iraq has not already devolved into a civil war are just kidding themselves. They must think a civil war looks something like two pitched armies battling it out across from each other with muskets and cannons in a giant field.

Unfortunately, today's version of a civil war is a lot more murky. It involves fighting on the streets, not a battlefield. It involves innocent civilians, men, women, it involves children, who are losing their lives, who are living in a great deal of pain and a great deal of uncertainty.

Mr. Speaker, what we can be sure about is that our presence in Iraq is not helping the situation. In fact, the presence of nearly 150,000 American troops in Iraq has become a rallying point for dissatisfied people in the Arab world. This latest surge of violence has coincided with an announcement by U.S. military officials that four more soldiers have been arrested in connection with the rape and murder of a young Iraqi woman and three members of her family.

To be sure, the vast majority of all American soldiers currently stationed in Iraq are bravely and honorably serving their country, but the destructive actions of a few very bad apples have added fuel to the fire, and the Iraqi people want us to leave their country.

The sad truth is that our troops have been failed by their civilian leaders in Washington. They have been misguided. They have gone on a mission that has been fraught with failure from the very, very beginning. The White House is more interested, it appears, in trying to make Iraq seem like a success than actually fixing the problem that plagues the country.

If you go to the White House Web site and if you search for ''Iraq,'' you will find a section called ''Renewal in Iraq.'' This page contains such platitudes as, and I quote the Web site, ''Together, Iraqis and Americans are making progress''; and another one, ''The United States will settle for nothing less than complete victory in Iraq.''

The problem, Mr. Speaker, is that words like ''will settle for nothing less than complete victory'' or ''we'll stay in Iraq until the job is done'' are no more than tired old slogans. Most Americans and nearly all Iraqis understand that an open-ended U.S. military presence in Iraq doesn't serve anyone's interests. The very perception that we plan to stay in Iraq permanently is one of the greatest catalysts spurring the Iraqi insurgency.

It is clear that the time is long overdue to bring our troops home. It is time to end the bloodshed and to send a clear message that the United States has no plans to stay in Iraq indefinitely, that we won't occupy permanent bases in Iraq and we won't control Iraqi oil, and that our troops will be coming home. They will be leaving Iraq. They will be coming home to their families.

The American people know this and they want their elected leaders in Congress and the White House to catch up with them.

JUNE FLOODING IN NORTHWEST AND NORTH CENTRAL OHIO

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, I rise tonight to discuss the need for changes at FEMA, the Federal Emergency Management Agency, and how our Nation approaches disaster response in general.

I am one of the Members here that voted not to move FEMA from being an independent agency into the new Department of Homeland Security, and every day that goes by and every disaster that happens proves that was the wiser course of action. FEMA should be restored to its former status as an immediate national response, emergency response agency. It should not be buried five levels down in the Department of Homeland Security, now the second largest agency in our government after the Department of Defense. It simply is too burdensome, and the American people are suffering as a result of it. If New Orleans was not a lesson, if Katrina was not a lesson, if Rita was not a lesson, then what kind of students are we?

Today, I visited areas in my own congressional district in northern Ohio that have been declared national disaster areas now because of the flooding that occurred June 21 through June 23 in northern Ohio. Water rose as high as 6 to 7 to 8 feet, 25 homes were completely destroyed, 317 received major damage, 1,064 received minor damage and 3,262 had cosmetic damage; and that is as of just today.

The local response was rapid and top notch, the best they could do. FEMA's Federal response has been what I would term somewhat timely and not overly effective.

As I have visited with elected officials and residents affected by flooding over these last few days, outlining key Federal help that we can bring to them, I was struck by how disjointed the assistance is and how we try to help people at the local level to apply for what they are eligible for. They simply do not know.

I explained to officials and constituents that Federal assistance might cover losses not addressed with their own personal insurance and that they had to file an insurance claim form with their private insurance company before contacting FEMA. But let me tell you what they require down at the county level.

If, in Ohio, you were affected by the recent flood, they tell you, Go to the FEMA office that we have temporarily established in an adjoining county. So people from the affected county have to go to an adjoining county. When they get to the FEMA office, they are told, Oh, we can't help you fill out the application here. We can just talk to you about it. You have to go to your local library. They have to go back into their home county, go to the main library to try to get into the computer program to apply for the FEMA program.

Well, guess what? The local librarians do not work for FEMA. They do

not know all the Federal assistance. I sat with one gentleman today at a computer in the library where he tried to get into his password and code that he had gotten last week, as FEMA had instructed him, and guess what? The password didn't work.

And he was a computer techie. He knew more about computers than I did. He was not a senior citizen who was not familiar with computers. We could not get into his records to find out if FEMA had even received his application from a week ago when he filed it.

What happens in Ohio is that, assuming you can file, if you can really get it done at the library, which I do not think is right, FEMA ought to have the computers right at the temporary FEMA office, then you get an envelope in the mail from the Small Business Administration. Well, nobody in my area has gotten them yet, but the average person says, Well, if I applied at FEMA, why am I getting a letter from the Small Business Administration?

The reason is because SBA will establish your income eligibility for grants, or for loans if you do not qualify for grants, and if you do not submit the SBA paperwork, you cannot get the FEMA assistance. But the average person who is scraping mud out of their living room and has had their basements totally destroyed and has had to take time off work in order to try to find a place to live, how do they have time for all of this?

Twenty-five years ago, FEMA had trailers that were under the purview of the Department of Housing and Urban Development. They moved those trailers in. If you lived in a home that was in bad shape and had been damaged, you could go live in a trailer. They had their own generators. You could at least live there while you fixed up your other house. FEMA changed all of that back during the Reagan administration during the 1980s, and we have created a much less ready FEMA to respond to national disasters.

One of the other things that has happened is that our people, our mayors, our county commissioners, who have spent hundreds of thousands of dollars trying to help people, that have had to put personnel on overtime, that have had to use their equipment, that have had to buy fuel that isn't cheap, they have now been told by FEMA that that is not covered in the Federal assistance to local communities. All that is covered is an individual's damage.

What kind of Government of the United States is this that we cannot respond to people who are in need, whether it is in the gulf or in northern Ohio?

Assistance could include up to three months' rental payment for temporary housing; grants for home repairs and replacement of essential household items not covered by insurance to make damaged dwellings safe, sanitary, and functional; grants to replace personal property (including vehicles) not covered by insurance; and unemployment payments up to 26 weeks for people who temporarily lost jobs because of the disaster and who do not qualify for state benefits, such as self-employed individuals.

This is all well and good, but it is limited. Most relief comes in the form of loans, not grants. People suffering property-loss or damage from flooding or sewer backups can apply for low interest loans administered by the Small Business Administration (SBA) to cover residential losses not fully compensated by insurance. Loans are available up to $200,000 for primary residence and $40,000 for personal property, including renter losses. Loans are available up to $1.5 million for business property losses, both property damage and economic injury, not fully compensated by insurance.

This is all well and good for those people who can afford to get the loans and have the know-how and wherewithal to apply. But these are often those hardest hit by disasters of this type Mr. Speaker.

Today, as I visited areas in the Eastern portion of my Congressional District, it became clear that the process for applying for assistance is a quagmire.

For starters, there isn't even a FEMA field officer in Erie County—a county recently listed as eligible for disaster assistance. Folks have to travel over to an adjoining county to register to speak to a live FEMA person. And that person can't help them apply for assistance—they have to go somewhere else for that.

Moreover, they cannot do it in person. They can travel to these locations to get advice, but are then required to submit the information via computer at their local library.

The FEMA process is too cumbersome Mr. Speaker. People need immediate help, not help weeks from now. People hardest hit need more personal assistance, not less. They need more grants and fewer loans. They are the senior citizens and low-income families who could not afford, or may not have even been aware, that they needed flood insurance.

And why, Mr. Speaker, is a property-owner saddled with the responsibility of assuming a loan when it is a city or county sewer-system that overflows—resulting in massive flooding or an unacceptable drainage rate?

It doesn't make any sense to me.

Mr. Speaker, we need to expand the criteria for grant assistance, not lessen it.

More importantly, though, the formula for reimbursing municipalities for their response must be re-evaluated. The City of Toledo spent almost $275,000 responding to last month's disaster. And they have been told not to expect one cent in reimbursement costs. This is unacceptable.

FEMA officials say that the City did not spend enough money to qualify for public assistance. A city of similar size would need to spend, approximately, $1.5 million before reimbursement costs would kick in.

Why such a high number? Does this administration think that any city, much less a city the size of Toledo, can absorb such a loss? It's mind-boggling.

Local municipalities have seen their budgets devastated by the down-turn in the economy. If Federal Government is going to pass the buck on program after program—unfunded mandates sapping at the local budgets—then the government must step up when emergencies like this result in unanticipated costs spiraling out of control.

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

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

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.)

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THE VIOLENCE IN IRAQ

Mr. MCDERMOTT. Mr. Speaker, I ask unanimous consent to speak out of turn.

The SPEAKER pro tempore. Without objection, the gentleman from Washington is recognized for 5 minutes.

There was no objection.

Mr. MCDERMOTT. Mr. Speaker, this election is going to be a referendum on the President's plan to deal with Iraq.

The American people need to know what is going on. And, of course, our press gives them one view. But I think it is important to see what the rest of the world is saying about what is going on in Iraq today. For that reason I am going to read some portions of an editorial from the Daily Star of Lebanon. It is the most influential and most balanced paper in the Middle East, and the title is ''Only Iraqis Can Keep Sectarian Violence From Ruining Their Country.''

''In the latest outburst of sectarian violence in Iraq, roving bands of Shiite gunmen killed at least 41 Sunnis in Baghdad on Sunday as a car bomb targeted a Shiite mosque, killing 17.''

''Bloody scenes such as these are becoming all too common in Iraq, where a low-intensity civil war threatens to erupt into full-scale sectarian conflict. The violence already poses a threat to the fragile Iraqi government. Sunni MPs, who have been boycotting Parliament sessions over the abduction of one of their colleagues, MP Tayseer Najah al-Mashhadani, are now considering extending their boycott to withdraw from Prime Minister Nuri al-Maliki's Cabinet. If they do so, the national unity government that took six long and tedious months of horse trading to create could easily topple.

''Recent developments in the country only serve to illustrate the bankruptcy of the sectarian power-sharing agreement created under U.S. occupation. This is not to say that there were no sectarian tensions in Iraq prior to the U.S . . . but the new poisonous political arrangement created under the U.S. occupation has only exacerbated existing tensions.

''The most deadly schism that has emerged in the country is the Sunni-Shiite rift. A small group of Sunnis has

been waging a deadly insurgency and attacking Shiite citizens and mosques. In response, Shiite commando units, some of which are affiliated with the government, have been conducting reprisal attacks against mosques and civilians in Sunni communities. The sectarian 'cleansing' of various cities around the country has driven tens of thousands of Iraqis to flee their homes.

''There can be no victors in a full-scale sectarian conflict in Iraq. One only has to recall the tragedy that was Lebanon's 15-year civil war to know that all parties will be the losers in a sectarian war. Even the minute personal gains achieved by trigger-happy gunmen will be erased whenever men with bigger guns come along to exact their revenge.

''Iraqis are currently heading in the same direction as the Lebanese were in 1975. And sadly, they have no one to turn to but themselves if they want to avoid civil war. They cannot turn to the U.S. military and ask it to use its muscle, because that will only stoke more intercommunal hostilities. Iraq's neighbors, who during a meeting over the weekend failed to offer the Iraqi people any tangible assistance, proved that they are unwilling to do much more than issue rhetorical statements. The responsibility of avoiding full-scale civil war rests squarely on the laps of Iraqis. During this volatile period, it is crucial that all Iraqi leaders act responsibly and refrain from inflammatory acts and statements that can only make matters worse.''

Now, it is clear from this editorial and from all the papers if you read them in the Middle East that the longer we stay there, the longer the violence goes on. If we want peace, if we want a stable government for the Iraqi people, if we want a society to develop in a civil way, we must begin the process of getting out. We cannot say we are going to stay there until it is quiet because it is clear from editorials like this one in The Daily Star and many other newspapers across the Middle East that it will not happen as long as we stay.

We are considered the occupiers. The government is considered one that we created. Our fear, down at 1600 Pennsylvania, is that if we go, they will create a government that we do not like. But democracy requires that you trust the people to choose their own government.

We will talk more about this in an hour from now.

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

(Mr. LYNCH 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 Georgia (Ms. MCKINNEY) is recognized for 5 minutes.

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

BORDER SECURITY AND IMMIGRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentlewoman from Tennessee (Mrs. BLACKBURN) is recognized for 60 minutes as the designee of the majority leader.

Mrs. BLACKBURN. Mr. Speaker, I appreciate that and this evening we are going to spend some time talking about the issue of border security, and it is important to our great Nation; but before I begin, I would like to take just a few moments of personal privilege and remember a friend that my community lost over the weekend.

REMEMBERING SUNTRUST'S BRIAN WILLIAMS

Mrs. BLACKBURN. Mr. Speaker, our community of Nashville, Tennessee, and the Nashville banking industry lost an entrepreneurial banker, Brian Williams, who was the Music Row banker for SunTrust Bank, and he was such an extraordinary, truly extraordinary, man. Certainly, we feel that we have lost a visionary in not only the banking industry but in the music business industry.

Brian is one of those who really understood that the entertainment industry and the music industry is a business, and he approached it that way and he pioneered the music industry's banking division for SunTrust Bank.

He is a man who I honestly believe in all my years of working on the intellectual property issue, whether as head of the Tennessee Film Entertainment Music Commission or as a member of the State Senate or now as a Member of Congress, he understood the ability of intellectual property to generate an income. He understood that intellectual property is private property, and he understood how royalty income could indeed work for our creative community.

He is truly going to be deeply, deeply missed and to his wife, Marion, and his parents, our thoughts are with you all.

Now, to our issue of immigration. Mr. Speaker, the question that we have before us is one that we are looking at as an issue of border security, and I feel that many times this issue becomes clouded as we try to talk about so many different components of border security and immigration and illegal entry into the country and employer verification. Sometimes looking at the great big pie, the great big pie of the border security/immigration issue, all rolled into one, becomes very, very difficult for many of us.

We have started through a process of beginning to break it apart and take things one at a time and focus intently on this issue; and, indeed, it is an issue that we have had before us. As a former Member of the Judiciary Committee and the Immigration Subcommittee there, we have kept our focus on how do we make certain that we keep this Nation secure, how do we make certain that border security is addressed as national security, and how do we keep America safe, how do we make certain that we know who is coming in this country, how do we make certain that we know why they are coming and how do we make certain that we know the people who have come here have come for the right reasons, have come with the proper paperwork and do not overstay those visas and that paperwork.

This is a question to look at. It is a discussion to engage in and it is an issue that I would hope every Member of this body, from both sides of the aisle, would participate in discussing and finding a solution.

Of course, the House has passed a bill. We passed it last year. We sent it to the Senate. It has first and foremost a focus on securing this border. We know that this is a problem that the American people are frustrated with. They are frustrated with D.C. and I understand why. We are, too. Some of these issues you can absolutely talk to death. The American people are ready for action, and indeed, the House is the body that has been leading on that action.

As we have watched illegal entry, the act of illegal entry, and that is our focus, as I said earlier, it is not immigration, our focus is on illegal entry, and addressing the act that is being committed as individuals, as weapons, as drugs all come into this country illegally, this is an enormous problem. It is not a secret. The American people know this, and that is why they have joined with the House in saying this needs to be handled.

Mr. Speaker, lack of action on this issue over the past few years and lack of responsiveness by some who want to confuse it by making it a big comprehensive, difficult-to-get-your-arms-around issue has caused a couple of things to happen, but that is the way it is many times, in life, in politics, and certainly in this issue of security.

The fact that action was not taken when the House first got ready to move forward and that we have seen thousands and hundreds of thousands of people illegally enter this country has caused every town to be a border town and every State to be a border State.

When I was in the State senate in Tennessee, I started working on this issue, trying to make certain that those that illegally entered this country could not secure valid driver's licenses and then have carried that activity with me, coming here to Congress and again continuing to focus on this issue.

As I said, every State is a border State, and we are hearing from States like my State of Tennessee and other States around the country. Border security is the number one issue. We have seen enormous populations of people who are not legally in the States gravitate to certain States for specific reasons, and Americans know that

there ought to be laws that are enforced. They know that there are laws on the books, and they cannot figure out why in the world, why in the world those laws are not being enforced, why are we choosing not to enforce those laws and defend those borders.

Our constituents are right to ask those questions. We need to tackle the illegal entry problem. We need to do this one step at a time. We need to demonstrate in good faith to the American people that efficient, effective border security can be accomplished and we are ready to move forward on it. We encourage the other body and we encourage the American people to join with us on this issue and addressing this issue.

At this time, I would like to yield to my colleague from Texas (Mr. HENSARLING) for some of his thoughts and comments on this issue.

Mr. HENSARLING. Mr. Speaker, I thank the gentlewoman for yielding, and I certainly appreciate her leadership of what I believe is perhaps the number one issue that is facing us today, and that is clearly winning this war against terrorism. There is no doubt in my mind, and I believe no doubt in the minds of most Americans, that border security is homeland security.

Mr. Speaker, we ignore our borders at our own peril. Too often even today we do not know who is coming across our borders, we do not know what their purpose is, we do not know where they are going. And times have changed; times have changed since 9/11.

There was a time in our Nation's history where the illegal entry problem was one of a trickle. Today, it is a flood. There were over 1.2 million apprehensions of those who entered our country illegally last year, and those were just the ones that were apprehended. Again, we do not know who all these people are. We do not know what their purpose is. We ignore border security at our own peril.

I live in Texas, Mr. Speaker, one of the border States. Mexico is a very important neighbor to us. We have had excellent relations with the country for many, many years; and there is no doubt that a number of those who enter our country illegally are simply people who are trying to feed their families; and I understand that, Mr. Speaker.

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I have compassion for these people, but at the same time we must protect Americans. We must know who is coming across the border. And what we see, particularly when we talk to people on the front lines of this war, particularly our border sheriffs, we learn that the border is a very different place than it was 5 years ago, 10 years ago, 20 years ago.

Increasingly what we see is a very armed and dangerous group of those who enter this country illegally. Increasingly we are seeing AK–47s, rocket-propelled grenades associated with those in the drug traffic. And increasingly our border sheriffs are concerned about what contact and what connection the drug lords may have with the terrorists.

We hear from our Border Patrol that attacks on agents are up. We have our border sheriffs in Texas tell us that they believe, they believe that some of the drug shipments across the border have come with military escorts. Increasingly we know that we are being infiltrated by the MS–13 gangs from Central America.

Again, Mr. Speaker, we ignore border security at our own peril. And perhaps most importantly, I am not sure if all of the American people know this, but Iraqis have been captured trying to infiltrate our southern border. And we know, we know from the Department of Homeland Security, that al-Qaeda has made contact with human smugglers in Mexico.

We ignore border security at our own peril. But besides being a threat to our homeland security, unbridled illegal entry into the U.S. is not just a threat to our border security, it is a threat to our economic security as well. Coming from Texas, Mr. Speaker, I can tell you that the taxpayers of Texas pay billions of dollars to educate the children of those who have entered illegally. That is just not fair, Mr. Speaker, it is just not fair.

Hundreds of millions have been spent on health care. Now, again we do not want to deny essential emergency health care to anybody who walks into the room. But to have this serve as some kind of magnet for illegal entry is just wrong, and the cost associated with incarceration, again unchecked illegal entry into this country is a threat to our border security, it is a threat to our economic security.

Additionally, Mr. Speaker, it is a threat to the rule of law, one of the foundations upon which this great Nation was built, a nation of laws, not of men. Is the first lesson we want to teach somebody who comes to this country that our laws are optional, that they are mere suggestions? Do we want to tell people that, well, because you managed to sneak across some border, you fooled us; here are your citizenship papers? I do not think so, Mr. Speaker. I do not believe that that is what we need.

Now, Mr. Speaker, as important as this debate is, I agree with the gentlewoman from Tennessee that unfortunately, unfortunately, there are many in this country, there are many, many in this body that are trying to take a debate that should be about whether America has the will and the means to control its border and whether there is a right way and a wrong way to enter America, they are trying to twist that, they are trying to twist this into some kind of debate about ethnicity. They are trying to twist this into a debate about whether America is a nation of immigrants.

I do not see anybody debating that proposition, Mr. Speaker. America is a nation of immigrants. It always has been; I believe it always will be. We would like to shine up the Statute of Liberty. We want to find room for people who want to work hard and who love freedom. But there is a right way and a wrong way to come to America.

My friends and my neighbors come to the front door in the light of day and they knock on the door and they seek permission to come into my home. They do not sneak in the back door under the cover of night. There is a right way and a wrong way to come to America.

Now, Mr. Speaker, one of the greatest privileges and honors I have had as a Member of Congress took place Saturday before last in Garland, Texas, in my congressional district. I spoke to a swearing-in ceremony of 95 new Americans. And it was one of the most awe-inspiring experiences I have had as a Member of Congress. And let me tell you a few things about these 95 new Americans I was able to welcome as new Americans into Garland, Texas.

Number one, each and every one of them, Mr. Speaker, waited in line, 3 years, 5 years, 7 years, 10 years, to come and achieve that great privilege of American citizenship. They followed the rules. They learned the English language, which is the language of opportunity and something that binds us together as a people.

Mr. Speaker, besides that, they learned our history; they learned our culture. I would wager that a number of them could do better on an American history test than some of us, some of us in this august body here.

And finally, Mr. Speaker, I do not know why, but as a Member of Congress, sometimes people actually want to have their picture taken with you. I am flattered and humbled that so many of these 95 new Americans wanted to have their photo taken with me.

I met a young lady who was born in Laos, who is now an American. And I asked her, ''What is it that made you want to come to America?'' after she had her photo taken with me.

It was a one-word answer, Mr. Speaker. We all know what that answer is. Freedom. Freedom. These were 95 new Americans who wanted to roll up their sleeves, they wanted to work hard, and they loved freedom. And we welcome them. We welcome them into our midst.

And so, again, Mr. Speaker, we are not having a debate about who it is that makes the best Americans. We are not having a debate about taking down the Statute of Liberty as many would want you to believe. We are having a debate about, after 9/11, can we ignore our borders? And we are having a debate about whether or not there is a right way and a wrong way to come to America. That is what this debate is about, Mr. Speaker.

It is one of the most important debates that is going to take place in this body, in this institution this year. And

so much is riding on it. Because I believe, as do so many of my constituents, that the number one threat to our Nation, and the number one threat to our families is terrorism. And essential to winning the war on terror is controlling our borders.

And, with that, I will yield back to the gentlewoman.

Mrs. BLACKBURN. I thank the gentleman. He is so correct. An essential element in winning the war on terror is controlling our borders.

And one of the things that we heard this weekend, this past week, on Tuesday as we took our first field hearing to San Diego, was, we heard how the Iraqis have been reaching into Central America and into Mexico, and how al-Qaeda is reaching in there and doing what is necessary for them to make these connections to be able to enter through this southern border.

What a frightening thought that is to us. How very difficult it should be for them. But, unfortunately, it seems they are saying how very easy it can be. Mr. Speaker, think of that. Al-Qaeda and those that would seek to do us harm are choosing to see if they can come across our southern border, one more good reason why we should be certain that we secure that border.

The gentleman from Texas also said something else I want to return to. We ignore this at our own peril. And we hear that repeatedly. We would ignore this at our own peril.

And I mentioned the hearing that we held in San Diego. Chairman ROYCE did a terrific job chairing this hearing for the International Relations Committee, focused on terrorism and border security. And I commend our leadership, our Speaker and our leader for making certain that we, as a body, have the opportunity to go and listen and talk with the American people on this issue.

And as we were at Imperial Beach outside of San Diego on that border, we heard from sheriffs, we heard from border agents, and we heard from those who have studied this issue closely, very closely over the past several years, just not weeks, not just months, but several years.

And each and every one of them talked about the importance that is upon us for examining and moving forward with action in securing this border. And the gentleman from Texas is right. We ignore this at our own peril.

He also mentioned with the State of Texas, the billions that are spent on education, the hundreds of millions that are spent on health care for those that have illegally entered this country. He also mentioned incarceration and the hundreds of millions of dollars that are spent in his State of Texas on incarceration.

I asked the sheriff from Los Angeles County during the hearing in San Diego what they spent every year on incarceration, because 26 percent of their jail population are criminal aliens; 70 percent of those are repeat offenders. They are spending about $80 million a year, $80 million of taxpayer dollars each year in Los Angeles County for incarceration of those who have committed offenses and are being held and detained as criminal aliens.

Another point that the gentleman talked about was that our laws are not up for discussion. And one of my constituents over the weekend said, you know, U.S. citizenship is not a lottery, and it is not. And this comment came from a gentleman who is a veteran. And he grabbed me by the arm as we were out celebrating our freedom, celebrating Independence Day, and looked me straight in the eye. And he said, ''Marsha, I fought for this country. I fought for this freedom. I fought for everyone to have this citizenship. Let me tell you right now, it is not a lottery.''

Our laws are not up for discussion, and our citizenship is not a lottery; and we need to remember that. And I appreciated those comments from that gentleman.

I had another constituent who said, ''You know, if you illegally enter my car, my bank account, my private information, my house, my business, my church, you are going to pay a penalty. You have committed a crime. Why in the world does that not apply to this great Nation?''

Mr. Speaker, the American people understand that the issue at hand is border security and illegal entry. Many in this body and certainly our leadership concur with that. Legal immigrants, as the gentleman from Texas talked about the naturalization ceremony where he spoke, legal immigrants know that the laws on the books are for abiding. And they appreciate that and they honor it.

And we want to be certain that those are kept as the rule of law, and this Nation remains a sovereign nation. As my friend, Alfredo, said, as I talked with him over the weekend, he said, ''You need to protect the American dream. I am here for the American dream.''

He is here legally. He is looking forward to the day when he stands and raises his hand and takes that oath and becomes a U.S. citizen. And he too wants to have his very own personal story to tell about how he achieved the American dream.

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And for Alfredo and his wife and thousands that come here every year legally to seek that dream, their message to us is: secure the border, and make legal entry a priority. Put your focus on illegal entry, and put a stop to that.

You know, the message that we are continuing to get from our constituents is: stop the bleeding, secure the border, narrow your focus. And I hear that from State legislators back in my State of Tennessee. If we don't do that, we leave with them the issue of addressing the problems that are then passed to the States: driver's licenses, insurance issues, looking at educational and health care and law enforcement issues. They feel as if all of that is left for them to deal with. Our towns and our cities look at us and say: when it comes to law enforcement, we are the folks on the street. When it comes to who opens the hospital doors, that is us. When the school bell rings, we are the ones providing the service. And that is why they look at us and say: what your lack of action is doing is turning every single town into a border town and every single State into a border State.

So they want us to get in here and complete our work on securing this border, to look at the options that are out there. As we heard from some of our Border Patrol agents, put our focus on intelligence-driven, threat-based mechanisms. Look at what it takes to integrate electronic surveillance, human surveillance, and physical barriers. And we heard from some of the sheriffs that, yes, indeed, physical barriers work, and they were happy to give us plenty of information about how it had driven down crime.

The House has passed a bill; and if we need to pass one more, we can do that. We have to be certain that we demonstrate the results that are necessary for securing this border.

At this time I would like to yield again to the gentleman from Texas.

Mr. HENSARLING. I thank the gentlewoman for yielding again. And she used an interesting phrase earlier about securing our borders: stop the bleeding. It is a phrase I hear over and over and over from my constituents in the Fifth Congressional District of Texas. And, indeed, the House has now passed a border security bill that we believe would go a long way towards stopping the bleeding, and now finally the other body after many months has now acted.

Mr. Speaker, I know that Americans recall their Civics 101, and they know that you pass a House bill, you pass a Senate bill, they have to come together in a conference and come up with just one bill. It gets passed by both of our respective bodies yet again before it is sent to the President. Mr. Speaker, we have had an opportunity now to take a look at that Senate bill; and, frankly, most of us believe that it is wrong-headed and would head America in a very bad direction.

Number one, Mr. Speaker, we don't understand why, if there are contentious issues that are out there, and we agree there are many issues associated with illegal entry that are contentious, but if they are, can't we all come together, Democrat and Republican, after 9/11 and say we have got to secure our borders? Can't we at least as a body agree on that and maybe work on some of these more contentious issues later?

As we know, in the House bill what we do is, number one, we increase personnel on the border, at least immediately 1,000 additional agents, 1,500 K–9 units. We erect literal walls and virtual walls on much of our border. We

increase the sanctions for employers who knowingly hire those who enter this country illegal.

If you want to help stem the tide, you have got to deal with the magnets that are drawing people into the Nation illegally.

We end this ridiculous program known as ''catch and release,'' which at least from my part of Texas catch and release is for fish; it is not for those who enter the country illegally. But what we have is a system where particularly those who are known as OTMs, those other than Mexicans, that are caught coming across the border, they are simply released until, Oh, why don't you show up, say, in 60 days and come to a hearing so we can decide whether or not to deport you. Well, we know how many will not show up for that certain deportation hearing. Our bill would end that catch and release program.

Our bill does a lot, Mr. Speaker, to stop the bleeding. But if you look at what the Senate bill does, it takes a different direction. Number one, it provides amnesty for many of those who entered the country illegally.

Mr. Speaker, we have been down this road before, about 20 years ago. It was one of those ideas that might have looked good on the blackboard, but guess what, it didn't work. It simply did not work. And now the Senate wants to offer amnesty to those who have been here for 5 years if they will pay some back taxes and some kind of fee. They want to provide them an opportunity to cut in the line of citizenship when, as I said earlier, I just welcomed 95 new Americans into this country who played by the rules, who waited for those 5 and 7 and 10 years to get here. And we are going to say, No, you played by the rules, we are going to reward these people over here who didn't. What does that say about the rule of law, Mr. Speaker? I don't think much.

Additionally, the Senate bill would provide benefits to those who come here illegally. It would provide Social Security benefits to those who have come to the country illegally.

Mr. Speaker, I serve on the House Budget Committee, and I have seen the most recent report of the Medicare and Social Security trustees. Unfortunately, Social Security is due to go broke at least one year earlier than last predicted. Now, we know our seniors are okay; but for future generations like my children, Social Security as we know it won't be there for them. And, guess what, the Senate wants to start handing out benefits to those who came here illegally. Additionally, they want to hand out in-state tuition, in-state college tuition for those who come to our country illegally. Mr. Speaker, how are you ever going to stop illegal entry when you are actually strengthening the magnet that is drawing people here in the first place?

Mrs. BLACKBURN. If the gentleman would yield?

Mr. HENSARLING. I would be happy to yield to the gentlewoman.

Mrs. BLACKBURN. I want to participate in this discussion with you about the difference in these bills. And you are so right when you mention that our House bill would increase personnel on the border, put the K–9 units there, look at a virtual fence as well as a physical barrier, the electronic surveillance, and really tighten up that border. And one of the things we have said in the House repeatedly is, let us lay out an orderly process. Let us secure the border first; then let us move to the employer verifications which you mentioned. But let us secure that border first. Let us deal with the enforcement mechanisms.

And I am so delighted that you mentioned catch and release. As I mentioned earlier, the sheriffs that we had, two from California, one from Texas that were at our hearing, said catch and release is a huge problem. Mr. Speaker, as I mentioned earlier, one county alone, Los Angeles County, 26 percent of the jail population is criminal aliens. After I left that hearing and I was through out in my district in Tennessee and I would talk to sheriffs, I would say, What portion, what portion of your incarcerated population is those that entered the country illegally? I have not spoken with anyone who has less than 10 percent. And the recidivism rate, as I mentioned the one sheriff who was before our committee talked in terms of upwards of 70 percent.

And when I talk to our law enforcement personnel, it is always a high percentage that is in their jail not once, not twice, but many times. That criminal alien population, the recidivism rate is very high. And you are exactly right, that is a cost to our local communities.

One of the concerns that we hear from when people talk about the Senate bill is they are concerned about wage protections, they are concerned about favorable treatment, they are concerned about a favorable way for those that entered the country illegally to pay their taxes or to access tuition or to receive Social Security benefits. And they look at us and they say, You know, this is not fair. This is not right. And there is great concern.

And I think that that is one of the reasons that the American people return to looking at the House bill and saying, this is what we want to see: first, secure the border. Second, deal with that magnet. Look at the employer sanctions, then deal with the enforcement mechanisms. And then, once you have stabilized the situation, look at the visa programs, but only after the situation has been stabilized.

I yield to the gentleman from Texas.

Mr. HENSARLING. I thank the gentlewoman for yielding. Again, I recall that there are at least a couple of other provisions of the legislation produced by the Senate that should be of interest to all of us as we look at two really different approaches to meeting the challenge of border security.

Now, under our legislation, we would actually construct literal walls on certain portions of the border, which we know will be helpful. It doesn't solve the problem, but it is at least helpful in a multi-faceted strategy to deal with illegal entry into the Nation, While in the Senate bill, in the Senate bill they would require us to consult with Mexico before we constructed a wall on U.S. territory. Mr. Speaker, is that not effectively yielding sovereignty to a foreign nation?

Now, again, I respect Mexico. I have traveled extensively in Mexico. I have participated in U.S. interparliamentary council with legislators from south of the border. But to say that we must consult with a foreign nation before we take steps to secure our own borders and to secure the homeland? Mr. Speaker, that is just simply ridiculous. It is just simply ridiculous.

Mrs. BLACKBURN. As we talk about securing this border and the reason for it, and in the House bill we have stretches where there is a physical border and a fence that would be very difficult to penetrate, and there is a reason for that, Mr. Speaker. And the sheriff from Laredo, Texas, Sheriff Flores, was so articulate on this issue as we talked about the border there and spoke about the 18-wheelers, 6,000 to 7,000, 18-wheelers a day coming through that exchange point and through that immigration point.

Now, Mr. Speaker, one of the things that is of concern for us is how you check the cargo that is in here. And as I mentioned earlier in my comments: illegal entry, human trafficking, drugs, weapons. As we look at this 6,000 to 7,000 18-wheelers a day that are on the road, and couple that with trucks and vehicles that are coming across the unpatrolled areas and open land, what we have are vehicles that are driving drugs and meth and arms into this country. We don't know what all is coming in them. What we do know is that in my State of Tennessee we have a problem with meth and dirty meth. They know that it is made many times in Mexico. When they confiscate and interdict, when the interdiction units bring in marijuana and cocaine and meth, they can tell where it is coming from by how it is packaged, how it is being delivered. And we know for a fact that this is a problem.

We have a county in west Tennessee that we worked closely with on this issue, and just a little under a year ago they put a meth interdiction unit on the road. Interestingly enough, nearly every time that unit goes out, nearly every time it goes out it is conducting an interdiction. And it is sad to see, but when you go in and look at that evidence room and look at the weapons and the drugs, and hear the stories of individuals that are being brought in, some of them against their will, it is not a story that is a happy story. It is a very sad story.

□ 2030

Our constituents are tired of this, and they want the borders secured so it will decrease that flow, decrease the opportunity for that flow of human trafficking and drugs and weapons.

I yield to the gentleman from Texas.

Mr. HENSARLING. Mr. Speaker, I am glad that the gentlewoman alluded to our border sheriffs, those on the front lines who are trying to stem this war against drugs and terrorists, who could infiltrate our southern border, because they are very knowledgeable about what is happening on both our southern and northern borders.

We were discussing differences between the House-passed bill which was supported by almost everyone on the Republican side of the aisle, versus the Senate bill, the Reid-Kennedy bill which most Republicans opposed. We talked about how the Reid-Kennedy bill grants amnesty to those who have broken our laws and how the Reid-Kennedy bill provides Social Security benefits and in-State college tuition to those who have entered this country illegally and broken our laws; and we talked about how the Reid-Kennedy bill will force us to consult with a foreign nation before we take steps to secure our southern border.

But another aspect of the Reid-Kennedy bill that we did not discuss is what it does to our local border sheriffs. And under that bill, under that piece of legislation, local police departments and sheriffs could not, I repeat, could not, Mr. Speaker, apprehend those who are in this country illegally unless they were found to be arrested for some other crime. In other words, merely being in the country illegally, the Senate bill would strip them of any power to apprehend, arrest and turn those individuals over for deportation.

Again, it is completely opposite of our House-passed bill that is trying to empower those on the front lines, to give them more resources and give them additional training to help and become partners with the Federal Government, with the Department of Homeland Security, with Border Patrol in trying to apprehend these people.

We know in many ways the flood of illegal entrants has changed over the years. Again, I know that many people who come here are not bad people, and I am not attempting to vilify them. I am the father of two small children, a 4-year-old and a 2½-year-old. And I know if I was born poor in Latin America and I couldn't feed my children, I don't know what you would do to stop me from crossing this border.

But because I have compassion for somebody does not mean that I want to hand them a check drawn upon the Federal taxpayer. Because I have compassion for someone does not mean I want to say, okay, we are going to let you cut in line and here are your U.S. citizen papers. No, Mr. Speaker, we have to secure the border.

After 9/11, knowing the intentions of al Qaeda, we have got to secure our borders, regardless of the fact that many of these people are not bad people, and we understand what they are trying to do. But we have got to come up with a system, enough carrots and sticks, to where our Border Patrol are looking for tens of people trying to cross the border illegally instead of thousands of people trying to cross the border illegally every evening. Unless we put the enforcement provisions in the House bill in place, this simply will not happen.

Again, I know there are contentious issues. There are contentious issues about children who are U.S. citizens whose parents may be illegal here. There are suggestions for a guest worker program; and I, for one, am very open to a guest worker program.

But everybody says, let's stop the bleeding, let's control the border. Can't we at least agree on that? And let's seal our border to illegal entry, and then we can start dealing with the other facets of immigration, the other facets of a guest worker program, which I believe is part of our solution and not part of our problem. But it is all for naught unless we secure the border first.

Mrs. BLACKBURN. Mr. Speaker, as you talk about focusing in on that issue of illegal entry and focusing in on border security and being certain that we deal with that first, first and foremost, handle this issue.

I appreciate the comments that you said regarding amnesty and how opposed to amnesty I personally am and how opposed so many of my constituents are because they feel that is such a dishonor to those who are coming here legally.

During my time at home, as we were holding town hall meetings and visiting with constituents, I have had constituents say, If you start passing out amnesty, then I want amnesty from the IRS. If you let those who have illegally entered this country choose to pay 3 years of 5 years of back taxes, I want to pay 3 years out of the past 5 years. Those are questions that we are getting from our constituents, and they are right to be asking them.

I had someone say they wanted amnesty from OSHA, a small business manufacturer, paying taxes and creating jobs and working hard. He said, They come into my plant, they stand there, they hold a meter; I want amnesty from that. I want amnesty from the EPA. So we are hearing this over and over.

Mr. Speaker, what it really speaks to is the breakdown of the rule of law. Why? Our constituents are so right to ask that question. Why? Why in the world would a body pass a bill that would do that? Why would they encourage that? Why would they not honor the rule of law? Why would they not choose to deal with the crisis situation, which is illegal entry, and focus on that?

That is the area where everyone agrees: Secure the border and secure it now. Secure it first. Put additional people on the border. Put additional resources on the border because border security is national security and a very important component of our national security.

Mr. HENSARLING. Mr. Speaker, the gentlewoman is so right.

Again, we have Iraqis who have been apprehended trying to infiltrate our southern border. We know there are contacts between al Qaeda and human smugglers in Mexico. We know what was once a trickle of illegal entry is now a flood of illegal entry. What was once mainly low-income, poor Mexicans is almost a United Nations of illegal entry coming from all parts of the globe and planet. We ignore border control at our own peril.

Why, Mr. Speaker, would Senators REID and KENNEDY essentially say we are not willing to help you secure the border unless you grant amnesty to millions and millions of those who have come here illegal? And, oh, by the way, we want to present them with different welfare benefits and we want to give them Social Security. And, oh, by the way, we are not going to allow you to secure the United States border unless you go consult with foreign nations first.

Mr. Speaker, I don't understand this. The American people don't understand this.

Again, we must know that we are having a national debate about two and only two issues: Do we have the will to control our borders? And is there a right way and a wrong way to come to America?

Mr. Speaker, I decry those who are trying to turn this into some kind of a debate about ethnicity and who makes the best Americans. Some of the best Americans I know were not born in America. And the reason they make some of the best Americans is because they have known something besides freedom and opportunity, and because of that, many times they treasure our birthright even more than those of us who were born in the United States of America.

Mr. Speaker, this is not about taking the Statue of Liberty down; this is about protecting the Statue of Liberty. If we want to open wide the door of legal immigration, we have to shut down the door to illegal immigration. When we do, we will help secure our southern border, our northern border, and we will make the homeland more secure.

Mrs. BLACKBURN. I thank the gentleman from Texas for joining with us in this debate this evening and for continuing to talk with our colleagues and with the American people, because this is about illegal entry.

The situation of illegal entry and immigration are two completely different debates. Those who are trying to blend them into one are doing a disservice. We have to move forward in addressing illegal entry, and we have to move forward in securing this border.

Mr. Speaker, America is an incredibly welcoming Nation. It is a wonderful Nation that for years and centuries, we held our arms wide. We welcome those that choose to legally enter. We love the energy and vitality that they bring. We love their excitement. We love the way they bring an entrepreneurial spirit and they bring diversity and they bring to each of us a challenge, a very well-placed challenge, to work harder, to do better.

And we love it when they succeed, and we celebrate it. We take the time to celebrate that success, every little success, with them. And when they receive that citizenship after years of hard work, we are standing there with them, celebrating with them.

Some of them are in our families, some are in our extended families; and some of our close friends that we love like family have been through this process. And because of this, we stand with them in saying, Let's secure the border and end the practice of illegal entry into this Nation.

Let's be certain that legal entry and legal immigration are recognized and rewarded and celebrated in the appropriate way, as they are meant to be. But let's roll up our sleeves and let's get to work securing the border, ending illegal entry into this country, ending the human trafficking, ending the flow of drugs, ending the flow of weapons.

Let's be fair with our law enforcement officials and our Border Patrol agents that are on the border, who are tasked each and every day with keeping this border secure and, in turn, with being the first responders on the issue of border security. And let's be certain that we continue to put our focus right where it should be in realizing that border security and national security are one and the same.

As I said, Mr. Speaker, it isn't about immigration, it is about illegal entry. It is also about the rule of law.

There is a sense from the American people that we have lost control of these borders, and they are right. There is a sense that if we lose control of the borders, that then we are going to have more of the war on terror fought on American soil.

Mr. Speaker, it is issue number one. Securing this border is the most important issue that faces this body today.

I want to thank the House leadership for being so consistent in saying that this body will make border security the primary focus of our work. I want to thank our colleagues who are working on the field hearings and working to be certain that the message is communicated with our constituents and with our colleagues here on the Hill, that this House is ready to see borders secured and national security as our top priority.

□ 2045

THE IRAQ WATCH

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Connecticut (Mr. LARSON) is recognized for 60 minutes as the designee of the minority leader.

Mr. LARSON of Connecticut. Mr. Speaker, again we come to the floor this evening as part of what we have come to call the Iraq Watch. And first and foremost, as my distinguished colleagues have in previous occasions, I note that we want to distinguish first and foremost the war from the warriors.

The men and women who serve this great country of ours deserve our unending respect and support for the kind of valor, the kind of job that they perform on a regular basis. Having said goodbye to far too many of them, many in our Reservists and National Guards who have been deployed, redeployed, deployed and then redeployed again, it is gut wrenching and heartrending to see what their families are going through. And so our thoughts and prayers are always with them, along with the support of this Congress.

I further would like to say that it is important to distinguish the war from the warriors so that we have an opportunity to lay out policy for the American public. I want to start this evening with a policy that I believe sends a very strong message to the men and women who wear the uniform and their families here at home that are caring for them and caring about them.

We have introduced a resolution that directs the President to send a clear message to the Iraqi Government that during this time of insurrection, a time when the Pew poll most recently indicates that 47 percent of the Iraqi people believe that it is okay and justifiable to kill American soldiers, it is unacceptable; and we must send a clear message to the Iraqi Government that American soldiers who have been killed, maimed, wounded, kidnapped, tortured, that we will not, in any shape, manner or form, tolerate amnesty for those who have perpetrated those acts against these brave men and women.

In my humble estimation, there is no reason why this shouldn't be a bipartisan resolution. We have over 100 Democratic signatures on the bill. We would like to get this bill passed before we adjourn for the August recess. We have been able to bring so many incidental bills to this floor by unanimous consent. Surely we can bring a bill to the floor that sends a clear message to our troops that we are putting the Iraqi Government on notice that it is not okay to kill, maim, kidnap, torture American men and women in our armed services.

And so it is my sincere hope, and we have had some overtures from the other side of the aisle, but so far, no movement. And this should be a nonpartisan issue where we bring this resolution to the floor and take it up and pass it, and send it on to the President so that he can send a very clear message.

More important than sending a clear message to the Iraqis is also sending a message to our troops that we here in this country stand behind them and their sacrifice that they have made and will not see this all go for naught being waived with an amnesty provision in the midst of an insurrection of paramount proportions that is currently going on within Iraq.

So I want to start there. And then I would like to quickly just segue to a quote. This quote was put together by Graham Allison, and Mr. Allison is a Harvard professor who had this to say that ''with regard to the current situation that we face in Iraq, it is clear that we have diverted essential resources from the fight against al Qaeda. We have allowed the Taliban to regroup in Afghanistan, fostered neglect of the Iranian nuclear threat, undermined alliances critical to preventing terrorism, devastated America's standing with every country in Europe, and destroyed it with the Muslim world.''

Mr. Allison goes on to say: ''Are we any safer today from the threat of nuclear attack, especially by way of a dirty bomb, than we were on September the 11?'' His conclusion is, no. And he says: ''It can be summed up in one word as to the reason why we are not safer: Iraq.''

And with that, let me acknowledge and yield to my distinguished colleague from Massachusetts (Mr. DELAHUNT), who has, from the outset of this war, through public forums and discussion, been on record of having protested the sending of our troops into Iraq.

Mr. DELAHUNT. Thank you, my friend. I hope that you had a pleasant break. I know you were working, but I hope that you enjoyed your stay at home.

Professor Allison's observations really echo the conclusion that was reached by a bipartisan group of experts, including many from the administration of President Reagan, and that conclusion was that the United States is losing the war on terror.

We read that our friends on the other side of the aisle have made a political decision to talk about national security, to talk about terror and what they have accomplished. Well, the truth is, nothing has been accomplished, except the loss of thousands of American lives with a financial cost going on some half a trillion dollars.

You know, one only has to watch the nightly news. I was in the cloakroom earlier and watched the national news. It was depressing, it was sad, it was tragic. What is going on in Baghdad today and all over Iraq is an orgy of violence and blood-letting.

We hear these distinctions between sectarian strife, between insurgents versus the terrorists. I still can't quite figure them out. All I know is that lives are being lost, that we Americans are taking this burden on by ourselves.

And don't talk to me about the coalition. It is an American burden almost exclusively.

Let me just read to you this report from The Washington Post. And, again, this is a survey taken of some 116 experts. In the relationship between Iraq and the war on terror, I think it is all too sad that many of our friends and colleagues on the other side, but particularly in the administration, have an alternate reality. We have made these arguments before, that the invasion of Iraq had nothing to do with the war on terror. There was, with one exception, unanimous support to invade Afghanistan to deal a blow to the Taliban, which were allowing al Qaeda safe haven and the ability to train and to grow.

What we have done with this policy is we have created more terrorists than existed in 2001. There has been an explosion, not just of violence; there has been an explosion of terrorists. We have made Iraq into a breeding ground for terrorists. They are leaving Iraq, and they are going back to Afghanistan, as you pointed out, Mr. LARSON. There is a resurgence of the Taliban in Afghanistan, and things are beginning to unravel again.

I yield to my friend.

Mr. LARSON of Connecticut. Well, to your point, you know, if we go back to the outset of the invasion of Iraq, we can trace it back to the summer of 2002, with the President's address at West Point, where he announced the doctrine of preemption and unilateralism. And as you will recall, who were the staunchest critics of the President at the time? It was not Senator KENNEDY. It was not Senator BYRD. It wasn't BILL DELAHUNT or JIM MCDERMOTT or MAXINE WATERS or myself. It was Scowcroft, Eagleberger, Baker, Kissinger, because they understood the perils present in this kind of foreign policy, to abandon the precepts of Casper Weinberger and saying the United States should never enter into a military conflict unless its vital interests are threatened. And we knew that that was not the case, and the Powell corollary to that which is, if we go in, we go in with overwhelming force and secure the country.

Mr. DELAHUNT. And you know where we didn't do that, John?

Mr. LARSON of Connecticut. I yield to the gentleman.

Mr. DELAHUNT. We didn't do that in Afghanistan.

Mr. LARSON of Connecticut. We did not.

Mr. DELAHUNT. We cut and ran from Afghanistan. We were distracted by this vision, this neoconservative vision of invading Iraq and bringing stability and democracy to the Middle East. And yet now, now we are paying the price in Afghanistan.

I yield back to my friend.

Mr. LARSON of Connecticut. Because of the word of Ahmad Chalabi. So what has become the Chalabi-Cheney nexus has led us into this quagmire that we find ourselves into today. And as you point out, we have diverted the necessary funds that are needed to combat terrorism.

We still do not have Osama bin Laden or Mullah Omar. They are still at large. And we need to make sure that if we are going to send a strong message around the world that this kind of terrorist act will not be tolerated, that we refocus and regroup.

It is also pointed out in several articles over this weekend that we still can prevail in Afghanistan if we put the resources there and support President Karzai and make sure that we regroup and redetermine our effort to put down the Taliban and to focus on weeding out those elements of al Qaeda that still exist along the Pakistani border and throughout Afghanistan that has become once again overwhelmed with warlords.

Mr. DELAHUNT. I know we have been joined by several of our colleagues, Congresswoman WATERS and Congressman VAN HOLLEN, and of course I see Mr. MCDERMOTT over there also. And I know Mr. VAN HOLLEN has expended a considerable amount of time and effort in becoming conversant, an expert, if you will, with what is occurring in Afghanistan. But before I yield to either him or to MAXINE WATERS, let us just take a look at USA Today.

□ 2100

This is dated June 20 of 2006, more than 4 years after we invaded Afghanistan. The headline reads: ''Revived Taliban Waging Full-Blown Insurgency.'' I know that all of us who are interested in this particular issue can tell you that what is happening in Afghanistan today is very dangerous for stability, for the very fragile, extremely fragile democracy; that Afghanistan has become a narco-state that is providing 90 percent of the world's heroin. What have we wrought with this policy?

Mr. LARSON of Connecticut. Reclaiming my time, I thank you, Mr. DELAHUNT, for your comments; and as you point out, we have been joined by several of our esteemed colleagues. MAXINE WATERS has been in the forefront of making sure that the message continues to get out across this Nation with regard to the current situation in Iraq. She has been forthright in leading the Out of Iraq Caucus in the Democratic Caucus, and also has embraced wholeheartedly JACK MURTHA's proposal.

And, with that, I yield to the gentlewoman from California.

Ms. WATERS. Thank you so very much, Mr. LARSON, for yielding and for organizing this special order.

I certainly did come to the floor today to talk about what is going on in Iraq, but as I sat here and I listened to you in this colloquy that you have about what is going on in Afghanistan, I cannot help but join you and commend you for forcing some attention on the fact that we are going backwards in Afghanistan.

It is shameful, because we did abandon the struggle in Afghanistan and took our resources in a direction where we were supposed to have been finding and bringing to the bar of justice Osama bin Laden. And as we look at what is happening, we find that Mr. Karzai is simply isolated in Kabul and that he cannot even move around, that with all of the protection that we are providing, his life is in danger.

The Taliban is growing stronger every day; and we told our government, we told this administration, that the poppy fields were beginning to multiply in Afghanistan. And I have to tell you, this administration has turned a blind eye to the fact that the poppy fields are just overflowing. As a matter of fact, it seems as if we even understood and we allowed the poppy fields to become a source of revenue for somebody. The warlords have basically divided up the territories, and they all have their own plots and acreage, and they all are earning money; and we are about to lose again in Afghanistan.

Mr. LARSON of Connecticut. Reclaiming my time, when you say ''poppy fields,'' you are referring to drug trafficking, correct?

Ms. WATERS. That is what I am referring to, absolutely. And I am so glad that you are making it plain.

The fact of the matter is, the growing and cultivating of poppy seeds in Afghanistan is the drug trade that is flowing off into that Pakistan border that we cannot seem to get under control. We have this so-called great relationship with Mr. Musharraf in Pakistan. But guess what? While he is talking to us and we are funding him and we are so-called cooperating, he tells us there is nothing he can do about the lawlessness on the border between Afghanistan and Pakistan. And it is believed by everybody that that is where Osama bin Laden really is. And so I do not know who our friends are anymore in that region.

Having said that, I think you rightfully identified that we directed the resources away from Afghanistan and we went into this so-called war in Iraq because we were after Osama bin Laden, and we created this war on terrorism. And we led the American people to believe, the President did, that somehow, by doing this, we were going to get a handle on terrorism, we were going to capture Osama bin Laden, and everything was going to be all right.

But I come here this evening as the Chair of the 72-member Out of Iraq Caucus. For more than a year, we have been working to conclude our involvement in Iraq and to bring our soldiers home. We did not believe this war was justified. In fact, many of us believed that the administration's so-called evidence justifying the war was truly exaggerated and very misleading. Furthermore, the administration's handling of this war has severely undermined our efforts in Iraq, and our service members are the ones that have

paid and continue to pay the price for this mismanagement. It is long past time to bring our troops home and reunite them with their families.

Mr. Speaker, the violence in Iraq is almost beyond comprehension. Every day we hear about killings, bombings, kidnappings, and other forms of violence that create chaos throughout Iraq. Today's headline says it all. Let me give you an example: ''Baghdad Jolted by Sectarian Killing Sprees and Bombings,'' the L.A. Times; ''Scores of Sunnis Killed in Baghdad,'' the Washington Post; ''Baghdad Erupts in Mob Violence,'' the New York Times; and ''Fifteen Killed in Iraq Bombings, Shootings,'' the Associated Press.

Unfortunately, today is no different than any other day in Iraq. The violence continues and scores of individuals are violently killed or injured. In today's version of the daily carnage, two car bombs exploded, claiming the lives of at least seven people and wounding 17 others.

Yesterday, Shiite gangs killed 36 Sunnis. Most of these victims were killed execution style, and several showed signs of torture. Later the same day, in retaliation, Sunnis detonated two car bombs, which killed at least 19 people, wounded 59, and damaged a Shiite mosque.

And we are saying, maybe, it is about to be a civil war? Mr. LARSON, I submit to you, there is a civil war going on in Iraq today.

Last week, a bomb exploded in Sadr City, one of the Shiite sections of Baghdad, killing 62 people and injuring more than 100 others. It was the deadliest attack since Iraq's new government headed by Prime Minister al Maliki took office in May. Almost 1,600 Iraqis were killed in June, 16 percent more than in May.

The violence has claimed the lives of more than 1,000 Iraqis per month since February. In fact, statistics compiled by the Iraqi Government indicate that the rate of killing in Iraq has increased since the death of Abu Musab al Zarqawi in June, something President Bush declared would be a turning point in the Iraq war.

Sadly, the number of U.S. servicemembers who have died continues to grow as well. As of today, 2,541 U.S. troops have died in Iraq; more than 18,700 have been injured.

The violence and death has gone on long enough. It is time to redeploy our troops out of Iraq and refocus our efforts on the war on terrorism, something this administration has neglected.

The Out of Iraq Caucus believes that Congressman JOHN MURTHA's resolution, H.J. Res. 73, is the strongest plan to conclude the war and permit our soldiers to return to their loved ones.

Mr. LARSON, I thank you for yielding. Let me just conclude by saying this: You and others are here on the floor this evening, as you have come time and time again. The news media on Sunday mornings on most of the corporate media shows do not get the kind of conversation that we are having here today. They do not get this kind of conversation because they are not willing to listen to the voices that are challenging the President and the establishment in this total way that we do. They like to have it nuanced: I voted for the war and perhaps it has not been managed the way that it should have been managed, but we cannot get out. We have got to stay the course.

The news media is not willing to hear what we are saying. And so the people out there who are trying to get the information, who are trying to listen to what we are all saying, just do not have all the opportunities because over and over again they are using the talking heads and the voices of people who are not here nor there, but somewhere in the middle, who are not willing to say that we have to bring our troops home.

Finally, I am a Democrat, and I cherish my involvement in this party, and I think I know what we stand for. And I think I know what so many people have sacrificed for and have fought for. We have an election going on, and I know people sometimes do not have the courage to take the tough position, but in not doing so, we are watching our tremendous resources being just used up on this misplaced war.

Our soldiers are at risk in more than one way. These young people, 19, 18, 20 years old, have never been out of their hometowns before, who do not know a Sunni from a Shiite from a Kurd, are given the most sophisticated weapons and told to shoot anything that moves. And when they do, we talk about how horrible it is.

This is a mess. This is unconscionable. Not only are we misusing the American taxpayers' money, not only are we placing Americans more at risk, but we are also sacrificing our young people in more ways than one.

So I thank you for the opportunity to share this evening with you.

Mr. LARSON of Connecticut. I thank the gentlewoman for her comments, and I would like to further substantiate what she had to say before about the trafficking of narcotics, especially opium poppies. Since 2001, it increased from 200 metric tons to over 4,200 metric tons in just 2004.

And our colleague from Maryland, Mr. VAN HOLLEN, has written in the Washington Post and, I think, given very insightful comment on the situation in Afghanistan; and I yield to the gentleman.

Mr. VAN HOLLEN. Mr. Speaker, I thank my colleague, Mr. LARSON, for his leadership on this.

And, Mr. DELAHUNT, thank you.

Let me just begin where you left off, Mr. DELAHUNT, with Afghanistan, because I think it is very important that we go back to that terrible day of September 11, 2001, and remember where the attack came from. It came from Afghanistan, organized by Osama bin Laden and al Qaeda, and they were given sanctuary by the Taliban. And the world was with us when we decided to respond to the terrible attacks. The United Nations General Assembly voted unanimously to support our effort. NATO, for the first time in the history of the alliance, invoked the provisions of the article that said an attack against one is an attack on all.

And so it seems to me that the number one priority here should be to finish the business and complete the mission. We remember that fateful picture of President Bush on the aircraft carrier back in May, 2003, talking about ''Mission Accomplished'' with the great banner. Well, the mission is not accomplished. The people responsible for the attacks of September 11, 2001, are still somewhere along the border between Afghanistan and Pakistan. And that is why I think many of us were very surprised just last week to learn that the Central Intelligence Agency, the CIA, has closed down, closed down, the unit that was first established many years ago with the specific purpose of tracking down and hunting down Osama bin Laden and al Qaeda.

And let me just say this: I know a lot of us had to be scratching our heads when we saw that, because the American people know well that we have not completed that mission, and I think it is important that they know that the individual who first started that unit, a former member of the CIA, Michael Scheuer, was also very surprised and perplexed. He is the one that was the head of what was called Alec Station, this unit dedicated to tracking down Osama bin Laden. And he is now retired from the CIA, but here is what he said, It reflected a view within the agency, the CIA, that Mr. bin Laden was no longer the threat that he once was. And Mr. Scheuer said, and I think most of us would agree, that that view was mistaken, that Osama bin Laden and al Qaeda remain a very virulent threat.

□ 2115

Here is what Mr. Scheuer had to say: ''This will clearly denigrate our operations against al Qaeda. These days at the agency, bin Laden and al Qaeda appear to be treated merely as first among equals.'' First among equals.

These are the individuals, this is the organization that was responsible for the attacks on this country of September 11. They have disbanded the unit dedicated to tracking him down, and they have gotten themselves bogged down in a mess in Iraq. We have not finished the job in Afghanistan. We need to finish the job.

We are sending the absolutely wrong signal, in my view, by reducing the number of forces committed to the southern part of Afghanistan, whereas Mr. DELAHUNT pointed out we have seen a great resurgence in activity of the Taliban along that southern area. That is the very area where the head of the Taliban, who is still also at large, made his base.

So I think that it is important that we remember why we are engaged in this great national effort and the fact we have not accomplished our mission, and in fact, at the agency, they are disbanding one of the units that was established for that express purpose.

Mr. DELAHUNT. Mr. Speaker, if the gentleman would yield for a moment, I would like to just quote another statement by Michael Scheuer that I really think tells it all in a very concise way. All of us should listen because this was an individual who participated in that group of experts, by the way, again bipartisan, many well-known Republican foreign policy experts who served in the Reagan administration, and this is what Michael Scheuer had to say, the man who headed the unit in the CIA to track down Osama bin Laden. His comments were really about Iraq and its relationship to Afghanistan and what has happened as a result of the Bush policy, supported by the majority in this Congress, to the war on terror.

We are clearly losing today, Mr. Scheuer said. Today, bin Laden, al Qaeda and their allies have only one indispensable ally, the United States foreign policy towards the Islamic world.

Mr. LARSON of Connecticut. Mr. Speaker, once again the gentleman from Maryland is so on point with his comments. I would like to read some remarks by former assistant Secretary of State James Rubin. He says that the Bush administration, that they have allowed Afghanistan to become the forgotten front on the war on terrorism, the forgotten front on the war on terrorism.

As the gentleman from Maryland pointed out, these were the individuals who took down the World Trade Center, who hit the Pentagon, and but for the bravery of the people on board that heroic flight, the other plane ended up in Pennsylvania, in the fields of Pennsylvania.

Afghanistan is the central front on the war on terror, and yet this administration does not have a long-term strategy for success in this crucial fight. They have allowed a war of choice in Iraq to distract from our critical mission in Afghanistan, a point the gentleman from Maryland articulated earlier.

Mr. VAN HOLLEN. Mr. Speaker, if the gentleman would yield, I think Mr. Rubin is right on point on that very important issue, and I do think it is important to listen to what many of the experts in this area say.

The President claims that he keeps listening to the experts with respect to the decision made in Iraq and elsewhere. The interesting thing is many generals and other experts have said that Rumsfeld and others, the Secretary of Defense, in fact, ignored their advice.

But if you just go back to last March when the President took a visit to south Asia, he made a couple of stops. He stopped in Afghanistan, he stopped in India, he stopped in Pakistan. One of the great ironies is that the very day he made a stop over in Afghanistan, General Maples, who is the head of the Defense Intelligence Agency, was testifying before the United States Congress. In fact he was testifying over in front of the Senate and talking about the danger of the resurgent Taliban in Afghanistan.

Now, the President at that time was probably as close as he will ever get to Osama bin Laden. He was in Kabul, Afghanistan, going over to India and Pakistan; and yet, at the same time he has been talking about reducing in effect our commitment to Afghanistan in terms of our military presence, and this country has not yet made its financial commitments as well, but that very day General Maples was here testifying that, in fact, the continued presence of the active Taliban and al Qaeda resistance in Afghanistan was heating up and that the Taliban was coming back. He quoted many statistics. This was back in the spring. Since then things have only got worse.

Mr. DELAHUNT pointed to the USA Today article, the headline. There have been, unfortunately, many headlines in recent times about the resurgent Taliban.

We need to do better. This is where it all began September 11, and we need to remember the lessons of the past in Afghanistan. When the Soviets withdrew their forces from Afghanistan, the United States decided to say, well, we no longer have an interest there. We packed up our bags and left when the Soviets left, and what we left behind was a vacuum, a power vacuum; and it was that power vacuum that was exploited by the Taliban that then gave safe haven to al Qaeda, and it was al Qaeda then that launched the attacks of September 11.

So we would be making a gross mistake, not once but now twice, if we do not complete the mission in Afghanistan.

Mr. LARSON of Connecticut. Mr. Speaker, the parallels of history are so important, and to think now as you point out so well that we have nearly abandoned the effort in Afghanistan and find ourselves imperiled in Iraq, much in the same way Russia found itself imperiled in Afghanistan, with the rest of the world watching as we continue to expend our resources, over $400 billion, and our most precious of all resources, the men and women who serve this country; and in the meantime, Afghanistan has become the forgotten front on terrorism, something the gentleman from Maine knows about as well as anybody in this great body of ours, and I yield to him.

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding.

I took a trip to Kabul, to Bagram in Kabul, about a week after the invasion, a week or two after we invaded Afghanistan. I cannot tell you how proud I was of the men and women who are serving in our forces there, doing what they had to do in order to deal with that particular threat.

But Afghanistan, when we now read the books that have come out about how the administration rushed to war against Iraq, and how they essentially were planning a conflict in Iraq even before September 11 and how immediately after September 11 Secretary Rumsfeld was suggesting, find some evidence that Saddam Hussein was somehow connected so that we can attack Iraq as quickly as possible, it is very clear this administration was not living in the real world, the real world of evidence and information. They had a contempt for the State Department and for the expertise of those who had spent their entire lives in the Middle East.

So what they did was essentially, and this I think has to be laid particularly at the feet of Vice President CHENEY and Secretary Rumsfeld, they wanted to try out a new theory in Iraq, and that was to go in with a minimum amount of force, and basically go in, take out Saddam Hussein, and leave, with no thought given to what would be left, and now we know what was left.

I mean, people like Paul Wolfowitz, the Defense Secretary, who said to a congressional committee before the invasion, fortunately, Iraq has no history of ethnic conflict. Somebody who has studied Iraq for as many years as he had, ought to know better than to say that. They wanted to do the war. They had a war of choice. They chose it and they wanted to go, take out Saddam Hussein.

I just wanted to say a couple of things about where we go from here. We have had all sorts of debates in here, not a lot on the floor but a few debates, at least one debate one day, on where we go from here.

I think there is a case to be made for a draw-down this year and a withdrawal next year. The most important part of that case to me is we do not want the Iraqi politicians to be dependent on us. We want to put them under a timeline, some pressure to come to an agreement.

You read the press and you see some of the comments out of the administration. It sounds like major trickery that they were able, after 5½ months, to agree who would be the defense minister and who would be the interior minister. Well, they have got another issue in front of them: how are they going to divvy up the oil. That is a lot tougher than any decision that the Iraqi Government has made to date, and they are making it in the face of ongoing violence every day in Baghdad and other dangerous places in the country.

I think what we need to do is we need to refocus our attention on diplomatic solutions. We need to get people in other countries in the Middle East engaged, and we have to give the Iraqis a sense that we are not going to have permanent bases there and we are not going to stay, we are going to be drawing down our forces. The responsibility

rests on them to make the very tough political compromises that need to be made to give that country a chance, and that is all they have got now is a chance for some greater stability than they have today.

With that, I thank the gentleman for the yielding.

Mr. LARSON of Connecticut. Mr. Speaker, I thank the gentleman from Maine, as always, for his very thoughtful comments; and I want to make a statement consistent with what the gentlemen from Maryland and Massachusetts have said and ask the gentleman from Washington State to join us as well.

But clearly, as the gentleman from Maine points out, our continued presence in Iraq only helps to fuel the insurgency and prolong instability between Iraq's regional and sectarian factions. Instead, our Nation needs a new direction that redeploys our forces to win the war in Afghanistan, tracks down key al Qaeda leaders, and refocuses on fighting the war on terror, something the gentleman from Maryland articulated so well.

Instead, we get nonbinding resolutions that come to this floor when virtually this entire Chamber was united in the effort to make sure that we went after those criminals who perpetrated the acts of September 11, and instead, we have abandoned this front in Afghanistan. Astoundingly, as the gentleman from Maryland points out, the CIA is disbanding the unit that was focused on going after Osama bin Laden and allowed the Taliban to continue to regroup in Afghanistan. Talk about cut and run. Where is the debate on this issue?

On the front line of terrorism, as Ms. WATERS pointed out, with what we know is a regrouping of the Taliban, and where we know the funding of terrorism comes from the source of opium trade and that it is allowed to flourish and, in fact, expand and grown since 2001, it is time for a change in policy.

With that, I will yield to the gentleman from Maryland for remarks and then we will go over to the gentleman from Washington State.

Mr. VAN HOLLEN. Mr. Speaker, I thank the gentleman. I just wanted to point out that, as others have said, the diversion of resources from Afghanistan to Iraq is now clearly coming back to haunt us because we have not fulfilled the commitment that we made with respect to Afghanistan.

The other effect it has had, as the gentleman from Maine pointed out in his remarks just a minute ago, this was a decision that was really both discussed before September 11, but in the very moments after September 11, there was discussion of going after Saddam Hussein in Iraq, even though there was absolutely no evidence, and the President has admitted to this day that there was no evidence of any linkage between Saddam Hussein and Iraq and the terrible attacks of September 11.

The result of what we did was taking a situation where the world and international community that had rallied around us, it had passed resolutions at the United Nations and through NATO, and the world had joined us in this effort, and we lost that support. It evaporated, and it is not like we want to win some kind of popularity contest or to win a popularity contest, but we have recognized that we need the cooperation of other nations in terms of intelligence-gathering, in terms of support if we all want to be successful in combating terrorism.

The fact of the matter is, by going into Iraq, taking the lid off Pandora's box, unleashing historical forces that existed in Iraq between the Sunni and the Shiia and inflaming the Islamic world, we have certainly helped multiply the force of al Qaeda, both the organization itself, as well as the copycat organizations that have sprung up as a result. They sprung up when the Islamic world saw the United States making a war of choice and going into Iraq, when it became clear to the world that the twin pillars of our argument, the claim that there were weapons of mass destruction and the claim that there was a link between September 11 and al Qaeda was cooperating with Saddam Hussein, the twin pillars of our argument proved to be false.

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And the world looked at us, and we made those claims before the United Nations. Secretary Powell, with great show of, you know, different charts and graphs and things that he displayed to the world, and the world looked at it and found out it was all untrue. And that fact helped fuel this resentment against the United States, which makes it more difficult for us to gain the cooperation of others in trying to fight terrorism around the world.

And so I think that we come here tonight saying the mission has not been accomplished. Al Qaeda and Osama bin Laden remain where they are, and last week we learned that the CIA is dismantling the one unit that was dedicated to tracking down Osama bin Laden and al Qaeda.

Mr. DELAHUNT. If I may, before you yield to JIM MCDERMOTT, I think it is important to follow what Congressman VAN HOLLEN just talked about in terms of the diversion of resources.

Several weeks ago, the foreign minister of Afghanistan came to this country and made a statement, and it was reported in the Washington Times, that the government forces, the security forces, the army and the police, are being outgunned and outmanned by the terrorists in Afghanistan.

In response the administration said, Well, we will double the assistance to the security forces. This is more than about 5 years, I daresay, since we invaded Afghanistan. This just simply goes to the point that in Iraq, with Katrina, with Afghanistan, with just about everything, we have seen a level of incompetence and mismanagement that is simply mind-boggling.

Last week, they are talking about increasing military assistance to the security forces in Afghanistan. In the meantime, it is going very badly in Afghanistan.

Mr. LARSON of Connecticut. The gentleman from Washington State.

Mr. MCDERMOTT. Thank you, Mr. LARSON. I think that people may wonder why some of us come out here and talk about this week after week. It really has to do with the feeling of having seen this story once before.

And when you know what it is to commit people to battle. I had to say, this person is fit for active duty and goes to war in Vietnam. I had to do that again and again and again. So I know what the weight is of doing that.

When you ask, why are the generals coming out and talking about what is going on in this whole thing? Why do people who have been loyal to this country and have served for long, distinguished careers, now stand up and say about the management of this war, as General Newbold did on April 9th of this year, he said, My sincere view is that the commitment of our forces to this fight was done with the casualness and the swagger that are the special privilege of those who have never had to execute these missions or bury the results.

And it is incredible that we stand out here today, 120 days from election, being subjected to a propaganda war that things are getting better. In spite of bombings and people dying and our soldiers continuing to be killed, the administration says, We have to stay the course.

Now, if you look around the world, you would think maybe, well, maybe it is just some antiwar Americans. Right? No. In yesterday's Guardian, or the July 5 Guardian, there was an article my Menzies Campbell. He is the leader of the Liberal Democrats in the British House of Commons. And he said, the British and American Governments have tried to pretend things are getting better in Iraq. They are wrong. The facts belie their optimism. Between 2004 and 2005, the number of car and roadside bombs doubled and the suicide bombs trebled. Electricity supplies and oil production are still below prewar levels. Iraq stands on the threshold of a civil war.

Now, here is a leader in Britain saying exactly what we are saying. They have got troops on the ground. They are committed in support. But, in fact, they are becoming very antsy. Mr. CAMPBELL comes up with a six-point plan to get out of Iraq. It is things that we have talked about right here in this room.

He talks about a comprehensive U.N.-led disarmament, demobilization and reintegration strategy as necessary to make a reality of the Iraqi prime minister's policies that the militias must merge with the national security forces.

We all know this cannot be a government that has militias running it. It becomes warlords. It becomes like Afghanistan. It is the same thing. He also says there needs to be an end to the systematic, indefinite detentions by U.S. and Iraqi forces.

Today, there are 30,000 Iraqis held in more or less permanent detention, whether it be in Guantanamo or Abu Ghraib or wherever. And as long as we continue to do that, we are occupiers. There is no question about it. And the plan which Mr. Menzies Campbell puts forward, or the one that we put forward, there are reasonable ways to get out of this. But we must get out of Iraq if we are ever going to deal with the problems you talk about in Afghanistan.

We cannot fight on two fronts. We have proven that. We left Afghanistan to go to Iraq, and the mess came right back up. And if we are serious about dealing with whatever kind of terrorism was being created in Afghanistan, we have got to go back and finish that job.

Now, Menzies Campbell finishes by saying, you could change the words a little bit, but it would be the very same thing. With distressing regularity, the Commons, or the Congress, pays tribute to the brave men and women who have given their lives in Iraq.

If the government cannot explain why this is necessary, that they should make this ultimate sacrifice, then it must be prepared to bring them home. And that is where we are today. We have a government that wants to get through 120 days, and I will make a prediction for you. Right there, the prime minister of Iraq, Mr. Maliki, is going to come in here in the next month, and he is going to stand up there and plead with us to leave our troops in Iraq.

We have seen that kind of stuff already in this House. And you can bet that the PR from that will be to stimulate people to say, oh, gee, if we stayed just another 3 months or another 4 months or whatever. We have been there since 2002, 4 years, and this is what you have as the analysis by people who know what they are talking about.

[From the Guardian, July 5, 2006]

ONLY A U.N.-LED PEACE PROCESS CAN HALT THE IRAQ CATASTROPHE—THE GOVERNMENT CANNOT JUSTIFY THE CONTINUING PRESENCE OF OUR TROOPS UNLESS IT SHOWS IT HAS LEARNED FROM ITS FAILURES

(By Menzies Campbell)

The British and American governments like to pretend that things are getting better in Iraq. They are wrong. The facts belie their optimism. Between 2004 and 2005 the number of car and roadside bombs doubled, and suicide bombs trebled. Electricity supplies and oil production are still below prewar levels. Iraq stands on the threshold of civil war. The illegal invasion, launched on a flawed prospectus and with little understanding of the consequences, has resulted in the deaths of about 3,000 coalition soldiers, 40,000 civilians and many U.N. and humanitarian workers.

Since 2003 the coalition has met neither its obligations nor its objectives. There was a catastrophic failure to plan for postwar Iraq, followed by misjudgment and incompetence. This has been overlaid by a disproportionate use of military force, including gross human rights abuses. There are nearly 30,000 people being held without trial in Iraq. These failures and misjudgments have perpetuated the insurgency, increased corruption and criminality, and inhibited improvements to the lives of Iraqis. We must now face the possibility that Iraq could become a failed state. That would have devastating economic and security consequences for the region, and would risk taking the current humanitarian disaster to a completely new level.

The catalogue of errors means the capacity of the UK and the U.S. to play a positive role in redeeming the situation is severely diminished. The legitimacy of the coalition, always questionable, is now simply not accepted by most Iraqis. A 2005 poll for the British Ministry of Defense found that eight out of 10 Iraqis strongly opposed the presence of coalition forces. Between 70 percent–90 percent want to see a timeline for the withdrawal of coalition troops.

Faced with this reality, the British and American governments seem to be in denial. The last time the British government allotted parliamentary time for a full debate on Iraq was July 20 2004, which was only the second occasion since March 18 2003. It appears to be running scared of critical evaluation. The coalition does not have an exit strategy, nor does it have a strategy for staying. But to continue as it has been is not a credible option. The British and U.S. governments require a coherent stabilisation and exit strategy. The early moves by Iraq's government of national unity to form a reconciliation plan are positive, but vague on detail.

The foundation of a new strategy should be a peace process led by the U.N. to accelerate national reconciliation and the internationalisation of support for Iraq. If the problems of internecine conflict within Iraq have international dimensions, so too must the solutions. A new strategy would seek to build on the policies set out by the Iraqi prime minister and work towards an international ''compact'', similar to that agreed with Afghanistan, setting out the commitments of all sides and a comprehensive security and reconstruction strategy.

Only an international solution can shore up the legitimacy and effectiveness of Iraq's government, improve the delivery of essential services and facilitate the end of the militarisation. Every further association with the U.S. and the UK taints the Iraqi administration.

What should that solution contain? First, establishing a regional contact group would strengthen the engagement of Iraq's neighbours, and require them to play a constructive role in reconstruction. A contact group could play a significant role in talking to insurgent groups, improving border controls and promoting economic stability.

Second, enhanced measures to train, equip and professionalise Iraqi security forces are needed to de-politicise them and improve security. Coalition forces should move towards training, advising and equipping. Third, a comprehensive, U.N.-led disarmament, demobilisation and reintegration strategy is necessary to make a reality of the Iraqi prime minister's policy that the militias must merge with the national security forces.

Fourth, there should be an end to systematic indefinite detentions by Iraqi and U.S. forces, and full access should be granted to U.N. human rights monitors and the Red Cross. Fifth, the reconstruction process must be expedited and legitimised (60 percent of Iraqis believe the U.N. should have the lead role). Increasing UNDP and the World Bank involvement would enhance transparency and accountability. Donors must play their part and deliver on their aid pledges.

Sixth, Iraq needs a programme for phased security transfer and withdrawal of coalition troops. The Iraqis view them as occupiers. A limited British withdrawal is taking place but U.S. troops are redeploying in other parts of the country. The UK should aim to achieve a series of withdrawals, in parallel with the U.S., according to milestones in the stabilisation and reconstruction process. A transparent agreement with the Iraqi administration would help to counter the perception of occupation and illegitimacy.

I have been supportive of British efforts to bring stability to Iraq. But, support for the government cannot be unconditional. Unless it shows that it has learned from its failures and is ready to look afresh at the way out of the Iraqi quagmire, it will be impossible to justify the continuing presence of British forces in Iraq. With distressing regularity, the Commons pays tribute to the brave men and women who have lost their lives in Iraq. If the government cannot explain why it is necessary that they should make the ultimate sacrifice, then it must be prepared to bring them home.

Mr. DELAHUNT. Mr. Speaker, I know we all remember when President Bush made that surprise visit to Baghdad to meet with the Iraqi leaders. And on the way back, he was on Air Force One, and he brought some reporters in. He had this to say about his conversations with the Iraqi leaders:

There are concerns about our commitment in keeping our troops there. They are worried, almost to a person, that we will leave them before they are capable of defending themselves. And I assured them they did not need to worry.

But I guess when he is referring to just, I think his words were, ''almost to a person,'' he did not mention that the Vice President of Iraq came to him and said, please, Mr. President, would you provide a time line for the withdrawal of American troops, the clear inference being, until you leave, we are not going to be able to resolve the issues because you are fueling this violence by your presence.

What was interesting was that the President of Iraq, the Kurdish leader Talabani, corroborated this request by his Vice President and said that he supported it. They want us out.

Those that want Americans soldiers there, I would suggest to you, have a motive that is dark, because they realize that with the presence of American troops, they have an excuse, they have an excuse to commit violence. They have a rationale to inflame passion. And what is the result? We have seen it over the course of this weekend and today with hundreds being executed, murdered, in a situation that is clearly a civil war.

We hear terms like low-grade civil war. I guess that is something like being a little bit pregnant. I mean, it is just simply——

Mr. McDERMOTT. To the 40,000 people who died there.

Mr. DELAHUNT. 50,000 civilians who have died.

So my point is, to go back to where we began, all of us want to win against

terrorism, which we can agree is scourged. However, the rest of the world—there was another poll that was taken; 34 out of 35 countries, this was commissioned by the BBC, and this poll found that in 34 out of 35 of those countries more people believed, 60 percent believed that the war in Iraq increased terrorism, and 15 percent disagreed and said it impacted terrorism and led to a decline. Sixteen percent to 15 percent, and yet this administration, this Republican leadership, is tone deaf to that.

I am convinced we all, everyone in this Chamber, everyone in this government wants to defeat terrorism. It is just they do not know how to do it.

Mr. LARSON of Connecticut. The gentleman from Washington State makes a very good point when he says, as the viewers all across this country tune in, and they see people coming down to this floor and speaking from their hearts and their heads about the situation we find in here, the one thing we want the people of this country to know is that the main purpose that we come down to this floor is because of love of country.

The gentleman from Washington State loves his country, as do the gentlemen from Massachusetts and Maryland. And yet we found ourselves in this situation here where oftentimes our voices are muffled. We do not get an opportunity, even in a nonbinding resolution, to present our alternative point of view. This is a one-party town where the other side of the aisle, our erstwhile Republican colleagues, control the Presidency and all of its agencies and both Houses of these Chambers.

And it is because of love of country and a concern to make sure, as we said from the outset, that we distinguish the warrior from the war, that we have an obligation to come to the floor and speak truth to power.

That is why I commend all of you for coming down to the floor, as you have since the outset of this war. And again pointing out this evening that we need a new direction, a thoughtful, provocative direction that all of you have expressed this evening. Articulated by the gentlemen from Maryland and Maine and Massachusetts and Washington is the sense that the American people intuitively understand this and are yearning for their Nation to leave. But our inability in the minority to break through causes us to come here evening after evening in the hope, in the silence of this great hall, in this great room, that our message reaches out across this Nation and is heard by people who love this country.

Our colleagues on the other side of the aisle love their country as well. But our patriotism and our belief in this Nation stem from the fact that we are a nation configured through the rule of law.

And that is why I am so proud to stand here with each and every one of you this evening. Thank you so much for again coming out for Iraq Watch.

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30-SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes.

Mr. MEEK of Florida. Mr. Speaker, once again it is an honor to come to the floor; and hearing Mr. LARSON, who is our vice chair of the Democratic Caucus, make his closing in the last hour was definitely uplifting and very true. And I want to thank him and other gentlemen who are here on the floor sharing what should be happening in Iraq and what is not happening in Iraq.

Mr. Speaker, that is the good thing about this great democracy of ours, that we can come to the floor even though we don't have the right to bring many bills to the floor that we have stuck in committee or ideas that we can bring to the floor that would balance the budget or provide health care for Americans and allow small businesses to provide health care for the people that work for them and with them.

As you know, the 30-something Working Group, Mr. Speaker, has been coming to the floor for the last 3 years sharing with Americans and also with the Members of the House initiatives and plans and opportunity for recovery. Many of those plans are still stuck in committee or stuck in legislation, Mr. LARSON and other gentlemen that are here, that we have not been able to bring to the floor, and this is the only way that we have an opportunity to share with the Members and also the American people about our plans and about the initiatives that we have that will bring about real energy policy, real prescription drug policy, real health care policy, and real policy on Iraq, and on and on and on.

So we look forward. And I am happy, Mr. LARSON, that the American people, the majority, well, a good majority of the American people believe in what we believe in: making sure that we do right by those that punch in and punch out every day by raising the minimum wage, by doing a number of things that you just finished talking about and the things that we are going to talk about in the 30-something Working Group.

I will yield to you.

Mr. LARSON of Connecticut. I want to thank you and the 30-something Group for the enormous work that you have done on this floor. Again, as you rightfully point out, we do not have and are not provided the opportunity. You would think in this great democracy of ours there would be ample opportunity for these issues to be debated, but unfortunately time and time again we are not allowed the opportunity even to provide a countervailing measure on something as important as Iraq. Or we find the Voting Rights Act all of a sudden mysteriously is shunted off the floor. The Voting Rights Act, something where there is near bipartisan, almost unanimous approval that is worked out. And you would think in the spirit of this great Chamber that we would be able to proceed. But unfortunately, as I said before, this is a one-party town. And when the Republicans control the House of Representatives, as they have for the last 12 years, and the United States Senate and the Presidency, in their arrogance they believe I guess that we shouldn't have a say, that there shouldn't be this discourse and dialogue.

And that is why I am so proud of the 30-something Group that has consistently come down to this floor. And I am proud to say also that so many people in my home State of Connecticut have called and written and said that they have heard you. And your message is getting through. And I commend you as well for linking up with a number of the blogs around the country who tune in on a regular basis so that they get an opportunity to hear from you and Mr. RYAN and Ms. WASSERMAN SCHULTZ and the way that you are able to articulate these issues.

I see that we have been joined by the gentlewoman from Texas, Ms. SHEILA JACKSON-LEE, another individual who has been able to on so many occasions come to this floor in the silence of this Chamber, in the din of the night because we are not allowed the opportunity during the day to express our concerns.

Mr. MEEK of Florida. Mr. LARSON, some of the best work is done at night, and I can tell you that many of us that are in the minority here in this House, we have come to the floor, we have carved a plan for not only the House to deal with a number of issues that have faced us in the last recent years; we have tried to head off a number of the issues that we are facing now as it relates to record borrowing from foreign nations, we have tried to head off the largest borrowing surge in the history of the country by the Republican majority by saying pay as you go, Mr. Speaker. We have tried to head off a lack of leadership as relates to accountability in Louisiana and Mississippi and Alabama as it relates to Hurricane Katrina, and a lot of or all of the money that is being stolen from the taxpayers.

We have tried to bring about, Mr. Speaker, the kind of accountability that the Government Accounting Office has investigated and shown that a number of Federal agencies are overspending, they are not able to even give us an idea of where the money went. And we are talking about billions of dollars.

Folks talk about wasteful spending. I think it is important, Mr. DELAHUNT, to even talk about what the Republican majority has not done as it relates to oversight, has not done as relates to subpoenaing a number of individuals that some of this stuff in my opinion, Mr. LARSON, is close to being jailable. And I think when we look,

when Republicans, Independents, or Democrats look at what is going on here in this process as we speak in the moment and what will happen next week and the week after if left unattended, I think that we are going to gain a momentum of support from Republicans and Independents and from Green Party and from Democrats saying that we are willing to lead, we are ready to lead, we are ready to move America in a new direction.

And we are saying it. We are saying we are going to have a plan to balance the budget, and we do have a plan to balance the budget within 10 years. We are saying that we want to be well on our way in doing it, because we are the only party here in this Chamber that can say that we have actually done it. Republicans can only say, well, you know, we want to cut it in half, or we believe that we can do it. Well, you can't do that when you continue to borrow at a record rate. I have got a chart over here, and I am going to talk about it later.

Mr. LARSON of Connecticut. While the gentleman is getting his chart, I would just like to comment again and commend him, and also commend him in the bipartisan nature and nonpartisan way that you have come down here. I say that with this in mind, because you have heard me talk about the nature of this being a one-party town and what it means in terms of stifling debate and dialogue. And yet we do have plans and we do have ideas and vitality. And so one has to ask himself, Why is it that our colleagues on the other side of the aisle continue to stifle, to cut off debate, to be seemingly uninterested in the proposals that Democrats put forward? The answer I believe lies in what Franklin Delano Roosevelt had to say about our colleagues on the other side of the aisle: it is not that they aren't good people. They certainly are. It is not that they don't love their country as we do. They do. But he said that they seem to be frozen in the ice of their own indifference. Frozen in the ice of their own indifference. Indifference towards making sure that there is a workable, living minimum wage. Indifference to working people, indifference to the men and women as Mr. DELAHUNT has pointed out time and time again who are lined up along the highway to Crawford, Texas, seeking only an audience with the President of the United States to talk about their sons and daughters who have given their lives. Indifference, as Ms. JACKSON-LEE has pointed out, to the senior citizens of this country who have become refugees from their own health care system and have to travel to Canada to get prescription drugs that they can afford.

Indifference to what we are doing to college students today, cutting back the funding that they so desperately need. Indifference to what happens at the gas pumps where people who are struggling to make a living and have to get back and forth to work find themselves. And I thank you for combating that indifference here on the floor every single night.

It is our direction, the new direction that Leader PELOSI is taking this party and this country into is what this Nation desperately needs, and that is why I am so proud to be down here with you.

Mr. MEEK of Florida. Mr. LARSON, I want to say to the point that you just mentioned, what is happening to the country is historic, in the wrong direction. When you talk about tuition, and the President was up here on this podium talking about how we need to invest in the new generation as it relates to the joint session of Congress that we had, tuition has increased by $2,000, that is 57 percent, at public universities, and by $5,000, which is 32 percent, at private institutions since 2000, 2001 school year. Meanwhile, the majority has cut $12 billion from college aid, increasing the cost of loans, has frozen Pell grants for higher education, and has failed to extend the college tuition tax deduction. And I think that is very, very important.

On the flip side of this whole thing, in our plan for a new direction, is to replace what the Republicans have taken out of student investment, also putting in, Ms. JACKSON-LEE, an opportunity for those that decide to go in an area of education tax credits for them to go into the public schools, for us to have trained and educated teachers.

So we start talking about what the majority is doing and our new direction, it is on HouseDemocrats.gov. This is not something I just said right now. All of this is on HouseDemocrats.gov. The energizing of America is on HouseDemocrats.gov. Real security as it relates to implementing all the 9/11 recommendations, Mr. Speaker, is on HouseDemocrats.gov. A number of other initiatives that we have going.

So I wanted to back in what you are saying, because this 30-something Group originally started off by making sure that young people have a voice here on this floor, and those that are supporting young people that are their parents and grandparents, make sure they have a better opportunity than they have.

Mr. LARSON, I want to thank you, sir, for carrying out your Iraq hour, continuing to focus on that, because we have men and women that are counting on us. We have been to Iraq. We know they have shared with us they want direction from this House, and we have to give it to them, and we have to also let the American people know what is going on here. Thank you, sir.

Ms. JACKSON-LEE.

Ms. JACKSON-LEE of Texas. I wanted to add my appreciation to Mr. LARSON and thank him for giving me the opportunity to join the hour and to be able to reinforce your leadership. And I thank you for the good words that you have said about the 30-something, Mr. DELAHUNT, and a number of others who were on the floor. And, Mr. MEEK, I want to thank you for allowing me to have a continuum, if you will, of the discussions that we previously engaged in on Iraq and also to reinforce your comment.

I want you to hear this out of an Associated Press article that appeared I imagine in papers around America, but this was in the Houston Chronicle today. And the headline reads: ''No Such Thing As a Sure Thing in Congress.'' It talks about the inability to get any legislation passed. And one example was of course a bill dealing with marriage and the bill dealing with the flag. And all of us are patriotic, and so we understand people have different views, but we really ask the question, Is that really the crucial issue that the American people are thinking of?

The Republicans commented on Democrats and why they are not getting, why this Congress is not getting anything done. And I want you to hear this. In fact, I was proud when I read this: Republicans point out that Democrats are not above bringing up proposals just for political gain. They note that Democrats have insisted on bringing up a proposal to raise the minimum wage.

I am proud of that. I want you to hear that. It says that Democrats have insisted on bringing up proposals dealing with increasing the minimum wage. But the Republicans say the reason why they are giving us the short end of the stick is they say this is political, because they know that this has failed for 9 years.

Well, my friends, Republicans have been in the majority for 9 years. And Democrats are not going to step away from their values and their commitment to the American people that they need an increase in the minimum wage after 50 years just because the Republicans keep defeating it. We are going to win, and we are going to focus on this issue.

And let me move very quickly, Mr. MEEK, into just a few brief comments about Iraq and to be able to say why we are where we are, and maybe that is a reason why Pell grants are not funded, it is the reason why health care is not funded for the uninsured.

□ 2200

It is a reason why the environment and issues dealing with energy and alternative fuel have not been focused on because of the major conflict, if you will, in Iraq and the refusal of this House to really debate what is next, to really debate what is next.

Having just come back from Iraq and Afghanistan, let me tell you why we are in such a crisis. One reason we are in such a crisis is, we have spread ourselves too thin. This is how much money we have spent in Iraq. The place where Osama bin Laden is alleged to be hiding, we have given them this much. That means we are fueling the fires of bin Laden and the Taliban because there are not the resources invested in the very site where the horrific tragedy of 9/11 was seeded.

Now, of course, we are in a protracted conflict in Iraq, and there is no discussion of a way out of Iraq. This is the report card given by the Center for American Progress. Here is what is going on in Iraq: Security and stability, a D-minus. The overall grade, by the way, is a D. Governance and democracy, a C-plus; economic reconstruction, D-minus; and impact on U.S. national security is an F. Our security has been diminished because of where we are in Iraq.

Let me just show you another article that really breaks my heart because what I would say is, our soldiers are following orders, but it is difficult for them to carry forth their job because soldiers engage in war. Soldiers are not civilian police officers, and when you put them in the midst of a civilian population, that ignites controversy and jeopardizes them. Our soldiers are exhausted.

Although I don't excuse the violence that has occurred with five soldiers facing military tribunals because they are alleged to have raped and murdered Iraqi citizens and others, but this is out of exhaustion, out of frustration and putting a military population in the midst of civilians.

But listen to this: At least 60 die in a single day of sectarian battles; 60 Iraqis are killed between the Shiites' and the Sunnis' bombing of mosques, suicide bombings. This is not a safe place for Americans to be. It is now time to transfer over the sovereign leadership of this country to the Iraqi Government.

And it says here, ''Sunnis Blame the Government While the Prime Minister Insists That Baghdad Is Under Control.'' They must get the sectarian violence under control. They must have the Iraqi national army enforce the safety of the Iraqi people.

Yes, we can provide, if you will, the background, not the background music, but we can move to the borders, and if there is a crisis, we can be called. We have to be able to encourage Arab states that believe in democracy to support their neighbor. We have to bolster up the Iraqi national army, but this violence is not the kind of solution that the United States military is prepared to handle.

These are not insurgents coming from outside, these are Iraqis who are fighting each other. And this was created because we created a nonstable situation, because we had no exit strategy. We did not understand how to transition from Saddam Hussein's despotic government to a democracy. And here we are with our soldiers going two, three, five times into Iraq, exhausted, a military that is exhausted, battalions that have been used up.

Let me say these few points about generals who have raised a point about the Iraq war.

Retired Army General John Riggs, ''We grow up in a culture where accountability, learning to accept responsibility, admitting mistakes and learning from them was critical to us. When we don't see that happening, it worries us. Poor military judgment has been used throughout this mission.''

Anthony Zinni, former Chief of the U.S. Central Command, ''I really believe we need a new Secretary of Defense because Secretary Rumsfeld carries way too much baggage with him. I think we need senior military leaders who understand the principles of war and apply them ruthlessly; and then, when the time comes, they need to call it like it is,'' and in my words, to bring our troops home as soon as practical.

The final words are from Retired Army Major General Charles Swannack, ''He has shown himself incompetent strategically, operationally and tactically and is far more than anyone else responsible for what has happened to our important operation in Iraq. Mr. Rumsfeld must step down.''

That is disarray. What we need is an exit strategy to leave Iraq, not the cut-and-run that we are labeled with, but the dignified Murtha resolution that says, as soon as practical. Then, Mr. MEEK, we can address the energized agenda that we have as Democrats under Leader PELOSI's leadership to take this country back and give us the alternative fuels and begin to focus on education for our youth, universal access to health care, meaning we will address the question of 44 million uninsured. We will make sure that there is an increase in the minimum wage.

We understand, and in fact let me compliment Leader PELOSI who has said we are not leaving, we are not going home until the minimum wage has been passed. I cannot imagine Republicans would want to be quoted in the newspapers as saying Democrats are politicizing the minimum wage. They know that it has been raised nine times, and it has not passed. It has not passed because Republicans have not allowed it to come to the floor. They have eliminated it. They eliminated it the last week we were here.

So the only thing I would say is, shame on you, that you would boast in the newspapers that we are bringing it up as a political issue because it has failed nine times. If it fails 100 times, Democrats are going to keep fighting to increase the minimum wage for hardworking Americans, particularly those who have not seen an increase. And this is the lowest minimum wage in 50 years. People can barely make ends meet.

I hope as the 30-something Working Group continues to elaborate on its wonderful message, and might I say that you have got the 30-somethings listening, and you have the over-somethings listening. Everyone is listening to the message of new leadership for this Congress and also for America.

I cannot imagine what more we can say and what more we can do when we see the collapse of Iraq, no new leadership, when we see Afghanistan and President Karzai calling out for help and assistance so Afghanistan does not become destabilized, and the very place Osama bin Laden comes from and grows more Osama bin Ladens and others who would attack the world with terrorist acts.

I don't know how much we can say this over and over again for the administration to be able to listen to the challenges of 60 dying, one soldier a day dying, the violence some of our soldiers have, unfortunately, been engaged in are acts of desperation, acts of exhaustion and exasperation. Until we get an exit strategy, we will be facing this every day.

I hope we will be able to do that, and I thank the distinguished gentleman. We need a reasonable debate, and we need to bring our soldiers home. I thank the gentleman for yielding to me and for his leadership. And out of it, we will have a new agenda for America.

Mr. MEEK of Florida. Thank you, Ms. JACKSON-LEE. And even though you were coming down to join Mr. LARSON, you are always welcome to join the 30-something Working Group hour.

When you were talking about the minimum wage, when we call ourselves the 30-something Working Group, that means we work. We come together and we meet even when we are not on the floor to talk about these issues.

Mr. Speaker, minimum wage is a very important issue to 7 million Americans who are working for minimum wage, living on a minimum-wage salary, which is very difficult.

□ 2210

And one of the things that I wanted to share here, Mr. Speaker, as you know, we try to come up with charts to kind of break this down so that Members know exactly what we are talking about so they can't go back to their constituents and say, well, I didn't quite understand that minimum wage vote, but I will reconsider it next time. We call that in Washington, DC the Potomac two-step. Back home they call it hoodwinked, bamboozled. But I want to make sure that folks understand what we are talking about here.

Minimum wage, and this is actually a chart that is saying the real economy changed under President Bush, while the minimum wage has not been increased since 1997, this is what has happened. Minimum wage is at zero. But the cost for milk has gone up 24 percent. Minimum wage is at zero, but the cost of bread has gone up 25 percent. Minimum wage is zero since 1997, thanks to the Republican majority. But a 4-year public college education has gone up 77 percent.

The minimum wage is still at zero, Mr. Speaker, since 1997, not because we haven't tried to raise it, but the Republican majority has stood in the school house door on this, stopping it from happening.

Health care insurance has gone up 97 percent, Ms. JACKSON-LEE. Minimum wage is still at zero. And regular gas has gone up 136 percent.

Now, you want to know, the American people want to know who is on

their side. I think it is important that we find out whose side are the Republicans on? Let's just call it for what it is, Ms. JACKSON-LEE. It is more than, and I am not just a Member of Congress with a conspiracy theory, because I am looking right here because I can't help but go to a recent article that I saw, that I read last time that was in The Washington Post. Document says oil chiefs met with Cheney task force. White House documents show, and this is The Washington Post. I just want to make sure. You can go on Washingtonpost.com, and it is November 16 of 2005. This was actually on the front page.

White House documents show that executives from big oil companies met with Vice President CHENEY's energy task force in 2001, something long suspected by environmentalists, but denied as recently as last week by industry officials testifying before Congress.

The documents obtained this week by The Washington Post show that officials from ExxonMobil, Phillips, Shell Oil Company and BP of America met in the White House complex with Cheney aides who were developing the national energy policy, parts of which became law, and parts of which are still being debated in Congress.

The meeting happened in 2001. Oil companies got their increase in the minimum wage. These are the profits of the oil companies: 2002, $34 billion in extra profits. I think this was a pretty good meeting. I am pretty sure if I was an oil executive, I would be saying I am glad I attended.

2003, $59 billion in profits, oil companies. Meanwhile, we are paying more at the pump. Minimum wage still at zero, remember, since 1997.

2004, $84 billion in new profits to oil companies. I think that meeting was landmark as it relates to profits for the oil companies

Ms. JACKSON-LEE of Texas. Monumental.

Mr. MEEK of Florida. And in 2005, $113 billion. Now I can tell you what is happening as it relates to whose side they are on.

Now, one may say, Ms. JACKSON-LEE, and I am glad that those of us here in the 30-something Working Group, we do our homework before we come to the floor. I can't say that about all Members that come to the floor as it relates to having the facts, because what is important here, Mr. Speaker, is the truth, facts where people can follow up, and not fiction. And folks are not used to that out of this majority, and not used to that here in Washington, DC, and that is what we are saying we want to provide. Because nothing is better than the truth. Because no matter what party you are affiliated with, we still salute one flag, thanks to our men and women that were in uniform, veterans, and those that are in uniform now.

The least that we can do is be straight with them, and being straight with them is basically just saying, just recently, June 22, here on this floor, Democrats worked to raise the minimum wage, and this was appealing to the rule of the Chair by Mr. RANGEL in a motion to offer the minimum wage increase. And he was ruled out of order. And it was appealed. And then the Republicans voted against us from having it on the floor by 229 votes to 195, and that is rollcall vote 313.

Again, June 27, which is a couple of days from the first time, from that attempt that we moved to get the minimum wage up, the Science, State, Justice, Commerce appropriations bill when it was here on this floor, Ms. JACKSON-LEE, you were here that day, I saw you. The rule to block consideration of the Obey-Hoyer-Mollohan amendment to increase the minimum wage, rollcall vote 319, the rule was adopted, but there was a procedural move to block us from getting this on the floor.

The House adopted a resolution to adjourn for the Fourth of July recess without bringing up the bill to increase the minimum wage. That is rollcall vote to adjourn, which was rollcall vote 353 to adjourn. And I think it is important. That was 220, supermajority voted for it; 197 voted against it. It was only one Republican that was on our side and saying that we shouldn't leave until we deal with it, Mr. Speaker.

So, Ms. JACKSON-LEE, I wouldn't get concerned about what they say because that is what Speaker Gingrich has said. He has the chart, and if staff can give me the chart that said ''they,'' that ''they,'' that is what he calls the Republican majority, that is what they called the Republican majority. You remember that, Mr. RYAN, because he felt that they are no longer responsible in a way that he thought they should be when he was the father of giving, case in point, once again, third-party validator.

Mr. Speaker, this was the Speaker of the House when the Republicans took control of the House. And this is what he has to say. And this was in the Knight Ridder newspaper, Friday, March 31, 2006: ''They are seen by the country as being in charge of a government that can't function.'' ''They.'' He is talking about the Republican majority. ''They''? Goodness gracious. If Speaker Foley came and called us ''they,'' I mean, this would be a travesty. This is Newt Gingrich. This is not someone in some club somewhere, or someone that doesn't have House credentials. He was here on this floor. He was the Speaker. He was the leader in the Republican majority and he was the Speaker. He wasn't majority leader. He wasn't a whip. He wasn't over the conference. He wasn't over a caucus. He was the Speaker. He sat there on the Speaker rostrum. He was the man. His picture hangs up back here in the Speaker's lobby. I can't boil this down any further, to say that it is substantial when a chief Republican says ''they.''

And so what we are talking about here, Ms. JACKSON-LEE and Mr. RYAN, is something that everyone should understand. Republicans have to have a problem, Republican voters and independent voters, and Democratic voters have to have a problem with a dysfunctional government that is making history in all the wrong ways. And I am going to share that chart, but I am going to yield to you. I see Mr. RYAN is here, and I want to come back on our chart of irresponsibility that has taken place, because I want to make sure if we have got to say it 1,000 times, I want it on the CONGRESSIONAL RECORD that we have said it 1,001 times, so that the American people, when they are asked to make a decision in November, Mr. RYAN, that they have the information that they need to have to make sure that their country, not their party, that their country is strong and that it is vibrant and that it is here to make sure that it is in the shape to where they can afford education, where they can afford health care, where small businesses can afford to give their employees health care, and where States don't have to sue the Federal Government over education dollars.

Ms. JACKSON-LEE.

Ms. JACKSON-LEE of Texas. I am delighted that Mr. RYAN and the two of you, Mr. MEEK, have really captured the essence of why you come to the floor every night and why it is so important.

Mr. RYAN, I had an article, and I just want to repeat because it really captures the gentleman's comments, the gentleman from Florida. It really captures what he has said and why we are so frustrated.

□ 2220

The bottom line of this paragraph was an article that talked about the marriage amendment and the flag amendment as the chief initiatives of this great body. It said that two-thirds of the legislative calendar is finished and this body can only count two major initiatives that they have passed: one, the PATRIOT Act renewal that they engaged in, and many Democrats, of course supported that; and then they had a $70 billion tax cut. This is all that they can put in their belt notch, if you will, to say that they have accomplished. And at the same time, the recounting of the low esteem or low level of the working Americans, where they cannot pass, if you will, a minimum wage. When it really comes to helping Americans, they have done nothing.

So gas prices have doubled. Right now this week, oil is at $75 a barrel, and we are now approaching $3 a gallon for gas. The minimum wage has not been increased. Health care is costing more. In 2005 a typical family was paying $1,200 more a year for health insurance, increasing it by 55 percent.

So this debate that you are articulating really ties into where we are in Iraq and the frustration, the amount of money, and it really ties into this bottom line, which is we have work for

two-thirds of the legislative session and we really cannot show the American people any bread and butter issues that we have been engaged in. No bread and butter issues. Nobody is better off since this Congress has been holding court, if you will, for 2006.

And I thank you for allowing me to be here.

Mr. Speaker, I commend my colleagues for organizing this special order to discuss the conduct and costs of the war in Iraq. I look forward to engaging in dialogue with my colleagues about the most important issue facing the country today and the most fateful and ill-considered decision of this Administration.

I. THE BUSH IRAQ POLICY HAS HARMED THE U.S. MILITARY

A few weeks ago we learned the sad news that the 2,500th soldier has been killed in Iraq. More than 19,000 others have been wounded. The Bush administration's open-ended commitment of U.S. troops to Iraq has weakened the U.S. Army, the Army National Guard, and the Army Reserves. The extended deployments in Iraq have eroded U.S. ground forces and overall military strength. A Pentagon-commissioned study concluded that the Army cannot maintain its current pace of operations in Iraq without doing permanent damage to the quality of the force. So more than three years of a continuous deployment of U.S. troops to Iraq has:

Contributed to serious problems with recruitment, with the U.S. Army missing its recruitment targets last year;

Forced the Army to lower its standards for military recruits; and

Led to military equipment shortages that hamper the ability of U.S. ground forces to do their job in Iraq and around the world.

II. THE IRAQ WAR HAS BEEN MISMANAGED AND THE RESULTS HAVE BEEN DISASTROUS

Quotes from the retired generals calling for the ouster of Defense Secretary Donald H. Rumsfeld:

"We went to war with a flawed plan that didn't account for the hard work to build the peace after we took down the regime. We also served under a secretary of defense who didn't understand leadership, who was abusive, who was arrogant, who didn't build a strong team."—Retired Army Maj. Gen. John Batiste.

"My sincere view is that the commitment of our forces to this fight was done with a casualness and swagger that are the special province of those who have never had to execute these missions—or bury the results."—Retired Marine Lt. Gen. Gregory Newbold.

"They only need the military advice when it satisfies their agenda. I think that's a mistake, and that's why I think he should resign."—Retired Army Maj. Gen. John Riggs.

"We grow up in a culture where accountability, learning to accept responsibility, admitting mistakes and learning from them was critical to us. When we don't see that happening it worries us. Poor military judgment has been used throughout this mission."—Retired Marine Gen. Anthony Zinni, former chief of U.S. Central Command.

"I really believe that we need a new secretary of defense because Secretary Rumsfeld carries way too much baggage with him. . . . I think we need senior military leaders who understand the principles of war and apply them ruthlessly, and when the time comes, they need to call it like it is."—Retired Army Maj. Gen. Charles Swannack.

"He has shown himself incompetent strategically, operationally and tactically, and is far more than anyone responsible for what has happened to our important mission in Iraq. . . . Mr. Rumsfeld must step down."—Retired Army Maj. Gen. Paul Eaton.

III. WAR IN IRAQ HAS DIVERTED RESOURCES AND ATTENTION FROM OTHER FRONTS IN THE FIGHT AGAINST GLOBAL TERRORIST NETWORKS

The killing of Abu Musab Al-Zarqawi was a major success for U.S. troops, but it is not likely to diminish Iraq's insurgency. Iraqis make up 90 percent of Iraq's insurgency, unlike foreign fighters like Zarqawi, and a primary motivation for Iraq's insurgency is the U.S. troop presence. Even after the Samarra shrine attack in February threatened to push Iraq into all-out sectarian civil war, the vast majority of attacks still target U.S. forces.

Outside of Iraq, the Bush administration has failed to present a realistic strategy for countering the threat posed by the global terror networks. In a recent survey of more than 100 of America's leading foreign policy experts conducted by Foreign Policy magazine and the Center for American Progress, 8 in 10 (84 percent) do not think that the United States is winning the war on terror. The War in Iraq has not helped America win the broader fight against global terrorists. Instead:

By invading Iraq without a realistic plan to stabilize the country, the Bush administration created a new terrorist haven where none had previously existed.

By maintaining an open-ended military presence in Iraq, the Bush administration is presenting U.S. terrorist enemies with a recruitment tool and rallying cry for organizing attacks against the U.S. and its allies.

According to the National Counter-Terrorism Center, the number of large-scale terrorist attacks in Iraq increased by over 100 between 2004 and 2005, with a total 8,299 civilians killed in 2005.

Osama bin Laden remains at large and al Qaeda offshoots proliferate.

By diverting resources and attention from Afghanistan to an unnecessary war of choice in Iraq in 2003, the Bush administration has left Afghanistan exposed to a resurgence of the Taliban and al Qaeda. The United States needs to complete the mission in Afghanistan and cannot do it with so many troops bogged down in Iraq.

By focusing so many U.S. resources on Iraq, the Bush administration has taken its eye off the ball in places like Somalia, which was overrun by Islamist militias tied to al Qaeda last week.

IV. THE WAR IN IRAQ HAS INCREASED THE BURDEN ON U.S. TAXPAYERS WITHOUT STABILIZING IRAQ OR MAKING AMERICANS SAFER.

Over the last three years, the United States has spent more than $300 billion in Iraq, yet the investment has failed to stabilize Iraq or improve the overall quality of life for most Iraqis. According to the Congressional Research Service, total assistance to Iraq thus far is roughly equivalent to total assistance, adjusted for inflation, provided to Germany—and almost double that provided to Japan from 1946 to 1952. Yet on key metrics like oil production, Iraq has failed to advance beyond pre-war levels, and quality of life indicators remain dismal:

Oil production is below pre-war levels (2.6 million barrels per day in 2003 vs. 2.1 million barrels per day in May 2006);

The majority of water sector projects and health care clinics planned in 2003 remain not completed, despite spending hundreds of millions of dollars;

One in three Iraqi children is malnourished and underweight, according to the United Nations Children's Fund.

Rather than a record of progress and achievement, the Bush administration's record is one of corruption and waste:

$8.8 billion given to Iraqi ministries by the Coalition Provisional Authority (CPA) remains unaccounted for, according to the Congressional Research Service;

Iraqi Defense Ministry officials spent $1 billion on questionable arms purchases;

The Interior Ministry has at least 1,100 ghost employees, costing $1.3 million a month.

In short, we have no strategy, no support from allies or friends in the region, a nascent civil war in the country we are supposed to be helping, an overstretched military, a misdirected counterterrorism effort, and a massive diversion of funds in support of a failed effort.

V. MULTIPLE DEPLOYMENTS HURT MORALE AND FAMILIES

Multiple deployments taking toll on military families, answers questions of how to help families of deployed service members.

Military families need greater psychological, emotional, and organizational assistance according to the results of a new survey released March 28 of this year by the National Military Family Association, NMFA.

The study, "Cycles of Deployment Report," which focused on the needs of military families, shows service members and military families are experiencing increased levels of anxiety, fatigue, and stress. In response, NMFA outlined recommendations for meeting these challenges amid multiple and extended deployments, increased rates at which servicemembers are called upon for service, and the heavy reliance on National Guard and Reserve forces.

This report clearly shows the range of support programs for families has expanded since the start of the War on Terror. However, multiple deployments and a high operations tempo mean different types of support are needed for families' continued success before, during, and after deployment. The survey results provide the Department of Defense a detailed roadmap for making sure families are taken care of during this important time.

Key findings from this study about the impact of deployment includes:

Almost half of respondents reported they have used or would use counseling services such as anger management classes and family counseling. Three quarters of those who stated they were better able to deal with subsequent deployments found counseling services to be helpful.

Two-thirds of military families surveyed did not have contact with their unit or unit network volunteer during the critical pre-deployment stage.

Less than one-half reported a consistent level of family support through the pre-deployment, deployment, and post-deployment phases. Seventeen percent reported no support was available.

Many respondents are concerned that volunteers who help families adjust to life during deployment and what to expect after the reunion are becoming fatigued and subject to "burn-out." They stated that the leaders of unit family groups should be paid or have paid professional support personnel assigned.

Military family members with civilian jobs face pressure to avoid taking time off before. during. or after deployment. Sixty percent of military spouses are employed outside the home and many have either quit their jobs or are considering it.

Military families are worried about how the reunion will go with their deployed family member even as they are worrying about their servicemember's safety in the field. Unfortunately, many families are not taking advantage of specific return and reunion briefings and activities.

Many respondents expressed that when entering a second or third deployment. they carry unresolved anxieties and expectations from the last deployment(s). While they may have gained knowledge of resources available to them, respondents whose servicemember deployed multiple times reported being more fatigued and increasingly concerned about their family relationships.

Although challenged by the demands of deployment. families noted they are proud of their servicemember and their service to our country. They understand that family support is primarily their personal responsibility, but they expect ''The Military'' to provide support as well.

VI. RECOMMENDATIONS TO DEAL WITH STRESS OF MULTIPLE DEPLOYMENTS

The National Military Families Association has developed a series of recommendations for how the Department of Defense (DoD) can better train and support military staff and civilian volunteers to assist military families, including:

Expand program and information outreach. Create formats for families to access support services and maintain touch with their commands and unit family group that live too far from either the unit or from other military families.

Assist families in developing realistic expectations. and then meet them. Educate military families about what to expect before, during, and after deployments.

Direct more resources to support family volunteers. Increase the level of resources and paid professionals, both counselors and administrative, to support the logistics of family support and conducting family readiness activities.

Address return and reunion challenges throughout the deployment cycle. Help with the reintegration of a servicemember with the family after deployment.

Recognize that family time is important. Encourage service leaders to give family time a higher priority when planning operational activities, especially for servicemembers who have only been back from deployment for a few months.

Continue deployment briefings throughout the year. Never assume families have all the information they need. Ongoing deployment briefings can especially help new spouses or the parents of new recruits. Experienced family members also may find new challenges during a subsequent deployment or find the accumulated stress from multiple deployments creates the need for re-engagement with the family readiness/support group or for accessing different support personnel.

VII. IMPACT OF DEPLOYMENT OF NATIONAL GUARD

In addition, Mr. Speaker, the large and extended deployment of National Guard units overseas has undermined the ability of the United States to deal with terrorist attacks or natural disasters. For example, State officials in Louisiana and Mississippi struggled to overcome the absence of National Guard members from their States in the wake of Hurricane Katrina. In Louisiana, about 100 of the National Guard's high-water vehicles remain abroad—even as the State continues to rebuild from Hurricane Katrina. Coastal North Carolina is missing nearly half its Humvee fleet, and Guard officials there say shortages have forced the State to pool equipment from different units into one pot of hurricane supplies.

In addition, the equipment the Guard needs to help in the aftermath of natural disasters like Hurricane Katrina is in shorter supply because the gear is in use in combat zones, is battle-damaged, or has been loaned to cover gaps in other units.

CONCLUSION

Mr. Speaker, our troops in Iraq have never faltered and they have never failed. They were never defeated in battle. They won the war they were sent to fight. They completed their mission. They performed magnificently.

They have earned the right to return home and be reunited with their families and loved ones. Now is not the time for us in Congress to falter or fail. Now is the time to embrace a plan for our troops in Iraq that offers a chance of success. We need a plan that will work. There is only one such plan. It is the Murtha Plan I support.

Mr. RYAN of Ohio. We always enjoy your presence, and I think you have made a good point.

And I come from a conservative Democratic district in Ohio. I am probably one of the most conservative Democrats from Ohio in the Congress.

Regardless of how you feel about the gay marriage amendment, regardless of how you feel about flag burning, regardless of how you feel about any of these political issues that the Republican Congress is bringing forth, I think we can all agree that gas prices, health care costs, tuition costs, and lack of education funding rank just a little bit higher than these issues that the Republican Congress and Republican President bring out every other year or every election year.

Now, the President runs a whole 2004 election campaign, Ms. JACKSON-LEE, on the gay marriage amendment and then days after getting reelected says, I do not think we are going to pass it. I do not think I am going to push it. The country is not ready for it.

You just ran your whole campaign on it. Now you are not for it? And they, the President and the Republican Congress on the other side, actually think that the American people are going to fall for this again. Well, we have got news for them.

Mr. MEEK of Florida. Mr. Gingrich is calling them ''they.''

Mr. RYAN of Ohio. Exactly. We are not the only ones.

And I think the country is obviously divided on those very polarizing issues. But regardless of how you feel, we have got real problems in this country, Mr. Speaker. Can we stop insulting the American public to think that they are going to somehow fall for these shenanigans again that were used in 2004? The President was for a gay marriage amendment; then he was against it and decided he was not going to push it. And then 1½ years later, when he is 30 percent in the polls and the Republican Congress has not passed one piece of significant legislation, all of a sudden, they are for the gay marriage amendment again.

It is not going to work. Do you know why? Because this is what has been going on, Mr. Speaker: People making more than $1 million are getting $42,000 a year back in tax breaks, and we are borrowing the money from China. We do not have money to give a millionaire $42,000 back in this country, Mr. MEEK, Ms. JACKSON-LEE. If we had the money to give them, we would have a discussion. We would have a debate: Why are we giving someone who makes $40,000 a year $17,000 and someone making $1 million a year gets $42,000? If we had the money, we would have that discussion. We would have a national debate about whether or not that was a good idea, about whether or not that money should go into tax cuts for millionaires or education spending or Head Start spending or health care for our citizens or making sure that young kids had health care or veterans would have the proper care that they needed. Mr. Speaker, we would have that discussion. But we do not have the money. We do not have it. We are running $400 billion deficits, borrowing the money from Japan, China, OPEC countries.

Mr. MEEK, can you imagine with the cost of gas right now, we are borrowing money from OPEC? We are not just giving it to them at the pump. We are going to go out and use them as a bank.

Let us get this country in order, Mr. Speaker. It is time to go in a new direction. And do you like this? Do you like the cost at the gas pump when you have got to put in 55 bucks to fill up your truck? Do you like the fact that the health care costs are up, health insurance up 97 percent; that 4-year public college is up 77 percent; that gas is up 136 percent; that bread is up 25 percent; that whole milk is up 24 percent? If you are happy with this, vote Republican. Continue. They have been in charge of the House and the Senate and the White House for a good many years now. The neoconservative agenda, Ms. JACKSON-LEE, has been implemented. We do not have to worry about what is going to happen. We do not have to wait and see one day how it will affect the American people. It has been implemented and this chart is the end result.

Look at these numbers. And we are having debates about gay marriage? You have got to be kidding me to insult the American people like that.

I go to Giant Eagle in Niles to do my shopping. Union meat cutters, a small little town of Niles, Ohio. I go and get some bread, Lucky Charms because I like to eat cereal, and I get the organic

milk because it lasts a lot longer than regular milk. We are traveling a lot; so I get the organic milk. So we go and I fill my basket up, and I checkout. And you know how it is when you go back home, people will grab you and they will want to talk issues. No one grabs me in the aisles and says, ''Can you please stop the gay people from getting married up in Massachusetts because they are really affecting the gas prices?'' No one says that to me. No one asks me about flag burning, Mr. MEEK.

They ask me about how are we going to reduce the cost of gas because I am a nurse's aid and I have to travel around.

Mr. MEEK of Florida. Making minimum wage.

Mr. RYAN of Ohio. Making barely minimum wage. I have to quit my job because I cannot afford the gas prices as they are. I am better off going on welfare and registering for Medicaid.

We have a system that is going against people who want to work. We want to incentivize that. And in the first 100 days, it will be amazing what the Democratic Party can do.

Ms. JACKSON-LEE of Texas. A real agenda.

Mr. RYAN of Ohio. Can you imagine in the first week when we raise the minimum wage? I am just going to pick two of the issues: We raise the minimum wage, and we cut college loan interest rates in half. Can you imagine the impact for average people in Ohio, in Miami, in Texas? Can you imagine? You are actually going to be helping people. We can do this, and we need an opportunity to do it, Mr. Speaker.

I have taken way too much time, and I know both of you have points you want to make. But look at what is happening in the country and look at the disgraceful debate that is happening here in Congress.

And one final point: The debate we had a couple weeks ago on the Iraqi war resolution, we had a debate here in Congress. We have lost $9 billion in Iraq, and no one really seems to know where it is, and the Congress is not much interested in finding out exactly who has it. We have spent $318 billion, $400 billion, tons of money in Iraq with no oversight. We have had hurricanes in the country and we do not know where FEMA is spending money. They are paying for divorce attorneys' fees and the like, and we don't have any oversight hearings on that. So if the American people want to keep going in that direction, all they have to do is continue to rubber stamp the Republican House, the Republican Senate, and President Bush.

Ms. JACKSON-LEE of Texas. Well, if the gentleman from Florida will continue to yield, I just want to take just a moment. I cannot tell you the passion or the core that you have touched.

People hear us on the floor of the House, and they probably assume that we are taking up the cause of our Founding Fathers and using the skills of debate.

□ 2230

What I hear you saying and what I have seen when I have been home a week ago, we have been in and out of our neighborhoods, and what I have seen is that people are hurting. The minimum wage has not been increased, but the administration had a paltry 122,000 jobs, barely a blip on the radar screen. There is unemployment in all communities. People want to work, but they are frustrated by the pressures or the finances needed to work.

So we are touching on people's lives. We are touching on the single mother, we are touching on the family of four that maybe does not have a vacation, even though we have been in the airports and it looks pretty busy. There are people who barely can make it because we have had no action, and the sadness is to go to a public hospital and see people who really need to see a doctor and they are in the emergency room because basically they do not have the resources even to participate in what you call a pay-as-you-go clinic, which they would want to do.

So, my only point on the method that you have just given is, for God's sake, we need a new direction in America. We really need a new direction, and that would cover all of the basic bread and butter issues that you have just recounted.

So what I am hoping is that Democrats do not let up, that we tell the American people that we would much rather stand with them than fall amongst the throng who think it is always good to be with the special interests. I would much rather pass a minimum wage, I would much rather ask the question why the gas per gallon is so high and do something about it. I would much rather keep kids in college and take care of the environment and see people go back to work. That is what I think we are saying here tonight.

Mr. RYAN of Ohio. I think that is exactly it and I know Mr. MEEK has points he wants to make, but I think Members of Congress and average Americans need to ask themselves just one question, and we will just pick two of these.

Implement mentally this in your mind if you are an American. We will raise the minimum wage to $7.50 an hour in the first week we are here, and we will then cut your student loan interest rates in half. Whether they are parent loans or student loans, your rate will be cut in half if Democrats are in. Let us just pretend we will not do anything else, and we have got binders full of ideas here that we will implement, broadband access, tax cuts for venture capital that was basically written by the high-tech industries who NANCY PELOSI sat down with to make sure how do we get the country up and running again.

But just say we do those two things, we are not saying we are going to overpromise. We are saying in first day or two we are going to pass the minimum wage and we are going to reduce college loans by half. What would that do? That will save students $4,000 or $5,000 over the course of their loans, parents the same way, and the minimum wage will be increased unfortunately just a few thousand dollars a year. Hopefully, if we take the majority back in a significant number, along with the Senate, we can do maybe even more.

But just picture those two things and the impact it would have on your life.

Mr. MEEK of Florida. Mr. Speaker, I thank Mrs. JACKSON-LEE for joining us. I think it is important as we look at the last 10, 12 minutes of our time here of looking at being responsible, looking at being responsible, and what the American people in every district that is represented here in this House, Mr. Speaker, woke up early one Tuesday morning just after 7:00 a.m. to vote for representation. They need a change in this Chamber. We are saying we are willing to give them the chance.

We are not looking at party affiliation. If you live in the part of the country where you are a Republican and there is nothing but Republicans get elected, this is not a Republican club or a Democratic club or an Independent club or a Green Party or Reform Party House. It should not be. The American people expect for us to work in a bipartisan way for their greater good. That has not happened.

The Republican majority does not have the will, nor the desire, to work in a bipartisan way with Democratic Members in this House or the one Independent that is here.

On every major piece of legislation, Ms. JACKSON-LEE has just said there has only been two, there has been no Democratic input on those pieces of legislation to where that when it was a conference committee meeting, nine times out of 10, those Members are not even invited. The first time they see it is when it comes to floor, when it comes out of the conference committee, and this is when both House and Senate pass the bill and then they sit down and work out to appoint a small committee. They work out the differences and then go back to their respective Chambers and pass the changes that were made. That just does not happen.

So I think when Mr. RYAN started talking about the tax cuts for the millionaires, and I am talking about in the heavy millions, and what they are walking away with and what the American people are not walking away with, you have to look at who do you trust.

Here is an article, Mr. Speaker, I just want to make sure folks know they can get this on housedemocrats.gov. I think it will be up hours after we leave the floor here. ''The Spending Virus,'' by the Washington Times, of all places, washingtontimes.com, very conservative newspaper here in Washington, D.C. This is by Steve Chapman.

June 25, 2006. Last August, President Bush demanded Congress curb its appetite for

spending so that we can continue to send a signal to the people around the country that we are serious about being fiscally responsible with the people's money.

It is not my writing. It is Mr. Chapman's writing and it was there. He is a columnist. Now today is Monday right, so this meant if he said this today, on tomorrow, Tuesday, this is what the President did.

The next day he signed a port bill, transportation bill, that broke all records for public works spending. Next day, the very next day.

Well, I would give the President the benefit of the doubt if he said it a couple of years ago and just forgot that he said it, but when you say something today and then the next day you go and you sign a bill that breaks records in spending, how in the world could that stand?

The article goes further to say, since 2001 expenditures have risen more than $900 billion, up nearly 50 percent. The expansion of the Federal discretionary spending has been faster than under Lyndon Johnson who was once the king of the big spenders but has been dethroned, dethroned this is his writing, by George W. Bush, and I would add, the Republican majority. Dethroned.

Mr. RYAN of Ohio. This guy said that George Bush dethroned Lyndon Johnson?

Mr. MEEK of Florida. You know the thing about it, Mr. Speaker, at least under Lyndon Johnson we were able to improve education. At least under Lyndon Johnson, public works projects, as it relates to housing, was built, not just this runaway spending as it relates to satisfying the first of billionaires and millionaires and allowing oil companies to make record profits on the backs of the American people.

Now, how do we get to where we are now?

Mr. RYAN of Ohio. Corporate welfare. Let us expand just for a second. Corporate welfare, $16 billion to the energy companies and between 20 and $30 billion to the health care industry. That is where that money is going. So if you are going to dethrone Lyndon Johnson, at least dethrone him by investing in education.

Mr. MEEK of Florida. Since you got fired up about this, I just want to get started. I am going to read the last couple of lines of this article because we are running out of time.

But when it comes to that sort of wisdom and courage in Washington, DC, we suffer another deficit, and what this person is saying is that we have to have leadership in this chamber that is willing to enforce it.

Now, let me just say this very quickly. I think it is important in our last 5 minutes to talk about being responsible. This is the U.S. Department of Treasury. This is not the Kendrick Meek report or Tim Ryan or the 30 Something Working Group report. This is on our Web site and this is on the U.S. Treasury's Web site if you want to go in and find it and crunch the numbers.

President Bush and the Republican Congress, from 2001 to 2005, have borrowed from foreign Nations $1.05 trillion. In 4 years, 4 years, Mr. Speaker, $1.05 trillion, you see the President and the Republican Congress.

Forty-two Presidents that you see here, some are wearing wigs, $1.01 trillion, they were only able to borrow from foreign Nations in 224 years.

So that meant the President has accomplished something that 42 Presidents before him have not been able to accomplish.

□ 2240

But the Great Depression, World War I, World War II and a number of conflicts, he dethroned, that is our new one, Mr. Chapman gave it to us, third-party validator he has dethroned 42 Presidents and Congresses before it with the record-breaking borrowing.

Who is he borrowing it from? I mean, we break this all the way down. My 11-year-old can get this. And that is the way we got to do it, because I want to make sure that the American people and the Republican majority have no way to go home and hoodwink their constituents by saying, oh, I did not quite understand that bill, or that when I raised the debt limit.

Japan, we borrowed $682.8 billion. Japan is an island, I must add. China is $249.8 billion that they own of the American apple pie. The UK is at $223.2 billion. Caribbean nations. You know, I was home recently over the break, and someone came up to me and said, how can Caribbean nations own a piece of the American apple pie? They are just the Caribbean. Well, guess what? In Washington, DC the Republican majority are just big spenders. Well, they borrow from whoever will give us the money. They are buying our debt. They are getting a part of the American apple pie thanks to the Republican majority and the President. They come in at $115.3 billion.

Taiwan, $71.3 billion. OPEC nations, which, Mr. Speaker, I must add, I need to break this down for the Members are all of those oil-producing nations, Saudi Arabia, Iraq, Iran, you name it, Venezuela, all of them have a piece of the American apple pie that comes in at $67.8 billion.

Germany, $65.7 billion. Korea, $66.5 billion, and Canada, $53.8 billion. They own a part of the American apple pie, not because the American people did not do what they were supposed to do, because they are being asked to go beyond the call of duty. I am so glad that Mr. RYAN came to this floor in a very passionate way shared the level of frustration that so many Americans have that wish they could come to the floor and come before this great democracy and come to this House of Representatives and let them know what is on their mind.

It is our obligation and duty, Mr. Speaker, that we come to the floor and share what it is. We cannot sugar-coat it.

Mr. RYAN of Ohio. Look at this, Mr. MEEK. The Republicans increased the debt limit by $3.7 trillion. You will notice that is a ''T'' there in the red, not a ''B''. In June of 2002, May of 2003, November of 2004, March of 2006, and the House Budget Resolution, another $653 billion, $3.7 trillion this Republican Congress has increased the debt limit, which is saying, go out, Mr. President, Secretary of the Treasury, go out and borrow some more money. It is okay to borrow money and then spend it on corporate welfare for the oil industry and the energy companies. It is okay to spend it for the health care industry.

Come on. Let us get things in order here. This is not brain surgery. And, you know, Mr. MEEK, I thank you for doing that, because our whole mission here as 30–Somethings is to break down and talk about issues that are going to affect our generation in the long term. And when you look at the kind of borrowing from these other countries, you know, just an example of China. Okay. How much we are borrowing.

Now we are asking China to help us negotiate with North Korea. Well, you think they are going to be helpful when they are our bank? You think they are going to be pressured by us when they are loaning us money? Like you say so eloquently, when you loan someone money, it changes the dynamics of the relationship. You loan me $5, now I owe you so I cannot come back and say, hey, help us with North Korea.

This is not about North Korea. We got to take this country in a new direction. This is about North Carolina. This is about the north side of Youngstown. Okay? This is about the north side of Cleveland and the north end in Boston. This is about America. Let us get this country going in a new direction again.

We know what the world looks like when a neo conservative Republican agenda has been implemented. Just look around. Read the front page of the newspaper, Mr. MEEK. Look at the foreign policy, look at the domestic policy. That is the implementation of the neo conservative agenda.

You like it, vote Republican. You do not like it, take the country in a new direction and vote for the Democrats. And let me get this out here, our oldest and most trusted chart. If you would like to contact us, Mr. Speaker, Mr. MEEK, www.housedemocrats.gov/30somethings.

All of the charts that were available here tonight are available on that website. I would like to take one second to thank Tom Anatos who does such a tremendous job helping us gather all of this information.

I would like to thank my good friend from Miami. I missed not being with you last week while we were on break. I look forward to spending more time with you.

Mr. MEEK of Florida. Mr. RYAN, it is always a pleasure working with you, sir.

Mr. Speaker, we would like to thank the Democratic leadership for allowing

us to have this hour, all of the Members that participated in it.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HINOJOSA (at the request of Ms. PELOSI) for today and July 11 on account of a death in the family.

Mrs. JONES of Ohio (at the request of Ms. PELOSI) for today on account of official business in the district.

Ms. KILPATRICK of Michigan (at the request of Ms. PELOSI) for today.

Mr. MCNULTY (at the request of Ms. PELOSI) for today and July 11.

Ms. SLAUGHTER (at the request of Ms. PELOSI) for today.

Mr. GIBBONS (at the request of Mr. BOEHNER) for today on account of official business.

Mr. SESSIONS (at the request of Mr. BOEHNER) for the week of July 10 on account of taking his son to scout camp.

Mrs. EMERSON (at the request of Mr. BOEHNER) for today on account of travel delays.

SPECIAL ORDERS GRANTED

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

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

Mr. PALLONE, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mrs. MCCARTHY, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. LYNCH, for 5 minutes, today.

Ms. MCKINNEY, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

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

Mr. OSBORNE, for 5 minutes, today and July 11 and 12.

Mr. BISHOP of Utah, for 5 minutes, July 11.

Mr. POE, for 5 minutes, July 11, 12, 13, and 17.

Mr. MCHENRY, for 5 minutes, today and July 11, 12, and 13.

Mr. BURTON of Indiana, for 5 minutes, today and July 11, 12, and 13.

Mr. JONES of North Carolina, for 5 minutes, July 11, 12, and 13.

Mr. BURGESS, for 5 minutes, July 11 and 12.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2125. An act to promote relief, security, and democracy in the Democratic Republic of the Congo; to the Committee on International Relations.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on June 29, 2006, she presented to the President of the United States, for his approval, the following bills.

H.R. 5403. To improve protections for children and to hold States accountable for the safe and timely placement of children across State lines, and for other purposes.

H.R. 5603. To temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

Karen L. Haas, Clerk of the House also reports that on June 30, 2006, she presented to the President of the United States, for his approval, the following bills.

H.R. 889. To authorize appropriations for the Coast Guard for fiscal year 2006, to make technical corrections to various laws administered by the Coast Guard, and for other purposes.

H.R. 4912. 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.

ADJOURNMENT

Mr. MEEK of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 45 minutes p.m.), under its previous order, the House adjourned until, tomorrow, Tuesday, July 11, 2006, at 9 a.m., for morning hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

8374. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Citrus From Peru [Docket No. 03-113-3] received May 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8375. A letter from the Administrator, FSIS, Department of Agriculture, transmitting the Department's final rule — Addition of the People's Republic of China to the List of Countries Eligible to Export Processed Poultry Products to the United States [Docket No. 05-012F; FDMS No. FSIS-2005-0034] (RIN: 0583-AD20) received June 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8376. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Myclobutanil; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2006-0395; FRL-8068-2] received June 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8377. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Spinosad; Pesticide Tolerance Technical Correction [EPA-HQ-OPP-2005-0510; FRL-8073-9] received June 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8378. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Technical Amendments; Change of Address for the Office of Pesticicde Programs [EPA-HQ-OPP-2006-0403; FRL-8070-7] received June 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

8379. A letter from the Assistant General Counsel for Regulations, Office of General Counsel, Departemnt of Education, transmitting the Department's final rule — Notice of Waivers for the Native American Vocational Technical Education Program (NAVTEP) and the Tribally Controlled Postsecondary Vocational and Technical Institutions Program (TCPVTIP) and Funding of Continuation Grants — received June 23, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8380. A letter from the Assistant Secretary for Special Education and Rehabilitative Services, Department of Education, transmitting the Department's final rule — National Institute on Disability and Rehabilitation Research — Disability and Rehabilitation Research Projects and Centers Program; Funding Priorities — received June 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8381. A letter from the Assistant General Counsel, Division of Regulatory Services, Department of Education, transmitting the Department's final rule — Grants for the Integration of Schools and Mental Health Systems — received June 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8382. A letter from the Assistant General Counsel Division of Regulatory Services, Department of Education, transmitting the Department's final rule — Office of Safe and Drug-Free Schools; Overview Information; Emergency Response and Crisis Management Grant Program; Notice Inviting Applications for New Awards for Fiscal Year (FY) 2006 — received June 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8383. A letter from the Assistant General Counsel for Regulations, Office of General Counsel, Department of Education, transmitting the Department's final rule — Office of Special Education Programs — State Personnel Development Grants Program — received June 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8384. A letter from the Assistant General Counsel for Regulations, Office of General Counsel, Department of Education, transmitting the Department's final rule — National Institute on Disability and Rehabilitation Research — Disability and Rehabilitation Research Projects and Centers Program — Disability Rehabilitation Research Projects (DRRPs); Funding Priorities — received June 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8385. A letter from the Assistant General Counsel for Regulations, Office of General Counsel, Department of Education, transmitting the Department's final rule — National Institute on Disability and Rehabilitation Research — Disability and Rehabiliation Research Projects and Centers Program; Funding Priorities — received June 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8386. A letter from the Assistant General Counsel for Regulations, Office of General Counsel, Department of Education, transmitting the Department's final rule — National Institute on Disability and Rehabilitation

Research — Disability and Rehabilitation Research Projects and Centers Program — Spinal Cord Injury Model Systems Centers (SCIMS Centers) and Disability Rehabilitation Research Projects (DRRPs) — received June 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8387. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Amendment to Prohibited Transaction Exemption 2002-51 (PTE 2002-51) to Permit Certain Transactions Identified in the Voluntary Fiduciary Correction Program [Application No. D-11261] (RIN: 1210-A05) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8388. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Voluntary Fiduciary Correction Program Under the Employee Retirement Income Security Act of 1974 (RIN: 1210-AB03) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8389. A letter from the Deputy Executive Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits — received June 7, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8390. A letter from the Deputy Executive Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits — received May 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

8391. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Weatherization Assistance Program for Low-Income Persons (RIN: 1904-AB56) received June 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8392. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Kentucky; Redesignation of the Boyd County SO2 Nonattainment Area; Correction [EPA-R04-OAR-2005-KY-0002-200531(c); FRL-8187-4] received June 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8393. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri [EPA-R07-OAR-2006-028 7; FRL-8189-2] received June 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8394. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Oregon: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R10-RCRA-2006-0064; FRL-8188-8] received June 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8395. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protections for Subjects in Human Research; Nursing Women [EPA-HQ-OPP-2003-0132; FRL-8071-6] (RIN: 2070-AD57) received June 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8396. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous Waste and Used Oil; Corrections to Errors in the Code of Federal Regulations (FRL-8188-2] received June 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8397. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans Alabama: Open Burning Revision [EPA-R04-OAR-2006-0376-200611a; FRL-8187-1] received June 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8398. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Missouri [EPA-R07-OAR-2006-028 6; FRL-8188-6] received June 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8399. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Kansas [EPA-R07-OAR-2006-0365; FRL-8188-4] received June 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8400. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Extension of Site-Specific Regulations for University Laboratories XL Project [EPA-R01-RCRA-2006-0391; FRL-8186-3] received June 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8401. A letter from the Director, Regulations and Policy Management Staff, Food and Drug Administration, transmitting the Administration's final rule — Medical Devices; Ear, Nose, and Throat Devices; Classification of Olfactory Test Device [Docket No. 2006N-0182] received June 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8402. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule — Medical Devices; Exception from General Requirements for Informed Consent [Docket No. 2003N-0355] (RIN: 0910-AC25) received June 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8403. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule — Prescription Drug Marketing Act Pedigree Requirements; Effective Date and Compliance Policy Guide; Request for Comment [Docket Nos. 1992N-0297 (Formerly 92N-0297), 1988N-0258 (Formerly 88N-0258), 2006D-0226] received June 23, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8404. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Relief from Fingerprinting and Criminal History Records Check for Designated Categories of Individuals (RIN: 3150-AH94) received June 22, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8405. A letter from the Secretary, Department of Agriculture, transmitting the semiannual report of the Inspector General for the period ending March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

8406. A letter from the Secretary, Department of Education, transmitting the thirty-fourth Semiannual Report to Congress on Audit Follow-Up, covering the period October 1, 2005 through March 31, 2006 in compliance with the Inspector General Act Amendments of 1988, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

8407. A letter from the Secretary, Department of Housing and Urban Development, transmitting the Inspector General's semiannual report for the period October 1, 2005 through March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

8408. A letter from the Secretary, Department of Labor, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 2005 through March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

8409. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-394, ''Triangle Community Garden Equitable Real Property Tax Exemption and Relief Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8410. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-395, ''AccessRx Act Clarification Temporary Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8411. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-396, ''Health Care Privatization Benefit and Reimbursement Exemption Temporary Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8412. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-397, ''Day Care Grant-Making and Rulemaking Temporary Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8413. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-398, ''Far Southeast Community Organization Tax Exemption and Forgiveness for Accrued Taxes Temporary Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8414. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-399, ''Washington Nationals on T.V. Temporary Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8415. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-400, ''Board of Real Property Assessments and Appeals Reform Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8416. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-401, ''Right of Tenants to Organize Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8417. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-392, ''Commission on

Poverty Establishment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8418. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-403, ''NCRC and AWC Debt Acquisition Delegation Authority Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8419. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-402, ''Natural Gas and Home Heating Oil Taxation Relief and Ratepayer Clarification Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8420. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-409, ''New Convention Center Hotel Omnibus Financing and Development Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8421. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-393, ''Office of Police Complaints Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

8422. A letter from the Chairman, U.S. Parole Commission, Department of Justice, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act for the calendar year 2005, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

8423. A letter from the President & CEO, Federal Home Loan Bank Seattle, transmitting the 2005 management report of the Federal Home Loan Bank of Seattle, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform.

8424. A letter from the Senior Vice President & Chief Financial Officer, Federal Home Loan Bank of New York, transmitting the 2005 management report of the Federal Home Loan Bank of New York, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform.

8425. A letter from the Director, Financial Management, General Accountability Office, transmitting the FY 2005 annual report of the Comptrollers' General Retirement System, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Reform.

8426. A letter from the Director, Office of Personnel Management, transmitting the Office's report on the use of the Category Rating System for FY 2004 and FY 2005, pursuant to 5 U.S.C. 3319(d); to the Committee on Government Reform.

8427. A letter from the Chairman, Postal Rate Commission, transmitting the FY 2005 annual report on International Mail Costs, Revenues and Volumes, pursuant to 39 U.S.C. 3663(a) Public Law 105-277; to the Committee on Government Reform.

8428. A letter from the Commissioner, Social Security Administration, transmitting notification that it is in the public interest to use procedures other than competitive procedures for the Administration's medical and psycological expert contract for the Boston region, pursuant to 41 U.S.C. 253(c)(7); to the Committee on Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Filed on June 29, 2006]

Mr. BOEHLERT: Committee on Science. H.R. 5450. A bill to provide for the National Oceanic and Atmospheric Administration, and for other purposes; with an amendment (Rept. 109–545 Pt. 1). Ordered to be printed.

[Pursuant to the order of the House on June 29, 2006 the following report was filed on July 7, 2006]

Mr. OXLEY: Committee on Financial Services. H.R. 2990. A bill to improve ratings quality by fostering competition, transparency, and accountability in the credit rating agency industry; with an amendment (Rept. 109–546). Referred to the Committee of the Whole House on the State of the Union.

[Filed on July 10, 2006]

Mr. POMBO: Committee on Resources. H.R. 5232. A bill to direct the Secretary of the Interior to initiate and complete an evaluation of lands and waters located in Northeastern Pennsylvania for their potential acquisition and inclusion in a future Cherry Valley National Wildlife Refuge, and for other purposes (Rept. 109–547). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 4275. A bill to amend Public Law 106–348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States (Rept. 109–548). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 3085. A bill to amend the National Trails System Act to update the feasibility and suitability study originally prepared for the Trail of Tears National Historic Trail and provide for the inclusion of new trail segments, land components, and campgrounds associated with the trial, and for other purposes; with an amendment (Rept. 109–549). Referred to the Committee of the Whole House on the State of the Union.

Mrs. CAPITO: Committee on Rules. House Resolution 906. Resolution providing for consideration of the bill (H.R. 2990) to improve ratings quality by fostering competition, transparency, and accountability in the credit rating agency industry (Rept. 109–550). Referred to the House Calendar.

Mr. GINGREY: Committee on Rules. House Resolution 907. Resolution providing for consideration of the bill (H.R. 4411) to prevent the use of certain payment instruments, credit cards, and fund transfers for unlawful internet gambling, and for other purposes (Rept. 109–551). Referred to the House Calendar.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

[Filed on June 29, 2006]

Mr. TOM DAVIS of Virginia: Committee on Government Reform. H.R. 1317. A bill to amend title 5, United States Code, to clarify which disclosures of information are protected from prohibited personnel practices; to require a statement in nondisclosure policies, forms, and agreements to the effect that such policies, forms, and agreements are consistent with certain disclosure protections; and for other purposes, with an amendment; referred to the Committees on Armed Services, and Homeland Security for a period ending not later than September 11, 2006, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of those committees pursuant to clauses 1(c) and 1(i), rule X (Rept. 109–544, Pt. 1). Ordered to be printed.

[Filed on July 10, 2006]

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 4777. A bill to amend title 18, United States Code, to expand and modernize the prohibition against interstate gambling, and for other purposes, with an amendment; referred to the Committee on Energy and Commerce for a period ending not later than September 15, 2006, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(f), rule X (Rept. 109–552, Pt. 1). Ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

[Action taken on June 29, 2006]

H.R. 5450. Referral to the Committee on Resources extended for a period ending not later than September 11, 2006.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. GILLMOR (for himself and Mr. FRANK of Massachusetts):

H.R. 5746. A bill to amend the Federal Deposit Insurance Act to establish industrial bank holding company regulation, and for other purposes; to the Committee on Financial Services.

By Mr. CLEAVER:

H.R. 5747. A bill to amend section 245(i) of the Immigration and Nationality Act to extend the special adjustment of status to certain aliens currently in the United States who are married to United States citizens and parents of a United States citizen child; to the Committee on the Judiciary.

By Mr. BERRY:

H.R. 5748. A bill to suspend temporarily the duty on certain liquid crystal device (LCD) flat panel displays; to the Committee on Ways and Means.

By Mr. FOLEY (for himself and Mr. FITZPATRICK of Pennsylvania):

H.R. 5749. A bill to amend title 18, United States Code, to protect youth from exploitation by adults using the Internet, and for other purposes; to the Committee on the Judiciary.

By Mr. FRANK of Massachusetts:

H.R. 5750. A bill to amend title XVIII of the Social Security Act to limit the penalty for late enrollment under the Medicare Program to 10 percent and twice the period of no enrollment, and for other purposes; 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. POE:

H.R. 5751. A bill to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax equal to 50 percent of the compensation paid to employees while they are performing active duty service as members of the Ready Reserve or the National Guard and of the compensation paid to temporary replacement employees; to the Committee on Ways and Means.

By Mr. SIMMONS (for himself and Mr. FITZPATRICK of Pennsylvania):

H.R. 5752. A bill to provide for making grants to expand the capacity of the Big Brothers Big Sisters mentoring program for at-risk youth; to the Committee on Education and the Workforce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KANJORSKI:

H.R. 5753. A bill for the relief of Charmaine Bieda; to the Committee on the Judiciary.

By Mr. KUCINICH:

H.R. 5754. A bill for the relief of Theresa and Stefan Sajac; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 23: Mr. FATTAH, Mr. TOM DAVIS of Virginia, and Ms. VELÁZQUEZ.
H.R. 97: Mr. LEWIS of Kentucky and Mr. BRADY of Pennsylvania.
H.R. 198: Mr. BISHOP of Georgia.
H.R. 215: Mr. PETERSON of Minnesota and Mr. DOGGETT.
H.R. 550: Mr. MELANCON, Mr. SPRATT and Mr. LIPINSKI.
H.R. 552: Mr. GOODLATTE and Mr. NUSSLE.
H.R. 583: Mr. ALLEN and Mr. DELAHUNT.
H.R. 898: Ms. NORTON.
H.R. 946: Mr. ANDREWS.
H.R. 951: Mr. CAPUANO.
H.R. 959: Mr. HOLDEN.
H.R. 1059: Ms. PELOSI and Mr. CARDIN.
H.R. 1079: Mr. HUNTER.
H.R. 1188: Mr. MARSHALL.
H.R. 1227: Mr. HASTINGS of Washington, Mr. TIBERI, and Mr. OSBORNE.
H.R. 1248: Mr. HEFLEY.
H.R. 1369: Mr. GENE GREEN of Texas.
H.R. 1425: Mr. GUTIERREZ.
H.R. 1426: Mr. HEFLEY and Mr. BISHOP of Georgia.
H.R. 1462: Ms. GINNY BROWN-WAITE of Florida.
H.R. 1517: Mr. PLATTS, Mr. BOUSTANY, and Mr. SMITH of Texas.
H.R. 1545: Mrs. WILSON of New Mexico.
H.R. 1621: Mr. CLAY.
H.R. 1671: Mr. PICKERING.
H.R. 1704: Mr. DELAHUNT.
H.R. 1898: Mr. COLE of Oklahoma and Mr. GUTKNECHT.
H.R. 1996: Mr. BERMAN and Mr. PAYNE.
H.R. 2037: Mr. BRADY of Pennsylvania.
H.R. 2178: Mr. DINGELL and Mr. EVANS.
H.R. 2230: Mr. SHAYS.
H.R. 2378: Mr. BISHOP of Georgia.
H.R. 2568: Mr. BOUCHER.
H.R. 2928: Mr. WU.
H.R. 3142: Mr. WYNN.
H.R. 3145: Mr. PETERSON of Minnesota and Mr. SNYDER.
H.R. 3151: Mr. CUMMINGS and Mr. PETERSON of Minnesota.
H.R. 3478: Mr. GREEN of Wisconsin, Mr. WYNN, Mr. DOYLE, and Mr. ENGLISH of Pennsylvania.
H.R. 3559: Mr. CHANDLER, Mr. GINGREY, Mr. FRELINGHUYSEN, Mr. CUELLAR, Mrs. SCHMIDT, Mr. CASE, and Mr. PAYNE.
H.R. 3639: Mr. ANDREWS.
H.R. 3762: Mr. SAXTON.
H.R. 4158: Mr. WEXLER.
H.R. 4341: Mr. PETERSON of Pennsylvania.
H.R. 4371: Mr. CLEAVER, Mr. GOODE, and Mr. JEFFERSON.
H.R. 4384: Mr. PAYNE.
H.R. 4434: Mr. FILNER.
H.R. 4547: Mr. NUSSLE, Mr. WAMP, and Mr. CHABOT.
H.R. 4550: Mr. PAYNE.
H.R. 4597: Mr. BRADY of Pennsylvania, Mr. FILNER, Ms. SLAUGHTER, and Mr. BACA.
H.R. 4624: Mr. SANDERS and Mr. PETERSON of Minnesota.
H.R. 4654: Mr. DUNCAN.
H.R. 4740: Mrs. DRAKE.
H.R. 4747: Mrs. CHRISTENSEN, Mr. HASTINGS of Florida, Mr. CLYBURN, Mr. BRADY of Pennsylvania, Ms. MCCOLLUM of Minnesota, and Mr. CASE.
H.R. 4751: Mr. JONES of North Carolina, Mr. CLAY, Mr. FILNER, Mr. WYNN, and Mr. GINGREY.
H.R. 4824: Mr. SNYDER and Mr. HINCHEY.
H.R. 4903: Mr. GORDON.
H.R. 4924: Mrs. EMERSON.
H.R. 4980: Mr. BRADLEY of New Hampshire.
H.R. 4982: Mr. GEORGE MILLER of California.
H.R. 4994: Mr. PETERSON of Minnesota and Mr. GORDON.
H.R. 5005: Mr. CALVERT, Mrs. MILLER of Michigan, Mrs. CUBIN, Mr. OTTER, Mr. PUTNAM, Mr. WAMP, and Mr. ROGERS of Michigan.
H.R. 5013: Mr. CALVERT and Ms. HART.
H.R. 5033: Mr. CAPUANO.
H.R. 5120: Mr. REICHERT.
H.R. 5150: Ms. LEE and Mr. LANTOS.
H.R. 5166: Mr. PETERSON of Minnesota.
H.R. 5182: Mr. CASE, Mr. BARROW, Mr. NUSSLE, Ms. WASSERMAN SCHULTZ, and Ms. SOLIS.
H.R. 5188: Mr. BROWN of Ohio and Mr. BISHOP of Georgia.
H.R. 5200: Mr. MILLER of North Carolina, Mr. SANDERS, Mr. BOSWELL, and Mr. CASE.
H.R. 5236: Mr. BISHOP of Georgia.
H.R. 5249: Mrs. MALONEY and Mr. GRAVES.
H.R. 5262: Mr. ROGERS of Michigan.
H.R. 5273: Ms. CARSON.
H.R. 5290: Mr. HONDA.
H.R. 5319: Mr. GILLMOR.
H.R. 5390: Mr. PETERSON of Minnesota, Mr. DELAHUNT, and Mr. MARSHALL.
H.R. 5405: Mr. GOHMERT.
H.R. 5409: Mr. INGLIS of South Carolina.
H.R. 5444: Mr. ENGLISH of Pennsylvania and Mr. BISHOP of Georgia.
H.R. 5453: Mr. SALAZAR.
H.R. 5455: Mr. JACKSON of Illinois.
H.R. 5465: Mr. HIGGINS, Mr. GORDON, Mr. ORTIZ, Mr. ETHERIDGE, and Mrs. JO ANN DAVIS of Virginia.
H.R. 5468: Mr. MCCOTTER.
H.R. 5476: Mr. MARSHALL.
H.R. 5507: Mr. INGLIS of South Carolina.
H.R. 5513: Mr. PETERSON of Minnesota, Mr. MURPHY, Mr. CROWLEY, Mr. ROTHMAN, and Mr. BISHOP of New York.
H.R. 5519: Mr. PLATTS.
H.R. 5520: Mr. FORTENBERRY.
H.R. 5536: Mr. MCCOTTER, Mr. BRADY of Pennsylvania, and Mr. ENGLISH of Pennsylvania.
H.R. 5539: Mr. GORDON, Mr. BOSWELL, and Mr. GREEN of Wisconsin.
H.R. 5550: Ms. SLAUGHTER.
H.R. 5555: Mr. PETERSON of Minnesota, Mr. HINCHEY, and Mr. BILIRAKIS.
H.R. 5556: Mr. RADANOVICH, Mr. BLUMENAUER, and Mr. BRADLEY of New Hampshire.
H.R. 5557: Mr. SAXTON, Mr. SANDERS, and Mr. WELDON of Pennsylvania.
H.R. 5562: Mr. ENGLISH of Pennsylvania and Mr. HOLT.
H.R. 5583: Ms. JACKSON-LEE of Texas and Ms. BORDALLO.
H.R. 5588: Ms. WOOLSEY, Mr. SCOTT of Virginia, Mr. BISHOP of Georgia, and Mr. BOREN.
H.R. 5605: Mr. GORDON, Ms. JACKSON-LEE of Texas, Ms. BORDALLO, Mr. KILDEE, Mr. MCNULTY, Mr. JEFFERSON, Mr. RUPPERSBERGER, and Mr. PAYNE.
H.R. 5624: Mrs. MCCARTHY and Ms. BORDALLO.
H.R. 5640: Mr. CARDIN.
H.R. 5642: Ms. JACKSON-LEE of Texas, Ms. MATSUI, Ms. BALDWIN, and Mr. CASE.
H.R. 5656: Mr. MARIO DIAZ-BALART of Florida.
H.R. 5685: Mr. ISRAEL, Mr. HINCHEY, Mr. TOWNS, and Mr. BISHOP of New York.
H.R. 5696: Mr. CARDOZA.
H.R. 5704: Mrs. MUSGRAVE, Mr. REICHERT, Mrs. MYRICK, Ms. BERKLEY, and Mr. RENZI.
H.R. 5706: Mr. GREEN of Wisconsin.
H.R. 5738: Mr. ROTHMAN, Mrs. LOWEY, Mr. FITZPATRICK of Pennsylvania, and Ms. SLAUGHTER.
H.J. Res. 88: Mr. CRENSHAW.
H.J. Res. 90: Ms. BERKLEY.
H. Con. Res. 125: Mr. MORAN of Virginia, Mr. BROWN of Ohio, Mr. LARSEN of Washington, and Mr. LEWIS of Georgia.
H. Con. Res. 231: Mr. GINGREY.
H. Con. Res. 282: Mr. PAYNE.
H. Con. Res. 391: Ms. WOOLSEY.
H. Con. Res. 406: Mr. ANDREWS, Mr. MELANCON, Ms. ZOE LOFGREN of California, and Ms. JACKSON-LEE of Texas.
H. Con. Res. 432: Mr. ENGLISH of Pennsylvania.
H. Con. Res. 434: Mr. GARRETT of New Jersey, Mr. KUCINICH, Mr. SCHIFF, Mr. TOWNS, and Ms. SCHAKOWSKY.
H. Con. Res. 435: Ms. LINDA T. SÁNCHEZ of California.
H. Res. 526: Mr. HINCHEY and Mrs. CAPITO.
H. Res. 723: Mr. KENNEDY of Rhode Island and Mr. SALAZAR.
H. Res. 825: Mr. LEVIN.
H. Res. 852: Mr. ENGLISH of Pennsylvania.
H. Res. 858: Mr. GONZALEZ.
H. Res. 888: Mr. CUMMINGS, Ms. MOORE of Wisconsin, Mr. CLAY, Mrs. CHRISTENSEN, Ms. MILLENDER-MCDONALD, and Mr. HINCHEY.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4411

OFFERED BY: MR. DREIER

AMENDMENT NO. 1: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Internet Gambling Prohibition and Enforcement Act''.

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

Sec. 1. Short title and table of contents.

TITLE I—MODERNIZATION, OF THE WIRE ACT OF 1961

Sec. 101. Definitions.
Sec. 102. Modification of existing prohibition.
Sec. 103. Authorization of civil enforcement.
Sec. 104. Authorization of appropriations.
Sec. 105. Rules of construction.
Sec. 106. Sense of Congress.

TITLE II—POLICIES AND PROCEDURES REQUIRED TO PREVENT PAYMENTS FOR UNLAWFUL, GAMBLING

Sec. 201. Policies and procedures required to prevent payments for unlawful gambling.
Sec. 202. Technical and conforming amendment.

TITLE III—INTERNET GAMBLING IN OR THROUGH FOREIGN JURISDICTIONS

Sec. 301. Internet gambling in or through foreign jurisdictions.

TITLE I—MODERNIZATION OF THE WIRE ACT OF 1961

Sec. 101. DEFINITIONS.

Section 1081 of title 18, United States Code, is amended—

(1) by designating the five undesignated paragraphs that begin with ''The term'' as paragraphs (1) through (5), respectively;

(2) by amending paragraph (5), as so designated, to read as follows:

''(5) The term 'communication facility' means any and all instrumentalities, personnel, and services (among other things, the receipt, forwarding, or delivery of communications) used or useful in the transmission of writings, signs, pictures, and sounds of all kinds by aid of wire, cable, radio, or an electromagnetic, photoelectronic or photooptical system, or other like connection (whether fixed or mobile) between the points of origin and reception of such transmission.''; and

(3) by adding at the end the following:

''(6) The term 'bets or wagers'—

''(A) means the staking or risking by any person of something of value upon the outcome of a contest of others, a sporting event, or a game predominantly subject to chance, upon an agreement or understanding that the person or another person will receive something of value in the event of a certain outcome;

''(B) includes the purchase of a chance or opportunity to win a lottery or other prize (which opportunity to win is predominantly subject to chance);

''(C) includes any scheme of a type described in section 3702 of title 28; and

''(D) does not include—

''(i) any activity governed by the securities laws (as that term is defined in section 3(a)(47) of the Securities Exchange Act of 1934) for the purchase or sale of securities (as that term is defined in section 3(a)(10) of that Act);

''(ii) any transaction conducted on or subject to the rules of a registered entity or exempt board of trade under the Commodity Exchange Act;

''(iii) any over-the-counter derivative instrument;

''(iv) any other transaction that—

''(I) is excluded or exempt from regulation under the Commodity Exchange Act; or

''(II) is exempt from State gaming or bucket shop laws under section 12(e) of the Commodity Exchange Act or section 28(a) of the Securities Exchange Act of 1934;

''(v) any contract of indemnity or guarantee;

''(vi) any contract for insurance;

''(vii) any deposit or other transaction with an insured depository institution;

''(viii) participation in any game or contest in which participants do not stake or risk anything of value other than—

''(I) personal efforts of the participants in playing the game or contest or obtaining access to the Internet; or

''(II) points or credits that the sponsor of the game or contest provides to participants free of charge and that can be used or redeemed only for participation in games or contests offered by the sponsor; or

''(ix) participation in any fantasy or simulation sports game or educational game or contest in which (if the game or contest involves a team or teams) no fantasy or simulation sports team is based on the current membership of an actual team that is a member of an amateur or professional sports organization (as those terms are defined in section 3701 of title 28) and that meets the following conditions:

''(I) All prizes and awards offered to winning participants are established and made known to the participants in advance of the game or contest and their value is not determined by the number of participants or the amount of any fees paid by those participants.

''(II) All winning outcomes reflect the relative knowledge and skill of the participants and are determined predominantly by accumulated statistical results of the performance of individuals (athletes in the case of sports events) in multiple real-world sporting or other events.

''(III) No winning outcome is based—

''(aa) on the score, point-spread, or any performance or performances of any single real-world team or any combination of such teams; or

''(bb) solely on any single performance of an individual in any single real-world sporting or other event.

''(7) The terms 'credit', 'creditor', 'credit card', and 'card issuer' have the same meanings as in section 103 of the Truth in Lending Act.

''(8) The term 'electronic fund transfer'—

''(A) has the same meaning as in section 903 of the Electronic Fund Transfer Act, except that such term includes transfers that would otherwise be excluded under section 903(6)(E) of that Act; and

''(B) includes any fund transfer covered by Article 4A of the Uniform Commercial Code, as in effect in any State.

''(9) The term 'financial institution' has the same meaning as in section 903 of the Electronic Fund Transfer Act, except that such term does not include a casino, sports book, or other business at or through which bets or wagers may be placed or received.

''(10) The term 'financial transaction provider' has the same meaning as in section 5361 of title 31 (as added by title II of this Act).

''(11) The term 'foreign jurisdiction' means a jurisdiction of a foreign country or political subdivision thereof.

''(12) The term 'gambling business' means a business of betting or wagering.

''(13) The term 'information assisting in the placing of bets or wagers' means information knowingly transmitted by an individual in a gambling business that enables or facilitates a bet or wager and does not include—

''(A) any posting or reporting of any educational information on how to make a legal bet or wager or the nature of betting or wagering, as long as such posting or reporting does not solicit or provide information for the purpose of facilitating or enabling the placing or receipt of bets or wagers in a jurisdiction where such betting is illegal; or

''(B) advertising relating to betting or wagering in a jurisdiction where such betting or wagering is legal, as long as such advertising does not solicit or provide information for the purpose of facilitating or enabling the placing or receipt of bets or wagers in a jurisdiction where such betting is illegal.

''(14) The term 'insured depository institution'—

''(A) has the same meaning as in section 3 of the Federal Deposit Insurance Act; and

''(B) includes an insured credit union (as defined in section 101 of the Federal Credit Union Act).

''(15) The term 'interactive computer service' has the same meaning as in section 230(f) of the Communications Act of 1934.

''(16) The terms 'money transmitting business' and 'money transmitting service' have the same meanings as in section 5330(d) (determined without regard to any regulations prescribed by the Secretary thereunder).

''(17) The terms 'own or control' and to be 'owned or controlled' include circumstances within the meaning of section 2(a)(2) of the Bank Holding Company Act of 1956.

''(18) The term 'person' includes a government (including any governmental entity (as defined in section 3701(2) of title 28)).

''(19) The term 'State' means a State of the United States, the District of Columbia, or a commonwealth, territory, or possession of the United States.

''(20) The term 'tribe' or 'tribal' means an Indian tribe, as defined under section 4(5) of the Indian Gaming Regulatory Act of 1988).

''(21) For purposes of Section 1085(b), the term 'account' means—

''(A) the unpaid balance of money or its equivalent received or held by an insured depository institution in the usual course of business and for which it has given or is obligated to give credit, either conditionally or unconditionally, to an account, including interest credited, or which is evidenced by an instrument on which the depository institution is primarily liable; and

''(B) money received or held by an insured depository institution, or the credit given for money or its equivalent received or held by the insured depository institution in the usual course of business for a special or specific purpose, regardless of the legal relationships established thereby, including escrow funds, funds held as security for securities loaned by the depository institution, funds deposited as advance payment on subscriptions to United States Government securities, and funds held to meet its acceptances.''.

SEC. 102. MODIFICATION OF EXISTING PROHIBITION.

Section 1084 of title 18, United States Code, is amended to read as follows:

''1084. Use of a communication facility to transmit bets or wagers; criminal penalties

''(a) Except as otherwise provided in this section, whoever, being engaged in a gambling business, knowingly—

''(1) uses a communication facility for the transmission in interstate or foreign commerce, within the special maritime and territorial jurisdiction of the United States, or to or from any place outside the jurisdiction of any nation with respect to any transmission to or from the United States, of—

''(A) bets or wagers;

''(B) information assisting in the placing of bets or wagers; or

''(C) a communication, which entitles the recipient to receive money or credit as a result of bets or wagers, or for information assisting in the placing of bets or wagers; or

''(2) accepts, in connection with the transmission of a communication in interstate or foreign commerce, within the special maritime and territorial jurisdiction of the United States, or to or from any place outside the jurisdiction of any nation with respect to any transmission to or from the United States of bets or wagers or information assisting in the placing of bets or wagers—

''(A) credit, or the proceeds of credit, extended to or on behalf of another (including credit extended through the use of a credit card);

''(B) an electronic fund transfer or funds transmitted by or through a money transmitting business, or the proceeds of an electronic fund transfer or money transmitting service, from or on behalf of the other person;

''(C) any check, draft, or similar instrument which is drawn by or on behalf of the other person and is drawn on or payable through any financial institution; or

''(D) the proceeds of any other form of financial transaction as the Secretary of the Treasury and the Board of Governors of the Federal Reserve System may prescribe by regulation which involves a financial institution as a payor or financial intermediary on behalf of or for the benefit of the other person,

shall be fined under this title or imprisoned not more than five years, or both.

''(b) Nothing in this section prohibits—

''(1) the transmission of information assisting in the placing of bets or wagers for use in

news reporting if such transmission does not solicit or provide information for the purpose of facilitating or enabling the placing or receipt of bets or wagers in a jurisdiction where such betting is illegal;

''(2) the transmission of information assisting in the placing of bets or wagers from a State or foreign country where such betting or wagering is permitted under Federal, State, tribal, or local law into a State or foreign country in which such betting on the same event is permitted under Federal, State, tribal, or local law; or

''(3) the interstate transmission of information relating to a State-specific lottery between a State or foreign country where such betting or wagering is permitted under Federal, State, tribal, or local law and an out-of-State data center for the purposes of assisting in the operation of such State-specific lottery.

''(c) Nothing in this section prohibits the use of a communication facility for the transmission of bets or wagers or information assisting in the placing of bets or wagers, if—

''(1) at the time the transmission occurs, the individual or entity placing the bets or wagers or information assisting in the placing of bets or wagers, the gambling business, and, subject to section 1084(b)(3), any individual or entity acting in concert with a gambling business to process the bets or wagers are physically located in the same State, and for class II or class III gaming under the Indian Gaming Regulatory Act, are physically located on Indian lands within that State;

''(2) the State or tribe has explicitly authorized such bets and wagers, the State or tribal law requires a secure and effective location and age verification system to assure compliance with age and location requirements, and the gambling business and any individual or entity acting in concert with a gambling business to process the bets or wagers complies with such law;

''(3) the State has explicitly authorized and licensed the operation of the gambling business and any individual or entity acting in concert with a gambling business to process the bets and wagers within its borders or the tribe has explicitly authorized and licensed the operation of the gambling business and any individual or entity acting in concert with a gambling business to process the bets and wagers, on Indian lands within its jurisdiction;

''(4) with respect to class II or class III gaming, the game and gambling business complies with the requirements of the Indian Gaming Regulatory Act; and

''(5) with respect to class III gaming under the Indian Gaming Regulatory Act, the game is authorized under, and is conducted in accordance with, the respective Tribal-State compact of the Tribe having jurisdiction over the Indian lands where the individual or entity placing the bets or wagers or information assisting in the placing of bets or wagers, the gambling business, and any individual or entity acting in concert with a gambling business to process those bets or wagers are physically located, and such Tribal-State impact expressly provides that the game may be conducted using a communication facility to transmit bets or wagers information assisting in the placing of bets or wagers.

For purposes of this subsection, the intermediate routing of electronic data constituting or containing all or part of a bet or wager, or all or part of information assisting in the placing of bets or wagers, shall not determine the location or locations in which a bet or wager is transmitted, initiated, received or otherwise made; or from or to which a bet or wager, or information assisting in the placing of bets or wagers, is transmitted.

''(d) Nothing in this section creates immunity from criminal prosecution under any laws of any State or tribe.

''(e) Nothing in this section authorizes activity that is prohibited under chapter 178 of title 28, United States Code.

''(f) When any common carrier, subject to the jurisdiction of the Federal Communications Commission, is notified in writing by a Federal, State, tribal, or local law enforcement agency, acting within its jurisdiction, that any communication facility furnished by it is being used or will be used by its subscriber for the purpose of transmitting or receiving gambling information in interstate or foreign commerce, within the special maritime and territorial jurisdiction of the United States, or to or from any place outside the jurisdiction of any nation with respect to any transmission to or from the United States in violation of Federal, State, tribal, or local law, it shall discontinue or refuse, the leasing, furnishing, or maintaining of such facility, after reasonable notice to the subscriber, but no damages, penalty or forfeiture, civil or criminal, shall be found against any common carrier for any act done in compliance with any notice received from a law enforcement agency. Nothing in this section shall be deemed to prejudice the right of any person affected thereby to secure an appropriate determination, as otherwise provided by law, in a Federal court or in a State, tribal, or local tribunal or agency, that such facility should not be discontinued or removed, or should be restored.''.

SEC. 103. AUTHORIZATION OF CIVIL ENFORCEMENT.

Chapter 50 of title 18, United States Code, is amended by adding at the end the following new section:

§ 1085. Civil remedies

''(a) JURISDICTION.—The district courts of the United States (in addition to any other remedies under current law) shall have original and exclusive jurisdiction to prevent and restrain violations of section 1084 by issuing appropriate orders in accordance with this section, regardless of whether a prosecution has been initiated under section 1084.

''(b) PROCEEDINGS.—

''(1) The United States may institute proceedings under this section—

''(A) to obtain injunctive or declarative relief, including but not limited to a temporary restraining order and a preliminary injunction, against any person (other than a financial transaction provider) to prevent or restrain a violation or a threatened violation of section 1084;

''(B) in the case of an insured depository institution that is a financial transaction provider, to—

''(i) restrain an account maintained at such insured depository institution if such account is—

''(I) owned or controlled by a gambling business; and

''(II) includes proceeds of, or is used to facilitate a violation of, section 1084; or

''(ii) seize funds in an account described in subparagraph (i) if such funds—

''(I) are owned or controlled by a gambling business; and

''(II) constitute the proceeds of, were derived from, or facilitated, a violation of section 1084.

''(C) The limitation in subparagraph (A) shall not apply if the financial transaction provider is a gambling business within the meaning of section 1081(12), in which case such financial transaction provider shall be subject to the enforcement provisions under subparagraph (A).

''(2) The attorney general (or other appropriate State official) of a State in which a communication in violation of section 1084 allegedly has been or will be initiated or received may institute proceedings under this section to obtain injunctive or declarative relief to prevent or restrain the violation or threatened violation. Upon application of the attorney general (or other appropriate State official) of an affected State under this paragraph, the district court may enter a temporary restraining order, a preliminary injunction, an injunction, or declaratory relief against any person (other than a financial transaction provider) to prevent or restrain a violation or threatened violation of section 1084, in accordance with rule 65 of the Federal Rules of Civil Procedure.

''(3) Notwithstanding paragraphs (1) and (2), for a communication in violation of section 1084 that allegedly has been or will be initiated or received on Indian lands (as that term is defined in section 4 of the Indian Gaming Regulatory Act)—

''(A) the United States shall have the enforcement authority provided under paragraph (1);

''(B) the enforcement authorities specified in an applicable Tribal-State compact negotiated under section 11 of the Indian Gaming Regulatory Act (25 U.S.C. 2710) shall be carried out in accordance with that compact; and

''(C) if there is no applicable Tribal-State compact, an appropriate tribal official may institute proceedings in the same manner as an attorney general of a State.

No provision of this section shall be construed as altering, superseding, or otherwise affecting the application of the Indian Gaming Regulatory Act.

''(4) Notwithstanding paragraph (3), no relief shall be granted under this section against a financial transaction provider except as provided in paragraph (1).

''(c) No damages, penalty, or forfeiture, civil or criminal, shall be found against any person or entity for any act done in compliance with any notice received from a law enforcement agency.

''(d) Relief granted under this section against an interactive computer service (as defined in section 230(f) of the Communications Act of 1934) shall—

''(1) be limited to the removal of, or disabling of access to, an online site violating section 1084, or a hypertext link to an online site violating such section, that resides on a computer server that such service controls or operates; except this limitation shall not apply if the service is violating section 1084 or is in active concert with a person who is violating section 1084 and receives actual notice of the relief;

''(2) be available only after notice to the interactive computer service and an opportunity for the service to appear are provided;

''(3) not impose any obligation on an interactive computer service to monitor its service or to affirmatively seek facts indicating activity violating section 1084;

''(4) specify the interactive computer service to which it applies; and

''(5) specifically identify the location of the on-line site or hypertext link to be removed or access to which is to be disabled.''.

SEC. 104. AUTHORIZATION OF APPROPRIATIONS.

In addition to any other sums authorized to be appropriated for this purpose, there are authorized to be appropriated to the Department of Justice for each of fiscal years 2007 through 2010 $10,000,000 for investigations and prosecutions of violations of section 1084 of title 18, United States Code.

SEC. 105. RULES OF CONSTRUCTION.

(a) Nothing in this Act may be construed to prohibit any activity that is allowed

under Public Law 95–515 as amended (15 U.S.C. 3001 et seq.).

(b) Nothing in this Act may be construed to preempt State law prohibiting gambling.

SEC. 106. SENSE OF CONGRESS.

It is the sense of Congress that this Act does not change which activities related to horse racing may or may not be allowed under Federal law. Section 105 is intended to address concerns that this Act could have the effect of changing the existing relationship between the Interstate Horseracing Act (15 U.S.C. 3001 et seq.), and other Federal statutes that were in effect at the time of this Act's consideration; this Act is not intended to change that relationship; and this Act is not intended to resolve any existing disagreements over how to interpret the relationship between the Interstate Horseracing Act and other Federal statutes.

TITLE II—POLICIES AND PROCEDURES REQUIRED TO PREVENT PAYMENTS FOR UNLAWFUL GAMBLING

SEC. 201. POLICIES AND PROCEDURES REQUIRED TO PREVENT PAYMENTS FOR UNLAWFUL GAMBLING.

Chapter 53 of title 31, United States Code, is amended by adding at the end the following new subchapter:

''SUBCHAPTER IV—POLICIES AND PROCEDURES REQUIRED TO PREVENT PAYMENTS FOR UNLAWFUL GAMBLING

''§ 5361. Definitions

''For purposes of this subchapter, the following definitions shall apply:

''(1) CREDIT; CREDITOR; CREDIT CARD; AND CARD ISSUER.—The terms 'credit', 'creditor', 'credit card', and 'card issuer' have the same meanings as in section 103 of the Truth in Lending Act.

''(2) DESIGNATED PAYMENT SYSTEM.—The term 'designated payment system' means any system utilized by a financial transaction provider that the Secretary and the Board of Governors of the Federal Reserve System, in consultation with the Attorney General, jointly determine, by regulation or order, could be utilized in connection with, or to facilitate, any restricted transaction.

''(3) ELECTRONIC FUND TRANSFER.—The term 'electronic fund transfer'—

''(A) has the same meaning as in section 903 of the Electronic Fund Transfer Act, except that such term includes transfers that would otherwise be excluded under section 903(6)(E) of that Act; and

''(B) includes any fund transfer covered by Article 4A of the Uniform Commercial Code, as in effect in any State.

''(4) FINANCIAL INSTITUTION.—The term 'financial institution' has the same meaning as in section 903 of the Electronic Fund Transfer Act, except that such term does not include a casino, sports book, or other business at or through which bets or wagers may be placed or received.

''(5) FINANCIAL TRANSACTION PROVIDER.—The term 'financial transaction provider' means a creditor, credit card issuer, financial institution, operator of a terminal at which an electronic fund transfer may be initiated, money transmitting business, or international, national, regional, or local payment network utilized to effect a credit transaction, electronic fund transfer, stored value product transaction, or money transmitting service, or a participant in such network, or other participant in a designated payment system.

''(6) INSURED DEPOSITORY INSTITUTION.—The term 'insured depository institution'—

''(A) has the same meaning as in section 3 of the Federal Deposit Insurance Act; and

''(B) includes an insured credit union (as defined in section 101 of the Federal Credit Union Act).

''(7) MONEY TRANSMITTING BUSINESS AND MONEY TRANSMITTING SERVICE.—The terms 'money transmitting business' and 'money transmitting service' have the same meanings as in section 5330(d) (determined without regard to any regulations prescribed by the Secretary thereunder).

''(8) RESTRICTED TRANSACTION.—The term 'restricted transaction' means any transaction or transmittal involving any credit, funds, instrument, or proceeds described in any paragraph of section 5362 which the recipient is prohibited from accepting under such section.

''(9) SECRETARY.—The term 'Secretary' means the Secretary of the Treasury.

''(10) UNLAWFUL GAMBLING.—

''(A) IN GENERAL.—The term 'unlawful gambling' means to place, receive, or otherwise knowingly transmit a bet or wager by any means which involves the use of a communication facility where such bet or wager is unlawful under any applicable Federal or State law in the State or tribal lands in which the bet or wager is initiated, received, or otherwise made.

''(B) EXCLUSION OF CERTAIN AUTHORIZED TRANSACTIONS.—The term 'unlawful gambling' does not include any intrastate or intratribal transactions authorized under section 1084(c) of title 18, United States Code.

''(C) INTERMEDIATE ROUTING.—With respect to section 5362, the intermediate routing of electronic data shall not determine the location or locations in which a bet or wager is initiated, received, or otherwise made.

''(11) OTHER TERMS.—The terms 'bet or wager', 'communication facility', 'gambling business', 'own and control', 'person', 'State', and 'tribal' have the same meanings as in section 1081 of title 18.

''§ 5362. Prohibition on acceptance of any financial instrument for unlawful gambling

''No person engaged in a gambling business may knowingly accept, in connection with the participation of another person in unlawful gambling—

''(1) credit, or the proceeds of credit, extended to or on behalf of such other person (including credit extended through the use of a credit card);

''(2) an electronic fund transfer, or funds transmitted by or through a money transmitting business, or the proceeds of an electronic fund transfer or money transmitting service, from or on behalf of such other person;

''(3) any check, draft, or similar instrument which is drawn by or on behalf of such other person and is drawn on or payable at or through any financial institution; or

''(4) the proceeds of any other form of financial transaction, as the Secretary and the Board of Governors of the Federal Reserve System may jointly prescribe by regulation, which involves a financial institution as a payor or financial intermediary on behalf of or for the benefit of such other person.

''§ 5363. Policies and procedures to identify and prevent restricted transactions

''(a) REGULATIONS.—Before the end of the 270-day period beginning on the date of the enactment of this subchapter, the Secretary and the Board of Governors of the Federal Reserve System, in consultation with the Attorney General, shall prescribe regulations (which the Secretary and the Board jointly determine to be appropriate) requiring each designated payment system, and all participants therein, to identify and block or otherwise prevent or prohibit restricted transactions through the establishment of policies and procedures reasonably designed to identify and block or otherwise prevent or prohibit the acceptance of restricted transactions in any of the following ways:

''(1) The establishment of policies and procedures that—

''(A) allow the payment system and any person involved in the payment system to identify restricted transactions by means of codes in authorization messages or by other means; and

''(B) block restricted transactions identified as a result of the policies and procedures developed pursuant to subparagraph (A).

''(2) The establishment of policies and procedures that prevent or prohibit the acceptance of the products or services of the payment system in connection with a restricted transaction.

''(b) REQUIREMENTS FOR POLICIES AND PROCEDURES.—In prescribing regulations under subsection (a), the Secretary and the Board of Governors of the Federal Reserve System shall—

''(1) identify types of policies and procedures, including nonexclusive examples, which would be deemed, as applicable, to be reasonably designed to identify and block or otherwise prevent or prohibit the acceptance of the products or services with respect to each type of restricted transaction;

''(2) to the extent practical, permit any participant in a payment system to choose among alternative means of identifying and blocking, or otherwise preventing or prohibiting the acceptance of the products or services of the payment system or participant in connection with, restricted transactions; and

''(3) consider exempting certain restricted transactions or designated, payment systems from any requirement imposed under such regulations, if the Secretary and the Board jointly find that it is not reasonably practical to identify and block, or otherwise prevent or prohibit the acceptance of, such transactions.

''(c) COMPLIANCE WITH PAYMENT SYSTEM POLICIES AND PROCEDURES.—A financial transaction provider shall be considered to be in compliance with the regulations prescribed under subsection (a), if—

''(1) such person relies on and complies with the policies and procedures of a designated payment system of which it is a member or participant to—

''(A) identify and block restricted transactions; or

''(B) otherwise prevent or prohibit the acceptance of the products or services of the payment system, member, or participant in connection with restricted transactions; and

''(2) such policies and procedures of the designated payment system comply with the requirements of regulations prescribed under subsection (a).

''(d) NO LIABILITY FOR BLOCKING OR REFUSING TO HONOR RESTRICTED TRANSACTIONS.—A person that identifies and blocks a transaction, prevents or prohibits the acceptance of its products or services in connection with a transaction, or otherwise refuses to honor a transaction—

''(1) that is a restricted transaction;

''(2) that such person reasonably believes to be a restricted transaction; or

''(3) as a designated payment system or a member of a designated payment system in reliance on the policies and procedures of the payment system, in an effort to comply with regulations prescribed under subsection (a),

shall not be liable to any party for such action.

''(e) REGULATORY ENFORCEMENT.—The requirements of this subchapter shall be enforced exclusively by—

''(1) the Federal functional regulators, with respect to the designated payment systems and financial transaction providers subject to the respective jurisdiction of such regulators under section 505(a) of the Gramm-Leach-Bliley Act and section 5g of the Commodities Exchange Act; and

''(2) the Federal Trade Commission, with respect to designated payment systems and financial transaction providers not otherwise subject to the jurisdiction of any Federal functional regulators (including the Commission) as described in paragraph (1).''.

SEC. 202. TECHNICAL AND CONFORMING AMENDMENT.

The table of sections for chapter 53 of title 31, United States Code, is amended by adding at the end the following:

''SUBCHAPTER IV—POLICIES AND PROCEDURES REQUIRED TO PREVENT PAYMENTS FOR UNLAWFUL GAMBLING

''5361. Definitions.

''5362. Prohibition on acceptance of any financial instrument for unlawful gambling.

''5363. Policies and procedures to identify and prevent restricted transactions.''.

TITLE III—INTERNET GAMBLING IN OR THROUGH FOREIGN JURISDICTIONS

SEC. 301. INTERNET GAMBLING IN OR THROUGH FOREIGN JURISDICTIONS.

(a) IN GENERAL.—In deliberations between the United States Government and any other country on money laundering, corruption, and crime issues, the United States Government should—

(1) encourage cooperation by foreign governments and relevant international fora in identifying whether Internet gambling operations are being used for money laundering, corruption, or other crimes;

(2) advance policies that promote the cooperation of foreign governments, through information sharing or other measures, in the enforcement of this Act; and

(3) encourage the Financial Action Task Force on Money Laundering, in its annual report on money laundering typologies, to study the extent to which Internet gambling operations are being used for money laundering purposes.

(b) REPORT REQUIRED.—The Secretary of the Treasury shall submit an annual report to the Congress on any deliberations between the United States and other countries on issues relating to Internet gambling.

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Senate

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord of creation, lead us through this day. Control our thoughts, words, and deeds as we serve as Your ambassadors. Show us the tasks that deserve our attention. Keep us from the wrong focus.

Continue to sustain the Members of this body. Answer their prayers; protect them from dangers; keep them faithful.

Help us all to remember that those who take refuge in You will never be put to shame.

Bless our military men and women. Be their light in darkness. In Your great mercy defend them from perils and dangers. We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, today we will begin with a 1-hour period for morning business. At 3 o'clock this afternoon, we will start debate on H.R. 5411, the Department of Homeland Security Appropriations Act. Chairman GREGG will be here to manage the bill, and we hope that Members will come forward to offer amendments today. We will not have any rollcall votes during today's session, although I encourage Members to come forward with their opening remarks. We need to finish this bill this week and, therefore, Senators should be ready as soon as possible if they intend to offer amendments. I again encourage Senators to contact the bill managers if they would like to offer amendments so these amendments can be scheduled for the appropriate time.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Democratic leader is recognized.

SENATE AGENDA

Mr. REID. Mr. President, in Roll Call today, we learned that the Republican majority is going to attempt to finish earlier than we anticipated. In fact, the quote is that the majority leader and the majority whip have ''scrapped plans to keep the Senate in session through the beginning of October, and will instead look to wrap up work on as many appropriations bills and other must pass measures before September 27.''

This new adjournment date means the Senate has only 8 more weeks in which it will be in session, 40 business days. If we subtract Labor Day, that makes 39 days. If we subtract Mondays and Fridays—which seem to be what we subtract on a weekly basis—there are 23 legislative days left in the 109th Congress—23 days and so much to do.

For months, this what others have deemed the do-nothing Republican Congress has wasted time on issues such as the nuclear option, the marriage amendment, drilling in the Arctic Wildlife Refuge, flag burning, bankruptcy class action, and, of course, time and again, the estate tax repeal.

As a result, here we are with only a handful of weeks remaining—in fact, a handful of days, 23—to do so much and to address the priorities of the American people.

I had a wonderful week last week in Las Vegas, in Searchlight. I traveled the State. I spent it all in southern Nevada. The concerns I heard from my constituents are the same concerns this Republican Congress has been ignoring for the last 18 months.

For example, I traveled a few miles out of Las Vegas. Years ago it seemed as though it was a long way out of Las Vegas. From downtown Las Vegas, it is less than an hour to a place called Coyote Springs. It is partially in Lincoln County and partially in Clark County. We were there talking about a new development. At that place in the desert, they are going to build 159,000 new homes—159,000 new homes—creating half a million jobs. Those people who are going to be living in those homes and building those homes are concerned about the price of gasoline, as well they should be.

The price of gas this past week has gone up 11 cents a gallon. The average price now in Nevada is over $3 a gallon, more than 50 cents a gallon than it was just a year ago. Families are pouring their savings into their gas tanks, but this Republican Congress has done nothing to help them—and I mean nothing.

While they have been quick to address nonissues that the far right wants—and these issues have no hope of passing—they spend valuable time on the Senate floor sending a message to their base, is what we are told.

For example, have we done anything about alternative energy? Nothing—nothing to harness the sun, the wind, geothermal.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Have we done anything to look at global warming? No, nothing.

Today in Nevada and across the West and, in fact, across the world, really, people are talking about how the weather has changed. In the West, in Nevada, we are concerned about early wildfires burning hundreds of thousands of acres already. New research seems to link these to the change in climate patterns. But has the administration or this Republican Congress taken steps to reduce the risk of global climate change? No. This administration doesn't even acknowledge it exists.

When the documentary ''Inconvenient Truth'' came out, which is a tremendous movie showing the problems we have with global warming—ice caps dropping into the ocean, weather patterns that have changed significantly, and they are documented—when the President was asked if he was going to watch the movie, he said: Doubt it. In a cavalier fashion: I doubt it. No, not ''I doubt it,'' ''Doubt it.''

As I have indicated, they are more than willing to debate pet issues of the far right, such as the definition of marriage—afraid, I guess, of angering their White House or political base by investigating and taking action on global warming.

These are tough issues relating to global warming. We have to do something. It is not going to be easy.

Health care is the same story. Today in Nevada there are almost 450,000 individuals without health insurance; more than 100,000 of them are children. Has this Republican Congress done anything in the last 18 months to help? No. We had Health Week that really wasn't a health week.

We have 23 legislative days remaining and a list of items we need to accomplish that is a mile long. To say we need to get to work is an understatement.

It is my hope that the majority will make time for these important issues before we adjourn. But this afternoon, I want to focus on just two issues that must come to the floor this month: the Voting Rights Act and stem cell legislation.

There is no reason we have not dealt with these issues already. The House passed H.R. 810, the stem cell research bill, more than a year ago. The original timetable for extending the Voting Rights Act was May, the majority leader telling us he would bring the stem cell bill before the Senate came more than a year ago. But here we are with 23 days left, and there is still no specific date set for debate on either issue.

I understand we left for the recess with a stem cell agreement saying we would debate three stem cell measures, but when is not clear. We want to do it this month. That is July, finish the stem cell legislation in July. We can do it. There is 12 hours for each piece of legislation. We can do it in a few days, certainly in a week. We need to do this.

I am told that the Judiciary Committee is going to schedule markup on the voting rights legislation on Thursday. That is good. That is progress. But we need more. We need the majority leader to schedule a specific date in July for each of these issues to come to the floor. Each day these bills are delayed, the majority is withholding hope from the American people.

As to the Voting Rights Act, President Johnson came just a few feet off the Senate floor to the President's Room to sign the Voting Rights Act. People gave their lives, Mr. President, so the Voting Rights Act would pass; they literally gave their lives. I just finished reading a wonderful book called ''At Canaan's Edge'' by Taylor Branch. It is 800 pages all about the last year or two of Dr. King's life and what these people went through to have civil rights legislation passed and the Voting Rights Act passed. Literally, they let their blood. They were beaten, stomped, kicked, shot, stabbed, and killed.

We need to pass this Voting Rights Act. We need to move it on. It is going to expire. We need to pass it now. Reauthorizing it will help ensure that every American citizen has the ability to cast their ballot regardless of the language they speak or the color of their skin or where they live.

This legislation should be above politics and partisanship. It is about living up to our founding creed of equality and justice for all. The Voting Rights Act needs to be extended, and there is no reason for us to wait.

There is no reason for us to wait on stem cell research. Stem cell research holds promise for medical breakthroughs.

I was in church a week ago Sunday. I am not going to mention his name, but he is there every Sunday I go. When we are home in Searchlight, we go to Boulder City to church. He is in a wheelchair. He tapped me on the shoulder. I turned around, and he said: H.R. 810.

It took me a while to think what it was, and then I remembered. He has Parkinson's disease. He has hope that this will help him, as do people who are inflicted with diabetes, Lou Gehrig's disease, and Alzheimer's.

In 23 days we need to do this. This has to be part of our program this month, July: the Voting Rights Act and stem cell legislation.

So I hope my friend, the distinguished majority leader, in scheduling legislation for this month, when we get past the Homeland Security appropriations bill, will go to one of these two bills and then go to the other one and finish them. It will be a good day for the Senate and a really good day for our country.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business until 3 p.m., with the time equally divided between the two leaders or their designees.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WYDEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak in morning business.

The PRESIDENT pro tempore. The Senate is in morning business until the hour of 3 p.m.

Mr. WYDEN. I ask unanimous consent to be recognized.

The PRESIDENT pro tempore. Without objection, it is so ordered.

OIL COMPANY FINANCIAL DATA

Mr. WYDEN. Mr. President, I think we all know that during this part of the session the Senate is going to spend considerable time focusing on energy issues. That is certainly warranted because, if there is one thing that can be agreed on, getting a fresh energy policy is just about the most red, white, and blue step our country can take at this critical time.

During the course of this debate, one issue that is sure to come up is the issue of oil company profits. The oil companies have consistently said that they need these very large profits in order to have the funds to drill and explore for new energy sources. I certainly feel strongly about developing new energy sources and increasing production, but I have been concerned about the role of government. At a time when the oil companies are making record profits and charging record prices, Congress has still been making available record subsidies. To get some clarity on this issue, I believed it was important to get the Congressional Research Service, the independent authority, to look at these issues, to analyze the question of exactly where the oil companies are putting this gusher of revenue they have accumulated recently. The findings in the new report the Congressional Research Service has given to me are striking.

What the Congressional Research Service has found is that the return on equity of the major oil companies has gone up in the last few years six times; the amount of cash reserves of the major oil companies have has gone up, over the same time, about six times; but the amount of money the companies have devoted to exploration and capital investment has only doubled. So what that means, the bottom line, is that the major oil companies are only putting back in the ground a modest fraction of what they have been siphoning away from consumers at the pump across our country.

What I would like to do is break down this report and talk about where I believe Congress ought to go on a bipartisan basis in the years ahead.

On the issue of return on equity, I asked the Congressional Research Service to examine the years of 1999 to present. They found that, with respect to return on equity for the oil companies, it was about 4.5 percent in 1999 and it is nearly 30 percent as of last year. That is an increase of more than six times over the last 6 years. The Congressional Research Service also looked at the cash reserves of the largest oil companies over the last 6 years. They have found that this, as well, has gone up sixfold. So the companies are clearly sitting on gushers of cash from higher oil prices and higher gas prices that consumers are now paying across the country.

I believe it was then appropriate to have the Congressional Research Service analyze what the oil companies are doing with all of this money. Certainly the companies have made the argument that they are investing these profits in exploring for oil and developing new energy technology. That certainly is part of the story, but it is far from the whole picture.

According to the Congressional Research Service, the major oil companies have approximately doubled their exploration costs and their overall capital investment over the past 6 years, but that rate of increase is just a fraction of how much their cash reserves and their return on equity have grown over that period. In addition, Congressional Research Service experts indicate that much of the oil companies' capital investment has been for operating expenses, not for increasing production, and much of what they seem to have invested in exploration has gone for overseas exploration.

Again, you come back to what I think is the clear conclusion of this particular analysis: The American people are seeing the oil companies put back in the ground just a modest part of what the consumer is coughing up at gas pumps across the land.

One of the questions I hope we will ask over this next period of the Senate being in session is, Why are the oil companies not putting some of their burgeoning cash reserves into investment in other technologies, particularly new renewable energy technologies which could help the oil industry diversify and help reduce our Nation's dependence on foreign energy? We ought to examine that issue, and certainly what the Congressional Research Service has done for my office makes a different contribution with respect to this debate and one that I think warrants thorough examination.

The Congressional Research Service looked, for me, at the 10–K reports the oil companies file with the Securities and Exchange Commission. That is the information which Exxon and BP and Shell and Chevron and ConocoPhillips, Valero and Sunoco and Total report to their investors and to Wall Street. But what is in those 10–Ks that are given over to the Securities and Exchange Commission is not the story the oil companies seem to be telling the American people. The oil companies have been running ads in newspapers, claiming that their profits are in line with those of other industries. For example, the American Petroleum Institute has been running a newspaper ad showing the oil and natural gas industry's earnings of 5.9 cents on a dollar of sales, which is just above the 5.6-percent average for all industries. But suffice it to say, how many of the industries listed in these oil company ads are getting the 30-percent rate of return on equity that the Congressional Research Service has found in the report that I make public today?

The oil industry wants the public to believe that the record profits they are making are in line with other businesses, but it seems to me the Congressional Research Service analysis of the oil companies' own reports to the Government tells a very different story. This is particularly important right now because I believe the American people deserve a true accounting of what has been going on behind the numbers at the gas pump and where their hard-earned money has been going for the past several years. The report I release today on oil company financial data shows the oil industry's profits are not only greater than the profits of other businesses, but they also show how the oil companies have not been straight with the American people.

I also think it is timely to have this information about oil company profits because of the debate in both the Senate and in the other body about oil royalty giveaways to the oil industry. At a time of record prices, when oil companies are making record profits that are above what other industries are earning, the question is, Should the oil companies continue to get record subsidies from the taxpayers?

In May, the House of Representatives held a historic vote to put an end to taxpayer-funded royalty giveaways to profitable oil companies. The House of Representatives voted overwhelmingly on a bipartisan basis to put a stop to this waste of taxpayer funds. Just a few weeks before that House vote, I spent nearly 5 hours trying to get a vote here in the Senate on exactly this issue. But despite that extended discussion, I was unable to get an up-or-down vote on my proposal to stop ladling out tens of billions of dollars of unnecessary subsidies to the oil sector.

I believe the Senate ought to have an opportunity to debate and vote on the oil royalty issue, and it seems especially timely after the new report the Congressional Research Service has supplied to me. With the Government Accountability Office estimating that tens of billions of taxpayer dollars could be lost as a result of the oil royalty program, this issue is too important to duck.

Over the next few weeks, as the Senate debates energy, I am hopeful that the Senate will think carefully about the findings of the independent Congressional Research Service. The Congressional Research Service analysis indicates to me that the oil industry in their advertisements and other promotions is not being straight with the American people. The Congressional Research Service has given us a good sense of where the oil sector is actually putting their money, and at a time when their rate of return on equity—30 percent—is certainly very strong and we look at where their cash reserves are—and they are sitting on piles of money—we are not seeing those dollars put back into exploration and development here in our country so we can have a new red, white, and blue energy policy that makes us independent from sources of foreign oil.

Let's work to have a debate in the Senate based on the facts. The Congressional Research Service has now given us illuminating information about what the facts are. Let's make better use of taxpayer dollars than to give away tens of billions of dollars in royalties in a program that began when oil was $19 a barrel and now frequently is well over $70 a barrel. This is a time for the Senate to come together on a bipartisan basis to look at these issues carefully. The Congressional Research Service report provides an opportunity to get the facts out—the real facts—about what is going on in this critical sector of our economy.

I ask unanimous consent that the report of the Congressional Research Service be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESSIONAL RESEARCH SERVICE,
Washington, DC, July 5, 2006.

MEMORANDUM

To: Hon. RON WYDEN.
Subject: Oil Company Financial Data.
From: Robert Pirog, Specialist in Energy Economics and Policy, Resources, Science, and Industry Division.

This memorandum is written in response to your request for financial data for selected oil companies for the period 1999 to 2005. The companies for which you requested data are ExxonMobil, BP, Shell, Valero, Chevron, ConocoPhillips, Sunoco, and Total SA. The analysis is complicated by reason of mergers and acquisitions among the selected firms, differences in U.S. and international accounting standards, currency exchange rates, differences in the size of the selected companies, and differences in the extent to which the selected companies participate in all aspects of the oil business. The likely effects of these factors will be noted in the appropriate sections of this memorandum.

Profit rates

Profit rates are usually expressed as net income as a percentage of a relevant base; usually revenue, shareholder equity, or assets. Each profit rate provides a different measure of the success of the firm. Profit relative to revenue shows how well the firm translates revenue into net income. Profit relative to shareholder equity shows how effective the firm is in utilizing the capital invested in the firm by its owners, the shareholders. Profit relative to assets shows how effective the firm is in utilizing its total asset base to generate net income.

Table 1 shows the average return on revenue and the return on equity for the eight selected oil companies. The averages are simple averages; they do not assign weights to account for the different sizes of the firms in the group. ExxonMobil, the largest company in the group, has total revenues over ten times as large as Sunoco, the smallest company in the group. However, a weighted average would still not account for the fact that the sample of eight companies is only a fraction of the industry. For example, the Oil and Gas Journal includes over 130 companies in its oil and gas firms' earning report.

TABLE 1. RATES OF RETURN FOR SELECTED OIL COMPANIES

[Percentages]

Year	% Return on revenue	% Return on equity
1999	2.88	4.64
2000	5.79	24.85
2001	5.36	16.67
2002	3.89	8.11
2003	5.23	18.47
2004	6.45	26.18
2005	7.10	29.38

Source: Security and Exchange Commission Forms 10–K and 20–F, Company Financial Reports.

Over the seven year period, the average return on revenue was 5.24 percent, while the average return on equity was 18.32 percent. Both profit measures increased when the recent increases in the price of oil began in 2003. Two of the companies in the data set, Valero and Sunoco, are refiners and marketers with no crude oil production. These two firms were not, therefore, positioned to benefit directly from increases in the price of crude oil.

Cash reserves

Companies might accumulate cash reserves in anticipation of a major merger or acquisition, before a share re-purchase, or before a capital investment expenditure. In the case of the selected oil companies, these reasons might be augmented by the rapid expansion of sales revenues associated with the increases in the prices of crude oil and products from 2003 through 2005. Large investment projects take time to plan and execute, and it may be that the rapidly increasing revenues these firms realized could not be efficiently allocated in the available time.

Both upstream (exploration and production) and downstream (refining and marketing) investments in the oil industry tend to cost billions of dollars and take years to plan, complete, and realize returns from. Investment decisions are based on company estimates of the long-term, expected, price of oil. It may not be that the current market price of oil is equivalent to the companies' long-term expected price of oil. If the long-term planning price of oil is significantly lower than the current market price, it might appear that the companies have not increased investment in capacity to a degree commensurate with increased market prices.

TABLE 2. CASH RESERVES OF SELECTED OIL COMPANIES

[In millions of dollars]

Year	Cash reserves
1999	9,495
2000	27,185
2001	23,875
2002	20,908
2003	24,764
2004	41,323
2005	57,828

Source: Security and Exchange Commission Forms 10–K and 20–F, Company Financial Reports. Note: Shell, Valero, and ConocoPhillips data could not be obtained for 1999. Shell data could not be obtained for 2000.

Table 2 shows that the cash reserves of the selected oil companies have more than doubled from 2001 to 2005, the period of complete data. In 2005, three companies, ExxonMobil, Shell, and Chevron accounted for over 87 percent of the total cash reserves.

Exploration and capital investment

Exploration expenses are undertaken to locate and develop new commercially viable deposits of crude oil and natural gas. Two of the eight companies in the data set, Valero and Sunoco, have no exploration expenses since they operate only in the downstream portion of the industry. Since oil fields deplete over time and production tends to decline, oil producers must carry out a successful exploration program to keep their reserve and production positions constant. However, it cannot be determined from financial data which exploration expenses are ''net'' in the sense of increasing production and reserves, and which are ''gross'', including depletion replacement. As a result, increasing exploration expenses are not necessarily tied to increased production capability or reserves. Most of the firms also report dry hole expenses in exploration. Dry holes do not add to either production capacity or reserves.

Capital investment expenditures were drawn from the companies cash flow statements. These values represent actual outlays made during the year. As a result, the values for capital investment reported in Table 3 represent gross investment, rather than investment net of depreciation. In the current economic environment, it is likely that all investments, new, as, well as those that replace depreciated assets, must pass a profitability test to be undertaken. As a result, gross investment is likely to represent well the companies investment decisions.

TABLE 3. EXPLORATION AND CAPITAL INVESTMENT EXPENDITURES OF SELECTED OIL COMPANIES

[In millions of dollars]

Year	Exploration expense	Capital investment
1999	1,794	32,835
2000	3,114	36,417
2001	3,843	52,798
2002	4,231	55,577
2003	5,018	56,558
2004	5,318	58,304
2005	4,704	68,884

Source: Security and Exchange Commission Forms IO–K and 20–F, Company Financial Reports. Note: Shell and ConocoPhillips exploration data was not available for 1999. ConocoPhillips capital investment data was not available for 1999.

Conclusion

The oil industry operates in a volatile, short run market in which many decisions have long term implications. The upstream portion of the market is increasingly controlled by national oil companies, not private firms. The market is also affected by political forces.

The private oil companies have the responsibility of making decisions in the best interests of their shareholders. However, because their products are important to the functioning of national economies, their decisions are also of interest to the public. This dual responsibility must be balanced by the companies.

Mr. WYDEN. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURR). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GREGG. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2007

The PRESIDING OFFICER. Under the previous order, the hour of 3 p.m. having arrived, the Senate will proceed to the immediate consideration of H.R. 5441, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 5441) making appropriations for the Department of Homeland Security for the fiscal year ending September 30th, 2007, for other purposes.

The Senate proceeded to consider the bill which had been reported from the Committee on Appropriations with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes, namely:

TITLE I

DEPARTMENTAL MANAGEMENT AND OPERATIONS

OFFICE OF THE SECRETARY AND EXECUTIVE MANAGEMENT

For necessary expenses of the Office of the Secretary of Homeland Security, as authorized by section 102 of the Homeland Security Act of 2002 (6 U.S.C. 112), and executive management of the Department of Homeland Security, as authorized by law, $90,122,000: Provided, That not to exceed $40,000 shall be for official reception and representation expenses.

OFFICE OF THE UNDER SECRETARY FOR MANAGEMENT

For necessary expenses of the Office of the Under Secretary for Management, as authorized by sections 701 through 705 of the Homeland Security Act of 2002 (6 U.S.C. 341 through 345), $166,456,000: Provided, That not to exceed $3,000 shall be for official reception and representation expenses: Provided further, That of the total amount provided, $8,206,000 shall remain available until expended solely for the alteration and improvement of facilities, tenant improvements, and relocation costs to consolidate Department headquarters operations.

OFFICE OF THE CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), $26,018,000.

OFFICE OF THE CHIEF INFORMATION OFFICER

For necessary expenses of the Office of the Chief Information Officer, as authorized by section 103 of the Homeland Security Act of 2002 (6 U.S.C. 113), and Department-wide technology investments, $306,765,000; of which $79,521,000 shall be available for salaries and expenses; and of which $227,244,000 shall be available for development and acquisition of information technology equipment, software, services, and related activities for the Department of Homeland Security, and for the costs of conversion to narrowband communications, including the cost for operation of the land mobile radio legacy systems, to remain available until expended: Provided, That none of the funds appropriated shall be used to support or supplement the appropriations provided for the United States Visitor and Immigrant Status Indicator Technology

project or the Automated Commercial Environment: Provided further, That the Chief Information Officer shall submit to the Committees on Appropriations of the Senate and the House of Representatives, not more than 60 days after the date of enactment of this Act, an expenditure plan for all information technology projects that: (1) are funded under this heading; or (2) are funded by multiple components of the Department of Homeland Security through reimbursable agreements: Provided further, That such expenditure plan shall include each specific project funded, key milestones, all funding sources for each project, details of annual and lifecycle costs, and projected cost savings or cost avoidance to be achieved by the project.

ANALYSIS AND OPERATIONS

For necessary expenses for information analysis and operations coordination activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $298,663,000, to remain available until September 30, 2008, of which not to exceed $5,000 shall be for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $87,185,000, of which not to exceed $100,000 may be used for certain confidential operational expenses, including the payment of informants, to be expended at the direction of the Inspector General.

TITLE II

SECURITY, ENFORCEMENT, AND INVESTIGATIONS

UNITED STATES VISITOR AND IMMIGRANT STATUS INDICATOR TECHNOLOGY

For necessary expenses for the development of the United States Visitor and Immigrant Status Indicator Technology project, as authorized by section 110 of the Illegal Immigration Reform and Immigration Responsibility Act of 1996 (8 U.S.C. 1221 note), $399,494,000, to remain available until expended: Provided, That of the total amount made available under this heading, $200,000,000 may not be obligated for the United States Visitor and Immigrant Status Indicator Technology project until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure prepared by the Secretary of Homeland Security that—

(1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11, part 7;

(2) complies with the Department of Homeland Security information systems enterprise architecture;

(3) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government;

(4) includes a certification by the Chief Information Officer of the Department of Homeland Security that an independent verification and validation agent is currently under contract for the project;

(5) is reviewed and approved by the Department of Homeland Security Investment Review Board, the Secretary of Homeland Security, and the Office of Management and Budget; and

(6) is reviewed by the Government Accountability Office.

CUSTOMS AND BORDER PROTECTION

SALARIES AND EXPENSES

For necessary expenses for enforcement of laws relating to border security, immigration, customs, and agricultural inspections and regulatory activities related to plant and animal imports; purchase and lease of up to 4,500 (3,500 for replacement only) police-type vehicles; and contracting with individuals for personal services abroad; $5,285,874,000; of which $3,026,000 shall be derived from the Harbor Maintenance Trust Fund for administrative expenses related to the collection of the Harbor Maintenance Fee under section 9505(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 9505(c)(3)) and notwithstanding section 1511(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 551(e)(1)); of which not to exceed $45,000 shall be for official reception and representation expenses; of which not less than $172,676,000 shall be for Air and Marine Operations; of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall be derived from that account; of which not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations; of which not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security: Provided, That for fiscal year 2007, the overtime limitation prescribed in section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) shall be $35,000; and notwithstanding any other provision of law, none of the funds appropriated by this Act may be available to compensate any employee of United States Customs and Border Protection for overtime, from whatever source, in an amount that exceeds such limitation, except in individual cases determined by the Secretary of Homeland Security, or the designee of the Secretary, to be necessary for national security purposes, to prevent excessive costs, or in cases of immigration emergencies.

AUTOMATION MODERNIZATION

For expenses for customs and border protection automated systems, $461,207,000, to remain available until expended, of which not less than $318,490,000 shall be for the development of the Automated Commercial Environment: Provided, That none of the funds made available under this heading may be obligated for the Automated Commercial Environment until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure prepared by the Secretary of Homeland Security that—

(1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11, part 7;

(2) complies with the Department of Homeland Security information systems enterprise architecture;

(3) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government;

(4) includes a certification by the Chief Information Officer of the Department of Homeland Security that an independent verification and validation agent is currently under contract for the project;

(5) is reviewed and approved by the Department of Homeland Security Investment Review Board, the Secretary of Homeland Security, and the Office of Management and Budget; and

(6) is reviewed by the Government Accountability Office.

TECHNOLOGY MODERNIZATION

For expenses for customs and border protection technology systems, $131,559,000, to remain available until expended: Provided, That of the funds made available under this heading, $100,000,000 may not be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure prepared by the Secretary of Homeland Security that—

(1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11, part 7;

(2) complies with the Department of Homeland Security information systems enterprise architecture;

(3) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government;

(4) includes a certification by the Chief Information Officer of the Department of Homeland Security that an independent verification and validation agent is currently under contract for the project;

(5) is reviewed and approved by the Department of Homeland Security Investment Review Board, the Secretary of Homeland Security, and the Office of Management and Budget; and

(6) is reviewed by the Government Accountability Office.

AIR AND MARINE INTERDICTION, OPERATIONS, MAINTENANCE, AND PROCUREMENT

(INCLUDING RESCISSION OF FUNDS)

For necessary expenses for the operations, maintenance, and procurement of marine vessels, aircraft, unmanned aerial vehicles, and other related equipment of the air and marine program, including operational training and mission-related travel, and rental payments for facilities occupied by the air or marine interdiction and demand reduction programs, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Federal, State, and local agencies in the enforcement or administration of laws enforced by the Department of Homeland Security; and at the discretion of the Secretary of Homeland Security, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts, $472,499,000, to remain available until expended: Provided, That no aircraft or other related equipment, with the exception of aircraft that are one of a kind and have been identified as excess to United States Customs and Border Protection requirements and aircraft that have been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of Homeland Security during fiscal year 2007 without the prior approval of the Committees on Appropriations of the Senate and the House of Representatives.

In addition, of the funds appropriated under this heading in title II of the Department of Homeland Security Appropriations Act, 2006 (Public Law 109–90; 119 Stat. 2068) for a covert manned surveillance aircraft, $14,000,000 are rescinded.

CONSTRUCTION

For necessary expenses to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to customs and immigration, $288,084,000, to remain available until expended.

IMMIGRATION AND CUSTOMS ENFORCEMENT

SALARIES AND EXPENSES

For necessary expenses for enforcement of immigration and customs laws, detention and removals, and investigations; and purchase and lease of up to 2,740 (2,000 for replacement only) police-type vehicles; $3,740,357,000, of which not to exceed $7,500,000 shall be available until expended for conducting special operations under section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081); of which not to exceed $15,000 shall be for official reception and representation expenses; of which not to exceed $1,000,000 shall be for awards of compensation to informants, to be accounted for solely under the certificate of the Secretary of Homeland Security; of which not less than $102,000 shall be for promotion of public awareness of the child pornography tipline; of which not less than $203,000 shall be for Project Alert; of which not less than $5,400,000 may be used to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)); and of which not to exceed $11,216,000 shall be available to fund or reimburse other

Federal agencies for the costs associated with the care, maintenance, and repatriation of smuggled illegal aliens: Provided, That none of the funds made available under this heading shall be available to compensate any employee for overtime in an annual amount in excess of $35,000, except that the Secretary of Homeland Security, or the designee of the Secretary, may waive that amount as necessary for national security purposes and in cases of immigration emergencies: Provided further, That none of the funds in this Act or any other appropriations Act may be used to fund any activity other than those activities funded in fiscal year 2005 to facilitate agreements consistent with section 287(g) of the Immigration and Nationality Act (8 U.S.C. 1357(g)): Provided further, That of the total amount provided, $15,770,000 shall be for activities to enforce laws against forced child labor in fiscal year 2007, of which not to exceed $6,000,000 shall remain available until expended.

FEDERAL PROTECTIVE SERVICE

The revenues and collections of security fees credited to this account, not to exceed $516,011,000, shall be available until expended for necessary expenses related to the protection of federally-owned and leased buildings and for the operations of the Federal Protective Service.

AUTOMATION MODERNIZATION

For expenses of immigration and customs enforcement automated systems, $20,000,000, to remain available until expended: Provided, That of the funds made available under this heading, $16,000,000 may not be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure prepared by the Secretary of Homeland Security that—

(1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11, part 7;

(2) complies with the Department of Homeland Security information systems enterprise architecture;

(3) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government;

(4) includes a certification by the Chief Information Officer of the Department of Homeland Security that an independent verification and validation agent is currently under contract for the project;

(5) is reviewed and approved by the Department of Homeland Security Investment Review Board, the Secretary of Homeland Security, and the Office of Management and Budget; and

(6) is reviewed by the Government Accountability Office.

CONSTRUCTION

For necessary expenses to plan, construct, renovate, equip, and maintain buildings and facilities necessary for the administration and enforcement of the laws relating to customs and immigration, $101,281,000, to remain available until expended.

TRANSPORTATION SECURITY ADMINISTRATION

AVIATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing civil aviation security services under the Aviation and Transportation Security Act (49 U.S.C. 40101 note; Public Law 107–71; 115 Stat. 597), $4,751,580,000, to remain available until September 30, 2008, of which not to exceed $10,000 shall be for official reception and representation expenses: Provided, That of the total amount made available under this heading, not to exceed $3,790,132,000 shall be for screening operations, of which $141,400,000 shall be available only for procurement of checked baggage explosive detection systems and $171,500,000 shall be available only for installation of checked baggage explosive detection systems; and not to exceed $961,448,000 shall be for aviation security direction and enforcement presence: Provided further, That of the funds appropriated under this heading, $25,000,000 shall not be obligated until after the Secretary of Homeland Security submits to the Committees on Appropriations of the Senate and the House of Representatives a detailed report in response to findings in the Department of Homeland Security Office of Inspector General report (OIG–04–44) concerning contractor fees: Provided further, That security service fees authorized under section 44940 of title 49, United States Code, shall be credited to this appropriation as offsetting collections and shall be available only for aviation security: Provided further, That the sum herein appropriated from the General Fund shall be reduced on a dollar-for-dollar basis as such offsetting collections are received during fiscal year 2007, so as to result in a final fiscal year appropriation from the General Fund estimated at not more than $2,331,580,000 Provided further, That any security service fees collected in excess of the amount made available under this heading shall become available during fiscal year 2008: Provided further, That notwithstanding section 44923 of title 49, United States Code, the share of the cost of the Federal Government for a project under any letter of intent shall be 75 percent for any medium or large hub airport and not more than 90 percent for any other airport, and all funding provided by section 44923(h) of title 49 United States Code, or from appropriations authorized under section 44923(i)(1) of title 49, United States Code, may be distributed in any manner determined necessary to ensure aviation security and to fulfill the Government's planned cost share under existing letters of intent: Provided further, That Members of the United States House of Representatives and United States Senate, including the leadership; and the heads of Federal agencies and commissions, including the Secretary, Under Secretaries, and Assistant Secretaries of the Department of Homeland Security; the United States Attorney General and Assistant Attorneys General and the United States attorneys; and senior members of the Executive Office of the President, including the Director of the Office of Management and Budget; shall not be exempt from Federal passenger and baggage screening: Provided further, That beginning in fiscal year 2007 and thereafter, reimbursement for security services and related equipment and supplies provided in support of general aviation access to the Ronald Reagan Washington National Airport shall be credited to this appropriation and shall be available until expended solely for these purposes.

SURFACE TRANSPORTATION SECURITY

For necessary expenses of the Transportation Security Administration related to providing surface transportation security activities, $37,200,000, to remain available until September 30, 2008.

TRANSPORTATION THREAT ASSESSMENT AND CREDENTIALING

For necessary expenses for the development and implementation of screening programs of the Office of Transportation Threat Assessment and Credentialing, $29,700,000, to remain available until September 30, 2008.

TRANSPORTATION SECURITY SUPPORT

For necessary expenses of the Transportation Security Administration related to providing transportation security support and intelligence under the Aviation and Transportation Security Act (Public Law 107–71; 115 Stat. 597; 49 U.S.C. 40101 note), $618,865,000, to remain available until September 30, 2008.

FEDERAL AIR MARSHALS

For necessary expenses of the Federal Air Marshals, $699,294,000.

UNITED STATES COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the United States Coast Guard not otherwise provided for; purchase or lease of not to exceed 25 passenger motor vehicles, which shall be for replacement only; payments under section 156 of Public Law 97–377 (42 U.S.C. 402 note; 96 Stat. 1920); and recreation and welfare; $5,534,349,000, of which $340,000,000 shall be for defense-related activities; of which $24,255,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); and of which not to exceed $10,000 shall be for official reception and representation expenses: Provided, That none of the funds made available by this or any other Act shall be available for administrative expenses in connection with shipping commissioners in the United States: Provided further, That none of the funds made available by this Act shall be for expenses incurred for yacht documentation under section 12109 of title 46, United States Code, except to the extent fees are collected from yacht owners and credited to this appropriation.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the environmental compliance and restoration functions of the United States Coast Guard under chapter 19 of title 14, United States Code, $10,880,000, to remain available until expended.

RESERVE TRAINING

For necessary expenses of the Coast Guard Reserve, as authorized by law; operations and maintenance of the reserve program; personnel and training costs; and equipment and services; $123,948,000.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(INCLUDING RESCISSIONS OF FUNDS)

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto; and maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law; $1,145,329,000, of which $19,800,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)); of which $24,750,000 shall be available until September 30, 2011, to acquire, repair, renovate, or improve vessels, small boats, and related equipment; of which $14,000,000 shall be available until September 30, 2011, to increase aviation capability; of which $92,268,000 shall be available until September 30, 2009, for other equipment; of which $20,680,000 shall be available until September 30, 2009, for shore facilities and aids to navigation facilities; and of which $993,631,000 shall be available until September 30, 2011, for the Integrated Deepwater Systems program: Provided, That the Commandant of the Coast Guard is authorized to dispose of surplus real property, by sale or lease, and the proceeds shall be credited to this appropriation as offsetting collections and shall be available until September 30, 2009: Provided further, That the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives, in conjunction with the President's fiscal year 2008 budget, a review of the Revised Deepwater Implementation Plan that identifies any changes to the plan for the fiscal year; an annual performance comparison of Deepwater assets to pre-Deepwater legacy assets; a status report of legacy assets; a detailed explanation of how the costs of legacy assets are being accounted for within the Deepwater program; an explanation of why many assets that are elements of the Integrated Deepwater System are not accounted for within the Deepwater appropriation under this heading; a description of the competitive process conducted in all contracts and subcontracts exceeding $5,000,000 within the Deepwater program; a description of how the Coast Guard is planning for the human resource needs of Deepwater assets; and the earned value management system gold card data for each

Deepwater asset: Provided further, That the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives a comprehensive review of the Revised Deepwater Implementation Plan every 5 years, beginning in fiscal year 2011, that includes a complete projection of the acquisition costs and schedule for the duration of the plan through fiscal year 2027: Provided further, That the Secretary shall annually submit to the Committees on Appropriations of the Senate and the House of Representatives, at the time that the President's budget is submitted under section 1105(a) of title 31, United States Code, a future-years capital investment plan for the Coast Guard that identifies for each capital budget line item—

(1) the proposed appropriation included in that budget;

(2) the total estimated cost of completion;

(3) projected funding levels for each fiscal year for the next five fiscal years or until project completion, whichever is earlier;

(4) an estimated completion date at the projected funding levels; and

(5) changes, if any, in the total estimated cost of completion or estimated completion date from previous future-years capital investment plans submitted to the Committees on Appropriations of the Senate and the House of Representatives: Provided further, That the Secretary shall ensure that amounts specified in the future-years capital investment plan are consistent to the maximum extent practicable with proposed appropriations necessary to support the programs, projects, and activities of the Coast Guard in the President's budget as submitted under section 1105(a) of title 31, United States Code, for that fiscal year: Provided further, That any inconsistencies between the capital investment plan and proposed appropriations shall be identified and justified.

In addition, of the funds appropriated under this heading in title II of the Department of Homeland Security Appropriations Act, 2006 (Public Law 109–90; 119 Stat. 2087), $79,200,000 are rescinded from the unexpended balances specifically identified in the Joint Explanatory Statement (House Report 109–241) accompanying that Act for the Fast Response Cutter, the service life extension program of the current 110-foot Island Class patrol boat fleet, and accelerated design and production of the Fast Response Cutter.

In addition, of the funds appropriated under this heading in title II of the Department of Homeland Security Appropriations Act, 2006 (Public Law 109–90; 119 Stat. 2087), $1,933,000 are rescinded from the unexpended balances specifically identified in the Joint Explanatory Statement (House Report 109–241) accompanying that Act for the covert surveillance aircraft.

In addition, of the funds appropriated under this heading in title II of the Department of Homeland Security Appropriations Act, 2006 (Public Law 109–90; 119 Stat. 2087), $1,835,000 are rescinded from the unexpended balances specifically identified in the Joint Explanatory Statement (House Report 109–241) accompanying that Act for the automatic identification system.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, as authorized by section 6 of the Truman-Hobbs Act (33 U.S.C. 516), $15,000,000, to remain available until expended.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses for applied scientific research, development, test, and evaluation; and for maintenance, rehabilitation, lease, and operation of facilities and equipment; as authorized by law; $17,573,000, to remain available until expended, of which $495,000 shall be derived from the Oil Spill Liability Trust Fund to carry out the purposes of section 1012(a)(5) of the Oil Pollution Act of 1990 (33 U.S.C. 2712(a)(5)): Provided, That there may be credited to and used for the purposes of this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries for expenses incurred for research, development, testing, and evaluation.

RETIRED PAY

For retired pay, including the payment of obligations otherwise chargeable to lapsed appropriations for this purpose, payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, payment for career status bonuses, concurrent receipts and combat-related special compensation under the National Defense Authorization Act, and payments for medical care of retired personnel and their dependents under chapter 55 of title 10, United States Code, $1,063,323,000.

UNITED STATES SECRET SERVICE

PROTECTION, ADMINISTRATION, AND TRAINING

For necessary expenses of the United States Secret Service, including purchase of not to exceed 755 vehicles for police-type use, of which 624 shall be for replacement only, and hire of passenger motor vehicles; purchase of motorcycles made in the United States; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director of the Secret Service; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; payment of per diem or subsistence allowances to employees where a protective assignment during the actual day or days of the visit of a protectee requires an employee to work 16 hours per day or to remain overnight at a post of duty; conduct of and participation in firearms matches; presentation of awards; travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations of the Senate and the House of Representatives; research and development; grants to conduct behavioral research in support of protective research and operations; and payment in advance for commercial accommodations as may be necessary to perform protective functions; $918,028,000, of which not to exceed $25,000 shall be for official reception and representation expenses: Provided, That up to $18,000,000 provided for protective travel shall remain available until September 30, 2008: Provided further, That the United States Secret Service is authorized to obligate funds in anticipation of reimbursements from Federal agencies and entities, as defined in section 105 of title 5, United States Code, receiving training sponsored by the James J. Rowley Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available under this heading at the end of the fiscal year.

INVESTIGATIONS AND FIELD OPERATIONS

For necessary expenses for investigations and field operations of the United States Secret Service, not otherwise provided for, including costs related to office space and services of expert witnesses at such rate as may be determined by the Director of the Secret Service, $304,205,000; of which not to exceed $100,000 shall be to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; of which $2,366,000 shall be for forensic and related support of investigations of missing and exploited children; and of which $6,000,000 shall be a grant for activities related to the investigations of missing and exploited children and shall remain available until expended.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For necessary expenses for acquisition, construction, repair, alteration, and improvement of facilities, $3,725,000, to remain available until expended.

TITLE III

PREPAREDNESS AND RECOVERY

PREPAREDNESS

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for Preparedness, the Office of the Chief Medical Officer, and the Office of National Capital Region Coordination, $30,572,000, of which $8,000,000 shall be for the National Preparedness Integration Program: Provided, That none of the funds made available under this heading may be obligated for the National Preparedness Integration Program until the Committees on Appropriations of the Senate and the House of Representatives receive and approve a plan for expenditure prepared by the Secretary of Homeland Security: Provided further, That not to exceed $7,000 shall be for official reception and representation expenses.

OFFICE FOR DOMESTIC PREPAREDNESS

STATE AND LOCAL PROGRAMS

For grants, contracts, cooperative agreements, and other activities, including grants to State and local governments for terrorism prevention activities, notwithstanding any other provision of law, $2,393,500,000, which shall be allocated as follows:

(1) $500,000,000 for formula-based grants and $350,000,000 for law enforcement terrorism prevention grants under section 1014 of the USA PATRIOT ACT (42 U.S.C. 3714): Provided, That the application for grants shall be made available to States within 45 days after the date of enactment of this Act; that States shall submit applications within 90 days after the grant announcement; and that the Office for Domestic Preparedness shall act within 90 days after the grant announcement: Provided further, That not less than 80 percent of any grant under this paragraph to a State (other than Puerto Rico) shall be made available by the State to local governments within 60 days after the receipt of the funds.

(2) $1,172,000,000 for discretionary grants, as determined by the Secretary of Homeland Security, of which—

(A) $745,000,000 shall be for use in high-threat, high-density urban areas;

(B) $210,000,000 shall be for port security grants for the purposes of section 70107(a) through (h) of title 46, United States Code, which shall be awarded based on risk notwithstanding subsection (a), for eligible costs as defined in subsections (b)(2), (3), and (4);

(C) $5,000,000 shall be for trucking industry security grants;

(D) $12,000,000 shall be for intercity bus security grants;

(E) $150,000,000 shall be for intercity passenger rail transportation (as defined in section 24102 of title 49, United States Code), freight rail, and transit security grants; and

(F) $50,000,000 shall be for buffer zone protection grants:

Provided, That for grants under subparagraph (A), the application for grants shall be made available to States within 45 days after the date of enactment of this Act; that States shall submit applications within 90 days after the grant announcement; and that the Office for Domestic Preparedness shall act within 90 days after receipt of an application: Provided further, That not less than 80 percent of any grant under this paragraph to a State shall be made available by the State to local governments within 60 days after the receipt of the funds.

(3) $40,000,000 shall be available for the Commercial Equipment Direct Assistance Program.

(4) $331,500,000 for training, exercises, technical assistance, and other programs:

Provided, That none of the grants provided under this heading shall be used for the construction or renovation of facilities, except for a minor perimeter security project, not to exceed

$1,000,000, as determined necessary by the Secretary of Homeland Security: Provided further, That the proceeding proviso shall not apply to grants under subparagraphs (B), (E), and (F) of paragraph (2) of this heading: Provided further, That grantees shall provide additional reports on their use of funds, as determined necessary by the Secretary of Homeland Security: Provided further, That funds appropriated for law enforcement terrorism prevention grants under paragraph (1) and discretionary grants under paragraph (2)(A) of this heading shall be available for operational costs, to include personnel overtime and overtime associated with Office for Domestic Preparedness certified training, as needed: Provided further, That the Government Accountability Office shall report on the validity, relevance, reliability, timeliness, and availability of the risk factors (including threat, vulnerability, and consequence) used by the Secretary for the purpose of allocating discretionary grants funded under this heading, and the application of those factors in the allocation of funds to the Committees on Appropriations of the Senate and the House of Representatives on its findings not later than 45 days after the date of enactment of this Act: Provided further, That within 7 days after the date of enactment of this Act, the Secretary shall provide the Government Accountability Office with the threat and risk methodology and factors that will be used to allocate discretionary grants funded under this heading.

FIREFIGHTER ASSISTANCE GRANTS

For necessary expenses for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.), $655,000,000, of which $540,000,000 shall be available to carry out section 33 of that Act (15 U.S.C. 2229) and $115,000,000 shall be available to carry out section 34 (15 U.S.C. 2229a) of that Act, to remain available until September 30, 2008: Provided, That not to exceed 5 percent of this amount shall be available for program administration.

EMERGENCY MANAGEMENT PERFORMANCE GRANTS

For necessary expenses for emergency management performance grants, as authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), and Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), $205,000,000: Provided, That total administrative costs shall not exceed 3 percent of the total appropriation.

RADIOLOGICAL EMERGENCY PREPAREDNESS PROGRAM

The aggregate charges assessed during fiscal year 2007, as authorized in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1999 (42 U.S.C. 5196e), shall not be less than 100 percent of the amounts anticipated by the Department of Homeland Security necessary for its radiological emergency preparedness program for the next fiscal year: Provided, That the methodology for assessment and collection of fees shall be fair and equitable and shall reflect costs of providing such services, including administrative costs of collecting such fees: Provided further, That fees received under this heading shall be deposited in this account as offsetting collections and will become available for authorized purposes on October 1, 2007, and remain available until expended.

UNITED STATES FIRE ADMINISTRATION AND TRAINING

For necessary expenses of the United States Fire Administration and for other purposes, as authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.), $45,887,000.

INFRASTRUCTURE PROTECTION AND INFORMATION SECURITY

For necessary expenses for infrastructure protection and information security programs and activities, as authorized by title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.), $525,056,000, of which $442,547,000 shall remain available until September 30, 2008: Provided, That of the amount made available under this heading, $20,000,000 may not be obligated until the Secretary submits to the Committees on Appropriations of the Senate and House of Representatives the report required in House Report 109–241 accompanying the Department of Homeland Security Appropriations Act, 2006 (Public Law 109–90) on resources necessary to implement mandatory security requirements for the Nation's chemical sector and to create a system for auditing and ensuring compliance with the security standards.

FEDERAL EMERGENCY MANAGEMENT AGENCY

ADMINISTRATIVE AND REGIONAL OPERATIONS

For necessary expenses for administrative and regional operations, $249,499,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.): Provided, That not to exceed $3,000 shall be for official reception and representation expenses.

READINESS, MITIGATION, RESPONSE, AND RECOVERY

For necessary expenses for readiness, mitigation, response, and recovery activities, $240,000,000, including activities authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7701 et seq.), the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), sections 107 and 303 of the National Security Act of 1947 (50 U.S.C. 404, 405), Reorganization Plan No. 3 of 1978 (5 U.S.C. App.), and the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.): Provided, That of the total amount made available under this heading, $30,000,000 shall be for Urban Search and Rescue Teams, of which not to exceed $1,600,000 may be made available for administrative costs.

PUBLIC HEALTH PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for countering potential biological, disease, and chemical threats to civilian populations, $33,885,000: Provided, That the total amount appropriated and, notwithstanding any other provision of law, the functions, personnel, assets, and liabilities of the National Disaster Medical System established under section 2811(b) of the Public Health Service Act (42 U.S.C. 300hh–11(b)), including any functions of the Secretary of Homeland Security relating to such System, shall be permanently transferred to the Secretary of the Department of Health and Human Services effective January 1, 2007.

DISASTER RELIEF

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $1,640,000,000, to remain available until expended: Provided, That of the total amount provided, not to exceed $15,000,000 shall be transferred to the Department of Homeland Security Office of Inspector General for audits and investigations related to natural disasters subject to section 503 of this Act.

DISASTER ASSISTANCE DIRECT LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program, as authorized by section 319 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5162), $569,000: Provided, That gross obligations for the principal amount of direct loans shall not exceed $25,000,000: Provided further, That the cost of modifying such loans shall be as defined in section 502 of the Congressional Budget Act of 1974 (2 U.S.C. 661a).

FLOOD MAP MODERNIZATION FUND

For necessary expenses under section 1360 of the National Flood Insurance Act of 1968 (42 U.S.C. 4101), $198,980,000, and such additional sums as may be provided by State and local governments or other political subdivisions for cost-shared mapping activities under section 1360(f)(2) of such Act, to remain available until expended: Provided, That total administrative costs shall not exceed 3 percent of the total appropriation.

NATIONAL FLOOD INSURANCE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), and the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), $128,588,000, which is available as follows: (1) not to exceed $38,230,000 for salaries and expenses associated with flood mitigation and flood insurance operations; and (2) not to exceed $90,358,000 for flood hazard mitigation which shall be derived from offsetting collections assessed and collected under section 1307 of the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.), to remain available until September 30, 2008, including up to $31,000,000 for flood mitigation expenses under section 1366 of that Act, which amount shall be available for transfer to the National Flood Mitigation Fund until September 30, 2008: Provided, That in fiscal year 2007, no funds in excess of: (1) $70,000,000 for operating expenses; (2) $692,999,000 for commissions and taxes of agents; (3) such sums as necessary for interest on Treasury borrowings shall be available from the National Flood Insurance Fund; and (4) not to exceed $50,000,000 for flood mitigation actions with respect to severe repetitive loss properties under section 1361A of that Act and repetitive insurance claims properties under section 1323 of that Act, which shall remain available until expended: Provided further, That total administrative costs shall not exceed 3 percent of the total appropriation.

NATIONAL FLOOD MITIGATION FUND

(INCLUDING TRANSFER OF FUNDS)

Notwithstanding subparagraphs (B) and (C) of subsection (b)(3), and subsection (f), of section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c), $31,000,000, to remain available until September 30, 2008, for activities designed to reduce the risk of flood damage to structures pursuant to such Act, of which $31,000,000 shall be derived from the National Flood Insurance Fund.

NATIONAL PRE-DISASTER MITIGATION FUND

For a pre-disaster mitigation grant program under title II of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5131 et seq.), $149,978,000, to remain available until expended: Provided, That grants made for pre-disaster mitigation shall be awarded on a competitive basis subject to the criteria in section 203(g) of such Act (42 U.S.C. 5133(g)), and notwithstanding section 203(f) of such Act, shall be made without reference to State allocations, quotas, or other formula-based allocation of funds: Provided further, That total administrative costs shall not exceed 3 percent of the total appropriation.

EMERGENCY FOOD AND SHELTER

To carry out an emergency food and shelter program under title III of the Stewart B.

McKinney Homeless Assistance Act (42 U.S.C. 11331 et seq.), $151,470,000, to remain available until expended: Provided, That total administrative costs shall not exceed 3.5 percent of the total appropriation.

TITLE IV

RESEARCH AND DEVELOPMENT, TRAINING, AND SERVICES

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES

For necessary expenses for citizenship and immigration services, $134,990,000.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, including materials and support costs of Federal law enforcement basic training; purchase of not to exceed 117 vehicles for police-type use and hire of passenger motor vehicles; expenses for student athletic and related activities; the conduct of and participation in firearms matches and presentation of awards; public awareness and enhancement of community support of law enforcement training; room and board for student interns; a flat monthly reimbursement to employees authorized to use personal mobile phones for official duties; and services as authorized by section 3109 of title 5, United States Code; $207,634,000, of which up to $43,910,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 2008; of which $300,000 shall remain available until expended for Federal law enforcement agencies participating in training accreditation, to be distributed as determined by the Federal Law Enforcement Training Center for the needs of participating agencies; and of which not to exceed $12,000 shall be for official reception and representation expenses: Provided, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For acquisition of necessary additional real property and facilities, construction, and ongoing maintenance, facility improvements, and related expenses of the Federal Law Enforcement Training Center, $63,246,000, to remain available until expended: Provided, That the Center is authorized to accept reimbursement to this appropriation from government agencies requesting the construction of special use facilities.

SCIENCE AND TECHNOLOGY

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Office of the Under Secretary for Science and Technology and for management and administration of programs and activities, as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.), $106,414,000: Provided, That of the amount provided under this heading, $60,000,000 shall not be obligated until the Committees on Appropriations of the Senate and the House of Representatives receive and approve an expenditure plan by program, project, and activity; with a detailed breakdown and justification of the management and administrative costs for each; prepared by the Secretary of Homeland Security that has been reviewed by the Government Accountability Office: Provided further, That the expenditure plan shall include the method utilized to derive administration costs in fiscal year 2006 and fiscal year 2007: Provided further, That not to exceed $3,000 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, ACQUISITION, AND OPERATIONS

For necessary expenses for science and technology research, including advanced research projects; development; test and evaluation; acquisition; and operations; as authorized by title III of the Homeland Security Act of 2002 (6 U.S.C. 181 et seq.); $712,041,000, to remain available until expended: Provided, That no university participating in the University-based Centers of Excellence Program shall receive a grant for a period in excess of 3 years: Provided further, That none of the funds provided under this heading shall be made available for management and administrative costs.

DOMESTIC NUCLEAR DETECTION OFFICE

MANAGEMENT AND ADMINISTRATION

For salaries and expenses of the Domestic Nuclear Detection Office and for management and administration of programs and activities, $30,468,000: Provided, That no funds will be made available for the reimbursement of individuals from other Federal agencies or organizations in fiscal year 2008: Provided further, That not to exceed $3,000 shall be for official reception and representation expenses.

RESEARCH, DEVELOPMENT, AND OPERATIONS

For necessary expenses for radiological and nuclear research, development, testing, evaluation and operations, $234,024,000, to remain available until expended; and of which not to exceed $65,000,000 shall be made available for transformation research and development; and of which no less than $40,000,000 shall be made available for radiation portal monitor research and development: Provided, That of the amount provided, $80,000,000 shall not be obligated until the Secretary of Homeland Security provides notification to the Committees on Appropriations of the Senate and the House of Representatives that the Domestic Nuclear Detection Office has entered into a Memorandum of Understanding with each Federal entity and organization: Provided further, That each Memorandum of Understanding shall include a description of the role, responsibilities, and resource commitment of each Federal entity or organization for the domestic nuclear global architecture.

SYSTEMS ACQUISITION

For expenses for the Domestic Nuclear Detection Office acquisition and deployment of radiological detection systems in accordance with the global nuclear detection architecture, $178,000,000, to remain available until September 30, 2009; and of which no less than $143,000,000 shall be for radiation portal monitors; and of which not to exceed $5,000,000 shall be for the Surge program: Provided, That none of the funds provided for the Sodium Iodine Manufacturing program shall be made available until a cost-benefit analysis on the Advance Spectroscopic Portal monitors is submitted to the Committees on Appropriations of the Senate and the House of Representatives by the Secretary of Homeland Security and reviewed by the Government Accountability Office.

TITLE V

GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. Subject to the requirements of section 503 of this Act, the unexpended balances of prior appropriations provided for activities in this Act may be transferred to appropriation accounts for such activities established under this Act: Provided, That balances so transferred may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 503. (a) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2007, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either of the Committees on Appropriations of the Senate or House of Representatives for a different purpose; or (5) contracts out any function or activity for which funds have been appropriated for Federal full-time equivalent positions; unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided by this Act, provided by previous appropriations Acts to the agencies in or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2007, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for programs, projects, or activities through a reprogramming of funds in excess of $5,000,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by the Congress; or (3) results from any general savings from a reduction in personnel that would result in a change in existing programs, projects, or activities as approved by the Congress; unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such reprogramming of funds.

(c) Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Homeland Security by this Act or provided by previous appropriations Acts may be transferred between such appropriations, but no such appropriations, except as otherwise specifically provided, shall be increased by more than 10 percent by such transfers: Provided, That any transfer under this section shall be treated as a reprogramming of funds under subsection (b) of this section and shall not be available for obligation unless the Committees on Appropriations of the Senate and the House of Representatives are notified 15 days in advance of such transfer.

(d) Notwithstanding subsections (a), (b), and (c) of this section, no funds shall be reprogrammed within or transferred between appropriations after June 30, except in extraordinary circumstances which imminently threaten the safety of human life or the protection of property.

SEC. 504. None of the funds appropriated or otherwise made available to the Department of Homeland Security may be used to make payments to the ''Department of Homeland Security Working Capital Fund'', except for the activities and amounts allowed in the President's fiscal year 2007 budget, excluding sedan service, shuttle service, transit subsidy, mail operations, parking, and competitive sourcing: Provided, That any additional activities and amounts shall be approved by the Committees on Appropriations of the Senate and the House of Representatives 30 days in advance of obligation.

SEC. 505. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2007 from appropriations for salaries and expenses for fiscal year 2007 in this Act shall remain available through September 30, 2008, in the account and for the purposes for which the appropriations were provided: Provided, That prior to the obligation of such funds, a request shall be submitted to the Committees on Appropriations of the Senate and the

House of Representatives for approval in accordance with section 503 of this Act.

SEC. 506. Funds made available by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2007 until the enactment of an Act authorizing intelligence activities for fiscal year 2007.

SEC. 507. The Federal Law Enforcement Training Center shall lead the Federal law enforcement training accreditation process, to include representatives from the Federal law enforcement community and non-Federal accreditation experts involved in law enforcement training, to continue the implementation of measuring and assessing the quality and effectiveness of Federal law enforcement training programs, facilities, and instructors.

SEC. 508. None of the funds in this Act may be used to make a grant allocation, discretionary grant award, discretionary contract award, or to issue a letter of intent totaling in excess of $1,000,000, or to announce publicly the intention to make such an award, unless the Secretary of Homeland Security notifies the Committees on Appropriations of the Senate and the House of Representatives at least 3 full business days in advance: Provided, That no notification shall involve funds that are not available for obligation.

SEC. 509. Notwithstanding any other provision of law, no agency shall purchase, construct, or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations of the Senate and the House of Representatives, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 510. The Director of the Federal Law Enforcement Training Center shall schedule basic or advanced law enforcement training (including both types of training) at all four training facilities under the control of the Federal Law Enforcement Training Center to ensure that these training centers are operated at the highest capacity throughout the fiscal year.

SEC. 511. None of the funds appropriated or otherwise made available by this Act may be used for expenses of any construction, repair, alteration, or acquisition project for which a prospectus, if required by the Public Buildings Act of 1959 (40 U.S.C. 3301), has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus.

SEC. 512. None of the funds in this Act may be used in contravention of the applicable provisions of the Buy American Act (41 U.S.C. 10a et seq.).

SEC. 513. Notwithstanding any other provision of law, the authority of the Office of Personnel Management to conduct personnel security and suitability background investigations, update investigations, and periodic reinvestigations of applicants for, or appointees in, positions in the Office of the Secretary and Executive Management, the Office of the Under Secretary for Management, Analysis and Operations, Immigration and Customs Enforcement, Directorate for Preparedness, and the Directorate of Science and Technology of the Department of Homeland Security is transferred to the Department of Homeland Security: Provided, That on request of the Department of Homeland Security, the Office of Personnel Management shall cooperate with and assist the Department in any investigation or reinvestigation under this section: Provided further, That this section shall cease to be effective at such time as the President has selected a single agency to conduct security clearance investigations under section 3001(c) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 50 U.S.C. 435b) and the entity selected under section 3001(b) of such Act has reported to Congress that the agency selected under such section 3001(c) is capable of conducting all necessary investigations in a timely manner or has authorized the entities within the Department of Homeland Security covered by this section to conduct their own investigations under section 3001 of such Act.

SEC. 514. (a) None of the funds provided by this or previous appropriations Acts may be obligated for deployment or implementation, on other than a test basis, of the Secure Flight program or any other follow on or successor passenger prescreening programs, until the Secretary of Homeland Security certifies, and the Government Accountability Office reports, to the Committees on Appropriations of the Senate and the House of Representatives, that all 10 of the conditions contained in paragraphs (1) through (10) of section 522(a) of the Department of Homeland Security Appropriations Act, 2005 (Public Law 108–334; 118 Stat. 1319) have been successfully met.

(b) The report required by subsection (a) shall be submitted within 90 days after the certification required by such subsection is provided, and periodically thereafter, if necessary, until the Government Accountability Office confirms that all 10 conditions have been successfully met.

(c) During the testing phase permitted by subsection (a), no information gathered from passengers, foreign or domestic air carriers, or reservation systems may be used to screen aviation passengers, or delay or deny boarding to such passengers, except in instances where passenger names are matched to a Government watch list.

(d) None of the funds provided in this or previous appropriations Acts may be utilized to develop or test algorithms assigning risk to passengers whose names are not on Government watch lists.

(e) None of the funds provided in this or previous appropriations Acts may be utilized for data or a database that is obtained from or remains under the control of a non-Federal entity: Provided, That this restriction shall not apply to Passenger Name Record data obtained from air carriers.

SEC. 515. None of the funds made available in this Act may be used to amend the oath of allegiance required by section 337 of the Immigration and Nationality Act (8 U.S.C. 1448).

SEC. 516. None of the funds appropriated by this Act may be used to process or approve a competition under Office of Management and Budget Circular A–76 for services provided as of June 1, 2004, by employees (including employees serving on a temporary or term basis) of United States Citizenship and Immigration Services of the Department of Homeland Security who are known as of that date as Immigration Information Officers, Contact Representatives, or Investigative Assistants.

SEC. 517. (a) None of the funds appropriated to the United States Secret Service by this Act or by previous appropriations Acts may be made available for the protection of a person, other than persons granted protection under 3056(a) of title 18, United States Code, and the Secretary of the Department of Homeland Security.

(b) Notwithstanding (a) of this section, the Director of the United States Secret Service may enter into a fully reimbursable agreement to perform such service for protectees not designated under 3056(a) of title 18, United States Code.

SEC. 518. The Secretary of Homeland Security, in consultation with industry stakeholders, shall develop standards and protocols for increasing the use of explosive detection equipment to screen air cargo when appropriate.

SEC. 519. (a) The Secretary of Homeland Security is directed to research, develop, and procure new technologies to inspect and screen air cargo carried on passenger aircraft at the earliest date possible.

(b) Existing checked baggage explosive detection equipment and screeners shall be utilized to screen air cargo carried on passenger aircraft to the greatest extent practicable at each airport until technologies developed under subsection (a) are available.

(c) The Transportation Security Administration shall report air cargo inspection statistics within 15 days of the close of each quarter of the fiscal year to the Committees on Appropriations of the Senate and the House of Representatives, by airport and air carrier, including any reasons for non-compliance with the second proviso of section 513 of the Department of Homeland Security Appropriations Act, 2005 (Public Law 108–334; 118 Stat. 1317), within 45 days after the end of the quarter.

SEC. 520. (a) None of the funds available for obligation for the transportation worker identification credential program shall be used to develop a personalization system that is executed without fair and open competition for both the implementation and production of the program and identification cards.

(b) The Transportation Security Administration shall certify to the Committees on Appropriations of the Senate and the House of Representatives not later than December 1, 2006, that the competition required under subsection (a) has been achieved.

SEC. 521. None of the funds made available in this Act may be used by any person other than the privacy officer appointed under section 222 of the Homeland Security Act of 2002 (6 U.S.C. 142) to alter, direct that changes be made to, delay, or prohibit the transmission to Congress of any report prepared under paragraph (5) of such section.

SEC. 522. No funding provided by this or previous appropriation Acts shall be available to pay the salary of any employee serving as a contracting officer's technical representative (COTR) or anyone acting in a similar or like capacity who has not received COTR training.

SEC. 523. Except as provided in section 44945 of title 49, United States Code, funds appropriated or transferred to Transportation Security Administration ''Aviation Security'', ''Administration'' and ''Transportation Security Support'' in fiscal years 2004, 2005, and 2006 that are recovered or deobligated shall be available only for procurement and installation of explosive detection systems for air cargo, baggage, and checkpoint screening systems, subject to section 503 of this Act.

SEC. 524. Not later than 120 days after the date of enactment of this Act, the Secretary of Homeland Security shall report to the Committees on Appropriations of the Senate and the House of Representatives on the progress that the Department has made in implementing the requirements of section 537 of the Department of Homeland Security Appropriations Act, 2006 (Public Law 109–90; 119 Stat. 2088), including information on the current procedures regarding access to sensitive security information (SSI) by civil litigants and the security risks and benefits of any proposed changes to these procedures: Provided, That the Secretary shall revise DHS MD 11056 to provide that when a lawful request is made to publicly release a document containing information designated as SSI, the document shall be reviewed in a timely manner to determine whether any information contained in the document meets the criteria for continued SSI protection under applicable law and regulation and shall further provide that all portions that no longer require SSI designation be released, subject to applicable law, including sections 552 and 552a of title 5, United States Code.

SEC. 525. RESCISSION. From the unobligated balances from prior year appropriations made available for Transportation Security Administration ''Aviation Security'' and ''Headquarters Administration'', $4,776,000 are rescinded.

SEC. 526. The Department of Homeland Security Working Capital Fund, established under section 403 of the Government Management Reform Act of 1994 (31 U.S.C. 501 note; Public Law

103–356), shall continue operations during fiscal year 2007.

SEC. 527. RESCISSION. Of the unobligated balances from prior year appropriations made available for the ''Counterterrorism Fund'', $16,000,000 are rescinded.

SEC. 528. RESCISSION. From the unobligated balances from prior year appropriations made available for Transportation Security Administration ''Aviation Security'', $61,936,000 are rescinded.

SEC. 529. None of the funds made available in this Act may be used to enforce section 4025(1) of Public Law 108–458 if the Assistant Secretary (Transportation Security Administration) determines that butane lighters are not a significant threat to civil aviation security: Provided, That the Assistant Secretary (Transportation Security Administration) shall notify the Committees on Appropriations of the Senate and the House of Representatives 15 days in advance of such determination including a report on whether the effectiveness of screening operations is enhanced by suspending enforcement of the prohibition.

SEC. 530. RESCISSIONS. Of the unobligated balances from prior year appropriations made available for Science and Technology, $55,000,000 for ''Management and Administration'' and $145,000,000 from ''Research, Development, Acquisition, and Operations'' are rescinded: Provided, That of the total amount rescinded from ''Management and Administration'', $30,000,000 shall be from the contingency fund and $25,000,000 shall be from the Homeland Security Institute.

SEC. 531. Notwithstanding any other provision of law, the Secretary of Homeland Security shall consider the Hancock County Port and Harbor Commission in Mississippi eligible under the Federal Emergency Management Agency Public Assistance Program for all costs incurred for dredging from navigation channel in Little Lake, Louisiana, sediment deposited as a result of Hurricane George in 1998: Provided, That the appropriate Federal share shall apply to approval of this project.

SEC. 532. The Department of Homeland Security shall, in approving standards for State and local emergency preparedness operational plans under section 613(b)(3) of the Robert T. Stafford Disaster and Emergency Assistance Act (42 U.S.C. 5196b(b)(3)), account for the needs of individuals with household pets and service animals before, during, and following a major disaster or emergency: Provided, That Federal agencies may provide assistance as described in section 403(a) of the Robert T. Stafford Disaster and Emergency Assistance Act (42 U.S.C. 5170b(a)) to carry out the plans described in the previous proviso.

SEC. 533. RESCISSION. From the unexpended balances of the United States Coast Guard ''Acquisition, Construction, and Improvements'' account specifically identified in the Joint Explanatory Statement (House Report 109–241) accompanying the Department of Homeland Security Act, 2006 (Public Law 109–90) for the development of the Offshore Patrol Cutter, $20,000,000 are rescinded.

SEC. 534. TRANSFER. All obligated and unobligated balances of funds, totaling not less than $98,552,000, for the Transportation Security Laboratory shall be transferred from the Science and Technology ''Research, Development, Acquisition, and Operations'' account to the Transportation Security Administration ''Transportation Security Support'' account effective October 1, 2006.

SEC. 535. (a)(1) Within 45 days after the close of each month, the Chief Financial Officer of the Department of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives a monthly budget execution report that sets forth the total obligational authority appropriated (new budget authority plus unobligated carryover), undistributed obligational authority, amount allotted, current year obligations, unobligated authority (the difference between total obligational authority and current year obligations), beginning unexpended obligations, year-to-date costs, and year-end unexpended obligations, of the Department of Homeland Security.

(2) The information required under paragraph (1) shall be provided for each Departmental component and the Working Capital Fund at the level of detail shown in the table of detailed funding recommendations displayed at the end of the Statement of Managers accompanying the conference report on this Act.

(3) Each report submitted under paragraph (1) shall include for each Department of Homeland Security component the total full-time equivalent for the prior fiscal year, the on-board total full-time equivalent on September 30 of the prior fiscal year, the estimated total full-time equivalent for the current fiscal year, and the on-board total full-time equivalent on the last day of the month for the applicable report.

(b) Obligation authority and transfer authority provided under section 503 and 504 of this Act shall not be available unless on the date of a notification under section 503 and 504, the Committees on Appropriations of the Senate and House of Representatives have received the most recent report required by subsection (a) of this section.

SEC. 536. None of the funds provided by this or previous appropriations Acts or transferred to the Department of Homeland Security that remain available for obligation or expenditure in fiscal year 2007, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for the Office of the Federal Coordinator for Gulf Coast Rebuilding effective October 1, 2006, unless the Committees on Appropriations of the Senate and the House of Representatives receive a reprogramming notification for fiscal year 2006 pursuant to section 503 of Public Law 109–90 and a budget request and expenditure plan for fiscal year 2007 for this office.

SEC. 537. The Federal Law Enforcement Training Center instructor staff shall be classified as inherently governmental for the purpose of the Federal Activities Inventory Reform Act of 1998 (31 U.S.C. 501 note).

SEC. 538. Section 7209(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458; 8 U.S.C. 1185 note) is amended by striking from ''(1) DEVELOPMENT OF PLAN.—The Secretary'' through ''7208(k)).'' and inserting the following:

''(1) DEVELOPMENT OF PLAN AND IMPLEMENTATION.—

''(A) The Secretary of Homeland Security, in consultation with the Secretary of State, shall develop and implement a plan as expeditiously as possible to require a passport or other document, or combination of documents, deemed by the Secretary of Homeland Security to be sufficient to denote identity and citizenship, for all travel into the United States by United States citizens and by categories of individuals for whom documentation requirements have previously been waived under section 212(d)(4)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(4)(B)). This plan shall be implemented not later than 3 months after the Secretary of State and the Secretary of Homeland Security make the certifications required in subsection (B), or June 1, 2009, whichever is earlier. The plan shall seek to expedite the travel of frequent travelers, including those who reside in border communities, and in doing so, shall make readily available a registered traveler program (as described in section 7208(k)).

''(B) The Secretary of Homeland Security and the Secretary of State shall jointly certify to the Committees on Appropriations of the Senate and the House of Representatives that the following criteria have been met prior to implementation of Section 7209(b)(1)(A)—

''(i) the National Institutes of Standards and Technology has certified that the card architecture meets the International Organization for Standardization ISO 14443 security standards, or justifies a deviation from such standard;

''(ii) the technology to be used by the United States for the passport card, and any subsequent change to that technology, has been shared with the governments of Canada and Mexico;

''(iii) an agreement has been reached with the United States Postal Service on the fee to be charged individuals for the passport card, and a detailed justification has been submitted to the Committees on Appropriations of the Senate and the House of Representatives;

''(iv) an alternative procedure has been developed for groups of children traveling across an international border under adult supervision with parental consent;

''(v) the necessary technological infrastructure to process the passport cards has been installed, and all employees at ports of entry have been properly trained in the use of the new technology;

''(vi) the passport card has been made available for the purpose of international travel by United States citizens through land and sea ports of entry between the United States and Canada, Mexico, the Caribbean and Bermuda; and

''(vii) a single implementation date for sea and land borders has been established.''.

SEC. 539. Notwithstanding any time limitation established for a grant awarded under title I, chapter 6, Public Law 106–31, in the item relating to Federal Emergency Management Agency—Disaster Assistance for Unmet Needs, the City of Cuero, Texas, may use funds received under such grant program until September 30, 2007.

This Act may be cited as the ''Department of Homeland Security Appropriations Act, 2007''.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, today we begin consideration of the Homeland Security appropriations bill. I begin by thanking the members of the Committee on Appropriations for helping bring the bill out of committee. It was brought out unanimously.

I especially thank the ranking member of the committee and the senior Senator from the State of West Virginia, but also the senior Senator in the Senate, Senator BYRD, for his support and efforts as ranking member not only of this subcommittee but of the full committee, of course, and his role in authoring and designing this bill. It has been very constructive. Obviously, he does not agree with everything in it. That is inevitable, especially with the allocation we were equipped with, but his help has been significant in moving the bill forward.

I also thank Senator COCHRAN who, once again, has been extremely tolerant of this subcommittee—not only tolerant but supportive. He was put in a very difficult position by the administration in the manner in which they sent up their budget in this area, in that they put in a plug number of about $1.4 billion, a number that everyone knew was not going anywhere. They knew it wasn't going anywhere when they sent it up here. It didn't go anywhere last year when they sent the same number up here, a number they claimed they could support by increasing the fees on airline travel, and then

taking those moneys and putting them to the border. It was a concept which has been rejected by the Congress before. They knew it would be rejected this time.

They used it basically as a stalking horse to claim expenditures which were not then supported by funding. The reason it is not supported is that it makes no sense to raise the fee on airline passengers for security purposes on airlines and then take that money and put it into the border activity. We have significant fees on airline passengers today. That money is used primarily for TSA and FAA in order to assist in making sure our air traffic is secure. It is an appropriate fee. An increase at this time, which is not related to airline traffic, makes little sense.

Senator COCHRAN was confronted with a situation with this bill where he basically had to find about $1.4 billion in order to reach the President's level of funding, that the President asked for Homeland Security without any real way to do that except to take it from other accounts. He was very generous with this committee. He was not able to do the full amount, but he did a significant amount, and we very much appreciate his support. He used to be chairman of the subcommittee when it first started and he understands the needs.

The issue of the Homeland Security Department is almost a Dickins story because it takes a lot of twists and turns. Some of it is not very pretty. Some of it is good. Some of it is not. The problem we have is that the Department was put together in haste. A lot of different agencies that had a lot of different cultures, some of which were doing their tasks very well—such as the Coast Guard and the Secret Service—were put into the Department, and others which had always had a problem, a structural problem such as immigration, were put into the Department. Then new responsibility was put on the Department with a new focus.

Every agency theoretically within the Department is primarily focused on the issue of national security and protecting us from an attack such as September 11, but within the agency, in order to have continuity of activity, there were departments put into it which did not have as their primary purpose Homeland Security.

The most significant example of that, of course, is FEMA, which basically deals with disasters. Most of the disasters it deals with involve natural disasters, which obviously are not a function of terrorist activity, although it is, obviously, also a lead agency should we have a terrorist event such as occurred on September 11. FEMA played a major role there and did a very good job, by the way. FEMA's management of post-September 11 issues was handled with excellence.

The Department has a lot of different functions within it. It has now been going for about 3½ years. I have had the good fortune to chair this committee for about 2 years. It is pretty obvious the Department has not yet shaken out all the problems it has. In fact, the problems keep coming at us relative to management.

I asked my staff to take a look at the Department and all the reviews that have been done by outside groups which we basically sanction, such as the Inspector General and the GAO and other accounting agencies which go in and take a look at functions of the Federal Government and conclude whether those functions are being done well.

Homeland Security probably leads the Government in the number of reviews that have been done because it is a new agency and because there are problems obviously. I asked my staff to put together a list of all the different reviews and tie those lists to the management chart of the Department so that we could see just how much the Department has and has not accomplished in the area of reviews. It became an overwhelming task. They put together the chart, but there were so many reviews that had occurred that essentially they had to just summarize by numbers the different reviews.

This is the management chart of the Department of Homeland Security. For example, there have been seven reviews of the chief financial officer. All of them have concluded system failures. The Under Secretary for Management has had eight reviews that have concluded a lack of plan; six reviews, systems management failures; and one review that said there was a mismanagement of funds.

Regarding the Chief Information Officer, the conclusion is that IT management has been lacking in 18 different reviews.

On and on it goes. Of course, the grand prize winner, regrettably, is FEMA, which has had 180 major reviews by GAO or the inspector general or other sources of significant credibility—180 reviews have concluded the process has failed, and 7 reviews have concluded that management controls have failed. In fact, there is such a current problem of mismanagement and ineptness that this chart cannot be kept up to date, regrettably.

Just today we have gotten our most recent review, again, by the Government Accounting Office. They conclude with the US VISIT Program: Contract management and oversight for the Visitor and Immigration Status Program needs to be strengthened. This is US VISIT, an absolutely critical program we have. We have had six reviews of US VISIT of this depth, and all of them have concluded there are significant concerns.

To take an example of the depth of the problem with this Department, agency by agency, there was a review of Federal Protective Services which basically said they lacked strategic planning, that they had no structure for strategic planning in July of 2004, that they needed to enter into an immediate understanding with GSA as to what they should be doing relative to planning and how they should be resolving billing issues within that Department. On and on the report went, with very specific ideas as to how to improve the Department.

As of today, virtually nothing has happened in the Federal Protective Services Agency to try to correct the problems enumerated in the 2004 GAO report.

What is the result of that? The result is that the Federal Protective Services Agency has a $42 million structural deficit, which they do not have any idea how they will correct.

That is just one slice of this overall pie which, regrettably, is the Department of Homeland Security. This is not to say that the Department does not have very conscientious, hard-working, dedicated public servants. It does. It has a panoply of them—those folks who are on the front lines on the border, whether they are immigration officers or border agents, the people in TSA who are working very hard to try to straighten out the lines in the airport and still provide security, the Secret Service, the Coast Guard, FEMA people trying to answer the problems of a small flood or issues with what happened in New Orleans. These people are all working very hard, but there is a systematic failure within this Department which is massive. It is, unfortunately, permeating the entire Department. It has to be of significant concern to us as a Congress.

Just a recent report estimated that maybe as much as $18 billion—that is a staggering number—$18 billion of the money we spent on Katrina has been misallocated, they believe fraudulently handled, but, clearly, it did not get the results they were supposed to get. Whether it was a trailer sitting in a field somewhere that never got used or whether it was debit cards used to buy bedding, the fact is that is potentially $18 billion.

I cannot believe the number is that big. I think that has to be an overestimate. There is no way that size number could have been mismanaged. But say it is half; say it is $9 billion. Do you know what we could do with $9 billion in this country today? We could do a lot of good things. Just in this Department alone, if we had $9 billion focused on the Coast Guard and on Border Patrol and immigration, an infusion of that type of money—I had to pull teeth to get an extra $1.9 billion in the last supplemental. If we got $9 billion, we could make sure our borders were secure and no one could come into the country illegally. The number of people coming into the country illegally would dry up if we had those resources for the borders. It is a real issue with real implications.

All the reports are not just paper documents. They all mean taxpayers' dollars are not being used effectively.

Even though the people on the front lines are trying their hardest, there are issues that have to be addressed. The main thing we are saying to this agency, this Department—and I know they are trying hard, I know the Secretary is trying hard, everyone down there is trying hard—somehow we have to get ahold of this. We have to get some management structure so we do not get this constant flow of failure, of review.

The way this committee has tried to do it is essentially to try to prioritize. We essentially said: There are some things we have to do right. Even in the context of all these problems we have, we have to do some things right. The first thing we have to do right is to address the threat. The threat, obviously, is weapons of mass destruction. The potential of a weapon of mass destruction being used in America is the single biggest threat we have as a nation today. It is real.

It is regrettable that there are a number of people in the country, especially the press, who do not take it seriously, but it is a serious problem which we have as a nation because there are, unfortunately, people out there who are fundamentally evil who genuinely believe their way to a fuller life and a great existence is to essentially kill hundreds, potentially thousands, of Americans and try to destroy Western culture. That is their purpose. These people are sophisticated. They have the capacity, if given the wherewithal, to use a weapon that could do massive damage to our Nation. We cannot underestimate this threat simply because we have gotten through 4 years.

Let me congratulate those who work on the front line. As I said, there are some hard-working, committed people. Four years of hard work have kept us free from an attack, and that, I guess, is the bottom line. So maybe my statement before was a bit harsh because you have to congratulate the success in the fact that we have not been attacked in the last 4 years. But the documentation is also real that we have real issues with this Department. But if we are to continue to be successful in thwarting a weapon of mass destruction attack, we must put resources in those areas. But they must be used effectively.

We have the Science and Technology Directorate of this group. They have no plan, as far as we can tell. They want more money, and I would be happy to give them more money. I would be enthusiastic about putting more money into their operations if I felt there was some sort of coherent plan as to what they were going to do with those funds. In fact, it is just the opposite. You get just the opposite feeling from the Science and Technology Directorate.

You have the NMDS, the nuclear detection group, which is working hard. They are up and running in Nevada. They are trying to develop systems. Well, they started from nothing. Basically, they wanted a lot of money to get started. We asked that they give us some directions as to how they were going to do that, and they have started to do that. So they are moving on the right path. But what we basically said is: We will give you the money as you produce the plan that produces the results.

We have to be ready for a domestic nuclear event, and we have to try to stop it before it happens. But it also has to be done in a coherent and comprehensive way rather than an illogical way or in a way that appears to be haphazard. There is progress being made there. That is where we want to focus our dollars, quite honestly. We want to focus our dollars in this effort. I have been joined by Senator BYRD in trying to address the weapons of mass destruction threat. That is the No. 1 thing.

The second thing we want to focus on and we have tried to focus on is the issue of border security because you really have to know who is coming into the country if you are going to be able to claim you have addressed the issue of threat. Because, sure, there are homegrown terrorists in America, unfortunately. There is no question about it. But we also know there are an awful lot of people out there—and we saw it again just this week—primarily coming out of the Mideast but also out of Southeast Asia, who want to do us harm and whose purpose is to do us harm—and they are open about it—who have put out epistles to their followers that their cause should be to attack America and Americans within and outside of our country.

So we really need to know who is coming across our borders. And then, of course, we have the secondary issue, which is we have a large number of people coming into our country illegally who wish us no harm. In fact, it is just the opposite. They wish to take advantage of the American dream, to get a job and support their families. They come here to get work—and especially across the southern border—but they are coming here illegally, and that is not appropriate. So we need to get control over our borders.

So about 2 years ago, when I took over this job, of being in charge of this committee, we started to ramp up significantly our commitment to border security. With this bill, should this bill be successful and be passed, we will have increased the number of border agents by 40 percent; we will have increased the number of detention beds by about 30 percent; we will have dramatically increased our commitment to the Coast Guard; we will have dramatically increased our commitment to ICE; and we will have put in place and started up the US–VISIT Program, which I still have reservations about as to how effective it is going to be, but it seems to be moving in the right direction and people are working hard on it. Our purpose has been to retool the borders so we can be sure within a few years we can control the borders.

Now, I happen to be of the belief that we should put this on the fast track. It should not be 5 years from now, it should be next year. But that has not happened, primarily because of resources. However, we have made dramatic strides in this area.

Now, there has been a disagreement here between ourselves and the administration on this point. In fact, when we brought our first budget forward, which significantly increased the number of border agents by about 1,000—actually 1,500 when you coupled the supplemental with the bill—we were strongly resisted by the administration because we took money out of other accounts—primarily State and local first responder funds—and moved it over to Border Patrol. We did the same thing to add the detention beds. That was done with the support of the Senate and, in the end, with the support of the House. That was a success. It was such a success, in fact, that now the administration claims it was their idea, even though at the time they opposed it.

Now, we have tried to move forward. This year, we put $1.9 billion into the supplemental to try to address the capital needs of the border issue, such as the aircraft, the fact that our aircraft we are flying down there are 40 years over their useful life, the helicopters are 20 years over their useful life; the fact that the Coast Guard is on a program of building coastal security capability, but it is on a program that won't build out until 2023, and we think that should be accelerated to 2015; the fact that we only had one unmanned vehicle on the southern border—or anywhere on the borders, for that matter—and that one unmanned vehicle crashed, and we need to replace it and add more. And we have a lot of technology needs and also just plain old-fashioned cars and desks and training capability, things we felt we needed on the capital side.

Well, as to that idea, although the Congress thought it made sense, the administration did not. They took the number and converted it. We are happy to have the money. Initially, the Department was not even happy to have the money, but they took the money, and they converted it to operational needs, adding another 1,000 agents, adding another 4,000 beds, adding operational costs, and also some capital needs. I think the helicopters were covered. The planes were not upgraded. There were unmanned vehicles that would be purchased. So that was a point of disagreement, but at least we were on the right track.

But the practical effect of that bill was we created what is known as a fiscal tail, which meant that as you added operational costs in the supplemental, you had to add additional money in the main bill in order to pay for the operational needs which would be ongoing, which meant that the basic bill was stressed, first because it did not have full funding because of the $1.4 billion hold that was put in it by the setting

up of a fee system, which everybody knew was not going to work, and secondly because of the tail that came out of this supplemental, which meant we had to pick up about $600 million of cost we had not planned to pick up in this bill in order to maintain the costs which had been put in the supplemental, which we felt should have, instead, been capital costs rather than operational costs.

So the practical effect of that gets us to this bill we have today, which is a bill which continues the movement toward securing the borders but does not do it in as robust a way as I would like. I am not going to be disingenuous about it. I am not going to come to the floor and say this is the greatest thing since sliced bread. It is not. It is a step in the right direction. And because of Senator COCHRAN's and Senator BYRD's support in getting a bigger allocation in this bill than it might have appropriately gotten in light of what was sent up by the administration, it is a fairly significant step. It adds an additional 1,000 agents. It adds an additional 1,000 detention beds. But that means we are still short of where we need to be. Even though we have increased agents by 40 percent and detention beds by 30 percent, we are still way short of where we need to be to be able to say, with confidence, we are going to be able to stop the people who are coming across our borders, especially our southern border, in the near term, detain them, and make sure the bad ones are sent back and the other folks are put through some system that works.

That brings us to another issue involving border security, which is this whole question of immigration reform. There is no question in my mind that you cannot get substantive long-term border control unless you have immigration reform, which means some sort of guest worker program for people who want to come here and work. People who are getting paid $5 a day in Mexico and can make $50 a day in the United States, who have a family to feed, are going to come to the United States. That is just human nature. That is what they are going to do. That is what they have to do in order to survive and take care of their families. We have to come up with a way where those people can come across our borders and we will know who they are, why they are here, where they are going, and where they are working.

Now, the Senate has passed an immigration bill, which I voted for, and the House has passed an immigration bill. But the conference process does not seem to be going forward very well. Well, the bill here, ironically, sets out some parameters which might help move this whole thing along, if we want to do a comprehensive immigration bill.

I think there is general consensus developing around here to a concept which was put forward by Senator ISAKSON of Georgia during the immigration debate that we should have a trigger mechanism, basically, which would essentially say: When you accomplish these goals in the area of border security, then you can move to the next step in the area of bringing along a guest worker program.

What this bill does is basically give us some pretty specific ideas as to what those goals should be. What should be the ascertainable standards which we should set that need to be accomplished and, if and when accomplished, should kick in a guest worker program? And there are a couple of ideas of how you approach the guest worker program, but the ascertainable standards are really pretty obvious. They first should be definite. They cannot be vague. They cannot be standards which are gameable. But if you look at what we need on the border, you do not need vagueness. You can be pretty precise. In fact, you can get right down to the numbers.

If we had 20,000 border agents, we know we would have the necessary border agents. If we had about 40,000 detention beds—that doesn't mean firm beds. There are lots of ways to do detention beds. You could use old military bases. You could use present military bases. But if you had the capacity to hold up to 40,000 people who come across our borders illegally, that would give you the necessary numbers to do the process. If you had about five to nine UAVs, depending on whether you were going to use UAVs on the northern border, that would be a number that was ascertainable. If you had a Coast Guard build-out which said it would be completed by the year 2015, that would be a number that would be ascertainable. Those are numbers you could put in. If you had a US–VISIT Program that met certain standards, so that when a person comes across the border they get fingerprinted in a way that would allow the FBI database to be actually activated in real time, that would be an ascertainable standard. And if you had a readable employment card that had biometrics as its base, that would be an ascertainable standard.

If you just did those items as your ascertainable standards, you would have in place what is necessary to put forward an effective border security commitment. And you could follow that, when those had been reached—and they could be reached in a very short time if you wanted to put the resources in it; this is not years, this could be reached very quickly—you could put forward a guest worker program which could follow on rather quickly. I have ideas as to how the guest worker program should work, and other people do, but there certainly is a way to do it that makes sense and is fair to people who want to come into this country and work for a living, even those who are already here illegally, without creating amnesty. So this bill sets out, basically, parameters for accomplishing that. It gives a path that could be followed to accomplish that goal, and I hope it will be supported for that reason.

As I have said, the bill is not everything we need, and the Department is not clearly where we need to have it. But in the context of the resources which were available to us, this bill is very much a step in the right direction. It will add significantly to the number of border agents.

It will add significantly to the number of detention beds. When you combine it with the supplemental, there will be 2,000 new border agents and 5,000 new beds. It puts in place some of the mechanisms to try to make sure the technology is appropriately addressed.

The place where it is most lacking, to be fair in disclosure, is with the Coast Guard because the Coast Guard buildout remains a 2023 exercise under this bill versus what should have been a 2015 buildout exercise. That is unfortunate. Had we gotten what we needed in the supplemental, we could have changed that. We didn't. So we will come back to that issue. I wouldn't be surprised if there are other supplementals floating through here and the Coast Guard has a fair and legitimate claim on funds for national defense in those supplementals; if not, in the next appropriations rounds.

So that is where we stand today. It is a bill on the right track. It doesn't solve all the problems. It deals with an agency which is trying hard, with good people, committed to the purpose of protecting us but an agency which has very significant issues of management and systems controls.

I appreciate the courtesy of the Senate in listening to me for this length of time. I especially appreciate the courtesy of the Senator from West Virginia for his constructive efforts and his help in bringing the legislation this far.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, the Senate has before it the fiscal year 2007 Homeland Security appropriations bill. I commend our chairman. I am debating whether I should say ''who has no peer.'' I think I will stick with that. He has no peer when it comes to knowledge of the subject matter and as one who cares deeply about his country, his committee, its work, and about the needs that exist for appropriating adequate funds. I commend him. I commend his staff. They have done excellent work on this legislation.

This chairman makes it his business to know what are the facts concerning the needs out there; who makes it his business, once he knows the facts, to go after the weaknesses, the soft spots, and, with a great determination, to do the task ahead.

I commend the thousands of men and women who are on the front lines defending America's homeland. They do serve the Nation every hour of every day. Senator GREGG has tried to allocate limited—and I say limited, I stress

the word ''limited''—resources to respond to those threats that present the greatest risk. He does not have the funds to deal with all the threats, but he has sought to respond to those threats that present the greatest risk. In doing so, Senator GREGG has included a number of improvements to the President's budget, particularly with regard to border security, baggage explosives detention, fire grants, and emergency management. However, there is a limitation to the ability of this chairman, or any chairman—a limitation to the ability of the Appropriations Committee—to address the problems in the President's budget.

The bill is $515 million below the President's request, and only 4 percent higher than last year. There are funding shortfalls for port security, border security, rail security, and first responder grants. These shortcomings are largely a result of the administration's ill-considered proposal for the Appropriations Committees to enact an increase in the aviation passenger tax. While the President claims credit for a robust budget for securing our borders, his actual budget is hollow, hollow, hollow. The White House knew when it sent the budget to the Congress that the funding relied on a tax hike on air travelers—a tax hike that the Congress had already rejected. How about that.

The Appropriations Committees lack jurisdiction to increase the aviation passenger tax and, of course, we could not do so in this bill. As a result of the President's proposal, the funding for homeland security in this bill is not only lean, it is also very lean. So I again commend Chairman GREGG for his masterful work in putting together this bill, but serious security problems remain.

The Department of Homeland Security is now in its fourth year of existence, as Senator GREGG has explained. While many of its legacy agencies, such as the Coast Guard, Customs and Border Protection, and the Secret Service, continue to operate effectively, the Department itself certainly has become the gang that can't shoot straight. Nearly 5 years after 9/11, key issues, such as fixing FEMA, such as establishing chemical security standards, such as inspecting cargo on commercial aircraft and inspecting air passengers for explosives, such as securing our ports and making sure that State and local governments have effective mass evacuation plans, are all languishing at the Department. The list of issues that are festering at the Department goes on and on, and these problems are not merely bureaucratic hassles. These are issues that imperil the safety of Americans—Americans—as they go about their daily lives. That is you and you and you and you out there in the plains, the prairies, the Rockies, the Alleghenies, you citizens, the safety of you citizens as you go about your daily lives.

Only 5 percent of the 11 million cargo containers coming into this country are opened for inspection. We know that terrorists desire to bring a dirty bomb into this country. Over 6 billion pounds of cargo is placed on commercial airlines each year, and virtually none of that cargo is inspected. How about that. Do you feel any safer? How do you feel about that, now that I have said that?

The Environmental Protection Agency reports that 123 chemical plants located throughout the Nation—and in particular in the Kanawha Valley in southern West Virginia—could each potentially expose more than a million people if a chemical release occurred. How does that make you feel? Yet according to the Government Accountability Office, only 1,100 of the 15,000 chemical facilities in this country are known to comply with voluntary security standards. Yet the administration has done virtually nothing to either require compliance or create incentives for the chemical industry to secure its facilities. Only 37 of the 448 airports in this country have acquired new technology to inspect airline passengers for explosives as they board airplanes. Does that make you nervous when you go up to the ticket counter to buy a plane ticket?

There are in this country, in prisons, more than 550,000 criminal aliens in prisons in this country who have not been identified by the Department for removal from the country. Does that make you feel any safer? How about that. When they get out of prison, they may be walking the streets in your neighborhood. Where? In your neighborhood. They need to be removed from this country as soon as they finish their prison terms.

The so-called millennium bomber crossed the U.S.-Canadian border in Washington State intending to blow up the control tower at Los Angeles International Airport. Just last month, 17 homegrown—get that, 17 homegrown—alleged terrorists were arrested in Toronto. Yet there are only 1,000 Border Patrol agents stationed along the northern border. That means that one lonely Border Patrol agent is responsible for patrolling 5.5 miles of the border.

Nearly 5 years after 9/11, most of our first responders still do not have interoperable communications equipment.

Can you believe that? Nearly 5 years after 9/11, most of our first responders still do not have interoperable communications equipment. Can you believe that? I have pressed for that most basic need for our first responders for nearly 5 years. This subcommittee is on top of its work, but it needs more resources.

We all learned after Hurricane Katrina that FEMA is no longer up to the task of responding to a catastrophic disaster, whether the disaster is a terrorist attack or a natural disaster. According to the administration's own statistics, only 27 percent of State and 10 percent of urban area plans were rated as adequate to cope with a catastrophic event.

In addition to failing to address known vulnerabilities, the Department of Homeland Security is turning into a case study for failed management. The GAO and the DHS inspector general have documented numerous financial management and procurement failures at the Department. The Department of Homeland Security information systems are not secure. The GAO alone has completed 494 evaluations of DHS programs. The DHS Office of the Inspector General is spread so thinly that it was unable to follow through on 616 different allegations of wrongdoing last year.

The Department continues to allow valuable homeland security dollars to gather dust in the Treasury rather than getting the money out to State and local governments where the money can actually be used to secure our ports and mass-transit systems or to purchase interoperable communications equipment.

In the fiscal year 2006 Homeland Security appropriations report, we directed the Department to send Congress a report by February 10 providing an expedited schedule for awarding homeland security grants. Last week, 5 months late, we got the report. The report detailed the Department's plan to award 20 different grant programs in the last month of the fiscal year. Congress approved funds last October, yet the funds will sit here in Washington for almost a year. Last week was the 1-year anniversary of the London train bombing. Yet under the Department's plan rail and transit security funding that was appropriated by Congress last October will not be awarded until this September. The same malaise applies to grants to secure our ports, our buses, for securing buffer zones around nuclear and electrical plants, and grants to hire more firefighters. What is the administration waiting for? Does there have to be another horrendous attack with thousands of deaths before this Department will shake out of its nearly comatose state?

The Department's record should cause every citizen—that is you and you and you and you—alarm. The Department's record should cause every citizen alarm. It is a record that was entirely predictable. While I supported the creation of a Department of Homeland Security, I voted against the legislation that created this unwieldy behemoth. In consolidating 22 agencies into 1 department, the Congress created an organization that was destined from the beginning to have failures. This was a department that was created out of political expediency in the basement of the White House, not through careful analysis.

In the months following 9/11, the President feared that the Congress was taking the initiative on securing the homeland. So the President directed a small White House team, cloaked in secrecy in the bowels of the White House, to draft a reorganization of homeland security agencies. No security experts

were present. The political wizards conjured up this witch's brew. The result was a massive governmental reorganization rushed through the Congress in a matter of months. Do you remember that? I remember it. I expressed my concerns about it.

As I said in the fall of 2002—did you get that—in the fall of 2002, 4 years ago:

> If we take this giant step, our homeland defense system will likely be in a state of chaos for the next few years.
>
> People may begin to read in the newspapers about startup problems in this vast new Department. These kinds of high-profile debacles could carry over to the Transportation Security Administration, the Customs Service, FEMA, the Coast Guard, or any of the agencies.

That is what I said.

For this administration, the illusion of security—like seeing a waterfall in the desert, an illusion—created by this Department and spawned in the White House cellar was more important than a careful plan for actually making Americans safer. Perhaps I should say that again. For this administration, the illusion of security created by this Department and spawned in the White House cellar was more important than a careful plan for actually making Americans safer. For this administration, it is OK to do homeland security on the cheap. For years, I have come to this floor, and others have come to this floor, and documented examples of the ways in which the administration relegates homeland security to a low priority—border security, rail and transit security, port security, chemical security, funds for firefighters, and the list goes on and on.

This year, the administration proposed to cut the firefighter grant program by 45 percent. It was proposed to eliminate the SAFER Program, a congressional initiative that helps local governments hire more firefighters. The Department failed to transmit to the Congress the statutorily mandated needs assessment of our firefighters. I wonder whether the report is locked in someone's desk because it concluded that our fire departments still lack the resources necessary to purchase equipment capable of responding to a terrorist attack.

Nearly 5 years after 9/11 and nearly 1 year after Hurricane Katrina proved that our first responders are not ready to deal with a catastrophic disaster, the President proposes to cut first responder grants by 13 percent below fiscal year 2006 and 33 percent below fiscal year 2005.

There is another example of the rob-Peter-to-pay-Paul approach the administration takes to securing our homeland. Last week, the administration notified the Congress of a serious shortfall within the Federal Protective Service, the agency that secures over 1 million Federal employees and visitors to our Federal buildings. Rather than request additional funding for the shortfall or increase the fees charged to Federal agencies to cover the shortfall, the administration is proposing that we cut funding for explosives countermeasures and for detaining and removing illegal aliens to pay for the shortfall. Can you imagine that? The President tells the Nation that border security is a critical priority for our national security—and he is right, that is what it is. The President pushes the Congress to get tough on illegal immigration, and then his administration proposes to cut funding for detaining and removing illegal aliens. And in a world where we see explosions of improvised explosive devices killing American soldiers every day and with the Madrid and London train bombings, the administration wants to cut funds for developing explosives countermeasures here in the United States. What kind of confusion reigns at the other end of the avenue, at the White House? Does Presidential rhetoric now excuse rolling the dice with the safety of millions of Americans?

Today, the Senate has before it the fourth Homeland Security appropriations bill that the Senate has considered since the Department was created. Under the leadership of the first chairman of the subcommittee, THAD COCHRAN, and under the leadership of the current chairman, Senator JUDD GREGG, the Senate has striven to provide the Department with the resources it needs to do its job and to give clear direction for improving its efforts to secure the homeland. And it has been an uphill fight.

I am pleased that, in this bill, Chairman JUDD GREGG included a number of provisions that will improve the operations of the Department of Homeland Security. I hope that the administration downtown will listen to his lead and that the administration will follow his lead.

Hardly a week goes by that the administration does not remind Americans of the continuing threat of terrorist attacks. As we debate the bill this week, I will offer two amendments to fill some of the gaps in border security and port security that were created as a result of the administration's unworkable proposal to finance $1.2 billion of the Department's budget through increased aviation passenger taxes. I will also support amendments that will be offered to increase funding for first responders and for rail and transit security. I encourage Congress to demand more of the Department of Homeland Security and more than rhetoric from the President.

Again, I applaud Chairman GREGG for the expertise he brings to the bill, for the labor he expends, for his determination, his concern, and for the foresightedness he brings to the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I appreciate the kind comments of the Senator from West Virginia. I especially appreciate his very insightful review of the issues here, most of which I agree with, some of which I may have some disagreement with, but mostly I am in total agreement. He used the analogy of a hill. I sometimes feel that he and I are like Sisyphus on this hill. I am not sure we are going to make it to the top, because they keep pushing the stone back down on us.

In any event, the effort is being made. We are trying to secure our borders and make sure that we are safer from weapons of mass destruction. And the Department, as he said—and I think it is important to stress this—is filled with people conscientious and committed to protecting America, and the issues which are raised are ones of resources and systems and support. Those can be resolved when you have good people working, and I think we can resolve them.

I look forward to hearing more from the Senator as he brings forward his amendments.

I ask unanimous consent that the committee substitute to H.R. 5441 be considered and agreed to; provided that no points of order are waived thereon and that the measure, as amended, be considered original text for purpose of further amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

Mr. GREGG. I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, I listened to my colleague from West Virginia in his description of amendments he intends to offer. It is a description of the legislation. This Appropriations subcommittee is a very important subcommittee and raises a good many issues dealing with the security of our country. I want to talk about them briefly, and then I want to talk about something that occurred last week.

First, with respect to homeland security, a book was written a while back about October 11, 2001. We talk about September 11, 2001. On 9/11/2001, a tragedy was visited on this country when airplanes loaded with fuel crashed into the Trade Centers, the Pentagon, and a field in Pennsylvania, and thousands died. It was a devastating terrorist attack against our country. That was on 9/11/2001.

According to information in a book printed some while ago, on October 11 of that same year, a CIA agent with a code name Dragonfire reported, and apparently through the Presidential daily briefings, the head of the CIA, Mr. Tenet, reported to the President, that they had picked up a rumor or intelligence had gathered information that a 10-kiloton nuclear weapon had been stolen from the Soviet arsenal, or the Russian arsenal, and had been taken to New York City and was to be detonated in a major American city by a terrorist organization.

Graham Allison, who wrote the book ''Nuclear Terrorism,'' described the

plot that was told to the CIA by an agent called Dragonfire. As a result of that description 1 month after 9/11 that there might be a 10-kiloton Russian nuclear weapon in this country already set to be detonated in an American major city, there was great concern, obviously. Many people were apoplectic about what was happening. This did not become the product of news stories, for obvious reasons. But the administration and others responded to it with some concern.

About a month later, it was apparently discerned that this was not a credible threat, or at least the circumstances that brought that threat were not credible. But as they postmortemed that period, they discovered it was probably perfectly credible: We know the Russians had 10-kiloton nuclear weapons; they had built them. They don't have the best command and control of their nuclear weapons. It is perfectly plausible that someone might have stolen or purchased a 10-kiloton nuclear weapon and it was not outside the scope of probability that someone might have brought a nuclear weapon into this country and a terrorist organization could well have detonated a nuclear weapon, all of which caused great concern.

We have roughly 30,000 strategic and tactical nuclear weapons in this world. The disappearance of one to a terrorist organization, in the hands of a terrorist organization will cause a terrorist act in a major city unlike any we have ever seen.

It is interesting that when the Defense authorization bill comes to the floor of the Senate, we spend billions and billions of dollars defending against a rogue nation or a terrorist acquiring a nuclear weapon, putting it on the tip of an intercontinental ballistic missile and shooting it at our country at 18,000 miles an hour. So we are spending billions on an anti-ballistic missile system to try to hit a bullet with a bullet. It is my judgment—and I think the judgment of most people who evaluate what is the most likely threat against our country—that the most likely threat is a container ship pulling up to a dock at a seaport in this country at about 3 miles with a container on board, with a weapon of mass destruction inside that container that has not been inspected. That is a far more likely threat to this country than a nuclear-tipped intercontinental ballistic missile acquired by a rogue nation or a terrorist organization. Yet we are spending thousands of times more money on the anti-ballistic missile program than we are on port security.

It is why port security is of such great importance to this country. We have a large border, and we had some discussion with respect to the immigration bill about border security—border security with respect to immigration, yes, but also with respect to keeping terrorists out. But our borders not only include the landmass between Mexico and the U.S. and Canada and the U.S, our borders include port facilities and a substantial number—I believe the number is close to 6 million containers on ships each year come into this country, with a very small percentage of them actually investigated or inspected. That is why port security is so very important.

It is also the case, as my colleague from West Virginia has described, that first responders in this country will almost inevitably be first to respond to not only a terrorist act should one occur in the future, but first responders will likely be first in contact with the terrorists. It is a fact that one of the terrorists who flew an airplane into a building in this country on 9/11/2001 was apprehended for speeding in the State of Maryland but apparently was not on a watchlist and so was given a speeding ticket and then drove off.

It is likely that the first acquaintance with a terrorist or a terrorist act will be someone in local government—local police, county sheriff, a local emergency crew, an ambulance. That is the first responder.

We have just had testimony from sheriffs and local police officers about the issue of critical interoperability of communications. Is the local police organization able to communicate with the highway patrol? Can the highway patrol communicate with the fire department? Can the police communicate with the fire department? All of that is very important. Yet at the same time we ask these questions, the President is recommending very substantial cuts in these programs—Byrne grants, law enforcement block grants, COPS Program, and others. It is exactly the wrong time, in my judgment, to retreat. At the same time violent crime is increasing, by the way, the President is recommending those same cuts.

With respect to this issue of the Department of Homeland Security, it is very important we get it right. My colleague, Senator JUDD GREGG, I know works hard on these issues, as does my colleague from West Virginia, Senator BYRD. I hope this week, as we work our way through this legislation, we can thoughtfully consider amendments and evaluate those that will strengthen this bill and perhaps discard those that will not we will come out of it with legislation that will give us the feeling that we have improved substantially homeland security in our country.

Homeland security is also about hometown security because that is where homeland security starts—with first responders.

Mr. President, I ask unanimous consent to speak as in morning business. I would like to speak for a few minutes about a drought tour I took last week.

The PRESIDING OFFICER. Without objection, it is so ordered.

AGRICULTURE DISASTER RELIEF

Mr. DORGAN. Mr. President, we have a portion of North Dakota, and it extends down into South Dakota, parts of Missouri, Illinois, all the way down to Texas, where a very severe drought is occurring. I want to talk about meetings in Flasher, ND, Moffit, ND, and Zeeland, ND. Zeeland is a town of 118 people. I drove up to Zeeland the other day and 170 farmers and ranchers were there, in a town of 118 people. As we drove into that town and looked off to the left, we saw what looks like the gravel infield or sand infield of a baseball diamond, a field that is supposed to have grass where cows can graze. There is no grass. It looks like a bowling ball. That is because there is a devastating drought occurring in that region.

We have a lot of folks who have cattle, and you either feed cattle or you have to sell them. It is just that simple. People are very concerned.

No. 1, we need hay and grazing opened on CRP land so farmers can get at forage to feed these cows. I had people stand up at meetings and say: I have 200 to 300 cows, and I have nothing to feed them. The pasture is bare.

Those cows are either going to be fed or put on a truck and sent to market immediately.

There was a man, Wes Mastel, a 24-year-old rancher who just started 2 years ago. He had to sell his herd of 114 cows. He had nothing to feed them. The stories are pretty devastating.

The thermometer on the MacIntosh County Bank the other day read 100, 101 degrees with wind just drying out the soil, sucking out the moisture—what little moisture that does exist in the soil.

We have this developing, abiding drought that is devastating to ranchers. I raise the question because I have offered three times now disaster relief for 2006 when we had torrential rains and 2 million acres couldn't be planted or were planted and washed away completely.

We had a disaster in the gulf region. That was called Katrina. The torrential rains in North Dakota didn't have a name, but they were torrential rains. They destroyed crops. The drought doesn't have a name. It destroys crops.

The question is: What can we do about it? We have always, prior to this, reached out to family farmers and said: We want to help you; in times of trouble, we want to help.

Last December, the Senate passed a disaster relief bill. The House would not accept it. The President, in fact, very frontally said: If it comes to me, I will veto it. Usually it is a Presidential adviser who recommends a veto. That wasn't the case. The President said: I will veto it, so it didn't go anywhere.

A couple of months ago on the emergency supplemental, I attached, once again, a disaster relief bill. It got to conference with the House, and it was again jettisoned. The President again said he opposed it.

So I attached a disaster relief bill to the Agriculture appropriations bill that was marked up in the full committee just recently. We are going to

see again. Times change, things change. My hope is the President will understand this is a very serious problem and will relent and decide he wants to help.

I am informing the chairman and ranking member of the full Appropriations Committee today that it is my intention to modify the amendment I added to the Agriculture appropriations bill to include the 2006 drought because we must, it seems to me, respond to this disaster. The failure to respond to it means that fewer and fewer people will be living out on the land in this country, and that takes something significant away from the character of this country. This is not new. We have always reached out in times of trouble.

I would ask anybody who thinks there is not trouble out there to just take a drive—take a drive in the drought area and then ask yourself, if you had 300 cows that were your responsibility on your ranch, what on Earth would you feed them? And if there is nothing to feed them, you are going to market and you are out of business. It is that simple.

So, first and foremost, my colleague, Senator CONRAD, and I, and others, have asked the Secretary of Agriculture to release haying and grazing opportunities on CRP lands. That is very important. It is important that it be done now, not later. The Department of Agriculture always drags its feet and always opens CRP land for haying and grazing too late, after the major 4–H opportunities are gone or after the 4–H capability is dramatically diminished. So my hope is that the Secretary of Agriculture will heed the call this time and open that land for haying and grazing immediately to give some relief to those ranchers.

As I said, this is not just about North Dakota. My colleague, Senator BOND from Missouri, and our colleagues from Illinois and others—Illinois, last year, had the third driest year since 1895. There are other areas of this country that are suffering the ravages of drought. Again, my hope is that this Congress will understand the urgency.

I was at this meeting in Zealand, ND, of 170 ranchers. They talked about the drought. Even without the drought, what is happening to them, the average farmer and rancher in North Dakota is spending $18,000 a year in additional energy costs. The big, major integrated oil companies are walking to the bank with bundles of money sucked right out of the pocketbooks of working Americans, ranchers, and farmers, especially because they are heavy users of energy. It is unbelievable the toll it is imposing all across this country. But when you add a drought, which has destroyed pastures and destroyed the ability to feed your cattle, and then continue to impose this additional burden of energy costs, in my judgment, it is a recipe for destruction all across rural America.

Some people may think it doesn't matter. I have spoken before to my colleagues about a fellow named Rodney Nelson in North Dakota who is a cowboy poet and who wrote a long question for this country: Does part of this country's character depend on having folks on the farm and on the ranch as well? Farmers and ranchers, small towns and big towns, isn't all of that together part of the character of this country? He asked the question: What is it worth? What is it worth for a kid to know how to weld a seam? What is it worth for a kid to know how to overhaul a tractor, how to plow a straight furrow, how to teach a calf to suck from a pail? What is it worth for a kid to know all of these things? What is it worth for a kid to know how to grease a combine, how to hang a door, how to build a lean-to? What is it worth?

There is only one university in this country where that is taught and that is on the family farm. Those kids who come off our farms and go to small towns and big cities, who bring with them that nourishment of family values from America's farms and ranches to small towns and big cities is what renews our country. If this Congress ever decides that farms don't matter, those Americans who live out under a yard light trying to raise a family and raise a crop and raise some livestock, if this Congress ever decides they don't matter, we will have lost something very substantial for this country.

So for now, we need the Secretary of Agriculture immediately to release CRP land for haying and grazing so we can get some feed to those cattle in drought areas, No. 1. No. 2, we need this President to back away from his threat to veto disaster aid, and we need to amend the provision that I put in the Agriculture Appropriations Subcommittee to extend it to 2006, which I intend to do.

Mr. President, we have a lot of choices to make in this country. Our country has a responsibility in this world to respond to all kinds of things. We are a world leader. I think that it is important for us to respond around the world. But first and foremost, it is important for us to respond here at home and take care of things here at home.

I am just telling you when the sign at the bank and the sign downtown in your town shows 105 degrees or 102 degrees and the wind is blowing 30 miles an hour and the pasture looks like a bowling ball and there is nothing for the cattle to eat and you are suffering through a drought, this Congress has a responsibility to act—and sooner rather than later.

Mr. President, I yield the floor.

MORNING BUSINESS

Mr. GREGG. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPREME COURT DECISION REGARDING TERRORISTS

Mr. GREGG. Mr. President, I will take the first 10 minutes to speak about the recent Supreme Court decision on the treatment of terrorists we are holding and their rights relative to trial. This is a classic example of a court that has seen the trees but has failed to see the forest.

We are confronted with a situation where individuals, whose purpose it is to kill Americans and destroy our Nation, are being held by our country in order to protect our country. These are individuals who don't function as part of an organized nation. There is no Nation to which they are accountable or which would be accountable to us should we be functioning in a state of war that was formal, such as occurred during World War II when the Nazi government and Germany and the German soldiers that were captured were held under the rules of the Geneva Convention and the people who were in that government were tried under the rules of Nuremberg. There is no such government. These individuals function separately from any formal structure that could be called governance. And there is no right to the Geneva Convention because the Geneva Convention presumes certain statuses of combat and that there are certain engagements, even though it is in war, that have rules relative to what can and should be done in a war that is appropriate.

None of these people are signatories to the Geneva Convention; they have no rights under the Geneva Convention; and they disavow the purposes of the Geneva Convention. Their purpose is to kill for the reason that they believe their life will be improved and their afterlife, as they see it in their perverse view of Islam—which is a great religion but is being perverted by these fundamentalists. Their purpose is to kill Americans and destroy Western culture. To ascribe to them certain rights, as if they were citizens of our Nation or citizens of some other nation that we were at war with, or as if they were participants in a group that was signatory to the Geneva Convention, is to undermine, first, the legitimacy of nations and what nations stand for; and, secondly, the legitimacy of treaties and what treaties stand for because you are essentially ascribing to these people rights and values which they reject and which they are fighting against.

Their purpose is to not support the Constitution or be governed by the Constitution of America. Their purpose is to destroy America and the Constitution. Their purpose is not to support the government of whatever Islamic nation they come from. Their purpose is, in most instances, to take that government over and to establish a religiously fundamentalist state which isn't governed at all by rules of Western or traditional civil societies. And their purpose certainly isn't to subscribe to the Geneva Convention.

So when the Supreme Court made this decision, they found themselves focusing on the trees but not on the forest. We have to ask ourselves why. Why would the Court make this decision? Well, maybe their purpose was to force us, as a Congress, to clarify the role of the President, and if that is the case, then we should do it. We should act in a way that gives the President the authority to hold these individuals because, what is the option? What is the option, to not hold them? That is not an option.

If you release these individuals, you basically assure yourself that you are releasing people whose purpose it is to come back and do dramatic harm to our Nation and to Americans. What President—what President—who is sworn to uphold the Constitution and to protect this country, could possibly release these individuals in the context of what their purpose is? It would totally—totally—affront the responsibility of the Presidency to do that.

The Court has made a decision which makes no sense from the standpoint of reality, although it may make sense from the standpoint of theory. I believe the Congress needs to act, and act quickly, so that this type of error can be corrected. It is, after all, a branch of Government that is not infallible—the Supreme Court. They have made egregious mistakes in the past such as in the Dred Scott case. And so we need to correct that and correct it promptly. We are an equal branch of Government. We have the capacity in this instance to correct it, it appears, at least from the dictum, if not from the actual core of the opinion. So we should do that. I would hope that the Congress would act promptly.

Mr. President, I yield the floor, and I make a point of order that a quorum is not present.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I ask unanimous consent to speak in morning business for 10 minutes.

The PRESIDING OFFICER. We are in morning business. The Senator is recognized.

STEM CELL RESEARCH

Mr. DORGAN. My understanding is that perhaps next week the Senate will take up something called stem cell research, several pieces of legislation dealing with stem cell research. I want to talk for a few moments about that issue.

It has been just over 1 year now since the U.S. House of Representatives has passed a piece of legislation called the Stem Cell Research Enhancement Act, with very broad bipartisan support.

Those of us in the Senate and those across this country who have lost loved ones, and most of us have, to some dread disease—Alzheimer's, Parkinson's, heart disease, diabetes—the list is endless—cancer—understand that the urgency to do the research to find the cures for these diseases really must be preeminent.

I am not suggesting that urgency should suggest to us there are no ethical boundaries to research. There are ethical boundaries. But I also want to make certain that this Senate moves in a way that is expeditious and does the right thing.

I want to show a picture. This is a picture of a young girl I have met a good number of times. She is in the middle. Her name is Camille. Camille is 13. She was diagnosed with type 1 diabetes when she was 4 years old. I have met with Camille's mother and Camille a good number of times. I have told her story once before on the Senate floor, but it is worth retelling because Camille and her parents and so many others across this country are very concerned that we move forward on stem cell research and try to find ways to unlock the mysteries of this disease called juvenile diabetes. But not just diabetes; ALS and Parkinson's and Alzheimer's and so many more.

Type 1 diabetes, also called juvenile diabetes, occurs when a body's immune system attacks and destroys certain cells in the pancreas called beta cells. As a result, those beta cells that normally would produce insulin are not producing insulin. So when the beta cells are destroyed and no insulin is produced, the glucose stays in the blood and can cause serious damage to the organs of the body. So Camille, like many who have juvenile diabetes, will have to take insulin to stay alive. She has to maintain a carefully calculated diet. She checks her blood glucose level several times a day and takes insulin injections, as many as six a day, just to say alive.

Her parents have told me about Camille and her schedule. They live by the clock. They wake up in the middle of the night every night to check on her, make sure her insulin levels are normal.

Every hour of every day in this country someone is diagnosed with type 1 diabetes. With Camille, she has had some very close calls. She has been in the hospital a great deal. Her diabetes has been pretty devastating, and she has had a lot of close calls.

This young girl and her parents really want Congress to move forward on stem cell research. There is so much promise in stem cell research. I want to describe why this is necessary. We are talking about human embryonic stem cell lines available for use in Federal research. In August of 2001 when the President said he will make lines available, he made 78 lines available. Now there are only 22 of those lines available and all of these approved lines are contaminated in certain ways. That means that all of these stem cell lines will actually never be able to be used for human clinical trials.

This August 9, 2001 deadline that the President had on research using these 78 lines is simply an arbitrary deadline. Let me describe that these cells, these stem cell lines come from discarded embryos, fertilized eggs that have been cryogenically frozen at an in vitro fertilization clinic. We had a person testify before the Senate Commerce Committee some years ago who believed that it was just wrong that there should be eggs that are fertilized in a test tube or in a Petri dish and then implanted in the mother, something called in vitro fertilization. That is just wrong, he said. That should never ever have happened. It should never have been done.

There are now 1 million people living among us who were born as a result of in vitro fertilization, giving couples the ability to have children. Couples who previously have not been able to have children now are able to have children through in vitro fertilization.

At these in vitro clinics, more eggs are fertilized than are actually implanted and used. There are roughly 400,000 of embryos that are now cryogenically frozen at these clinics. Somewhere between 8,000 and 10,000 each year are simply discarded. They become waste. They are thrown away.

Those who say that the use of those embryos is the equivalent of murder, then, I believe, also probably say that the discarding of embryos that are not going to be used any longer, that have been cryogenically frozen—my guess is they believe those represent 8,000 or 10,000 murders a year.

I don't believe that. Those embryos can never and will never become a human being unless implanted into a uterus. The question is: Can we use these embryos to create stem cell lines to try to find cures to dread diseases? Here is what has happened in stem cell research since the President announced the limitation.

Here is what President Bush said in 2004:

> Embryonic stem cell research requires the destruction of life. I'm the first President ever to allow Federal funding for embryonic stem cell research. I did so because I, too, hope that we'll discover cures from the stem cells. But we've got to be very careful in balancing the ethics and the science. And so I made the decision we wouldn't spend any more money beyond the 70 lines, 22 of which are now in action, because science is important, but so is ethics, so is balancing life.

But these lines themselves were from in vitro fertilization clinics and would have been discarded and are being discarded routinely in this country, 8,000 to 11,000 a year. This is just an arbitrary decision.

So let me just make a couple of additional points. This is my former colleague, Senator Jack Danforth, a former Republican colleague, as a matter of fact, and ordained Episcopal priest. He wrote this in the New York Times:

It is not evident to many of us that cells in a Petri dish are equivalent to identifiable people suffering from terrible disease. I am and have always been pro-life. But the only explanation for legislators comparing cells in a Petri dish to babies in the womb is the extension of religious doctrine into statutory law.

This from an Episcopal priest, a former Republican Senator.

Finally, this from Nancy Reagan:

Science has presented us with a hope called stem cell research, which may provide our scientists with answers that have so long been beyond our grasp. I just don't see how we can turn our backs on this—there are just so many diseases that can be cured or at least helped. We have lost so much time already, and I just really can't bear to lose any more.

I believe that we ought to proceed with thoughtful, ethical guidelines on stem cell research. I understand that is a controversial position for some. In fact, in the last campaign for office for me, my opponent ran a television advertisement that was novel and fairly disgusting. In it was a fellow who was sitting around a campfire with some little children. One of the little children said to the camp fire leader: Tell us a scary story.

And the camp fire leader said: Well, there is this man named Dorgan and he has a plan to put embryos inside the womb of a mother and grow them for body parts to be harvested later.

An unbelievable television commercial, bearing no relationship to what has been discussed under any set of circumstances. But the controversy that exists these days with stem cell research, I understand; I am respectful to those who disagree with me on this subject.

I am mindful that there should be solid ethical guidelines in terms of how it is dealt with. But I don't believe this is about harvesting body parts. This is about giving life. This is about giving hope. This is about unlocking the mysteries of dread diseases—to tell those who live with Alzheimer's or heart disease or cancer or juvenile diabetes or ALS or Parkinson's that we are doing everything we can to find ways to cure these diseases. That is what this research is about. I really believe it is about giving life—providing opportunity for those who are suffering from these dread diseases.

That is why I am a cosponsor of the Senate companion bill to the House bill called the Stem Cell Research Enhancement Act, which has 41 cosponsors. It is a bipartisan group of Senators who has cosponsored this legislation.

I take some hope with the statement of the majority leader that it appears we will begin debating this issue within the next week or two.

It is important to be clear that this bill only deals with stem cells—embryos that were created for fertility purposes by in vitro fertilization clinics that would otherwise be thrown away. That is all that is being discussed. As I indicated, there are about 400,000 of those embryos that are now frozen at in vitro fertilization clinics.

I know there will be great controversy when we discuss this. However, I am comforted, as well, that there is a bipartisan group of Senators who believes this ought to be done and supports the legislation. It is a fact that sometimes those of us who serve here lament that we are taking lightly things that should be taken seriously, or taking seriously things that are light. This is a serious issue. And bringing this to the floor of the Senate means that we are sinking our teeth into a piece of public policy that is very important and that we recognize is controversial but nonetheless very important for us to make decisions about.

I look forward to being a part of that discussion and that debate when it comes to the floor of the Senate, hopefully, next week if the information I have is correct, if not within a week or so following.

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. NELSON of Florida. 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. NELSON of Florida. Are we in the parliamentary procedure of morning business?

The PRESIDING OFFICER. That is correct. The Senator is recognized for 10 minutes.

BLACK HAWK HELICOPTERS

Mr. NELSON of Florida. Mr. President, we have an interesting situation where the Department of Defense is requesting that seven Black Hawk helicopters that the U.S. Army owns but are detailed to the Drug Enforcement Administration in the Bahamas be taken out of the Bahamas. No doubt there is a need elsewhere in the world, perhaps in Operation Iraqi Freedom. But this Senator wants to make the case, as I did 2 weeks ago when we had the Defense authorization bill on the floor, that the United States Government needs to find some additional helicopters to replace those that are there for the purpose of interdiction of all kinds of contraband.

Indeed, we have experienced enormous success from having those seven helicopters in the last 5 years: 800 drug smugglers have been apprehended as a result of those helicopters being there; 25 tons of cocaine have been taken away from the drug smugglers; 82 tons of marijuana, as a result of the effectiveness of these helicopters. Of course, I am just speaking about the interdiction of contraband drugs, not even to speak of the interdiction of all of the human smuggling that is attempted into the United States through that route.

It might be instructive for us to know that when a similar situation was done elsewhere in the Caribbean, in Central America in the late 1990s, and seven helicopters were taken from Central America with a similar kind of mission, the incidence of drug smuggling rose precipitously. Of course, that is what will happen if these helicopters are not replaced.

Since the 1980s, these helicopters have made an enormous difference. For example, it is hard to believe the statistic I am going to tell you, but 80 percent of all the cocaine that was smuggled into this country came through that region of the Atlantic, the Bahamas and the Turks and the Caicos, back in the 1980s. That percentage of the total cocaine smuggled into the country has been reduced to 10 percent. So the proof is in the pudding. The success is there.

Two weeks ago when we had the Defense authorization bill on the floor, I added an amendment that said that the U.S. Government should come up with a replacement for those helicopters. If they are needed elsewhere, fine; that is, the war on terror. We also have a war on terror and a war to defend the homeland as well. That is right here. That is the southern sector off the shores of the Southern United States.

It is my hope that the Defense Department will take very seriously the Defense authorization bill that makes that statement to the U.S. Government. Surely in the inventory of the entire U.S. Government, there are seven helicopters that can replace the ones being taken out and sent to Iraq. The success of our interdiction and the protection of our homeland is at stake.

I yield the floor.

HONORING OUR ARMED FORCES

SERGEANT FIRST CLASS TERRY WALLACE

Mr. HAGEL. Mr. President, I rise to express my sympathy over the loss of U.S. Army SFC Terry Wallace of Nebraska. Sergeant Wallace died when an improvised explosive device detonated near his military vehicle in Taji, Iraq on June 27. He was 33 years old.

Sergeant Wallace was born in Winnsboro, LA. He graduated from Winnsboro High School, where he ran track and played drums in the school band. He enlisted in the Army in 1990. In recent years, Sergeant Wallace lived in Bellevue, NE, with his wife Shunda and daughter Raven.

Sergeant Wallace had several assignments overseas, including other locations in the Middle East. In December 2005, he was deployed to Iraq with the 4th Battalion, 42nd Field Artillery Regiment, 4th Infantry Division, based out of Fort Hood, TX. Sergeant Wallace will be remembered as a smart, hardworking man who was honored to serve and defend his country. Thousands of brave Americans like Sergeant Wallace are currently serving in Iraq.

In addition to his wife and daughter, Sergeant Wallace is survived by his

parents J.R. and Mary Wallace; his twin brother Jerry, as well as several other brothers and sisters. Our thoughts and prayers are with them at this difficult time. America is proud of Sergeant Wallace's heroic service and mourns his loss.

I ask my colleagues to join me and all Americans in honoring SFC Terry Wallace.

CORPORAL JEREMY S. JONES

Mr. GRASSLEY. Mr. President, I rise today to honor one of our Nation's most courageous men, who fell while serving in Operation Iraqi Freedom. CPL Jeremy S. Jones gave his life on June 27, 2006 when an improvised explosive detonated while he was on patrol. Corporal Jones was a member of D company, 1st battalion, 67th Armored Regiment, 4th Infantry Division, Fort Hood, TX. He was 25 years old.

My thoughts and prayers are with the Jones family, his father, Scott; his mother, Diane; his wife, Jennifer; and his two young children, Mackenzie and Anthony. Also, my deepest sympathies go out to Jeremy's friends, to the men and women of the 4th infantry, and to all who knew him.

Jeremy was a soldier, a patriot, and a father. Jeremy did not die in vain but gave his life defending freedom and protecting all of us back home. He is truly an American hero. Corporal Jones' sacrifice and the sacrifice of so many others will be remembered by all freedom-loving Americans.

U.S.-INDIA CIVIL NUCLEAR COOPERATION

Mr. FEINGOLD. Mr. President, the Foreign Relations Committee recently had an opportunity to mark up historic legislation that would permit civilian nuclear cooperation between the United States and India. I say historic because such cooperation will dramatically shift 30 years of nonproliferation policy towards India and potentially set the United States-India relationship on a new foundation.

Our relationship with India is one of our most important. As we look ahead to the coming decades, it is clear that United States-India relations will be crucial to establishing a secure, sustainable, and prosperous global system. But as we consider a fundamental shift in the international nonproliferation regime, we must also make sure we have adequate protections in place to guard against the spread of nuclear weapons and weapons technology.

I appreciate the fact that the legislation we were asked to mark up represented a substantial amount of work from Chairman LUGAR, Ranking Member BIDEN, and their staffs. This bill was a substantial improvement over the original proposal, which would have removed any meaningful congressional oversight from consideration of a nuclear cooperation agreement with India and which had virtually no protections for nonproliferation concerns.

However, I remain concerned with the broader implications of this legislation. My primary concern is this: the threat of nuclear weapons to the United States and the spread of nuclear weapons and nuclear material are among the gravest dangers that our country faces. It is crucial to our national security that the nuclear nonproliferation framework remains strong. I want to make sure that the United States, as a signatory to the Nuclear Non-Proliferation Treaty, is working to strengthen the international treaties and regimes that have been designed to prevent the spread of nuclear weapons.

That is why I offered an amendment that would simply spell out in greater detail that this deal will be only civilian in nature and that none of the assistance the United States provides to India will be used for strengthening or further developing India's nuclear weapons arsenal. This is something we are already committed to under article 1 of the NPT. The amendment would have required the President to certify that he had received sufficient assurances that U.S. assistance would not contribute directly or indirectly to the development of India's nuclear weapons arsenal.

This should not have been a controversial requirement, but unfortunately my amendment was defeated during markup. However, I was pleased to have four of my Democratic colleagues vote in favor of my amendment. They recognized that this is an important, legitimate concern and that a Presidential determination along these lines would have provided protections against the diversion of U.S. technology, equipment, and fuel toward a nuclear weapons program. In the absence of such protections, I was compelled to vote against this legislation.

My ''no'' vote does not mean that I am opposed to the entire deal. I will work with my colleagues to ensure that the final version of this bill contains adequate protections against the spread of nuclear weapons technology.

I yield the floor.

FISHERIES RESTORATION AND IRRIGATION MITIGATION ACT

Mr. CRAIG. Mr. President, I wish to join my colleagues from Oregon and Washington in introducing S. 3522, the Fisheries Restoration and Irrigation Mitigation Act, FRIMA, of 2006. It is important that we pool our resources and work together in the region to get serious about fish restoration. FRIMA has proven to be cost effective and efficient at this goal and, therefore, should be reauthorized.

The FRIMA program exemplifies the great potential of forward-thinking public-private partnerships, and the wisdom of working closely with local communities. Since it was enacted in 2000, we have achieved real results. In my home State of Idaho, according to the Fish and Wildlife Service, 13 projects have been completed and 206 miles of streams have been ''protected, enhanced, or made accessible to fish.'' One example of work being done is in the Salmon River Basin near Salmon, ID, where partners such as the Lemhi Soil and Water Conservation District and the U.S. Forest Service have installed fish screens on three irrigation water diversions. These screens protect salmon and other fish species and allow farmers to continue to irrigate their farms. And let me emphasize in supporting the reauthorization of this program that there remain important projects such as these yet to be completed.

This program makes sense, especially from a financial perspective. FRIMA extends the reach of Federal dollars by enlisting other interested parties. This results in more money for FRIMA projects and more talent and experience working to achieve success. In fact, from fiscal years 2002 to 2004, local and State government, businesses, irrigation districts, and environmental groups, to name just a few, have shouldered 58 percent of the cost. This cost-sharing surpassed the 35 percent threshold required in the original legislation.

An important aspect of this legislation reduces the hurdles for public and private restoration dollars to participate in the Fish and Wildlife Service's cost-sharing program to protect, enhance, and restore important fish habitat in the Pacific Northwest. This clarification is important so that the Bonneville Power Administration's nonfederal dollars can be used to make other Federal and private money go further to recover salmon.

Finally, this program has received the support of our new Secretary of the Interior, Dirk Kempthorne. When he was Governor of Idaho he remarked:

> The FRIMA program serves as an excellent example of government and private land owners working together to promote conservation. The screening of irrigation diversions plays a key role in Idaho's efforts to restore salmon populations while protecting rural economies.

The Idaho Fish and Game Department and the Idaho Water Users Association are also strong advocates of the program.

ADDITIONAL STATEMENTS

RECOGNIZING TOM COTA

● Mr. THUNE. Mr. President, today I wish to thank Tom Cota, an intern in my Sioux Falls office, for all of the hard work he has done for me, my staff, and the State of South Dakota this summer.

Tom is a graduate of Lincoln High School in Sioux Falls, SD, and is currently a student at the University of South Dakota. He is a hard worker and has been dedicated to getting the most out of his internship experience.

I give my thanks to Tom and wish him continued success in the years to come.●

TRIBUTE TO MR. DICK CHAMPION

• Mr. BOND. Mr. President, today I wish to honor Mr. Dick Champion, director of the Independence Water Pollution Control Department.

Mr. Champion is an exceptional leader and public steward dedicated to the improvement of Missouri's and the Nation's environment and public health. It is my pleasure to congratulate Mr. Champion on becoming the new president of the National Association of Clean Water Agencies, NACWA, formerly the Association of Metropolitan Sewerage Agencies, AMSA, Mr. Champion is ideally suited for this national leadership position.

Mr. Champion began his career in water pollution control in 1969. He has been with the City of Independence, MO, Water Pollution Control Department for the past 27 years and has been director of the department since 1983. The department is responsible for the Sanitary Sewer Utility, the Storm Water Management Program, the Household Hazardous Waste Management Program, and related environmental compliance.

He was appointed by the Jackson County Executive and legislature to the Jackson County Stormwater Commission, to coordinate regional stormwater policy and planning. Since its creation in 2001, Mr. Champion has been serving as vice-chair of the commission.

He has been an active member of NACWA since 1992, was elected to the board of directors in 1999, and now serves at NACWA's vice president and chair of the Strategic Planning Committee. Mr. Champion will become NACWA's president on July 18—an impressive accomplishment and one that will no doubt help secure NACWA's role as the leading advocate for sound water quality policies.

Mr. Champion earned a BS degree in political science with an emphasis in local government and public administration from Central Missouri State University in 1973. As a student and throughout his career Mr. Champion has demonstrated an unwavering commitment to public service and the improvement of water quality in Missouri. The fish and fishermen of Missouri owe a great deal to his tireless work to guarantee clean water.

With Mr. Champion as president, NACWA will no doubt build on its reputation as the leading advocate for responsible national policies that advance clean water and a healthy environment. Simply stated, when I hear the term ''environmentalist,'' I think of public servants like Mr. Champion first.

Again, it is my sincere pleasure to congratulate Mr. Champion on becoming president of NACWA. I look forward to working with him and NACWA to ensure continued water quality progress for Missouri and the Nation.•

TRIBUTE TO JOE PURCELL

• Mrs. LINCOLN. Mr. President, on Saturday, June 24, one of the finest public servants that my State has produced was honored in his hometown of Benton, AR. Joe Edward Purcell was many things to many people. He was a devoted family man. He was a loyal friend. He was also a dedicated public servant whose reputation for integrity and professionalism brought honor and respectability to every public office he held.

Joe Purcell was born in the small southeast Arkansas town of Helena. Shortly after graduating from Little Rock Junior College, he enlisted in the U.S. Army for service in World War II. Upon his return from service, he entered law school at the University of Arkansas in Fayetteville and graduated in 1952. Later that year, he opened his law practice in Benton and quickly earned the reputation throughout the community of a trustworthy advocate of the people he represented.

''Honest Joe'' carried that reputation with him through what would become a distinguished career of public service at both city and State levels of government. Beginning in 1955, Joe served as Benton City Attorney and later as Benton Municipal Judge. In 1967, he was elected as attorney general for the State of Arkansas. During his tenure, his leadership led to a number of reforms and innovations, including the establishment of the consumer protection office which to this day provides consumer education and promotes the principles of fair business practices and honest balloting.

After an unsuccessful gubernatorial campaign, Joe was elected three times as Lieutenant Governor beginning in 1975. In that capacity, he also became the acting Governor of our State for 6 days in early 1979, when he filled the unexpired term of former Governor and Senator-elect, David Pryor, in the days prior to the gubernatorial inauguration of Bill Clinton. It was Clinton who would later describe his predecessor as ''a self-made man who represented honesty and integrity in public service.'' Joe would serve as our State's Lieutenant Governor until his retirement from public service in 1981.

The Benton sidewalk memorial that was recently unveiled in honor of Joe Purcell is fittingly located just in front of the old Federal building downtown. I am hopeful that it will serve as a reminder to generations of Arkansans not just of the numerous accomplishments that Joe Purcell compiled over his political career but also of the legacy of integrity and public service that he has left us all. The genuine compassion he held for those around him led him to a life dedicated to making his community and his State better places to live for all of us. It is truly a selfless principle for those of us in public service, and those of us in our personal lives, to embody each and every day.

I am proud to have on my staff a young man named David Hogue. David is the grandson of Joe Purcell and it was at his suggestion that this tribute in Benton came to fruition. David has been a tremendous asset to my office, and I am appreciative of all of his hard work and dedication on behalf of our State and its citizens. This fall, he will be headed to law school in Fayetteville, just like his grandfather so many years before, and I wish him the very best.

It is often said that a community reveals itself, not only by the men it produces, but also by the men it honors and remembers. Joe Purcell embodied the best in all of us and because of people like him, the community of Benton and the State of Arkansas are such wonderful places to live today.•

RECOGNIZING THE PRINCETON HEALTH CARE CENTER

• MR. ROCKEFELLER. Mr. President, today I wish to celebrate the longevity and accomplishments of the Princeton Health Care Center in Princeton, West Virginia. Last week, this long-term care provider celebrated its 25th anniversary, and I wish to recognize its achievements and its enormous contribution to its community. Twenty-five years ago, I stood with many community leaders in Princeton, at that time as Governor of West Virginia, to dedicate a brand new facility called the Princeton Health Care Center.

Now, two and a half decades later, the Princeton Health Care Center is a 120-bed facility in the heart of Mercer County. It serves residents of Princeton and surrounding communities, including Bluefield and most of southern West Virginia. The facility offers medical services, nursing services, social services, therapeutic and recreational activities, dietary services, financial planning and consulting, transportation, and other standard activities many of us use in our daily lives. This litany of available services shows that this facility attends to all the needs of its residents—physical health, mental health, social well-being, and others. The health care center is located very near to the Princeton community, providing residents with easy access if it is ever needed.

Long-term care is an enormously important part of our health care system and one that is often overlooked or underfunded. By the year 2020, there will be more than 70 million older persons in America—more than twice the number today. We must provide our seniors with the dignity and peace of mind they deserve in their golden years. Facilities like the Princeton Health Care Center provide a place for those who need care to live comfortably and in their community while still getting the assistance that they require.

The facility in Princeton is located in a serene setting, granting residents access to nature in all seasons and allowing them to enjoy the outdoors. In addition to the center's environs and its many amenities, the center boasts a

well-trained and professional staff, which attends to the needs of its residents.

The board of directors and all those involved with the center have made it a wonderful success for the past 25 years. The center's association with the Princeton Community Hospital has served its residents well, and I look forward to decades more of success for this facility.

Mr. President, I hope the Senate will join me in congratulating the staff and management of the Princeton Health Care Center for 25 successful years.●

TRIBUTE TO SHIGEJI IKENAGA

● Mr. ROCKEFELLER. Mr. President, today I also wish to honor a leader in the automotive industry and a friend of West Virginia, Shigeji Ikenaga, as well as the team members of Diamond Electric located in Eleanor, WV. Together they have contributed to the company's global growth and economic prosperity, as well as developing West Virginia's automotive industry.

President Shigeji Ikenaga has worked for Diamond Electric since 1954, dedicating an impressive 52 years of service to the automotive industry. During his extensive career, Mr. Ikenaga was instrumental in bringing Diamond Electric to the United States and tapping our workforce to help produce automotive parts. In 1987, Diamond Electric established a plant in the Detroit, MI area. Then, in 1992, Diamond Electric started manufacturing ignition coils at its headquarters in Dundee, MI. Soon thereafter, West Virginia began to benefit from operational expansions by Diamond Electric. In April, 1996, just as Toyota was beginning its work in West Virginia, ground was broken for an ignition coil plant in Eleanor, WV.

Building upon Diamond Electric's success in North America, Mr. Ikenaga expanded to other continents, establishing a manufacturing plant in Esztergom, Hungary, and incorporating the company in Suzhou, China. These expansions solidified Diamond Electric's stance in the global market.

As is evidenced by the various awards of excellence he and the company have received, Mr. Ikenaga's work and the work of his employees is exceptional. In 1994, Diamond Electric received the Deming Award, which recognizes medium and small companies for their outstanding total quality control program. In addition, Mr. Ikenaga was awarded the Medal with Blue Ribbon in 1997 and again honored in 2002 when he was awarded the Order of the Sacred Treasure, Gold Rays with Neck Ribbon. These awards are testament to the high quality and hard work of Diamond Electric and its employees.

The Diamond Electric employees of West Virginia have also made an enormous contribution to the company's success. The plant has been awarded the Toyota Delivery and Quality Awards each year since beginning production in 1998. This allowed Diamond Electric one of their greatest achievements to date—becoming the first U.S. supplier to build an ignition coil for the Lexus SUV engine.

Moreover, because of the well-earned success in West Virginia, the facility has expanded 3 times since production started in 1997, growing from a 50,000-square-foot facility and 3.4 million in capacity to a 110,000-square-foot facility and 13 million in capacity. Currently, the company employs nearly 150 West Virginians.

As the company has proven numerous times throughout the years, they are a leader in the automotive industry thanks to the extraordinary efforts of Mr. Ikenaga and the workforce at the Eleanor, WV facility. Diamond Electric and its employees are pioneers, expanding to other continents and manufacturing new and innovative automotive products.

Additionally, Mr. Ikenaga's actions have not only illustrated his desire for professional growth but also a desire to educate young individuals through Diamond Electric's participation in The Dictionary Project. I was very proud to learn that Diamond Electric presented every third grader in Putnam County this past year a dictionary to help them with their studies.

I take this opportunity to thank Mr. Ikenaga for his confidence in West Virginia and our remarkable workforce. I also congratulate Diamond Electric's remarkable team members for playing such an important role in Putnam County's growing economy. I appreciate your hard work and commitment to the automotive industry.●

RECOGNIZING DUSTIN ADAMS

● Mr. THUNE. Mr. President, today I wish to thank Dustin Adams, an intern in my Sioux Falls, SD, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past year and a half.

Dustin is a graduate of Belle Fourche High School in Bell Fourche, SD, and the University of South Dakota. In the fall, he plans to attend George Washington University Law School. He is a hard worker and has been dedicated to getting the most out of his internship experience.

I give my thanks to Dustin and wish him continued success in the years to come.●

TRIBUTE TO CHARLES WHITEPIPE, SR.

● Mr. THUNE. Mr. President, today I wish to honor Charles Whitepipe, Sr. Charles was 1 of 11 Sioux codetalkers who served in World War II. He defended our country as an army radio operator using the Dakota, Lakota, and Nakota languages.

Charles played an integral and unique role in furthering our Nation's ability to defeat our enemies in times of war. His willingness to put himself in harm's way for the American people is truly inspiring, and I commend him for his bravery. The pride and dignity with which the Sioux codetalkers served our Nation makes them true American heroes.

Today I rise with Charles Whitepipe, Sr.'s friends and family in remembering his selfless dedication and service to our country as a Sioux codetalker. I, along with the citizens of South Dakota and the entire United States, owe Charles and the other codetalker's a debt of gratitude that we will never be able to repay.●

RECOGNIZING THE LOUISIANA TECH CHAMBER SINGERS

● Mr. VITTER. Mr. President, today I wish to acknowledge the Louisiana Tech Chamber Singers for their participation in the 2006 Mozart Choral Festival in Vienna, Austria. As 1 of only 12 choral groups selected to perform in this festival, the Louisiana Tech Chamber Singers will stand among the most elite vocalists in the world.

The Louisiana Tech choral program embodies the high standard of musical and artistic excellence in Louisiana's higher education system and represents the finest musicians the university and the Nation have to offer. Former members of the Louisiana Tech choral program have established national and international reputations as performing and recording artists in many musical genres.

The 2006 Mozart Choral Festival is a celebration of the 250th anniversary of the birth of Wolfgang Amadeus Mozart. The participating choral groups are traveling from across the world to celebrate of one of the greatest musicians of all time by performing pieces of Mozart's most brilliant work.

I applaud the Louisiana Tech Chamber Singers for their success and wish their program continued prosperity.●

RECOGNIZING THE NATCHITOCHES NATIONAL FISH HATCHERY

● Mr. VITTER. Mr. President, today I also wish to acknowledge the Natchitoches National Fish Hatchery. This year, they will celebrate their 75th anniversary, and I wish to take a few moments to highlight their contributions to Louisiana.

As the only Federal fish hatchery in Louisiana, the Natchitoches station has steadily served the needs of the region. Founded in 1931, the Natchitoches National Fish Hatchery was originally established to provide recreation and food for the public during the depression and war eras.

Today the hatchery dedicates itself to the restoration of depleted species, recovery of threatened or endangered fish, and management of interjurisdictional fisheries. Over the years, the Natchitoches National Fish Hatchery has been involved with raising 16 species of fish and has stocked more than

164 million fish. The station has been an invaluable resource to Louisiana's wildlife and fisheries.

Federal fish hatcheries have been an important part of our Nation's resource management efforts for more than a century. Resource managers nationwide acknowledge hatcheries as a valuable tool for the preservation of our Nation's fisheries resources. Because of the importance of fisheries to Louisiana, the significance of the Natchitoches National Fish Hatchery can not be overstated.

Today, I applaud the Natchitoches National Fish Hatchery on their 75th anniversary and wish them continued prosperity.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a treaty which was referred to the Committee on Foreign Relations.

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has agreed to the following bill, in which it requests the concurrence of the Senate:

H.R. 4761. An act to provide for exploration, development, and production activities for mineral resources on the outer Continental Shelf, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–7422. A communication from the Equal Employment Opportunity Director, Farm Credit Administration, transmitting, pursuant to law, the Administration's Notification and Federal Employee Antidiscrimination and Retaliation Act Annual Report for Fiscal Year 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7423. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''2005 Section 32 Hurricane Disaster Programs'' (RIN0560-AH45) received on July, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7424. A communication from the Director, Regulatory Review Group, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Appeal Procedures'' (RIN0560-AG88) received on July 6, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–7425. A communication from the Secretary of Commerce, transmitting, pursuant to law, the report of seven identical violations of the Antideficiency Act; to the Committee on Appropriations.

EC–7426. A communication from the Deputy Chief of Legislative Affairs, Department of the Navy, transmitting, pursuant to law, a report of the preliminary planning for OMB Circular A-76 commercial activity study; to the Committee on Armed Services.

EC–7427. A communication from the Acting Principal Deputy (Personnel and Readiness), Department of Defense, transmitting, pursuant to law, a report of the closure of the Defense commissary store at Naval Air Station (NAS) Keflavik, Iceland, by August 31, 2006; to the Committee on Armed Services.

EC–7428. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, the report of (4) officers authorized to wear the insignia of the next higher grade in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–7429. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting, a report on the approved retirement of Lieutenant General Michael M. Dunn, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC–7430. A communication from the Assistant Director, Executive and Political Personnel, Department of Defense, transmitting, pursuant to law, (3) reports relative to vacancy announcements within the Department, received on July 6, 2006; to the Committee on Armed Services.

EC–7431. A communication from the Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Civilian Health and Medical Program of the Uniformed Services (CHAMPUS)/TRICARE; Coverage of Phase II and Phase III Clinical Trials Sponsored by the National Institutes of Health National Cancer Institute'' (RIN0720-AA57) received on July 6, 2006; to the Committee on Armed Services.

EC–7432. A communication from the Secretary of Commerce, transmitting, pursuant to law, a six-month report prepared by the Department of Commerce's Bureau of Industry and Security on the national emergency declared by Executive Order 13222 of August 17, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC–7433. A communication from the Chairman, National Credit Union Administration, transmitting, pursuant to law, the Administration's 2005 Annual Report; to the Committee on Banking, Housing, and Urban Affairs.

EC–7434. A communication from the Executive Vice President, Financial Information Group, Chicago Federal Home Loan Bank, transmitting, pursuant to law, the Bank's 2005 management report and statements on system of internal controls; to the Committee on Banking, Housing, and Urban Affairs.

EC–7435. A communication from the President and Chief Executive Officer, Federal Home Loan Bank of Des Moines, transmitting, pursuant to law, the Bank's 2005 report of Independent Auditors on Internal Control over Financial Reporting and on Compliance Based on an Audit of Financial Statements; to the Committee on Banking, Housing, and Urban Affairs.

EC–7436. A communication from the Associate General Counsel for Legislation and Regulations, Government National Mortgage Association, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Government National Mortgage Association; Excess Yield Securities'' ((RIN2503–AA18)(FR–4958–F–02)) received on July 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–7437. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Prohibition of Property Flipping in HUD's Single Family Mortgage Insurance Programs; Additional Exceptions to Time Restriction on Sales'' ((RIN2502–AI18)(FR–4911–F–02)) received on July 6, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–7438. A communication from the Human Resources Specialist, Office of the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the report of a vacancy and the designation of an acting officer for the position of Assistant Secretary for Public Affairs, received on July 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–7439. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Listing of Color Additives Exempt From Certification; Mica-Based Pearlescent Pigments'' (Doc. No. 1998C–0790) received on July 6, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–7440. A communication from the Special Assistant to the Secretary, White House Liaison, Department of Veterans Affairs, transmitting, pursuant to law, the report of a nomination for the position of Assistant Secretary for Policy and Planning, received on July 6, 2006; to the Committee on Veterans' Affairs.

EC–7441. A communication from the Chairman, Medicare Payment Advisory Commission, transmitting, pursuant to law, the Commission's June 2006 Report to the Congress entitled ''Increasing the Value of Medicare''; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 2735. A bill to amend the National Dam Safety Program Act to reauthorize the national dam safety program, and for other purposes (Rept. No. 109-276).

By Mr. McCONNELL, from the Committee on Appropriations, with an amendment in the nature of a substitute and an amendment to the title:

H.R. 5522. A bill making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2007, and for other purposes (Rept. No. 109-277).

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. VITTER:

S. 3630. A bill to amend the Federal Water Pollution Control Act to reauthorize a program relating to the Lake Pontchartrain Basin, and for other purposes; to the Committee on Environment and Public Works.

ADDITIONAL COSPONSORS

S. 71

At the request of Mr. INOUYE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 71, a bill to amend title XVIII of the Social Security Act to provide for patient protection by limiting the number of mandatory overtime hours a nurse may be required to work at certain medicare providers, and for other purposes.

S.424

At the request of Mr. BOND, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 424, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 713

At the request of Mr. ROBERTS, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 713, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 828

At the request of Mr. HARKIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 828, a bill to enhance and further research into paralysis and to improve rehabilitation and the quality of life for persons living with paralysis and other physical disabilities, and for other purposes.

S. 866

At the request of Mrs. HUTCHISON, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 866, a bill to amend title II of the Social Security Act to repeal the windfall elimination provision and protect the retirement of public servants.

S. 914

At the request of Mr. ALLARD, the names of the Senator from Florida (Mr. MARTINEZ) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. 914, a bill to amend the Public Health Service Act to establish a competitive grant program to build capacity in veterinary medical education and expand the workforce of veterinarians engaged in public health practice and biomedical research.

S. 1035

At the request of Mr. INHOFE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1035, a bill to authorize the presentation of commemorative medals on behalf of Congress to Native Americans who served as Code Talkers during foreign conflicts in which the United States was involved during the 20th century in recognition of the service of those Native Americans to the United States.

S. 1112

At the request of Mr. GRASSLEY, the name of the Senator from New Mexico (Mr. DOMENICI) 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. 1139

At the request of Mr. SANTORUM, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1139, a bill to amend the Animal Welfare Act to strengthen the ability of the Secretary of Agriculture to regulate the pet industry.

S. 1722

At the request of Ms. MURKOWSKI, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1722, a bill to amend the Public Health Service Act to reauthorize and extend the Fetal Alcohol Syndrome prevention and services program, and for other purposes.

S. 1948

At the request of Mrs. CLINTON, the name of the Senator from Maine (Ms. SNOWE) 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. 1998

At the request of Mr. CONRAD, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 1998, a bill to amend title 18, United States Code, to enhance protections relating to the reputation and meaning of the Medal of Honor and other military decorations and awards, and for other purposes.

S. 2250

At the request of Mr. GRASSLEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2250, a bill to award a congressional gold medal to Dr. Norman E. Borlaug.

S. 2322

At the request of Mr. ENZI, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2322, a bill to amend the Public Health Service Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 2354

At the request of Mr. NELSON of Florida, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2354, a bill to amend title XVIII of the Social Security Act to reduce the coverage gap in prescription drug coverage under part D of such title based on savings to the Medicare program resulting from the negotiation of prescription drug prices.

S. 2409

At the request of Mr. SMITH, the names of the Senator from California (Mrs. BOXER), the Senator from South Dakota (Mr. JOHNSON) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 2409, a bill to amend title XVIII of the Social Security Act to reduce cost-sharing under part D of such title for certain non-institutionalized full-benefit dual eligible individuals.

S. 2435

At the request of Mr. LUGAR, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2435, a bill to increase cooperation on energy issues between the United States Government and foreign governments and entities in order to secure the strategic and economic interests of the United States, and for other purposes.

S. 2677

At the request of Mr. SMITH, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2677, a bill to amend the Internal Revenue Code of 1986 to extend the investment tax credit with respect to solar energy property and qualified fuel cell property, and for other purposes.

S. 3546

At the request of Mr. HATCH, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 3546, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to serious adverse event reporting for dietary supplements and nonprescription drugs, and for other purposes.

S. 3591

At the request of Mr. JEFFORDS, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 3591, a bill to improve efficiency in the Federal Government through the use of high-performance green buildings, and for other purposes.

S.J. RES. 35

At the request of Mr. BYRD, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S.J. Res. 35, a joint resolution proposing an amendment to the Constitution of the United States to clarify that the Constitution neither prohibits voluntary prayer nor requires prayer in schools.

S.J. RES. 37

At the request of Ms. COLLINS, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S.J. Res. 37, a joint resolution granting the consent of Congress to the International Emergency Management Assistance Memorandum of Understanding.

S. RES. 494

At the request of Mr. SANTORUM, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. Res. 494, a resolution expressing the sense of the Senate regarding the creation of refugee populations in the Middle East, North Africa, and the Persian Gulf region as a result of human rights violations.

S. RES. 507

At the request of Mr. BIDEN, the names of the Senator from Pennsylvania (Mr. SPECTER) and the Senator

from Oregon (Mr. WYDEN) were added as cosponsors of S. Res. 507, a resolution designating the week of November 5 through November 11, 2006, as ''National Veterans Awareness Week'' to emphasize the need to develop educational programs regarding the contributions of veterans to the country.

S. RES. 508

At the request of Mr. BIDEN, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. Res. 508, a resolution designating October 20, 2006 as ''National Mammography Day''.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4547. Mr. VITTER (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 5441, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table.

SA 4548. Mr. VITTER (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 5441, supra; which was ordered to lie on the table.

SA 4549. Mr. BURNS submitted an amendment intended to be proposed by him to the bill H.R. 5441, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4547. Mr. VITTER (for himself and Mr. NELSON of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 5441, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows;

On page 127, between line 2 and 3, insert the following:

SEC. 540. None of the funds made available in this Act for United States Customs and Border Protection may be used to prevent an individual not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381)) from importing a prescription drug that complies with sections 501, 502, and 505 of such Act (21 U.S.C. 351, 352, and 355).

SA 4548. Mr. VITTER (for himself and Mr. NELSON of Florida) submitted an amendment intended to be proposed by him to the bill H.R. 5441, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows;

On page 127, between line 2 and 3, insert the following:

SEC. 540. None of the funds made available in this Act for United States Customs and Border Protection may be used to prevent an individual not in the business of importing a prescription drug (within the meaning of section 801(g) of the Federal Food, Drug, and Cosmetic Act) from importing a prescription drug that complies with sections 501, 502, and 505 of such Act.

SA 4549. Mr. BURNS submitted an amendment intended to be proposed by him to the bill H.R. 5441, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . The Secretary of Homeland Security shall work expeditiously with the Administrator of the Federal Aviation Administration to initiate a pilot program to test unmanned aerial vehicles for border surveillance along the international border between Canada and the United States; provided, That the pilot program shall be established at the Customs and Border Protection Northern Border Air Wing sites.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Monday, July 17, 2006, at 2:30 p.m. in room SD–366 of the Dirksen Building.

The purpose of this oversight hearing is to receive testimony relating to implementation of the Energy Policy Act provisions on hydrogen and fuel cell research and development.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Dr. Kathryn Clay at (202) 224–6224 or Steve Wasewicz at (202) 228–6195.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, July 18, 2006, at 10 a.m. in room SD–366 of the Dirksen Building.

The purpose of this oversight hearing is to examine United States and India energy cooperation in the context of global energy demand, the emerging energy needs of India, and the role nuclear power can play in meeting those needs.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Henry Abeyta at (202) 224–8339, Clint Williamson at (202) 224–7556, or Steve Waskiewicz at (202) 228–6195.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. SNOWE. Mr. President, the Chair would like to inform the members of the committee that the committee will hold a hearing on Wednesday, July 12, 2006, at 10:30 a.m. in Russell 428A entitled ''Strengthening Participation of Small Businesses in Federal Contracting and Innovation Research Programs.''

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CRAIG. Mr. President, I would like to announce for the information of the Senate and the public that the hearing previously scheduled before the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources for Wednesday, July 19, 2006, at 2:30 p.m. has been rescheduled for Wednesday, July 19, 2006, at 10 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to provide oversight on the implementation of Public Law 108–148 (The Healthy Forests Restoration Act).

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Frank Gladics at 202–224–2878 or Sara Zecher 202–224–8276.

PRIVILEGES OF THE FLOOR

Mr. GREGG. Mr. President, I ask unanimous consent that the following Appropriations Committee staff members and members of my personal staff and interns and fellows be granted the privilege of the floor during the consideration of the fiscal year 2007 Homeland Security appropriations bill and any votes that may occur in relation thereto: Nancy Perkins, Shannon O'Keefe, Carol Cribbs, Mark Van De Water, Christa Crawford, Christopher Gahan, Peter Chaloner, and Adam Morrison.

The PRESIDING OFFICER. Without objection, it is so ordered.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 109–11

Mr. MCCONNELL. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on July 10, 2006, by the President: 2002 Amendments to the ITU Constitution and Convention, Treaty Document No. 109–11. I further ask unanimous consent that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to

the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the amendments to the Constitution and Convention of the International Telecommunication Union (Geneva, 1992), as amended by the Plenipotentiary Conference (Kyoto, 1994) and the Plenipotentiary Conference (Minneapolis, 1998), together with the declarations and reservations by the United States, all as contained in the Final Acts of the Plenipotentiary Conference (Marrakesh, 2002).

I transmit also, for the information of the Senate, the report of the Department of State concerning these amendments.

The Plenipotentiary Conference (Marrakesh, 2002) adopted amendments that would expand the field of individuals eligible for election to the Radio Regulations Board; provide for functional privileges and immunities for members of the Radio Regulations Board; strengthen the finances of the International Telecommunication Union by, among others, providing for sector member contributions to defray the expenses of regional conferences in which they participate and clarifying that operational plans prepared by the International Telecommunication Union Secretary-General and Directors of each of the International Telecommunication Union sectors must reflect the financial implications of the activities proposed; provide for sector members to be represented as observers at meetings of the Council; and recognize the authority of the Radiocommunication Assembly, the World Telecommunication Standardization Assembly, and the World Telecommunication Development Conference to adopt working methods and procedures for their respective sectors.

Consistent with longstanding practices, the United States, in signing the 2002 amendments, made certain declarations and reservations. Subject to those declarations and reservations, I believe the United States should ratify the 2002 amendments to the International Telecommunication Union Constitution and Convention. Those amendments will contribute to the International Telecommunication Union's ability to adapt to changes in the telecommunication environment and, in so doing, serve the needs of the United States Government and United States industry. It is my hope that the Senate will take early action on this matter and give its advice and consent to ratification.

GEORGE W. BUSH.

THE WHITE HOUSE, *July 10, 2006*.

ORDERS FOR TUESDAY, JULY 11, 2006

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m. tomorrow, Tuesday, July 11. I further ask unanimous consent that following the prayer and 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 proceed to a period for the transaction of morning business for up to 30 minutes, with the first 15 minutes under the control of the Democratic leader or his designee, and the final 15 minutes under the control of the majority leader or his designee; further, that following morning business, the Senate then resume consideration of H.R. 5441, the Homeland Security appropriations bill. I further ask unanimous consent that the Senate stand in recess from 12:30 p.m. to 2:15 p.m. to accommodate the weekly policy luncheons.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MCCONNELL. Mr. President, today the Senate turned to the Homeland Security appropriations bill. Senators who have amendments to offer to this bill should contact the bill managers, Senator GREGG and Senator BYRD. The bill managers were here today and will be back tomorrow morning ready to move forward on amendments. We expect votes to occur throughout the day tomorrow, and obviously we will notify everyone once those are scheduled.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:05 p.m., adjourned until Tuesday, July 11, 2006, at 9:45 a.m.

EXTENSIONS OF REMARKS

RECOGNIZING TUNKHANNOCK TOWNSHIP, PENNSYLVANIA, AS IT CELEBRATES ITS 150TH ANNIVERSARY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Tunkhannock Township, PA, which is celebrating its 150th anniversary this year.

With an area of 38.9 square miles, Tunkhannock Township was once part of Coolbaugh Township that was founded in 1794. Tunkhannock Township became a separate township in 1830 and, in 1856, it was officially formed.

Two of the earliest known settlers were Peter Merwine, who arrived in 1804 and George Altemose, who arrived about 1830. An 1875 map of Long Pond, the major community within the township, reflects that the land was primarily owned by Merwine and Altemose. Other owners included Nathan Hetter, Stephen Kistler, M. George, M. Heller, Levi Knecht, Mrs. Keiper, R.B. Bonser, H. Kingshold, J. Kresge, L. Bierman, P. Larzalere, Mrs. Barrall, E. Eckhart, Philip Henning and E. Christman.

According to the census of 1900, Tunkhannock Township had a population of 329. By 1960, the population had dwindled to 214. Today, the population has expanded to 4,983.

In its early days, the Township developed two sawmills that provided some employment opportunities and encouraged commercial activity. Three hotels emerged by 1856 including the Mount Pocono Hotel, Cold Spring Hotel and Tunkhannock Hotel. They all thrived from new settlers arriving to find land to build new lives and from weary travelers needing shelter and food.

In 1883, the first post office opened in Long Pond. A one-room elementary school opened in Long Pond although student populations were small. Electricity did not come to the township until about 1940.

Today Tunkhannock Township is, perhaps, best known as the home of the Pocono International Raceway, founded by Dr. Joseph Mattioli in 1968. The raceway has become internationally known and attracts hundreds of thousands of race fans annually. The facility is responsible for putting millions of dollars into the local economy over the years.

Mr. Speaker, please join me in congratulating Tunkhannock Township on this auspicious occasion. Tunkhannock Township enjoys a rich heritage as a quiet residential community which has given birth to a tremendous economic engine in the form of the Pocono International Raceway that is helping fuel the economy of the entire Pocono region and beyond.

IN RECOGNITION OF NOW-NYC'S 26TH ANNUAL SUSAN B. ANTHONY AWARDS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Mrs. MALONEY. Mr. Speaker, I rise to acknowledge the achievements of NOW-NYC and the recipients of the 2006 Susan B. Anthony Awards and the Elizabeth Cady Stanton Award. Whether it's fighting against the appointment of Judge Alito, demanding an increase in the availability of emergency contraception or working to end the statute of limitations for rape in New York State, the members of NOW-NYC have been leaders in standing up for women's rights.

The Elizabeth Cady Stanton Award is presented to a woman of outstanding achievement who has made important contributions toward creating a more equal society and has served as a role model for other women. The Susan B. Anthony Awards honor women who have accomplished something remarkable. Each of this year's recipients has, in her own way, spoken up, spoken out, gotten involved and made a difference. They are our role models and heroines.

Councilwoman Gale Brewer, recipient of this year's Elizabeth Cady Stanton Award, is an outstanding member of the New York City Council, representing Manhattan's Upper West Side. She is a strong ally, a good friend and a champion of women's rights and human rights. Brewer has been instrumental in passing numerous laws, the most recent being the Human Rights Bill, which protects domestic partnerships from discrimination and retaliation in the workplace. In 2000, the Daily News hailed her as "One of 50 New Yorkers to Watch."

When the crime rate in their North Brooklyn neighborhood began to rise, Oraia Reid and Consuelo Ruybal started helping women take back the night by offering them a safe way home. In 2004 they founded RightRides, a not-for-profit organization that offers free late-night rides home to women in several Brooklyn neighborhoods and parts of the Lower East Side of Manhattan. Their creative response to improving women's safety so impressed Mayor Michael Bloomberg, that December 12, 2005, was named "RightRides for Women's Safety Day."

Nancy Lublin has proved that one person really can change the world. Recognizing that what you wear can make the difference between getting the job and getting shown the door, she created Dress for Success, which provides business attire for low income women who are seeking jobs. For many women, that would have been enough. But Nancy saw another need—the need to encourage kids to get involved in their communities and to recognize their achievements when they do. So she agreed to become CEO of Do Something, an organization, founded in 1993 by Andrew Shue (of Melrose Place) and Michael Sanchez, childhood friends who wanted to make community service as cool as sports. Do Something has distributed over 1 million dollars through its Brick Awards to young people who are making a difference in their communities. In 1998, CNN dubbed the BRICK Awards "The Oscars for young people in service".

Former NOW-NYC President and current Chair of the Board, Jane Manning has taken her activism to the courts as well as to the streets. A graduate of Yale College and NYU Law School, Jane served as Assistant District Attorney for six years and currently defends women's rights as a human rights attorney for the non-profit organization Equality Now. A dedicated advocate for victims of domestic violence, sexual violence, and trafficking, Jane launched NOW-NYC's campaign to repeal New York's statute of limitations on rape cases and works closely with human rights groups to bring an end to the human rights epidemic of trafficking in women. Recently she represented a coalition of feminist organizations before New York State's highest court, arguing as amici curiae to reverse an appellate court decision that would have made the defense of extreme emotional disturbance almost universally available to men who kill their wives or girlfriends. In a unanimous decision, the court reversed the lower court's decision and ruled in favor of the feminist groups.

Finally, I want to congratulate Kathleen Ham, a symbol of courage to rape victims around the country. She is one of the reasons I fought so hard to pass the Debbie Smith Act. In June of 1973, Kathleen Ham was brutally attacked and raped in her New York apartment. Although the suspect was immediately apprehended while fleeing the scene, the trial resulted in a hung jury. In 2005, DNA technology linked the man charged in her rape definitively not only to her rape but also to at least 23 other rapes in Maryland and New Jersey over the past 32 years. Knowing that this serial rapist must be put behind bars, Ms. Ham courageously decided to take the stand once again, and to go public with her identity and story. When she came forward, nine other women also came forward to say that this man had raped them. Their stories are being used to illustrate the absurdity of New York's five-year statute of limitations for rape.

Mr. Speaker, I request that my colleagues join me in paying tribute to the 2006 Elizabeth Cady Stanton and Susan B. Anthony Award winners.

HONORING DISNEY TEACHER AWARD HONOREE LYNN ASTARITA GATTO

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Ms. SLAUGHTER. Mr. Speaker, Aristotle once said "All who have meditated on the art

of governing mankind have been convinced that the fate of empires depends on the education of youth.''

With this wisdom in mind, I rise today to honor an outstanding New York State teacher, Lynn Astarita Gatto, and to congratulate her on being chosen as a recipient of the 2006 Disney Teacher Award. Ms. Gatto is a second grade teacher at Henry Hudson Elementary No. 28, a school located in my Congressional district.

Each year a select group of teachers across the country are chosen as Disney honorees by a group of their peers that includes representatives from leading educational institutions and former Disney award honorees. This year, 44 winners were chosen out of a field of over 75,000 teachers. Ms. Gatto was among this elite group and is being acknowledged for her creativity, innovative teaching methods, and ability to inspire students.

An educator for over 30 years, Ms. Gatto has devoted her life to the betterment of children. Her life-long service warrants particular praise because she has spent the majority of her career in an urban school largely made up of children from low-income families and those struggling with poverty. Ms. Gatto has chosen to focus her energy on students with differing abilities and has provided them with the tools needed for building successful futures.

In addition to her innovative work at Henry Hudson Elementary, Ms. Gatto has published articles in teacher journals, contributed to academic books, and written science modules for elementary school students. Each spring, she teaches a course at the University of Rochester's Warner School of Education on the theory and learning of elementary science. Ms. Gatto was also recognized in 2004 for her excellence in teaching when she was chosen as the New York State Teacher of the Year.

Mr. Speaker, I once again ask that you join me in congratulating Ms. Lynn Astarita Gatto on being selected as a Disney Teacher Award honoree and for her tireless efforts to empower her students. She is a role model to educators, and an inspiration to us all.

RECOGNIZING THE 100TH ANNIVERSARY OF THE GIANT'S DESPAIR HILL CLIMB IN LAUREL RUN

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 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 Sports Car Club of America and Laurel Run Borough, sponsors of the Giant's Despair Hill Climb in Laurel Run, Luzerne County, Pennsylvania, which is celebrating its 100th anniversary this year.

Begun in 1906 as a supreme test of man and automotive machine, the hill climb has captured the imagination of many of America's premier race drivers and has provided a challenging course that has continued to attract racing aficionados year after year for the past century.

Over the years, the Giant's Despair Hill Climb has played host to some famous personalities who dared to challenge the course's grueling and dangerous turns. Those people included Hugh Harding, Louis Chevrolet, Ralph DePalma, Carroll Shelby, Roger Penske, Bud Faust, Dellevan Lee, Dave Garroway, John Van Meyer, Oscar Koveleski, Jackie Cooper, John Halbing and Ron Moreck.

Held just outside of Wilkes-Barre in Laurel Run Borough on East Northampton Street, the Giant's Despair Hill Climb starts out as a long, gently rising straightaway about one quarter mile in length that leads into a fast left turn that tests both nerves and skill. Then it goes on to a short chute and the ''Devil's Elbow,'' a sharply rising hairpin turn that goes off camber at its crest. Next is a series of 90 degree turns connected by short straights. Finally comes the incline, a meandering quarter mile stretch that rises at 22 degrees to the finish line.

Ron Moreck finished the course in 39.914 seconds in 2001 and is the current race record holder.

The Northeast Pennsylvania Regional Sports Car Club of America predicts at least 10,000 race fans from West Virginia to Connecticut will come to the area to see the race and that over $100,000 in revenues will be generated for the local economy.

Oscar Koveleski, who won the race and set a new time record in 1977 that held for 15 years, described the event as one of the best hill climbs in the world. He also noted that the event has generated much interest from manufacturers of alternative fuel vehicles that include propane, electric hybrids, converted Indianapolis 500 cars that run on methanol, biodiesel and other fuels.

The original hill climb winner in 1906 finished the race in 2 minutes and 11 seconds. Technology and racing skills over the past 100 years have evolved to the point where the current record is 39 seconds.

Mr. Speaker, please join me in congratulating the organizers and participants of the Giant's Despair Hill Climb. Over the past century, they and their predecessors have established and maintained an event of epic proportions that has captivated and entertained generations of Americans and has contributed to the advancement of automotive technology that has served this Nation well in this era of global economy.

IN RECOGNITION OF ALICIA HOLLOWELL FOR OUTSTANDING ATHLETIC COLLEGIATE ACHIEVEMENTS AS PITCHER FOR THE NATIONAL CHAMPION ARIZONA WILDCATS

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Mrs. TAUSCHER. Mr. Speaker, I rise to recognize Alicia Hollowell, a Suisun City resident and Fairfield High School graduate for her outstanding performance as a pitcher for the Arizona Wildcats.

Ms. Hollowell was born on February 29, 1984 to Doug and Suzanne Hollowell of Suisun City.

On June 6, 2006, Ms. Hollowell struck out 13 batters, while pitching a complete game in Arizona's 5–0 victory over Northwestern giving Arizona the 2006 NCAA Women's Softball Championship. For her efforts she was named the College World Series Most Outstanding Player.

Arizona's championship caps off a stellar collegiate career. During Ms. Hollowell's 4 years at Arizona, she compiled a 144 win 23 loss record with a minuscule earned run average under 0.90. In addition she struck out over 1700 batters.

Success is nothing new for Ms. Hollowell. While attending Fairfield High School she received the Gatorade Player of the Year award which is considered by many as the most Prestigious High School Athletic Award.

She left Fairfield High as the recordholder for strikeouts in a season, strikeouts in a career, and most wins in a career. A true testament of her will to win was her 61 strikeout performance in a 30 inning game.

On June 19, 2006, another of Ms. Hollowell's goals was fulfilled when she was named for the second straight year to the USA Softball Women's National Team where she will be competing for her second straight International Softball Federation World Championship in China.

As Alicia moves to the next phase of her life I wish her continued success. I know she will continue to represent the United States well.

TRIBUTE TO THE PATRIOTISM AND HEROISM OF MEL RING

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Mrs. MUSGRAVE. Mr. Speaker, I rise today to pay tribute to the patriotism and heroism of Mr. Mel Ring.

Mr. Ring served with distinction in the Army Air Corps during the harrowing days of the Second World War. As a B–17 crew member in the 815th Squadron of the 483 Bombardment Group, Mr. Ring and his fellow crew members played an integral role in the Allied defeat of Nazi Germany.

The crew of the *Good Deal* formed in November 1943 with Mr. Melbourne Ring of Crook, CO, as one of the 13-member crew, which included Paul E. Ray, Warren O. Griffin, Carl B. Hardy, Gerald Kramer, Foster F. Knight, James I. Korshak, Walter J. Gladieux, August O. Bresciz, Theodore Engelun, Fred A. Clark, Jr., Robert J. Dalzin, and John M. Spear.

On April 12, 1944 Mr. Ring and the crew of the *Good Deal* participated in their first mission to Split, Yugoslavia. In the following months, the crew of the *Good Deal* saw action over Toulon, Milan, Weiner Neustadt, Vienna, Budapest, Blechhammer, Ploesti, and Memmingen.

Despite the fact that 14 of 26 American B–17s were lost over the German town of Memmingen on July 18, 1944, Mr. Ring and his crewmates successfully downed seven German fighters.

Mr. Speaker, I am proud of Mr. Ring's distinguished service and humbled by his courageous patriotism. The sacrifices he and the men of the *Good Deal* made to ensure the liberty and freedom of future generations will never be forgotten. I urge my colleagues to join me in honoring Mr. Melbourne D. Ring and the crew of the *Good Deal*.

TRIBUTE LINDA HIRVONEN

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Mr. STUPAK. Mr. Speaker, I rise to recognize an outstanding individual who has dedicated the last nine years of her life to spurring economic growth and development in Michigan's Upper Peninsula.

Ms. Linda Hirvonen retired at the end of June as Director of the Delta County Economic Development Alliance. During her time there, she worked tirelessly on economic and community development in northern Michigan.

Ms. Hirnoven was critical to business and job growth in Delta County. As of April 2006, there were 2,400 more people in the workforce than when she began in 1997. Ms. Hirvonen assisted 575 individuals and companies looking to start a business or relocate in Delta County. Those statistics are impressive and speak to Ms. Hirvonen's record of success and accomplishment. However, they only tell part of the story. What she will perhaps be remembered for most is the leadership and vision in economic development that she brought to the job and to Delta County.

Ms. Hirvonen is credited by many as coining the term "coopetition," the concept that private businesses should cooperate with each other and with nonprofits to develop the community infrastructure that will facilitate economic growth and lay the foundation for a stable business environment. This concept of "coopetition" has guided Delta County's Economic Development Alliance and the many programs that Ms. Hirvonen developed during her tenure.

Ms. Hirvonen was instrumental in the creation of the Upper Peninsula Economic Development Alliance and served as the Alliance's first president. She saw to the creation of the Bay Area Economic Club and served as the Club's permanent board secretary. She pioneered the creation of Delta Force, the community leadership development program.

A newcomer herself to the area in 1997, Ms. Hirvonen established a program through the Alliance that provides a network of support for newcomers to Delta County. She recognized that for the community to grow, newcomers to the area need to feel welcome. The newcomers unit provided a valuable network for those individuals and businesses that are new to Delta County.

Ms. Hirvonen also led the Alliance's efforts to better assess the needs of existing businesses in the Upper Peninsula. Thanks to her leadership, the Economic Development Alliance implemented the Upper Peninsula Business Barometer, a UP-wide survey of existing businesses to better understand business' needs and strengths.

The overarching goal of the Economic Development Alliance has been to support and assist business creation, growth and expansion in Delta County. Ms. Hirvonen has been tremendously successful in advancing that goal, attracting several businesses to Delta County. She is particularly proud of one new business, Issues and Answers Network. This business came to Delta County in 2001 and, with the Alliance's help, opened two more locations throughout the Upper Peninsula. The company employs 150 people in Escanaba and, thanks to this expansion, Issues and Answers should employ more than 300 people throughout the Upper Peninsula by the end of this year.

Mr. Speaker, Ms. Linda Hirvonen has made it her business to see to business expansion and growth in Delta County and in the Upper Peninsula. Bringing business and economic growth to smaller, rural communities is often challenging. It can only happen when people like Ms. Hirvonen dedicate themselves to the effort. Today, after nine years of distinguished service to her community, I congratulate Ms. Hirvonen on a job well done.

Her husband, Dr. Michael Allkins, recently retired himself. The two of them will now have more time for their mutual pastimes of golf, long walks on sandy beaches and martinis at sunset. To both of them, I say: enjoy, you have earned it.

Mr. Speaker, I ask that you and the House of Representatives join me in congratulating my friend, my constituent, Ms. Linda Hirvonen and thanking her for her hard work and nine years of service to Delta County and Michigan's entire Upper Peninsula.

SUPPORT FOR EAST TIMOR

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Mr. FRANK of Massachusetts. Mr. Speaker, several of us in the House are proud of the role we played in helping gain independence for the new nation of East Timor, and we have been pleased by the commitment of the leaders of that new nation to democracy. In particular, we believe that the President, Xanana Gusmao, and the former Foreign Minister and newly-designated Prime Minister, Jose Ramos Horta, have shown a commitment to the maintenance of a fully democratic society. In fact, President Gusmao—widely known and revered by the people of East Timor as Xanana—worked to get a candidate to oppose him in the first presidential election in the country because he wanted to set the right precedent.

It was with great sadness therefore that we watched the violence that wracked this small country in recent weeks, and we believe that it is very important that the responsible leadership of East Timor receive the support they need to make this violence a temporary interruption in their progress as a nation. One very important element in this effort is the United Nations, contrary to those who would dismiss the UN as of no use in today's world. In a recent article in the Boston Globe, Prime Minister Ramos Horta and Raj Purohit make the case that "it is vital that the UN continue to lead an inclusive effort to insure that Timor-Leste (the Portuguese official name for East Timor) becomes a strong democratic member of the international community." In addition to the UN, Australia has played a very constructive role in helping deal with the problems of this new nation.

Mr. Speaker, the recent violence is a sad fact, but it should not lead to pessimism about the longer-term future of East Timor. Instead, members of the international community should heed the words of Jose Ramos Horta and Raj Purohit and support the steps that will lead to a stable and democratic future for this new nation. In particular, they ask that the new UN Peace Building Commission make East Timor one of the objects of its work, and I hope that this request will be supported by the United States Government and honored by the Peace Building Commission so that, in the words of the authors of this article, we can see that "Timor-Leste finally takes its place among the world's stable democratic countries."

[From the Boston Globe]

JOSE RAMOS HORTA AND RAJ PUROHIT

In recent weeks commentators have framed the uprisings in Timor Leste as a country that has spiraled into violence despite UN peacekeepers. This gives the false impression that the United Nations has failed in the country formerly known as East Timor. The reality is significantly different.

Having declared its independence a mere four years ago, Timor Leste is still a fledgling nation emerging from the aftermath of a long, and often bloody, struggle for freedom. Though citizens have been ably assisted by various UN missions as they attempt to build the country, Timor Leste still has many challenges to overcome. These challenges include speeding up reconciliation, building a democratic political culture, instilling the rule of law, and creating an economy that is able to provide sustainable livelihoods for its people.

While critics correctly note that efforts for reintegration and development must be redoubled, they fail to note that international commitment to long-term peace-building processes must also be redoubled. Peace-building processes that pay attention to a nation's need to feed, employ, govern, and heal itself are essential in any nation-building process. But the world failed to offer sufficient assistance to Timor Leste. The world community, including the United States, moved on to the next failing state before Timor Leste had sufficient strength to stand on its own.

Now we are at the point in Timor Leste's nation-building process where the key stakeholders need to make a calculated assessment of what needs to be done next, coupled with a renewed political and financial commitment to a UN-driven process. Yes, missteps occurred, but this does not demand a radical change of direction nor should nations abandon Timor Leste at this critical juncture.

The first order of business is to address the violence caused by the dismissal of 600 striking soldiers. In the short term, the combination of regional and UN assistance coupled with a commitment from local government officials to address the tension will help dampen the fighting. In the long term, Timor Leste, working with regional governments, in particular Australia, will need to address the broad security challenges underlying the current instability.

Second, and perhaps more significant, it is vital that the UN continue to lead an inclusive effort to ensure that Timor Leste becomes a strong, democratic member of the international community. The UN is the logical body to coordinate this initiative and it seems logical that the new UN Peace Building Commission should play a central role in this effort.

The Peace Building Commission was formed to improve the coordination of relevant actors within and outside the UN and to extend the period of attention given by the international community to post-conflict recovery. In the case of Timor Leste, the commission should coordinate efforts to ensure that:

There is an aggressive and sustained campaign to improve the livelihood of Timor

Leste's people. This effort requires local buy-in and assistance from the World Bank and national and regional development groups.

Local systems of governance are developed and respect for the rule of law is cultivated. In particular, emphasis should be placed on judicial institutions, which will enable accountability for past and current crimes.

Peace and security is guaranteed for Timor Leste. Peacekeepers, instead of leaving prematurely, must remain to support military and police troops.

The Peacebuilding Commission is selecting which post-conflict nation-states to adopt. Along with Burundi and Sierra Leone, Timor Leste is high on the list. The world community has an opportunity to rally behind Timor Leste, rather than abandon it, and help this nation become healthy and strong—a peace-building process that will take a long-term commitment from every international institution.

Ian Martin, former special representative for the UN secretary general for East Timor, is forecasting a larger role for the UN. He should recommend that the Peacebuilding Commission take the lead in ensuring Timor Leste finally takes its place among the world's stable democratic countries.

HONORING SPRINGHILL MEDICAL CENTER AS A LEADER IN HEALTHCARE TECHNOLOGY

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Mr. BONNER. Mr. Speaker, I rise today to pay tribute to Springhill Medical Center.

For the past 31 years Springhill Medical Center has served the people of south Alabama through quality medical service. The administration and staff of Springhill Medical Center pride themselves on numerous services they provide to the community while maintaining a personalized approach to patient care.

I am proud to say that Springhill Medical Center is recognized as being in the top 5 percent of the most technically advanced hospitals in the United States. As a result of the hospital's investment in this technology, Springhill Medical Center was honored as a 2006 Laureate by the Computerworld Information Technology Awards Foundations.

Springhill Medical Center was nominated and received this award based on the hospital's operations in the days following Hurricane Katrina. The high volume of patients treated following the hurricane would not have been possible without the integrated technology the hospital had in place. In the aftermath of Hurricane Katrina, the emergency room provided services to as many as 72 patients at one time. In the month following Hurricane Katrina, the hospital treated 600 more patients than the same time period the previous year.

Upon receiving the award, Mr. Bill Mason, president and CEO of Springhill Medical Center, said, "Our firm decision to significantly invest in our electronic information resources has paid off for our patients and for the physicians, nurses, and technicians who care for them, and the hospital. We've been able to offer our medical staff a tool that complements the excellent care offered at Springhill Medical Center."

Mr. Speaker, it is my great honor to recognize the administration and staff of Springhill Medical Center and their continuing leadership in healthcare technology and commitment to quality healthcare services throughout south Alabama.

RECOGNIZING THE SOUTH EL MONTE EMERGENCY RESOURCES ASSOCIATION

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Ms. SOLIS. Mr. Speaker, it is with great honor that I rise today to congratulate the South El Monte Emergency Resources Association in honor of their 50th anniversary. I am proud to recognize the invaluable contributions and charity of the South El Monte Emergency Resources Association on this historic occasion.

For over 50 years the mission of this small organization has been to "prevent homelessness and maintain stability by providing the basic needs of food, clothing and shelter for families and individuals in times of crisis." And for 50 years the South El Monte Emergency Resources Association has not faltered in upholding their noble and honorable mission. The impact they have had on thousands of lives is immeasurable. By implementing the American spirit of humble and compassionate charity, the South El Monte Resources Association has come to embody the best of the American people.

The association began their mission by providing second-hand clothing to children in unfortunate circumstances. Through the years they have expanded their services to include the provision of emergency food, clothing, home furnishings, sheets, blankets, medical supplies, and medical equipment to members of the community. Yet the work of the South El Monte Emergency Resources Association is not limited to these services; it extends beyond material assistance to provide moral support and guidance.

Today, in the face of poverty, homelessness, suffering, and insurmountable circumstances, we have hope because of groups like the South El Monte Emergency Resources Association. Without the support and assistance of such organizations, our many impoverished children, seniors, and community members would be left out in the cold with no hope in sight. Today we recognize the priceless services that charitable organizations provide to our society and I congratulate the South El Monte Emergency Resources Association for 50 years of being a model compassionate organization.

TRIBUTE TO SONNY DOLCI

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Mr. ISRAEL. Mr. Speaker, I rise today with a heavy heart to share with my colleagues the passing of Sonny Dolci. Most Members of the House never met Sonny Dolci. But everyone has a Sonny Dolci in their congressional district.

Sonny Dolci was a veterans' leader in Northport, Long Island. He died 3 days before Independence Day. And he had a special link to that day. Because he embodied the finest qualities of great Americans who refused to say 'no' when it came to their country or their community.

When the veterans of Northport wanted to build a new facility, Sonny Dolci said, "Give me the shovel."

When community leaders wanted to organize a celebration of Northport, Sonny helped lead what is today one of the largest festivals on Long Island: Cow Harbor Day.

When a Korean War memorial was planned, Sonny traveled to eastern Long Island, and climbed amongst the rocks to find the perfect facing.

Sonny would not take no for an answer.

That is really what Independence Day is about: the Americans who refused to say no when faced with challenge.

Two hundred thirty years ago, George Washington found himself surrounded in NY by the most powerful Navy on earth. He didn't give in, he kept up the fight for independence. And we replaced foreign monarchy with American democracy.

One hundred fourty years ago, Abraham Lincoln lost battle after battle for American unity. He didn't give up. He kept fighting until we replaced slavery with liberty.

And 60 years ago, men like Sonny Dolci left their homes for World War II and then Korea. They refused to say no to defeating tyranny and totalitarianism.

They came home, and looked at the moon. And when President Kennedy said we could even defeat the distance of space, they said, "Let's go".

That determination and spirit made us the country we are today. They wouldn't take no for an answer. And neither should we.

The threat today is our reliance on foreign oil. Our generation needs a Declaration of Energy Independence. If we can beat the British, defeat slavery, triumph in World War II and land Americans on the moon, we can design vehicles that get more than 40 miles per gallon. That is today's challenge.

Sonny Dolci never said "It's too hard" when it came to the safety and security of his country, his community, his comrades, or his children.

And as long as his spirit and fortitude lives in each of us, we will give the next generation of children the peace and security that Sonny fought and worked to give us.

And that is the greatest legacy of all.

TRIBUTE TO THE LATE JUDGE CORDELL MEEKS, JR.

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Mr. MOORE of Kansas. Mr. Speaker, I rise today to pay tribute to an outstanding Kansas jurist who recently was taken from us too soon: 29th Judicial District Court Judge Cordell Meeks, Jr., who died unexpectedly on June 28th of a heart attack at age 63.

Born and raised in Kansas City, Kansas, Judge Meeks served on the bench for nearly

26 years. A graduate of the University of Kansas and of KU's School of Law, he was a senior partner in the law firm of Meeks, Sutherland and McIntosh when he was appointed by Governor John Carlin in 1980 to fill a vacancy on the bench created by the death of his father, Cordell D. Meeks, Sr., the first African-American district court judge in Kansas.

Described as a ''firm but fair'' judge who maintained strict courtroom decorum, Judge Meeks also served on the boards of numerous community groups and civic organizations, including Children's Mercy Hospital, Rockhurst University, and the Liberty Memorial Association. He also served as a colonel and senior military judge in the Kansas Army National Guard. In 1999, he became the first African-American to serve on the board of the Truman Museum, a position he considered an honor because his father had been a friend of President Truman. In 2001 he was elected president of the American Lung Association.

Additionally, Judge Meeks was an active alumnus of the University of Kansas, where he served on the advisory board for minority development for KU's graduate school and for KU's Edwards Campus in Overland Park. In 2002, he received the alumni association's Fred Ellsworth Medallion, the organization's highest award for service to the University. As KU Chancellor Robert Hemenway said upon learning of Judge Meeks' death, ''I know of no one who better understood than Cordell the importance of higher education and the door to opportunities that it opens. Cordell was an inspirational leader for racial equality in our region. He motivated us all to do better. We will miss him dearly.''

Mr. Speaker, I was privileged to have known Cordell Meeks personally for many years. We first met during my junior year at the University of Kansas, where we both served as counselors in Joseph R. Pearson Residence Hall, and we remained close friends since that time, as we both progressed through careers in law. Judge Cordell Meeks truly was a well-respected member of our community whose life and work were centered around the basic ideals he held dear: justice, hope, strength, community and family. He was a valued friend and I know that all members of the Kansas City community join with me in sharing our thoughts and prayers with his widow, Mary Anne, and their son, Cordell, III, during their time of loss.

PERSONAL EXPLANATION

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Mr. BONNER. Mr. Speaker, on Thursday, June 29, 2006, I was absent for a vote. Had I been present, I would have voted ''yea'' on rollcall 357.

RECOGNIZING THE CONTRIBUTIONS OF ELVIRA ''VERA'' DURAZO

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Ms. SOLIS. Mr. Speaker, I rise to pay tribute to Elvira ''Vera'' M. Durazo of El Monte, California, a dedicated and compassionate woman known as the ''Grandmother'' of Mexican cuisine in the greater El Monte area, who passed away on June 24, 2006.

Vera opened the first Mexican food restaurant and tortilla factory in El Monte known as ''Durazo's'', bringing a taste of Mexico to the San Gabriel Valley. After many successful years at Durazo's, Vera turned her focus to contributing to the community as a volunteer. For more than three decades, Vera assisted the sight impaired and homebound elderly. She also organized the Convalescent Patient Project, which now gives more than 150 patients birthday and Christmas gifts in the El Monte area per year, and volunteered at health fairs and clinics, the monthly mini-mart at the Hack Crippen Senior Center, and Meals on Wheels.

Vera was particularly committed to the elderly in the local Latino community and founded the Club Hispano Americano. Club Hispano Americano is the largest Hispanic philanthropic organization for the elderly in the San Gabriel Valley.

Vera is survived by one son Edward Durazo, two daughters Rebecca Ramirez and Evelyn Prudhomme, eight grandchildren, thirteen great-grandchildren and four step-great-grandchildren. She will be dearly missed by her family, friends, and the community.

PROVIDING FOR CONSIDERATION OF H.R. 5638, PERMANENT ESTATE TAX RELIEF ACT OF 2006

SPEECH OF

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 22, 2006

Mr. ISRAEL. Mr. Speaker, I rise in opposition to this bill.

I believe that estate taxes at 2001 levels were inherently unfair. And I voted to reform those levels by increasing the exemption and lowering the tax rate through 2010. Today, I would vote for all estate tax reform that permanently raised the exemption to $3.5 million for individuals and $7 million for couples, while lowering the rate to 45 percent.

Unfortunately, the majority has refused to even entertain a compromise. In fact, they won't even allow us to vote on a compromise, even though they could vote against it. They insist that we either take or leave their bill: a $700 billion cost, added to an existing $8 trillion debt.

Why do we need compromise? Why can't I support the legislation before us today? For three reasons.

First, at a time of war that has been described as ''generational'', when we experienced shortages on the battlefield, funding cuts in Pentagon weapons systems, and cuts in homeland security funding to my constituents in New York because of budget strains, adding an additional $700 billion in estate tax relief is irresponsible. How is it that we have $700 billion for estate tax relief, but just cut funds for a critical Air Force advanced energy program? Why is it that we slashed college loan programs because we had to save $12 billion, but we have $700 billion for estate tax repeal? How is it possible to defend cutting Homeland Security funds to NY by $80 million because we can't afford it, and then pass a bill that spends $700 billion to repeal the estate tax?

Second, I have been fighting for meaningful and permanent relief of the Alternative Minimum Tax, which has become the largest middle class tax increase in history. The Administration and Republican leadership of Congress has not agreed to real alternative minimum tax relief. All we can afford they say, is a temporary bandage every year. The cost of the permanent AMT reform that Representative LOWEY and I have introduced is about $400 billion. The cost of permanent repeal of the estate tax is $700 billion. Why is it that we can't afford tax relief for millions of middle class families, but we can afford twice the cost for tax relief to several thousand estates?

Third, a $700 billion liability to the Federal Treasury represents a staggering unfunded liability for our children. Let me prove my point in specific and non-partisan terms.

Recently I attended a meeting with the Comptroller General of the United States. He was chosen to this position by President Bush, the Republican Speaker of the House, and the Republican Leader of the Senate.

The Comptroller described the long term fiscal position of the Federal Treasury. Over the next 30 years, Federal revenues will remain fairly constant as a percentage of the federal budget. On the spending side—even if we do what we have never been able to do, and keep spending at the level of inflation—our total costs will skyrocket, particularly with the rapid growth of our aging population. The resulting gap between revenues and expenses will be so huge that in 2040, the entire Federal budget will be adequate to pay for only two things: interest on debt, and a small piece of social security. Everything else—the military, veterans benefits, the FBI; the CIA, education, health, homeland security—will require either a catastrophic tax increase on our children, or abolishment by our children. And today, we add $700 billion to their problem.

Mr. Speaker, we can provide estate tax relief that is affordable and fair, by allowing a vote on Mr. POMEROY'S substitute. But denied that opportunity by the leadership, I cannot support a ''take it leave it'' bill. Not when, by taking this, I leave the real bill to our children.

A TRIBUTE TO ALAN SENITT

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Mr. ACKERMAN. Mr. Speaker, on behalf of myself, Mr. WAXMAN, Mr. LANTOS, Mr. ENGEL and Ms. WASSERMAN SCHULTZ, I'd like to express our shock and horror at the death of Alan Senitt in Washington, DC, early yesterday morning.

Each of us came to know Alan as a staffer for Lord Greville Janner of Braunstone, United Kingdom. Lord Janner is a leader in European efforts to fight anti-Semitism and racism, and is the founding chairman of the International Council of Jewish Parliamentarians, an organization of which we are all members. Alan played a critical role in helping to bring this organization into existence.

Alan was a kind, dedicated and good person, a young man with enormous potential and great hopes for trying to build a better world. Alan devoted himself to a life in politics and intercommunal dialogue because he understood that it is only by effort and commitment that the wounds of our world can be knit up.

In a life of only 27 years, Alan was a dynamic student leader, an energetic voice for British Jewry and pro-Israel advocacy, a talented leader in the campaign against racism and bigotry, and a candidate for public office. The future he was so brutally denied would surely have been no less full of struggle, achievement and success.

His death is a tragic loss for each of us, the Jewish community in the United Kingdom, his wide circle of friends and, most of all, his family.

Our thoughts and prayers go out to the Senitt family: his parents, Karen and Jack, and his siblings, James and Emma, who have been so cruelly robbed of their son and brother. Alan leaves behind a legacy of compassion, vitality, good works and a vast potential tragically curtailed. He will be deeply missed.

IN RECOGNITION OF FIRST UNITED METHODIST CHURCH OF PACE'S NEW SANCTUARY

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Mr. MILLER of Florida. Mr. Speaker, it is a great honor for me to rise today to extend my congratulations to First United Methodist Church of Pace on the opening of their new sanctuary.

First United Methodist Church of Pace was founded in 1955 and has since grown to be a vital part of the Santa Rosa County community. The congregation began meeting in a single room of a cement block shop. The church has grown in many ways, most recently with the addition of their new sanctuary. In 1992 a building committee was formed to look into the possibility of expanding First United Methodist Church of Pace's facilities. With the financial and spiritual support of the congregation this vision has now become a reality.

From their humble beginning over 50 years ago, First United Methodist Church of Pace has blossomed into a thriving place of worship.

Mr. Speaker, on behalf of the United States Congress, I would like to offer my heartfelt congratulations to First United Methodist Church of Pace on the opening of their new sanctuary. The dedication of the congregation to their church should be commended, and I am pleased to have First United Methodist Church of Pace in my district.

RECOGNIZING CENTENARIAN MARY MAYNARD OF CITRUS COUNTY, FL

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to honor Mary Maynard of Citrus County, Florida. Mary will soon do something that all of us strive for, but that very few of us will ever accomplish, celebrate her 100th birthday.

Born August 5, 1906 on a farm near Rushville, Indiana, Mary attended Webb High School in Rushville and later graduated from business college.

A farmer's wife until 1948, Mary eventually embarked on a career as a bookkeeper, real estate and mobile home salesperson and working for a prominent builder in Indianapolis selling new homes. In 1960, Mary and her daughter moved to Ft. Lauderdale where she continued her real estate and sales work.

Eventually settling in the Gulf Coast in 1975, Mary and her daughter moved first to Brooksville, and then in 1984 to Citrus County. Following several small strokes over the years, Mary has lived in Arbor Trails Nursing Home in Inverness, Florida for the past 3 years.

Her August 5th birthday celebration will be attended by family and friends from Minnesota, North Carolina, Indiana, Ohio and Florida. In fact, Mary has a long lineage spread across the country, including a son and a daughter, six grandchildren, twelve great grandchildren and ten great great grandchildren!

Mr. Speaker, I ask that you join me in honoring Mary Maynard for reaching her 100th birthday this coming August. I hope we all have the good fortune to live as long as she has.

HONORING JEFFREY D. THOMAS

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Ms. LEE. Mr. Speaker, I rise today to honor Jeffrey D. Thomas of Oakland, California for his extraordinary service to California's 9th U.S. Congressional District. Following his work in the areas of politics, finance, and community development, Jeffrey served as the District Director in my Oakland District Office from January 2004 until June 2006. During that time, Jeffrey played an integral role as a leading member of my staff, and his enthusiasm for public service has brought a heightened sense of purpose to my office.

Jeffrey was born in Mississippi in 1963, in the midst of the social and political upheaval that marked life in the American South during the Civil Rights Movement. The son of a minister and a teacher, at an early age Jeffrey developed a keen awareness of the social conditions affecting his family and his community, and of the struggles faced by African Americans in the fight for civil rights. He recounts as a formative moment in his childhood the occasion when he saw one of my personal and professional mentors, Congresswoman Shirley Chisholm, on television for the first time, a moment that was so significant for him not only because of how inspired he was by her speech, but because of his amazement at the sight of another African American on television, which was a rare occurrence at the time.

Another part of his background that would shape his life in the years ahead was his involvement in the Head Start Program, a comprehensive childcare and development initiative for children in low-income families, funded by federal grants and matching money from local entities in communities across the country. Not only was Jeffrey a Head Start child himself, but his parents both worked with the program for a number of years while he was growing up. Furthermore, this program has remained a part of his life until the present, as he has gone on to represent my office on the local Head Start advisory board in Oakland.

After growing up in Mississippi, Nebraska, and Alabama, Jeffrey moved to Massachusetts, where he attended Brandeis University. Following his graduation, he began working in real estate, but was soon drawn to government and public service, accepting a job in the office of Senator EDWARD KENNEDY of Massachusetts, a position in which he worked on international finance, economic development and constituent services. Following his time there, he continued his work in the financial sector, serving as part of the Mortgage Bankers' Association, William Morris, and as a bank Vice President. After relocating to California to work with a startup software company, Jeffrey became increasingly involved in community development initiatives in the San Francisco Bay Area, serving on entities such as the Alameda Point Collaborative and the boards of local non-profit organizations.

Jeffrey became the District Director in my Oakland District Office in January 2004, and did an excellent job of bringing his experience in Senator KENNEDY's office as well as in the areas of finance, media, project management and staff management to bear on his service to the 9th Congressional District. Under his leadership an exceptional staff has been developed, and numerous initiatives in the areas of crime prevention, economic development, affordable housing, environmental protection, and poverty eradication have been introduced and successfully executed by my office. Of particular note has been his leadership on the Criminal Records Remedies program in my district, through which more than 2,000 nonviolent criminal records have been dismissed in only 12 months, allowing thousands of formerly incarcerated individuals the opportunity to obtain employment, housing, and the chance to successfully complete their reentry into society.

Jeffrey's service has been distinguished not only by his exceptional work ethic, but also his commitment to the people of California's 9th U.S. Congressional District. Today, Jeffrey's colleagues, friends, and wife Rachel will come together to celebrate his innumerable contributions to our community. On this very special day, I join all of them in thanking and saluting Jeffrey Thomas for his invaluable service to California's 9th U.S. Congressional District, and to wish him the very best as he begins the next chapter of his "spirit filled" life.

PAYING TRIBUTE TO ROBERT N. BROADBENT

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Mr. PORTER. Mr. Speaker, I rise today to pay tribute to the life and accomplishments of my friend and mentor Robert N. Broadbent, a lifelong resident of Southern Nevada who dedicated his life to public service. Robert Broadbent passed away in August 2003, but he left a legacy of honor and integrity that will not be forgotten.

Robert ''Bob'' Broadbent was born in Ely, Nevada on June 19, 1926. From a young age, his parents, N.E. ''Broadie'' and Hope Broadbent, instilled in him strong family values and a commitment to serving his community. Bob's father served as mayor of Ely for 16 years, and also served on the University Board of Regents and the State Pharmacy Board. During World War II, Bob served 2 years in the Army Air Corps. When he returned home, Bob attended the California Institute of Technology and the University of Nevada, Reno, before earning his bachelor of science degree in pharmacy from Idaho State University in 1950. Upon graduation from college, Bob began working at Rexall Drug in Boulder City, Nevada, and eventually purchased the drug store.

On January 4, 1960, Boulder City was officially incorporated under the State of Nevada. The city charter called for an elected five-member council, which would then choose one of its members as mayor. Bob was elected a member of the city council, and was then appointed to be the first mayor of Boulder City. The post entitled him to a seat on the board of directors for the newly formed Las Vegas Convention and Visitors Authority LVCVA. Bob served on the LVCVA board for 20 years and spent 8 of those years as chairman. Bob remained on the Boulder City Council until 1968. By that time, his love for politics had prompted him to run for the Clark County Commission. He won, and served 12 years on the Commission, representing a district that included Boulder City, Henderson and North Las Vegas. Bob also served as the Department of the Interior's Assistant Secretary for Water and Science under President Ronald Reagan, and was Clark County Director of Aviation from 1987–97. During his tenure as Director of Aviation, McCarran International Airport became one of the Nation's 10 busiest airports in the United States.

Though Bob served the State of Nevada with honor and distinction, his greatest legacy is his family. He and his wife Sue raised four children, Bob, Kathy, Doug and Michele, who became strong members of the southern Nevada community. They have 15 grandchildren and 5 great grandchildren.

There are several lasting monuments that add to the legacy of Bob Broadbent, including the Las Vegas Monorail, which is named in his honor. On Tuesday, July 4, 2006, the city of Boulder City named a park for him. A bust of Bob Broadbent now stands at the corner of 5th Street and Avenue B, on the northwest corner of the newly dedicated Broadbent Park, formerly known as Central Park, or the Pool Park, as the residents of Boulder City know it.

Bob's leadership was unsurpassed and his example was one of the driving forces behind my desire to be involved in public service. He was a valued friend who taught me a great deal about the political world and how to approach it with honor and integrity.

Mr. Speaker, I am honored to join with the people of Boulder City in paying tribute to Robert N. Broadbent on the floor of the House. His life stands as a tremendous example of leadership. He dedicated his life to enriching and improving our community and I am grateful for the legacy of service he left for the people of southern Nevada.

FREEDOM FOR DR. JOSE LUIS GARCÍA PANEQUE

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to remind my Colleagues about Dr. Jose Luis García Paneque, a political prisoner in totalitarian Cuba.

Dr. García Paneque is a leader of the opposition movement in Cuba. He is a surgeon by training, and a member of the Cuban Independent Medical Association. He is also a leading independent journalist. As a director of the independent news agency Libertad and a member of the Manuel Marquez Sterling Journalists Society, Dr. García Paneque has also devoted his efforts to letting the world know the truth about the nightmare that is the Castro regime.

On March 18, 2003, as part of the tyrant's heinous island wide crackdown on peaceful, pro-democracy activists, Dr. García Paneque was arrested. After a sham trial, he was sentenced to 24 years in the totalitarian gulag. Let me be very clear, Dr. García Paneque is a young doctor in a dungeon because he is a supporter of freedom, democracy, and because he worked to shine the light of truth on the depravity and horror that is the Cuban tyranny.

The U.S. Department of State's Country Reports on Human Rights Practices—2005, describes the deplorable conditions in the totalitarian gulag, ''Prison conditions continued to be harsh and life threatening.'' Unfortunately, this is far too true for Dr. García Paneque. According to various reports, he has lost over 40 kilograms while in prison. He has had to be hospitalized multiple times while incarcerated. The latest reports are especially disturbing. Once again hospitalized because of the depraved conditions in the totalitarian gulag, he is now suffering from various life threatening maladies.

The Castro tyranny is not only murdering Dr. García Paneque because he believes in liberty, they are also attacking his family. According to a report filed by Yamilet de los Angeles Llanes Labrada, ''Dr. García Paneque's four children are psychologically affected by their father's imprisonment and by the constant harassment they are forced to sustain. At least three times a week, groups cry out dictatorship slogans from outside García Paneque's home.'' This is the grotesque reality of living under Castro's tyranny: if you demonstrate your belief in freedom, the tyrant will lock you in a dungeon and regime thugs will mercilessly attack your family.

Mr. Speaker, Dr. García Paneque is the face of the real Cuba. Despite these gangster tactics, heinous threats, and life threatening illness, Dr. García Paneque continues to demand human rights for the people of Cuba. He is languishing in an infernal gulag because he believes in freedom, truth, democracy, and human rights. His family is being constantly threatened because of these ''dangerous'' beliefs.

Mr. Speaker, it is unconscionable that journalists and physicians like Dr. García Paneque are locked in dungeons for writing the truth. At the dawn of the 21st Century, it must no longer be acceptable for anyone in the world, anywhere in the world, to be locked in a gulag for reporting the facts. My Colleagues, we must demand the immediate and unconditional release of Jose Luis García Paneque and every political prisoner in totalitarian Cuba.

HONORING HEARTLE WELLS FOR MORE THAN 25 YEARS OF EXEMPLARY SERVICE WITH AVERITT EXPRESS

HON. BART GORDON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Mr. GORDON. Mr. Speaker, today I rise to honor Heartle Wells for more than 25 years of exemplary service with Averitt Express.

In honor of this milestone, Wednesday, July 12, has been declared ''Heartle Wells Day'' by his employer.

Through these many years, Heartle has done more than pick up and deliver freight in and around Lebanon in his red Averitt Express semi. In the community, both his sense of humor and his compassion are well-known and retold by many through ''Heartle stories. ''

Heartle's co-workers tell me he is a prankster whose jokes have grown to urban myth proportions over the years. But Heartle also has a serious side, and he always has taken the time to help customers with special situations and community members in need.

I commend Heartle for providing an example to his fellow driver sales associates and the citizens of Wilson County that extends beyond his red cab. I congratulate him on his 25 years of service, and I wish him many more years of success.

TRIBUTE TO DOYLE WILLIS

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to offer my deep heart-felt regrets for the loss of a great Texan, Doyle Willis, who dedicated 42 years of his life to Texas politics, and was fondly described as ''one of the last remaining war horses in Texas,'' by former Fort Worth City Councilman Jim Lane.

Mr. Willis was a World War II veteran who proudly represented central Fort Worth as both a State Senator and as a House Representative between 1947 and 1997, marking his 42 year career as the second longest tenure in Texas history.

Often referred to as a legend in Texas politics, Mr. Willis, was well known for looking

after the best interests of his constituents, his fellow veterans, and in his own words, ''the two classes of people I need to worry about in the Texas Legislature are the old and young people.''

His accomplishments included helping establish laws that let victims of child abuse give court testimony by videotape and enabling them to avoid face-to-face confrontations with their abusers.

He earned the Bronze Star medal in World War II when he fought in the Pacific, and later became a strong voice for advocating veteran's causes.

During his tenure in the Texas Legislature, he was instrumental in drafting many of Texas' civil service laws protecting police officers and firefighters. As a Texas legislator, Mr. Willis made it a felony to steal someone's dog.

Born August 18, 1908, on a farm near the small town of Peeltown located in rural Kaufman County southeast Dallas, Mr. Willis attended the University of Texas and earned degrees in education and economics and later attended Georgetown School of Law where he earned his JD.

Since retiring from the Texas House of Representatives in 1997 and until a few months before his death, he remained an active lawyer and a stagnant participant in his civic duties.

Mr. Willis was known as a friend to every man and woman who ever wore a uniform and spent the majority of his tenure making life better for all veterans.

HONORING IRMA COLEN

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Ms. HARMAN. Mr. Speaker, I rise to honor Irma Colen, an extraordinary philanthropist and dear friend who died last week.

Irma gave her time and energy to many needy causes in Southern California. She volunteered countless hours at scores of civic and philanthropic organizations, serving on the boards of the ACLU Foundation, the University of Judaism, and many others.

But it was health care for needy families which held a special place in her heart. When Irma was 12 years old, she had rheumatic fever and had to spend many days in a public hospital. ''I know that if I were going to get better, it would be because the people taking care of me truly cared about my health,'' she said many times over the years. This childhood experience spurred a lifetime of support for the Venice Family Clinic, which provides free health care to homeless, needy, and uninsured members of the Venice community.

Irma worked over 30 hours a week at the Clinic, and countless other hours in the community getting others interested and involved. She was a force of nature, working tirelessly to develop the Clinic's private support base and programs. As a member of the Clinic's Board in 1999 and 2000, I observed Irma's effectiveness in raising millions.

Among Irma's most creative and best known fundraisers for the Clinic was the Venice Art Walk, which she and other volunteers organized in 1981. The event, which includes tours of artists' studios and an art auction, has attracted thousands of visitors and raised millions of dollars for the Clinic.

For these and other charitable efforts, Irma earned scores of commendations and awards, including the President's Volunteer Service Award in 1992. But it wasn't the awards and recognition that motivated her. It was her commitment to caring for the less fortunate among us.

She was a generous friend, a dynamic personality, and a prodigious worker. She will be sorely missed by Lou and their family, scores of her friends, and generations of patients whom the Clinic has ably served.

TRIBUTE TO LUIS E. BARKER

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 10, 2006

Mr. REYES. Mr. Speaker, we will celebrate the career of Luis E. Barker, Deputy Chief of the United States Border Patrol, as he retires after 35 years of service to our nation.

Chief Barker began his career in law enforcement as a military policeman in 1971. After leaving the military in 1973, he spent five years as a police officer and detective in the Jersey City, New Jersey Police Department.

In 1978, Chief Barker became a U.S. Border Patrol agent stationed in El Paso, Texas, which is the community I am proud to represent in the House of Representatives. He has been promoted consistently during the course of his career, serving in supervisory positions at the Border Patrol Academy in Glynco, Georgia and Border Patrol Headquarters in Washington, D.C. He also served as Deputy Regional Chief of the Southern Regional Office in Dallas, Texas; Assistant Chief Patrol Agent and later Deputy Chief Patrol Agent of the Del Rio Sector; Chief Patrol Agent of the Laredo Sector in 1995; and Chief Patrol Agent of the El Paso Sector in 1998. Most recently, in 2005, Chief Barker was appointed Deputy Chief of the United States Border Patrol.

Throughout his career, Chief Barker has demonstrated the utmost professionalism and true dedication to the Border Patrol, his community, and our nation. He has dealt with tough border security and immigration issues, and his expertise helped make our nation more secure. As a former Border Patrol agent and Sector Chief myself, I am confident in saying that Chief Barker serves as an excellent example for all members of the Border Patrol and law enforcement officials everywhere.

Chief Barker is also a devoted family man and community leader. He has a wife, the former Jacque Witt, a daughter, Allison, and a stepson, Michael, and I know that he made a great sacrifice leaving his home and family temporarily in El Paso to accept the position of Deputy Chief in Washington. He did so at a critical time for the Border Patrol, and the Patrol is better for it, as is the state of our nation's homeland security.

Mr. Speaker, I ask my colleagues to join me in thanking Chief Luis E. Barker for his many years of exemplary service to America and in wishing him all the best in his retirement.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 11, 2006 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 12

9:30 a.m.

Foreign Relations

To hold hearings to examine development effectiveness of infrastructure projects relating to multilateral development banks.

SD–419

Indian Affairs

To hold hearings to examine S. 660, to provide for the acknowledgement of the Lumbee Tribe of North Carolina.

SD–106

Judiciary

To hold hearings to examine immigration issues.

SD–226

10 a.m.

Finance

To hold hearings to examine S. 3495, to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam.

SD–215

10:30 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the nominations of Frederic S. Mishkin, of New York, to be a Member of the Board of Governors of the Federal Reserve System, Linda Mysliwy Conlin, of New Jersey, to be First Vice President, and J. Joseph Grandmaison, of New Hampshire, to be a Member of the Board of Directors, both of the Export-Import Bank of the United States, Geoffrey S. Bacino, of Illinois, to be a Director of the Federal Housing Finance Board, and Edmund C. Moy, of Wisconsin, to be Director of the Mint, Department of the Treasury.

SD–538

Small Business and Entrepreneurship

To hold hearings to examine strengthening participation of small businesses in Federal contracting and innovation research programs.

SR–428A

11:30 a.m.

Energy and Natural Resources

Business meeting to consider the nomination of Marc Spitzer, of Arizona, to be a Member of the Federal Energy Regulatory Commission.

SD–366

2:30 p.m.
Intelligence
To hold a closed briefing on intelligence matters.
SH–219

JULY 13

9:30 a.m.
Environment and Public Works
Clean Air, Climate Change, and Nuclear Safety Subcommittee
To hold hearings to examine the Environmental Protection Agency's proposed revisions to the particulate matter air quality standards.
SD–628

Foreign Relations
To hold hearings to examine the current situation relative to Iraq.
SH–216

Judiciary
Business meeting to consider pending calendar business.
SD–226

10 a.m.
Energy and Natural Resources
To hold hearings to examine H.R. 5254, to set schedules for the consideration of permits for refineries.
SD–366

Finance
To hold hearings to examine the nomination of Eric Solomon, of New Jersey, to be an Assistant Secretary of the Treasury for Tax Policy.
SD–215

Veterans' Affairs
To hold hearings to examine challenges facing the U.S. Court of Appeals for Veterans Claims, focusing on efforts to address the backlog.
SR–418

Aging
To hold hearings to examine Medicaid to retiree benefits, focusing on the impact of seniors on health care costs in the United States.
SD–106

2 p.m.
Appropriations
Business meeting to mark up H.R. 5672, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2007, and an original bill making appropriations for the government of the District of Columbia for the fiscal year ending September 30, 2007.
SD–106

Judiciary
Constitution, Civil Rights and Property Rights Subcommittee
To hold hearings to examine renewing the temporary provisions of the Voting Rights Act relating to legislative options after LULAC v. Perry.
SD–226

2:30 p.m.
Commerce, Science, and Transportation
To hold hearings to examine unmanned aerial systems in Alaska.
SD–562

Homeland Security and Governmental Affairs
To hold hearings to examine the nomination of Stephen S. McMillin, of Texas, to be Deputy Director of the Office of Management and Budget.
SD–342

Intelligence
Closed business meeting to consider pending intelligence matters.
SH–219

JULY 17

2:30 p.m.
Energy and Natural Resources
To hold hearings to examine implementation of the Energy Policy Act of 2005 provisions on hydrogen and fuel cell research and development.
SD–366

3 p.m.
Foreign Relations
To hold hearings to examine the nomination of Christina B. Rocca, of Virginia, for the rank of Ambassador during her tenure of service as U.S. Representative to the Conference on Disarmament.
SD–419

JULY 18

9:30 a.m.
Armed Services
To receive a closed briefing regarding overhead imagery systems.
S–407, Capitol

Judiciary
To hold oversight hearings to examine the Department of Justice.
SH–216

10 a.m.
Energy and Natural Resources
To hold hearings to examine United States and India energy cooperation in the context of global energy demand, the emerging energy needs of India, and the role of nuclear power can play in meeting those needs.
SD–366

JULY 19

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine the semiannual Monetary Policy Report to Congress.
SD–538

Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold an oversight hearing on the implementation of Public Law 108–148 The Healthy Forests Restoration Act.
SD–366

Commerce, Science, and Transportation
Technology, Innovation, and Competitiveness Subcommittee
To hold hearings to examine high performance computing.
SD–562

JULY 20

10 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine USDA dairy programs.
SR–328A

2 p.m.
Appropriations
Business meeting to markup H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, proposed legislation making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2007, H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and H.R. 5576, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2007.
SD–106

POSTPONEMENTS

JULY 12

9:30 a.m.
Judiciary
To hold hearings to examine the Thompson Memorandum's effect on the right to counsel in corporate investigations.
SD–226

Daily Digest

HIGHLIGHTS

See Résumé of Congressional Activity.

Senate

Chamber Action

Routine Proceedings, pages S7261–S7287

Measures Introduced: One bill was introduced, as follows: S. 3630. **Page S7284**

Measures Reported:

S. 2735, to amend the National Dam Safety Program Act to reauthorize the national dam safety program, with an amendment in the nature of a substitute. (S. Rept. No. 109–276)

H.R. 5522, making appropriations for foreign operations, export financing, and related programs for the fiscal year endingSeptember 30, 2007, with an amendment in the nature of a substitute. (S. Rept. No. 109–277) **Page S7284**

Homeland Security Appropriations: Senate began consideration of H.R. 5441, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, agreeing to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment. **Pages S7264–78**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:15 a.m. on Tuesday, July 11, 2006. **Page S7287**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

2002 Amendments to the ITU Constitution and Convention (Treaty Doc. No. 109–11).

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Pages S7286–87**

Messages From the House: **Page S7284**

Executive Communications: **Page S7287**

Additional Cosponsors: **Pages S7285–86**

Additional Statements: **Pages S7281–84**

Amendments Submitted: **Page S7286**

Notices of Hearings/Meetings: **Page S7286**

Privileges of the Floor: **Page S7286**

Adjournment: Senate convened at 2 p.m., and adjourned at 6:05 p.m., until 9:45 a.m., on Tuesday, July 11, 2006. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S7287.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 7 public bills, H.R. 5746–5752; and 2 private bills, H.R. 5753–5754, were introduced. **Pages H4957–58**

Additional Cosponsors: **Page H4958**

Reports Filed: Reports were filed on Thursday, June 29th, as follows:

H.R. 1317, to amend title 5, United States Code, to clarify which disclosures of information are protected from prohibited personnel practices; to require a statement in nondisclosure policies, forms, and agreements to the effect that such policies, forms, and agreements are consistent with certain disclosure protections, with an amendment (H. Rept. 109–544, Pt. 1);

H.R. 5450, to provide for the National Oceanic and Atmospheric Administration, with an amendment (H. Rept. 109–545, Pt. 1); and

H.R. 2990, to improve ratings quality by fostering competition, transparency, and accountability in the credit rating agency industry, with an amendment (H. Rept. 109–546).

Reports were filed today as follows:

H.R. 5232, to direct the Secretary of the Interior to initiate and complete an evaluation of lands and waters located in Northeastern Pennsylvania for their potential acquisition and inclusion in a future Cherry Valley National Wildlife Refuge, and for other purposes (H. Rept. 109–547);

H.R. 4275, to amend Public Law 106–348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States (H. Rept. 109–548);

H.R. 3085, to amend the National Trails System Act to update the feasibility and suitability study originally prepared for the Trail of Tears National Historic Trail and provide for the inclusion of new trail segments, land components, and campgrounds associated with that trail, and for other purposes, with an amendment (H. Rept. 109–549);

H. Res. 906, providing for consideration of H.R. 2990, to improve ratings quality by fostering competition, transparency, and accountability in the credit rating agency industry (H. Rept. 109–550);

H. Res. 907, providing for consideration of H.R. 4411, to prevent the use of certain payment instruments, credit cards, and fund transfers for unlawful Internet gambling (H. Rept. 109–551); and

H.R. 4777, to amend title 18, United States Code, to expand and modernize the prohibition against interstate gambling, and for other purposes, with an amendment (H. Rept. 109–552, Pt. 1) **Page H4957**

Speaker: Read a letter from the Speaker wherein he appointed Representative Baker to act as Speaker pro tempore for today. **Page H4919**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project: H.R. 122, amended, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project; **Pages H4920–21**

Authorizing the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in Idaho: H.R. 2563, amended, to authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages within the Snake, Boise, and Payette River systems in Idaho, by a (2/3) yea-and-nay vote of 366 yeas to 1 nay, Roll No. 358; **Pages H4921–22, S4930–31**

Madera Water Supply and Groundwater Enhancement Project Act: H.R. 3897, amended, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation to enter into a cooperative agreement with the Madera Irrigation District for purposes of supporting the Madera Water Supply and Groundwater Enhancement Project; **Pages H4922–23**

Agreed to amend the title so as to read: "To authorize the Secretary of the Interior, acting through the Bureau of Reclamation to enter into a cooperative agreement with the Madera Irrigation District for purposes of supporting the Madera Water Supply Enhancement Project". **Page H4923**

Providing for the conveyance of the Bureau of Land Management parcels known as the White Acre and Gambel Oak properties and related real property to Park City, Utah: H.R. 3462, amended, to provide for the conveyance of the Bureau of Land Management parcels known as the White Acre and Gambel Oak properties and related real property to Park City, Utah; **Pages H4923–24**

Paint Bank and Wytheville National Fish Hatcheries Conveyance Act: H.R. 5061, to direct

the Secretary of the Interior to convey Paint Bank National Fish Hatchery and Wytheville National Fish Hatchery to the State of Virginia, by a (2/3) yea-and-nay vote of 366 yeas with none voting "nay", Roll No. 359; **Pages H4924–25, H4931**

Cherry Valley National Wildlife Refuge Study Act: H.R. 5232, to direct the Secretary of the Interior to initiate and complete an evaluation of lands and waters located in Northeastern Pennsylvania for their potential acquisition and inclusion in a future Cherry Valley National Wildlife Refuge; **Pages H4925–26**

Permitting the use of the rotunda of the Capitol for a ceremony to commemorate the 75th anniversary of the establishment of the Department of Veterans Affairs: H. Con. Res. 427, to permit the use of the rotunda of the Capitol for a ceremony to commemorate the 75th anniversary of the establishment of the Department of Veterans Affairs; and **Pages H4926–28**

Directing the Secretary of Homeland Security to transfer to United States Immigration and Customs Enforcement all functions of the Customs Patrol Officers unit operating on the Tohono O'odham Indian reservation: H.R. 5589, to direct the Secretary of Homeland Security to transfer to United States Immigration and Customs Enforcement all functions of the Customs Patrol Officers unit operating on the Tohono O'odham Indian reservation. **Pages H4928–30**

Recess: The House recessed at 2:58 p.m. and reconvened at 6:30 p.m. **Page H4930**

Senate Message: Message received from the Senate today appear on page H4919.

Senate Referral: S. 2125 was referred to the Committee on International Relations. **Page H4955**

Amendments: Amendments ordered printed pursuant to the rule appear on pages H4958–62.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H4930–31 and H4931. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 10:45 p.m.

Committee Meetings

MIDDLE EAST RELIGIOUS MINORITIES PLIGHT

Committee on International Relations: On June 30, the Subcommittee on Africa, Global Human Rights and International Operations held a hearing on The Plight of Religious Minorities: Can Religious Pluralism Survive? Testimony was heard from Chairman Hyde; John V. Hanford III, Ambassador-at-Large for International Religious Freedom, Department of State; Nina Shea, Vice Chair, U.S. Commission on International Religious Freedom; and public witnesses.

CREDIT RATING AGENCY DUOPOLY RELIEF ACT OF 2006

Committee on Rules: Granted, by voice vote, a structured rule providing 1 hour of general debate on H.R. 2990, Credit Rating Agency Duopoly Relief Act of 2006, equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule makes in order only those amendments printed in the Rules Committee report accompanying the resolution. The rule provides that the amendments printed in the report 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. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Baker, Kanjorski and Frank of Massachusetts.

UNLAWFUL INTERNET GAMBLING ENFORCEMENT ACT OF 2006

Committee on Rules: Granted, by voice vote, a structured rule providing 1 hour of debate in the House on H.R. 4411, Unlawful Internet Gambling Enforcement Act of 2006, equally divided among and controlled by the chairman and ranking minority member of the Committee on Financial Services and the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that, in lieu of the amendments recommended by the Committees on Financial Services and the Judiciary now printed in the bill, the amendment in the nature of a substitute depicted in the Rules Committee Print dated July 5, 2006, shall be considered as adopted. The rule makes in order

the amendment printed in the Rules Committee report accompanying the resolution, if offered by Representative Berkley of Nevada or her designee, which shall be considered as read, shall be debatable for 20 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendment printed in the Rules Committee report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Leach, Goodlatte, Frank of Massachusetts, and Conyers.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D694)*

H.R. 5603, to temporarily extend the programs under the Higher Education Act of 1965. Signed on June 30, 2006. (Public Law 109–238)

H.R. 5403, to improve protections for children and to hold States accountable for the safe and timely placement of children across State lines. Signed on July 3, 2006. (Public Law 109–239)

CONGRESSIONAL PROGRAM AHEAD

Week of July 11 through July 15, 2006

Senate Chamber

On *Tuesday,* at approximately 10:15 a.m., Senate will continue consideration of H.R. 5441, Homeland Security Appropriations.

During the balance of the week, Senate will continue consideration of any other cleared legislative and executive business, including appropriation bills and conference reports, when available.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: July 11, Subcommittee on Commerce, Justice, Science and Related Agencies, business meeting to mark up H.R. 5672, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2007, 2:30 p.m., SD–138.

July 13, Full Committee, business meeting to mark up H.R. 5672, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2007, and an original bill making appropriations for the government of the District of Columbia for the fiscal year ending September 30, 2007, 2 p.m., SD–106.

Committee on Banking, Housing, and Urban Affairs: July 11, to hold hearings to examine insurance regulation reform issues, 10 a.m., SD–538.

July 12, Full Committee, to hold hearings to examine the nominations of Frederic S. Mishkin, of New York, to be a Member of the Board of Governors of the Federal Reserve System, Linda Mysliwy Conlin, of New Jersey, to be First Vice President, and J. Joseph Grandmaison, of New Hampshire, to be a Member of the Board of Directors, both of the Export-Import Bank of the United States, Geoffrey S. Bacino, of Illinois, to be a Director of the Federal Housing Finance Board, and Edmund C. Moy, of Wisconsin, to be Director of the Mint, Department of the Treasury, 10:30 a.m., SD–538.

Committee on Commerce, Science, and Transportation: July 13, to hold hearings to examine unmanned aerial systems in Alaska, 2:30 p.m., SD–562.

Committee on Energy and Natural Resources: July 11, to hold hearings to examine the implementation of the Energy Policy Act of 2005 on geothermal energy and other renewable energy production of Federal lands in the Western states, 2:30 p.m., SD–366.

July 12, Full Committee, business meeting to consider the nomination of Marc Spitzer, of Arizona, to be a Member of the Federal Energy Regulatory Commission, 11:30 a.m., SD–366.

July 13, Full Committee, to hold hearings to examine H.R. 5254, to set schedules for the consideration of permits for refineries, 10 a.m., SD–366.

Committee on Environment and Public Works: July 13, Subcommittee on Clean Air, Climate Change, and Nuclear Safety, to hold hearings to examine the Environmental Protection Agency's proposed revisions to the particulate matter air quality standards, 9:30 a.m., SD–628.

Committee on Finance: July 12, to hold hearings to examine S. 3495, to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam, 10a.m., SD–215.

July 13, Full Committee, to hold hearings to examine the nomination of Eric Solomon, of New Jersey, to be an Assistant Secretary of the Treasury for Tax Policy, 10 a.m., SD–215.

Committee on Foreign Relations: July 11, to receive a closed briefing regarding North Korea, 9a.m., S–407, Capitol.

July 11, Subcommittee on African Affairs, to hold hearings to examine United States government policy and challenges relative to Somalia, 2 p.m., SD–419.

July 12, Full Committee, to hold hearings to examine development effectiveness of infrastructure projects relating to multilateral development banks, 9:30 a.m., SD–419.

July 13, Full Committee, to hold hearings to examine the current situation relative to Iraq, 9:30a.m., SH–216.

Committee on Homeland Security and Governmental Affairs: July 11, to hold hearings to examine the nominations of Anna Blackburne-Rigsby and Phyllis D. Thompson, each to be an Associate Judge of the District of Columbia Court of Appeals, and Jennifer M. Anderson, to be an Associate Judge of the Superior Court of the District of Columbia, 10 a.m., SD–342.

July 13, Full Committee, to hold hearings to examine the nomination of Stephen S. McMillin, of Texas, to be

Deputy Director of the Office of Management and Budget, 2:30 p.m., SD–342.

Committee on Indian Affairs: July 12, to hold hearings to examine S. 660, to provide for the acknowledgement of the Lumbee Tribe of North Carolina, 9:30 a.m., SD–106.

Committee on the Judiciary: July 11, to hold hearings to examine efforts to establish a Constitutional Process relative to ''Hamdan v. Rumsfeld'', 9:30 a.m., SH–216.

July 11, Full Committee, to hold hearings to examine the nominations of William James Haynes II, of Virginia, to be United States Circuit Judge for the Fourth Circuit, and Frances Marie Tydingco-Gatewood, to be Judge for the District Court of Guam, 2:15 p.m., SD–226.

July 12, Full Committee, to hold hearings to examine immigration issues, 9:30 a.m., SD–226.

July 13, Full Committee, business meeting to consider pending calendar business, 9:30 a.m., SD–226.

July 13, Subcommittee on Constitution, Civil Rights and Property Rights, to hold hearings to examine renewing the temporary provisions of the Voting Rights Act relating to legislative options after LULAC v. Perry, 2 p.m., SD–226.

Committee on Small Business and Entrepreneurship: July 12, to hold hearings to examine strengthening participation of small businesses in Federal contracting and innovation research programs, 10:30 a.m., SR–428A.

Committee on Veterans' Affairs: July 13, to hold hearings to examine challenges facing the U.S. Court of Appeals for Veterans Claims, focusing on efforts to address the backlog, 10 a.m., SR–418.

Select Committee on Intelligence: July 11, to hold a closed briefing on intelligence matters, 2:30p.m., SH–219.

July 12, Full Committee, to hold a closed briefing on intelligence matters, 2:30 p.m., SH–219.

July 13, Full Committee, closed business meeting to consider pending intelligence matters, 2:30p.m., SH–219.

Special Committee on Aging: July 13, to hold hearings to examine Medicaid to retiree benefits, focusing on the impact of seniors on health care costs in the United States, 10 a.m., SD–106.

House Committees

Committee on Armed Services, July 12, hearing on standards of military commissions and tribunals, 10 a.m., 2118 Rayburn.

Committee on Education and the Workforce, July 12, hearing entitled ''No Child Left Behind: Ensuring High Academic Achievement for Limited English Proficient Students and Students with Disabilities,'' 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, July 11, Subcommittee on Commerce, Trade, and Consumer Protection, hearing on CFIUS Reform: H.R. 5337, Reform of National Security Reviews of Foreign Direct Investments Act, 2 p.m., 2123 Rayburn.

July 11, Subcommittee on Telecommunications and the Internet, hearing on H.R. 5319, Deleting Online Predators Act of 2006, 10 a.m., 2123 Rayburn.

July 13, Subcommittee on Health, hearing entitled ''Innovative Solutions to Medical Liability,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, July 11, Subcommittee on Oversight and Investigations, hearing entitled ''The Terror Finance Tracking Program,'' 10 a.m., 2128 Rayburn.

July 12, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled ''ILCs A Review of Charter, Ownership, and Supervision Issues,'' 10 a.m., 2128 Rayburn.

July 12, Subcommittee on Oversight and Investigations, hearing entitled ''Diversity: the GAO Perspective,'' 2 p.m., 2128 Rayburn.

Committee on Government Reform, July 11, Subcommittee on Criminal Justice, Drug Policy, and Human Resources, hearing entitled ''Pharmaceutical Supply Chain Security,'' 10 a.m., 2154 Rayburn.

July 11, Subcommittee on Federal Workforce and Agency Organization, hearing entitled ''Establishing a Task Force to Improve Federal Employee Appeals,'' 2 p.m., 2247 Rayburn.

July 11, Subcommittee on National Security, Emerging Threats and International Relations, hearing entitled ''The Evolving National Strategy for Victory in Iraq,'' 2 p.m., 2154 Rayburn.

July 12, Subcommittee on Energy and Resources, hearing entitled ''Can the US Electric Grid Take Another Hot Summer?'' 2 p.m., 2154 Rayburn.

July 13, full Committee, to consider pending business; followed by a hearing entitled ''Can You Clear Me Now?: Weighing 'Foreign Influence' Factors in Security Clearance Investigations,'' 9:30 a.m., 2154 Rayburn.

Committee on Homeland Security, July 11, Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity, to mark up H.R. 5695, Chemical Facility Anti-Terrorism Act of 2006, 2 p.m., 311 Cannon.

July 12 and 13, Subcommittee on Management, Integration, and Oversight, hearings entitled ''Federal 9/11 Assistance to New York: Lessons Learned in Fraud Detection, Prevention, and Control,'' Part I, ''Response,'' 2 p.m., on July 12, and Part 2, "'Recovery,'' 10 a.m, and Part 3, ''Rebuilding,'' 2 p.m., on July 13, 311 Cannon.

Committee on International Relations, July 13, hearing on the Sale of F–16 Aircraft and Weapons Systems to Pakistan, 10 a.m., 2172 Rayburn.

July 13, Subcommittee on International Terrorism and Nonproliferation, hearing on Venezuela: Terrorism Hub of South America? 2 p.m., 2172 Rayburn.

Committee on the Judiciary, July 12, to mark up the following bills: H.R. 2965, Federal Prison Industries Competition in Contracting Act of 2005; H.R. 1704, Second Chance Act of 2005; H.R. 1369, To prevent certain discriminatory taxation of natural gas pipeline property; H.R. 4772, Private Property Rights Implementation Act of 2005; and H.R. 4132, Law Enforcement Cooperation Act of 2005, 10:30 a.m., 2141 Rayburn.

Committee on Resources, July 12, Subcommittee on Water and Power, hearing on the following bills: H.R. 3558, Cheyenne River Sioux Tribe Equitable Compensation

Amendments Act of 2005; H.R. 5282, Southern California Desert Region Integrated Water and Economic Sustainability Plan Act; H.R. 5299, Fort McDowell Indian Community Water Rights Settlement Revision Act of 2006; and H.R. 5715, To make amendments to the Reclamation Projects Authorization and Adjustment Act of 1992, 10 a.m., 1324 Longworth.

July 13, Subcommittee on Energy and Mineral Resources, oversight hearing on Opportunities for Good Samaritan Cleanup of Hard Rock Abandoned Mine Lands, 10 a.m., 1324 Longworth.

July 13, Subcommittee on Forests and Forest Health, oversight hearing on Working Ranches, Healthy Range and Maintaining Open Space, focusing on the importance of federal grazing programs and working ranches to the landscape, 11 a.m., 1334 Longworth.

July13, Subcommittee on National Parks, hearing on the following bills: H.R. 383, Ice Age Floods National Geologic Trail Designation Act of 2005; H.R. 4581, Easement Owners Fair Compensation Claims Act of 2005; and H.R. 5132, River Raisin National Battlefield Study Act, 2 p.m., 1324 Longworth.

Committee on Rules, July 12, to consider H.R. 9, Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006, 3 p.m., H–313 Capitol.

Committee on Small Business, July 13, Subcommittee on Regulatory Reform and Oversight, hearing entitled ''An Update on Administration Action to Reduce Unnecessary Regulatory Burdens on America's Small Manufacturers'' 10 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, July 11, Subcommittee on Coast Guard and Maritime Transportation, hearing on a proposal regarding Ballast Water Management and Reduction of Air Pollution from Ships, 10 a.m., 2167 Rayburn.

July 12, Subcommittee on Aviation, oversight hearing entitled Reforming the Wright Amendment, 2 p.m., 2167 Rayburn.

July 12, Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing on the Reauthorization of the Appalachian Regional Commission and proposals to Create Additional Regional Economic Development Authorities, 1 p.m., 2253 Rayburn.

Committee on Veterans' Affairs, July 13, to mark up Health and Benefits measures, 10:30 a.m., 334 Cannon.

Committee on Ways and Means, July 12, hearing on the implementation of the U.S.-Peru Trade Promotion Agreement, 10:30 a.m., 1100 Longworth.

July 13, Subcommittee on Health, hearing on Medicare reimbursement of physician-administered drugs, 1 p.m., 1100 Longworth.

July 13, Subcommittee on Select Revenue Measures, hearing on issues relating to the patenting of tax advice, 10:30 a.m., B–318 Rayburn.

Permanent Select Committee on Intelligence, July 13, executive, briefing on Global Updates/Hotspots, 9 a.m., H–405 Capitol.

Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED NINTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 3 through June 30, 2006

	Senate	*House*	*Total*
Days in session	87	64	..
Time in session	655 hrs., 14′	518 hrs., 40′	..
Congressional Record:			
Pages of proceedings	7,260	4,918	..
Extensions of Remarks	..	1,351	..
Public bills enacted into law	24	45	69
Private bills enacted into law	1	..	1
Bills in conference	1	3	4
Measures passed, total	247	295	542
Senate bills	41	24	..
House bills	46	111	..
Senate joint resolutions	2	1	..
House joint resolutions	4	3	..
Senate concurrent resolutions	10	3	..
House concurrent resolutions	22	40	..
Simple resolutions	122	113	..
Measures reported, total	*118	*170	288
Senate bills	79	5	..
House bills	27	97	..
Senate joint resolutions	3	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	3	..	..
House concurrent resolutions	..	7	..
Simple resolutions	6	60	..
Special reports	2	9	..
Conference reports	..	3	..
Measures pending on calendar	269	144	..
Measures introduced, total	1,679	1,482	3,160
Bills	1,455	1,093	..
Joint resolutions	13	15	..
Concurrent resolutions	32	114	..
Simple resolutions	179	260	..
Quorum calls	..	1	..
Yea-and-nay votes	190	150	..
Recorded votes	..	206	..
Bills vetoed	..	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 63 reports have been filed in the Senate, a total of 182 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 3 through June 30, 2006

Civilian nominations, totaling 433 (including 148 nominations carried over from the First Session), disposed of as follows:	
Confirmed	186
Unconfirmed	239
Withdrawn	8
Other Civilian nominations, totaling 1,966 (including 780 nominations carried over from the First Session), disposed of as follows:	
Confirmed	1,670
Unconfirmed	295
Withdrawn	1
Air Force nominations, totaling 5,674 (including 100 nominations carried over from the First Session), disposed of as follows:	
Confirmed	5,638
Unconfirmed	36
Army nominations, totaling 4,720 (including 608 nominations carried over from the First Session), disposed of as follows:	
Confirmed	4,232
Unconfirmed	488
Navy nominations, totaling 3,576 (including 21 nominations carried over from the First Session), disposed of as follows:	
Confirmed	3,528
Unconfirmed	48
Marine Corps nominations, totaling 1,288 (including 2 nominations carried over from the First Session), disposed of as follows:	
Confirmed	1,279
Unconfirmed	9

Summary

Total nominations carried over from the First Session	1,659
Total nominations received this Session	15,998
Total confirmed	16,533
Total unconfirmed	1,115
Total withdrawn	9
Total returned to the White House	0

Next Meeting of the SENATE

9:45 a.m., Tuesday, July 11

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 30 minutes), Senate will continue consideration of H.R. 5441, Homeland Security Appropriations.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Tuesday, July 11

House Chamber

Program for Tuesday: Consideration of suspensions as follows: (1) H.R. 5646—To study and promote the use of energy efficient computer servers in the United States; (2) S. 655—A bill to amend the Public Health Service Act with respect to the National Foundation for the Centers for Disease Control and Prevention; (3) H. Res. 576—Celebrating Advancement Via Individual Determination's 25 years of success; and (4) H.J. Res. 86—Approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003. Consideration of H.R. 2990—Credit Rating Agency Duopoly Relief Act of 2006 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

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