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House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. BISHOP of Utah).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 6, 2006.

I hereby appoint the Honorable ROB BISHOP to act as Speaker pro tempore on this day.

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

PRAYER

The Reverend Dr. J. Alfred Smith, Sr., Senior Pastor, Allen Temple Baptist Church, Oakland, California, offered the following prayer:

O God, Your sacred word teaches us the words of Jesus who said: ''Blessed are the peacemakers, for they shall be called the children of God.''

Teach us the religion of African American slaves who sang about laying down their burdens and studying war no more. Give us the knowledge for understanding how to remove the causes of violence. Open our eyes to see that violence as a solution only multiplies escalating violence.

Grant us the wisdom to make peace in our heads, hearts, homes, school houses and legislative houses. Grant us the courage to become advocates for the weak in our society, for the strong are their own advocates. May the fresh awareness of Your invisible presence guide each of us today as we seek not to be problems, but solutions for the ills of our hurting world.

Help the elected leaders of this U.S. House of Representatives serve as eyes for the blind, voices for the voiceless, and advocates for the last, the least, and the left out.

We pray this prayer in the name of the One who is wonderful, counselor, the Mighty God, the everlasting parent and the Prince of Peace. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from North Carolina (Ms. FOXX) come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX 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 PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

MESSAGE FROM THE SENATE

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

S. 466. An act to deauthorize a certain portion of the project for navigation, Rockland Harbor, Maine.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 4, 2006.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 4, 2006, at 10 a.m.:

That the Senate passed S. 843.

That the Senate passed without amendment H.R. 4.

That the Senate passed with an amendment H.R. 3858.

That the Senate passed S. 1899.

That the Senate passed S. 3836.

That the Senate passed S. 2068.

That the Senate passed S. 2694.

That the Senate passed S. 3534.

That the Senate agreed to H. Con. Res. 467.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk of the House.

THE REVEREND DR. J. ALFRED SMITH, SR.

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

Ms. LEE. Mr. Speaker, I rise today to welcome and to recognize my pastor who offered this powerful prayer as we opened our session today, the Reverend Dr. J. Alfred Smith, Sr., of the Allen Temple Baptist Church in Oakland, California, in my district.

Among his many accomplishments, Pastor Smith serves as a distinguished professor of Christian ministry and preaching at the American Baptist Seminary of the West and the Graduate Theological Seminary in Berkeley, and is the past national president of the Progressive National Baptist Convention and the American Baptist Church of the West.

From his work in helping ex-offenders to turn their lives around and successfully return to our community, to

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his efforts in the fight against HIV and AIDS, I can tell you that you can see the results of his loving and his spirit-filled ministry in my district. Pastor Smith has been described as a drum major for justice, peace and righteousness, and he has been a source of strength and inspiration for me and for thousands in our community and throughout the world.

So as Congress reconvenes, I want to thank Pastor Smith for his powerful words of wisdom and of guidance, and for a lifetime of service to God and to humankind, and to my Allen Temple family, several of whom have joined us this afternoon in the House gallery. Thank you, Pastor Smith.

NATIONAL SECURITY

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

Ms. FOXX. Mr. Speaker, I rise today to address the single most important function of the Federal Government: national security and the protection of our citizens. The United States is in an ongoing war on terror. While we have achieved many successes, such as the recent apprehension of Hamid al-Su'aydi, al Qaeda's second-highest ranking member in Iraq, we must not relent in the apprehension and destruction of global terrorist cells.

We are making progress in the global war on terror, but there is still more to be done. The August 31 deadline for Iran to stop producing nuclear fuel has been ignored. And although the United States, along with three European allies, is assembling a list of sanctions to present to the United Nations, it is no surprise that many of the U.N. sanctions and resolutions go ignored.

It is time the United States made clear that Iran's nuclear ambitions must not go unchecked. A well-known philosopher once said that a nation never falls but by suicide. If we ignore the current threat of terrorism, the nuclear ambitions of rogue nations, we are certainly setting our Nation on a path to suicide.

Mr. Speaker, we must continue to relentlessly pursue and eliminate the global terrorist network, as well as ensure that the nuclear ambitions of Iran are eradicated. Not only will this aid in the stabilization of the Middle East, but in the security of all Americans.

SENATE MUST PASS THE SECOND CHANCE ACT

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

Mr. DAVIS of Illinois. Mr. Speaker, I too want to welcome the Reverend Smith and the Allen Temple Church and especially commend them for their work with ex-offenders and ex-offender reentry.

We were very fortunate to get passed out of Judiciary before the recess the Second Chance Act; and I would hope that before we adjourn this year, that both the House and the Senate will have passed that legislation, sent it to the President's desk, and he will have signed it, because it is one of the most important things we can do.

REAL COMMITMENT—NOT RHETORIC—NEEDED TO WIN WAR ON TERROR

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

Mrs. MILLER of Michigan. Mr. Speaker, we have been hearing a great deal lately from the Democrats about their ideas on how to fight and how to win the war on terror. But yesterday I was listening to the White House press secretary, Tony Snow, give his daily briefing. I thought he summed up the Democrats' position on the war on terror very clearly.

He said: ''There have been some in the Democratic Party who have argued against the PATRIOT Act, against the terrorist surveillance program, against Guantanamo. In other words, there are some who say that we should not fight the war, we should not apprehend al Qaeda, we should not detain al Qaeda, we should not question al Qaeda, we should not listen to al Qaeda. In other words, they are all for winning the war on terror, but they are against providing the tools for winning that war.''

Mr. Speaker, now those same people want America to entrust them with power, to set national policy in the war on terror. And this month we will be addressing many issues important to the security of our Nation: defending against terror, prosecuting terrorists, securing our borders. I urge every American to watch how each Representative and each party votes on these very important issues, and they will each know which party truly stands for security from terror.

AMERICA'S STRONG ECONOMY

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

Mr. WILSON of South Carolina. Mr. Speaker, while traveling by bus through the 10 counties of South Carolina's Second Congressional District last month, I visited with chambers of commerce, schools, and booming local businesses. During these visits, I saw the effects of Republican tax reductions and pro-growth initiatives at work.

Due to the Republicans' fiscal policies, workers are keeping more of their own money. In turn, they are investing more money in their local economies. Last month, the unemployment rate dipped to 4.7 percent, one of the lowest points since 2001. Yet just last week, House Democratic Leader NANCY PELOSI stated: ''Our economy is moving in the wrong direction.''

I am grateful that American workers can celebrate 36 consecutive months of job growth, creating nearly 6 million new jobs. Homeownership is at a record high of nearly 70 percent, and more persons than ever in history are fulfilling the American Dream.

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

HONORING ANDRE AGASSI

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

Mr. PORTER. Mr. Speaker, I appreciate this opportunity to recognize a great Nevadan whose name is Andre Agassi for his 20 years of success as an athlete. His professional career goes from eight Grand Slam titles, 60 singles titles, Olympic gold medal and number one in the world in tennis.

But I am here to share with you that his success is far greater than that on the court. Off the court, Mr. Agassi has raised close to $50 million to help abused and neglected children in the State of Nevada, has created a Boys and Girls Club, a K–12 charter school, cottages for medically fragile children and is certainly a loving father and husband.

History will show that he is one of the greatest athletes in modern times, but I truly believe that his charitable, humanitarian approach to our community will overshadow his athletic success. He told his fans that he was inspired by his fans.

He truly has been an inspiration for our community in Nevada and for our country. I rise today recognizing Andre Agassi as a great American hero.

AMERICAN ENERGY POLICIES

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

Mr. PITTS. Mr. Speaker, since this Chamber last met, there has been some good news regarding American energy. Over the past 2 weeks, gas prices have been dropping, providing some relief for Labor Day travelers.

Just this week a group of oil companies announced a discovery of a petroleum reserve that could increase America's proven reserves by as much as 50 percent. This is good news, Mr. Speaker. But more can be done.

This year alone, the House has passed several meaningful bills aimed at boosting our domestic energy supply. In May we authorized environmentally responsible energy exploration in Alaska. In June we passed legislation to streamline the process for building new refineries in our country. We also authorized access to the enormous reserves known to exist off our coast on the Outer Continental Shelf.

Mr. Speaker, the House has a strong record on energy independence. But there are only a limited number of

days left on the calendar. Now it is time for the Senate to take action on these bills and keep the good energy news coming for the American consumer.

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HONORING THE LITTLE LEAGUE WORLD SERIES CHAMPIONS FROM COLUMBUS, GEORGIA

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

Mr. GINGREY. Mr. Speaker, I rise today to congratulate the Little Leaguers from Columbus, Georgia, who on August 28 defeated their worthy opponents from Japan to win the Little League World Series.

Mr. Speaker, this is a truly remarkable accomplishment. It is the ultimate achievement in Little League sports. Performing so well under pressure in front of the massive Williamsport crowds, as well as millions watching on national television, it is a testament to the tremendous talent, character and fortitude of these boys from Columbus.

Mr. Speaker, in 1983, another team from Georgia bested the Dominican Republic to win the Little League World Series. By now, these boys are grown men, and some pursued a future in professional baseball. Adam Olmstead, the starting third baseman and son of my nurse, Lynn, when I practiced medicine, is now a prominent radiologist in Florida.

Mr. Speaker, this shows us that many of our best and brightest student athletes pass through Williamsport in this character-building experience on their way to excellence in a variety of professional fields. These boys from Columbus are no exception. They made their community and their country very proud, Mr. Speaker, and are a great example of the future leaders our Nation needs.

Again, I offer my congratulations on a job well done.

THANK GOD FOR GEORGE BUSH AND DON RUMSFELD

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

Mr. GOHMERT. Mr. Speaker, we have heard recently from our friends across the aisle that supposedly George Bush and Don Rumsfeld are responsible for the terrorist attacks that have been going on. If you believe George Bush and Don Rumsfeld are responsible for the terrorist attacks that are occurring, then you have to absolutely believe that Bill Clinton caused 9/11. There is no other choice, because we know unequivocally that the planning for 9/11 occurred during the 1990s when Bill Clinton was President. Though Bill Clinton may have been guilty of many things, he was not guilty of bringing about this kind of horror. Yet, they plotted and planned while he was President.

If you look at the areas and causes for which Bill Clinton committed troops, it was generally to help Muslims. He was the most friendly President to Palestinians in history. He did nothing to deserve 9/11 being plotted during his presidency. Yet it was.

So, the current President understands that we are in a war for our survival and we cannot walk away from it. The terrorists want to take us back to the Dark Ages. This is a fight we cannot walk away from unless we are prepared to go to the Dark Ages.

Thank God for George Bush and Don Rumsfeld. They understand that since our first attack in 1979, we are in a war for survival.

CREATIVE FEDERALISM—HEALTH COVERAGE INNOVATION

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

Mr. PRICE of Georgia. Mr. Speaker, is it not time that we in Congress take real steps forward to increase the number of Americans with health insurance? The latest Census Bureau report shows us that there are over 46 million Americans without health insurance coverage. To resolve this problem and relieve the burden this places on our health care system, we need an innovative and new approach.

The bipartisan Health Partnership Through Creative Federalism Act, H.R. 5864, offers that inventive path. Creative Federalism provides for innovation in health care through State initiatives that expand health care coverage. It empowers States and other regions to tailor health programs to their specific needs, thereby increasing access to health care all across this Nation.

Members from both sides of the aisle realize that to solve a problem of such significance, we need fresh thinking and new ideas. States should be encouraged to consider a variety of reforms, tax credits, pooling programs, health savings accounts or a combination of other options.

Mr. Speaker, the status quo is unacceptable. The Health Partnership Through Creative Federalism Act, H.R. 5864, can lead us to a new period of greater health coverage and more insured Americans, and Mr. Speaker, that is a good thing.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 3, 2006.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 3, 2006, at 9:45 a.m.:

That the Senate passed S. 2555.

That the Senate passed S. 3613.

That the Senate passed without amendment H. Con. Res. 399.

That the Senate passed without amendment H.R. 4646.

That the Senate passed without amendment H.R. 4811.

That the Senate passed without amendment H.R. 4962.

That the Senate passed without amendment H.R. 5104.

That the Senate passed without amendment H.R. 5107.

That the Senate passed without amendment H.R. 5169.

That the Senate passed without amendment H.R. 5540.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk of the House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 4, 2006.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 4, 2006, at 11:45 a.m.:

That the Senate passed with an amendment H.R. 3508.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, Speaker pro tempore Tom Davis signed the following enrolled bills on Wednesday, August 9, 2006:

H.R. 4, to provide economic security for all Americans, and for other purposes;

H.R. 4646, to designate the facility of the United States Postal Service located at 7320 Reseda Boulevard in Reseda, California, as the ''Coach John Wooden Post Office Building'';

H.R. 4811, to designate the facility of the United States Postal Service located at 215 West Industrial Park Road in Harrison, Arkansas, as the ''John Paul Hammerschmidt Post Office Building'';

H.R. 4962, to designate the facility of the United States Postal Service located at 100 Pitcher Street in Utica, New York, as the ''Captain George A. Wood Post Office Building'';

H.R. 5104, to designate the facility of the United States Postal Service located at 1750 16th Street South in St. Petersburg, Florida, as the ''Morris W. Milton Post Office'';

H.R. 5107, to designate the facility of the United States Postal Service located at 1400 West Jordan Street in Pensacola, Florida, as the ''Earl D. Hutto Post Office Building'';

H.R. 5169, to designate the facility of the United States Postal Service located at 1310 Highway 64 NW. in Ramsey, Indiana, as the ''Wilfred Edward 'Cousin Willie' Sieg, Sr., Post Office'';

H.R. 5540, to designate the facility of the United States Postal Service located at 217 Southeast 2nd Street in Dimmitt, Texas, as the ''Sergeant Jacob Dan Dones Post Office''.

APPOINTMENT AS MEMBER TO BOARD OF TRUSTEES OF AMERICAN FOLKLIFE CENTER

The SPEAKER pro tempore. Pursuant to 20 U.S.C. 2103(b) and the order of the House of December 18, 2005, the Chair announces the Speaker on August 15, 2006, appointed the following individual from private life to the Board of Trustees of the American Folklife Center in the Library of Congress on the part of the House for a term of 6 years:

Mr. C. Kurt Dewhurst, Michigan.

COMMUNICATION FROM HON. NANCY PELOSI, DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from NANCY PELOSI, Democratic Leader:

U.S. HOUSE OF REPRESENTATIVES,
AUGUST 17, 2006

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

DEAR MR. SPEAKER: As the House Democratic Leader and pursuant to Section 214(a) of the Help America Vote Act of 2002 (42 U.S.C. 15344), I hereby appoint Ms. Barbara Arnwine of Washington, D.C. to the U.S. Election Assistance Commission Board of Advisors. The appointment is a two-year term.

If you have any questions regarding this appointment, please contact me or Jonathan Stivers in my office at 5-0100. Thank you.

Sincerely,

NANCY PELOSI,
House Democratic Leader.

COMMUNICATION FROM DISTRICT REPRESENTATIVE OF HON. JERRY LEWIS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Tara Clarke, District Representative of the Honorable JERRY LEWIS, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES
Washington, DC, July 24, 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 criminal subpoena, issued by the San Bernardino Court of the State of California, for testimony.

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

Sincerely,

TARA CLARKE,
District Representative.

COMMUNICATION FROM DISTRICT REPRESENTATIVE OF HON. JERRY LEWIS, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Janet Scott, District Representative of the Honorable JERRY LEWIS, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 24, 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 criminal subpoena, issued by the San Bernardino Court of the State of California for testimony.

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

Sincerely,

JANET SCOTT,
District Representative.

COMMUNICATION FROM THE HONORABLE STEVEN C. LATOURETTE, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable STEVEN C. LATOURETTE, Member of Congress:

CONGRESS OF THE UNITED STATES,
August 16, 2006.

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

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena for documents issued by the Cuyahoga County, Ohio Court of Common Pleas.

After consulting with the Office of General Counsel, I will make the determinations required by Rule VIII of the Rules of the House.

Sincerely,

STEVEN C. LATOURETTE

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.

ABRAHAM LINCOLN COMMEMORATIVE COIN ACT

Mrs. BIGGERT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2808) to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the birth of Abraham Lincoln, as amended.

The Clerk read as follows:

H.R. 2808

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 ''Abraham Lincoln Commemorative Coin Act''.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Abraham Lincoln, the 16th President, was one of the Nation's greatest leaders, demonstrating true courage during the Civil War, one of the greatest crises in the Nation's history.

(2) Born of humble roots in present-day LaRue County, Kentucky, on February 12, 1809, Abraham Lincoln rose to the Presidency through a combination of honesty, integrity, intelligence, and commitment to the United States.

(3) With the belief that all men were created equal, Abraham Lincoln led the effort to free all slaves in the United States.

(4) Abraham Lincoln had a generous heart, with malice toward none and with charity for all.

(5) Abraham Lincoln gave the ultimate sacrifice for his country, dying from an assassin's bullet on April 15, 1865.

(6) The year 2009 will be the bicentennial anniversary of the birth of Abraham Lincoln.

(7) The Abraham Lincoln Bicentennial Commission has been charged by Congress with planning the celebration of Lincoln's bicentennial.

(8) The proceeds from a commemorative coin will help fund the celebration and the continued study of the life of Lincoln.

SEC. 3. COIN SPECIFICATIONS.

(a) $1 SILVER COINS.—The Secretary of the Treasury (hereafter in this Act referred to as the ''Secretary'') shall mint and issue not more than 500,000 $1 coins, which shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches; and

(3) contain 90 percent silver and 10 percent copper.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—All coins minted under this Act shall be considered to be numismatic items.

SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the life and legacy of President Abraham Lincoln.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year ''2009''; and

(C) inscriptions of the words ''Liberty'', ''In God We Trust'', ''United States of America'', and ''E Pluribus Unum''.

(b) SELECTION.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary after consultation with the Commission of Fine Arts and the Abraham Lincoln Bicentennial Commission; and

(2) reviewed by the Citizens Coinage Advisory Committee.

SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only 1 facility of the United States Mint may be used to strike any particular quality of the coins minted under this Act.

(c) PERIOD FOR ISSUANCE.—The Secretary may issue coins minted under this Act only during the 1-year period beginning on January 1, 2009.

SEC. 6. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

(1) the face value of the coins;

(2) the surcharge provided in section 7(a) with respect to such coins; and

(3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

SEC. 7. SURCHARGES.

(a) IN GENERAL.—All sales of coins issued under this Act shall include a surcharge of $10 per coin.

(b) DISTRIBUTION.—Subject to section 5134(f)(1), title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the Abraham Lincoln Bicentennial Commission to further the work of the Commission.

(c) AUDITS.—The Abraham Lincoln Bicentennial Commission shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code.

(d) LIMITATION.—Notwithstanding subsection (a), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentlewoman from Illinois (Ms. BEAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois.

GENERAL LEAVE

Mrs. BIGGERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous materials thereon.

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

There was no objection.

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

I rise today to urge passage of H.R. 2808, the Abraham Lincoln Commemorative Coin Act. I commend my friend, the gentleman from Illinois (Mr. LAHOOD), for its introduction.

Mr. Speaker, in 2009, our great Nation will celebrate the bicentennial of President Abraham Lincoln's birth. To commemorate this event, the bill we are considering today authorizes the Secretary of the Treasury to mint as many as half a million silver $1 coins for sale in 2009. Surcharges on the sales will be used to fund the work of Abraham Lincoln's Bicentennial Commission, which is planning various special events to commemorate the occasion of Lincoln's birth.

I fully support this program, Mr. Speaker, because there is so much to learn about this great man. Certainly, he was a tremendous President, perhaps the only man who could have held this country together during the difficult period of his presidency. Certainly, he freed the slaves, and certainly he left us some of our clearest statements of what the United States stands for both as a Nation and as a symbol.

But so much more has been said and written about him, so much that can shed light on different aspects of this man, from his persona to his presidency. As a matter of fact, thanks to the hard work and efforts of my colleague Mr. LAHOOD and others, an Abraham Lincoln Presidential Library and Museum just opened in Springfield, Illinois, in April of 2005 to help Americans rediscover one of their greatest Presidents.

There is no disputing that Lincoln was a great man. One of my favorite stories of his presidency could not happen today. It involves an event on which some claim the entire Civil War turned.

Early on in the war, an inventor presented himself at the White House with a new weapon and was led in to see the President. Lincoln, who had been quite a hunter in his youth, is said to have taken this new weapon out to the south lawn to try it out on a pile of firewood. The President immediately saw the great potential in its accuracy and speed, and his decision to arm the Union troops with a new repeater rifle many claim is one of the reasons the Union side won the war.

Mr. Speaker, the point of this story is not to talk about firearms but to talk about a remarkable man who literally took charge of a deeply divided Nation when he became President. His leadership through such a tumultuous time in our Nation's history certainly qualifies him as one of the greatest individuals to represent the State of Illinois.

It is that great President who will be honored by the minting of these coins and whose memory will be brought to life to a whole new generation in just 3 short years. For that reason, Mr. Speaker, I urge immediate adoption of this legislation.

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

Ms. BEAN. Mr. Speaker, I yield myself as much time as I may consume. I thank the gentlewoman from Illinois, Congresswoman BIGGERT.

As a member of the Illinois delegation, I am proud to join my distinguished colleague today in support of H.R. 2808, the Abraham Lincoln Commemorative Coin Act. This bill celebrates the many contributions of our 16th President and one of Illinois' favorite sons, Abraham Lincoln, by directing the Treasury to mint a coin in commemoration of the bicentennial of his birth.

Born to humble roots in 1809, Abraham Lincoln and his family moved to Illinois in 1830. Lincoln would go on to serve in the Illinois House of Representatives, represent Illinois in the 30th Congress and run unsuccessfully for the U.S. Senate. In addition, he practiced law and later served as a judge.

In 1860, Abraham Lincoln was elected President in the midst of a Nation dissolving from within. By the time of his first inaugural address in March, seven States had already seceded from the Union. Yet, committed to doing everything in his power to prevent civil war, President Lincoln used his inaugural address to make a stirring appeal for the preservation of the Union, ending his address by saying:

''I am loathe to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained it must not break our bonds of affection. The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature.''

Nevertheless, in April, Fort Sumter was attacked, and the war began.

For 4 years, Lincoln was consumed with winning the war and salvaging the Union, and as the war finally neared its end in March 1865, Lincoln focused on healing and reuniting a ravaged Nation. Instead of rebuking or punishing the Confederacy, Lincoln chose instead to offer a united vision of a healed country. During his last inaugural address, he said:

''With malice toward none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle and for his widow and his orphan, to do all which may achieve and

cherish a just and lasting peace among ourselves and with all nations.''

□ 1430

Unfortunately, he would not live to see the end of the Civil War. In April of 1865, just blocks from where we stand today, Lincoln was assassinated at Ford's Theatre.

Abraham Lincoln's service to Illinois alone warrants our remembrance and recognition, but his stewardship and vision led our Nation through the darkest and most dangerous time in our history; and for that, all Americans today and all those to come, are forever indebted to him.

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

Mrs. BIGGERT. Mr. Speaker, I yield such time as he may consume to my friend and colleague, the author of this legislation, Mr. LAHOOD, from the great State of Illinois.

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

Mr. LAHOOD. Mr. Speaker, I thank Congresswoman BIGGERT and Congresswoman BEAN for this opportunity to consider the bill on the floor today that I have been working on for about a year and a half.

In a little more than 2 years, the United States will celebrate the 200th birthday of its greatest President, Abraham Lincoln. We are all familiar with this legendary man's story. He was born in poverty in Kentucky, educated himself while growing up in the wilds of southern Indiana, and after failing in business eventually established a thriving legal practice in Illinois. He overcame repeated obstacles in his personal, professional, and political life and rose to lead our country through the greatest crisis it has ever faced.

The American political system was still a fragile experiment, just 85 years old, when Abraham Lincoln became President in 1861. Many Europeans at the time viewed America's democracy with distaste and skepticism, and Lincoln knew that government of the people, by the people, and for the people would be discredited forever if a disaffected minority could simply withdraw from the government. His faith in representative government allowed him not only to save the Union but to forge a Nation.

As the Congressman who represents much of the same district he represented in the 30th Congress from 1847 to 1849, I am privileged to be involved in the work of the Abraham Lincoln Bicentennial Commission, on which I serve as one of the cochairs along with Senator RICHARD DURBIN and Harold Halzer. For the last several years, we have been striving to plan a fitting and proper celebration of the bicentennial of Lincoln's birthday in 2009. Among our efforts is this legislation that comes before the House today, H.R. 2808, the Abraham Lincoln Commemorative Coin Act.

This bill directs the Secretary of the Treasury to mint 500,000 one-dollar commemorative coins which would highlight the life and legacy of President Abraham Lincoln during the bicentennial year of 2009. Proceeds from the sale of the coin will help fund the celebration and the continued study of the life of President Lincoln.

This legislation could not have come to the floor today without the extraordinary help and assistance of Congressman JESSE JACKSON, Jr. In order to bring a bill like this to the floor, it requires 290 signatures of Members of the House in order to signal that the bill is prepared and ready to be considered by the House. Mr. JACKSON was a great help in lining up and getting the signatures so that we could bring the bill to the House.

I urge all to support the bill.

Ms. BEAN. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I am pleased to rise in support of this legislation, and I commend my colleagues, Representative LAHOOD and Representative JACKSON from Illinois, for the work that they did on this legislation. I am pleased to join with Representatives BIGGERT and BEAN in expressing strong support for the measure.

Abraham Lincoln was obviously one of the great historical figures of our Nation, and I remember as a child that my mother used to tell us stories about Abraham Lincoln. I recall how we would sit around her in awe of his exploits. I ultimately became, I guess what I would call a Lincoln scholar after having decided to major in history in undergraduate school. And Abraham Lincoln is one of the reasons that I am proud to call myself an Illinoisan.

I am proud of the heritage of our State, proud of the tremendous work that he did and what he has meant to the development of what is the greatest Nation on the face of the Earth, the United States of America; and so I urge passage of this legislation.

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

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

Mrs. BIGGERT. Mr. Speaker, in closing, I would just like to thank again my friend and colleague, Mr. LAHOOD, for his introduction of this bill; and I would also like to thank the Members of the Illinois delegation who have spoken so eloquently, and thank Ms. BEAN for her managing this bill and Mr. DAVIS for being here and Mr. JACKSON for also working on this bill.

Mr. OXLEY. Mr. Speaker, I rise today in support of H.R. 2808, the Abraham Lincoln Commemorative Coin Act, sponsored by the gentleman from Illinois, Mr. LAHOOD.

The legislation calls for the Secretary of the Treasury to mint and issue not more than 500,000 one-dollar silver coins in 2009, to mark the bicentennial of the birth of one of our greatest Presidents, Abraham Lincoln. The Nation's 16th President, he was born February 12, 1809, in present-day LaRue County, Kentucky.

Mr. Speaker, we all know the story of the tall, craggy man who went on to become a lawyer in Springfield, Illinois. Later, by dint of honesty, integrity, intelligence and compassion, became President, and served through some of the most trying times of our Nation. We all know the tragic story of his death after being shot at Ford's Theater on April 15, 1865. And we all know the Gettysburg Address and the Emancipation Proclamation.

Few of us know, I think, the history of that famous proclamation. Although it ended up as a proclamation by the President using his war powers, it started life as a normal piece of legislation. In fact, its existence first was reported 144 years ago in the famous Harper's Weekly magazine of July 26, 1862, which said: "The following message was delivered to Congress on Monday: FELLOW-CITIZENS OF THE SENATE AND HOUSE OF REPRESENTATIVES—Herewith is the draft of the bill to compensate any State which may abolish slavery within its limits, the passage of which, substantially as presented, I respectfully recommend. ABRAHAM LINCOLN."

Congress and President Lincoln already had started down the road to emancipation, freeing slaves in the District of Columbia on April 16 of that year and in U.S. territories two months later. Lincoln issued a preliminary emancipation proclamation on September 22 of 1862, shortly after the Union victory at Antietam, and the final proclamation January 1, 1863. The Thirteenth Amendment made the proclamation permanent late in 1865.

Mr. Speaker, those were astonishing actions, even for a time of war, and serve to remind us how truly remarkable Abraham Lincoln was. These coins called for in this legislation, and the surcharges on the sales of the coins that will be paid to the Abraham Lincoln Bicentennial Commission, will further illuminate Abraham Lincoln's life.

Mr. Speaker, this legislation has more than the 290 cosponsors required for consideration, and will proceed at no cost to the taxpayers. Companion legislation already has passed the other body. I recommend its immediate passage.

I enclose the following exchange of correspondence:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, September 5, 2006.

Hon. WILLIAM M. THOMAS, Chairman,
Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR CHAIRMAN THOMAS: I am writing concerning H.R. 2808, the ''Abraham Lincoln Commemorative Coin Act,'' which was introduced in the House and referred to the Committee on Financial Services on June 8, 2006. It is my expectation that this bill will be scheduled for floor consideration in the near future.

As you know, section 7 of the bill establishes a surcharge for the sale of commemorative coins that are minted under the bill. I acknowledge your committee's jurisdictional interest in such surcharges as revenue matters. However, I request that your committee forego action on H.R. 2808 in order to allow the bill to come to the floor expeditiously. I appreciate your cooperation in so doing, and agree that your decision to forego further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on

this or similar legislation. I would support your request for conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include a copy of this letter and your response in the Congressional Record when this bill is considered by the House. Thank you again for your assistance.

Yours truly,

MICHAEL G. OXLEY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, September 5, 2006.

Hon. MICHAEL G. OXLEY,
Chairman, Committee on Financial Services, Washington, DC.

DEAR CHAIRMAN OXLEY: I am writing concerning H.R. 2808, the ''Abraham Lincoln Commemorative Coin Act,'' which is scheduled to be on the House floor on September 6, 2006.

As you know, the Committee on Ways and Means maintains jurisdiction over matters that concern raising revenue. H.R. 2808 contains a provision that establishes a surcharge for the sale of commemorative coins that are minted under the bill, and thus falls within the jurisdiction of the Committee on Ways and Means. However, in order to expedite this bill for floor consideration, the Committee will forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this bill or similar legislation.

I appreciate and agree to your offer to include this exchange of letters on this matter in the Congressional Record during floor consideration.

Best regards,

BILL THOMAS,
Chairman.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 2808, the Abraham Lincoln Commemorative Coin Act.

This Act recognizes the fact that the year 2009 will be the bicentennial anniversary of the birth of Abraham Lincoln and directs the Secretary of the Treasury to mint coins commemorating his birth.

President Abraham Lincoln is one of the most important, most instrumental, and most revered individuals in our Nation's history. Few others have had such an important role in guiding the future of our Nation. He was committed to a government of the people, believed the Constitution was inviolate, and fought for the rights of every individual.

President Lincoln's achievements include no less than the abolishment of slavery, the survival of the Union and the civil rights of all individuals, regardless of race or creed. President Lincoln truly believed in and fought for one indivisible Nation with liberty and justice for all. The legacy he left after his tragic death has continued to inspire generations.

I hope that we, as elected Members of Congress of this great Nation, continue to find inspiration in President Lincoln's words from his Second Inaugural Address:

''With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in; to bind up the nation's wounds.''

In order to honor the 200th anniversary of his birth, the Abraham Lincoln Bicentennial Commission has been charged by Congress with planning the celebration of President Lincoln's bicentennial.

The proceeds from a commemorative coin will help fund the celebration and the continued study of the life of President Lincoln. 500,000 one dollar silver coins will be issued, dated in the year 2009.

I urge my colleagues to support this resolution.

Mr. EVANS. Mr. Speaker, it is with great admiration and respect that I rise today in support of H.R. 2808, the Abraham Lincoln Commemorative Coin Act. In celebration of Abraham Lincoln's 200th birthday, I join the Illinois delegation and other colleagues in honoring this great Illinoisan with a commemorative coin.

Abraham Lincoln was born on February 12, 1809 in Kentucky. As a young man, he moved to Illinois where he earned the nickname, ''Honest Abe.'' He began his political career at the young age of 23, when he was elected to the Illinois General Assembly. After serving 12 years, Lincoln was elected to the House of Representatives. He went on to run for U.S. Senate, during which he debated Stephen Douglas in the cities of Quincy and Galesburg located in my district. Although he was defeated, Lincoln's call to public service was strong and unwavering; he reemerged two years later as a presidential candidate.

On November 6, 1860, Abraham Lincoln was elected the 16th President of the United States. From the beginning of his presidency, Lincoln was tasked with the challenge of reuniting a Nation divided over slavery and Civil War. President Lincoln was steadfast in his efforts to preserve our Union and never let the world forget that the Civil War involved an even larger issue. This he profoundly stated in dedicating the military cemetery at Gettysburg by proclaiming, ''We here highly resolve that these dead shall not have died in vain—that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.''

As Representative of the 17th District of Illinois, I look to the legacy of Abraham Lincoln for guidance and inspiration. Not only did Mr. Lincoln show great leadership during a tumultuous time in our history, but he exhibited determination and conviction as he successfully fought to defend the liberty of every American.

I urge my fellow colleagues to join me and vote in support of H.R. 2808, the Abraham Lincoln Commemorative Coin Act.

Mrs. BIGGERT. Mr. 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 gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 2808, 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.

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

The yeas and nays were ordered.

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

SUPPORTING THE GOALS AND IDEALS OF NATIONAL LIFE INSURANCE AWARENESS MONTH

Ms. FOXX. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 912) supporting the goals and ideals of National Life Insurance Awareness Month.

The Clerk read as follows:

H. RES. 912

Whereas life insurance is an essential part of a sound financial plan;

Whereas life insurance provides financial security for families by helping surviving members meet immediate and long-term financial obligations and objectives in the event of a premature death in their family;

Whereas approximately 68,000,000 United States citizens lack the adequate level of life insurance coverage needed to ensure a secure financial future for their loved ones;

Whereas life insurance products protect against the uncertainties of life by enabling individuals and families to manage the financial risks of premature death, disability, and long-term care;

Whereas individuals, families, and businesses can benefit from professional insurance and financial planning advice, including an assessment of their life insurance needs; and

Whereas numerous groups supporting life insurance have designated September of 2006 as National Life Insurance Awareness Month as a means to encourage consumers to (1) become more aware of their life insurance needs; (2) seek professional advice regarding life insurance; and (3) take the actions necessary to achieve financial security for their loved ones: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports the goals and ideals of National Life Insurance Awareness Month; and

(2) requests that the President issue a proclamation calling on the Federal Government, States, localities, schools, nonprofit organizations, businesses, and the citizens of the United States to observe the month with appropriate programs and activities.

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

The Chair recognizes the gentlewoman from North Carolina.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, House Resolution 912, offered by the distinguished gentlewoman from Illinois (Mrs. BIGGERT), would support the goals and ideals of Life Insurance Awareness Month.

There is a growing crisis facing America today due to individuals not having enough life insurance coverage to provide for their loved ones in the event of their premature death. Statistics show more than 60 million Americans are estimated to lack sufficient

coverage. When the worst happens, and financial preparations are deficient, the consequences can be dire. Those left behind are often forced to work additional jobs or longer hours, borrow money from friends and family, spend retirement or college savings, and move to less expensive housing. These situations can be prevented.

A life insurance policy guarantees that a designated amount of money will be available, generally income-tax free, at the very time it is needed most. This resolution would encourage consumers to take stock of their life insurance needs. The industry-wide effort is supported by many of the Nation's leading life insurance companies.

Together, industry organizations will stage several community activities in September in the hopes that more people will begin to consider their life insurance needs. I urge all Members to come together to support the critical need for the advancement of life insurance education by adopting H. Res. 912.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H. Res. 912, which expresses the sense of Congress regarding the importance of life insurance. Life insurance provides financial security for families in the event of a premature death by helping surviving family members meet immediate needs and long-term financial obligations.

Almost 70 million Americans say they lack the life insurance coverage needed to ensure a secure financial future for their loved ones, yet the need for life insurance is well documented. Recent studies have found that when a premature death occurs, insufficient life insurance coverage on the part of the deceased often results in the surviving family members being placed under an insurmountable burden, forcing family members to take on extra jobs, work longer hours, borrow money, and spend less time with their families. This takes place at a time when spending time with loved ones is important to heal and to recover from the tragedy of losing a family member.

By designating a month each year as Life Insurance Awareness Month, we are establishing just how important it is for families to learn and educate themselves about life insurance. As a society, we must take steps to make sure our children are safe and provided for. By supporting a Life Insurance Awareness Month, we are signaling to the American people that this is an important issue that they should consider in their financial planning.

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

Ms. FOXX. Mr. Speaker, I yield such time as she may consume to my distinguished colleague from the State of Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Speaker, I thank the gentlewoman for yielding me the time.

Mr. Speaker, I rise today to urge my colleagues to support House Resolution 912, which supports the goals and ideals of designating September as National Life Insurance Awareness Month. I want to thank my friend and colleague, the gentleman from Pennsylvania (Mr. KANJORSKI), for introducing this resolution with me for the third year in a row and for his support on this important issue. Mr. KANJORSKI serves with me on both the Financial Services Committee and the Financial and Economic Literacy Caucus and has been an outstanding leader on the important issue of financial security.

I also want to thank the gentleman from Virginia, Chairman TOM DAVIS, for expeditiously moving this resolution through the Committee on Government Reform.

And last, I acknowledge and thank Senator BEN NELSON of Nebraska and Senator SAXBY CHAMBLISS for their contributions to this effort. They worked with us on this side of the Capitol to craft identical resolutions that garner both bipartisan and bicameral support. It is my hope that the Senate soon will pass its version of the resolution.

Mr. Speaker, life insurance too often is thought of only when it is too late. How many times have any of us heard friends or loved ones sadly reflect that the deceased had no life insurance or had too little life insurance. Today, only four in 10 Americans own an individual life insurance policy; and among those who do have life insurance, the amount is often too small to safeguard the financial future of their loved ones.

Because of insufficient coverage, family members often have had to work extra jobs or longer hours, borrow money, or move to less desirable housing. In short, these outcomes are only symptoms of the crisis of underinsurance that exists in our Nation today.

Mr. Speaker, House Resolution 912 calls on the Nation to observe the month of September as Life Insurance Awareness Month. The Life and Health Insurance Foundation for Education, the National Association of Insurance and Financial Advisers, the American Council of Life Insurers, and a coalition representing hundreds of leading life insurance providers and advocates have designated September 2006 as Life Insurance Awareness Month. Our collective goal for the month is to make consumers more aware of their life insurance needs, seek professional advice, and take the actions necessary to achieve financial security for their families.

Many of my colleagues on both the Financial Services and the Education and Workforce Committees have been working very hard to increase the level of financial literacy and economic education in this Nation. Understanding how financial products work and how they can work to build financial security are two important ingredients in a complete financial education.

This September I will join my colleagues and many others in helping to further educate Americans about the importance of life insurance to a sound financial plan. Losing a family member is painful enough without it being compounded by financial difficulties. It is my hope that recognizing Life Insurance Awareness Month will motivate Americans to seek out information about the benefits of life insurance so that if the premature death of a loved one does occur, they will be spared the economic hardships that often accompany tragedy.

□ 1445

Mr. Speaker, I ask my colleagues to join me and support the goals and ideals of designating September as National Life Insurance Awareness Month.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he may consume to the gentleman from Pennsylvania (Mr. KANJORSKI).

Mr. KANJORSKI. Mr. Speaker, I rise in strong support of the resolution I helped to introduce with my distinguished colleague from Illinois, Mrs. BIGGERT, House Resolution 912. This resolution would designate September as National Life Insurance Awareness Month.

Life insurance is a financial planning tool that all families should explore, but particularly at this time when we in this country are so interested in providing personal and family security. Life insurance is an element of that security which all families should consider and which is helpful in helping those families plan for their future needs.

To provide security in the event of an untimely death for a family is one of the most important aspects of financial life. Too often, we wait too long or ignore the advantage that this financial tool has and the use it should be put to, to provide the support for those left behind in an untimely death.

By designating September as National Life Insurance Awareness Month, we will hopefully highlight the importance of this financial instrument for the nearly 50 million Americans who presently lack the life insurance coverage needed to meet long-term financial needs of their families.

In closing, I urge my colleagues to support this important resolution to promote financial literacy.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I guess given the fact that today is my birthday, I recognize how important life insurance is because I have just gotten a bit older. So I am pleased to support this resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to support this resolution, which recognizes the goals and ideals of National Life Insurance Awareness Month.

Life insurance is an essential' part of a sound financial plan. Life insurance provides financial security for families by helping surviving members meet immediate and long-term financial obligations and objectives in the event of a premature death in the family.

Around 68 million United Sates citizens lack the adequate level of life insurance coverage needed to ensure a secure financial future for their loved ones, most aware of neither the options nor the consequences.

Life insurance packages can help families protect themselves from additional burdens after the death of a family member by enabling individuals and families to manage the financial risks of premature death, disability, and long-term care.

It is not, however, sufficient to simply encourage consumers to buy life insurance. There is an implicit responsibility in the business of insurance to conduct benefits with honesty, integrity, and decency. I have been shocked and appalled over the last year to see that those who so desperately needed assistance in the gulf region were denied coverage on specious reasoning.

Many of my constituents, both newly arrived and long-term residents, continue to try to rebuild their lives after last year's hurricanes. Many insurance policies distinguish between rain, wind, and flood damage. Government-issued policies do insure against flood damage, but most homeowners don't have them. In the Katrina-hit region, only about one-third of homes and one-fourth of businesses carried this Federal policy.

Just 2 weeks ago, a judge issued the verdict on the first of many pending lawsuits by homeowners trying to recover the costs of their lost homes. In Leonard v National Mutual Insurance Co., the homeowners, Paul and Julie Leonard, stated that their agent implied that they did not need flood insurance if they purchased wind and rain coverage. They thought storm surges and other water damage were covered if caused by a hurricane's wind.

Aside from the fact that it is unkind to exclude flood insurance in an area prone to flooding, yet it is immoral, and should be illegal to dissuade homeowners away from flood insurance by erroneously describing policy. Flooding exclusion language may make a few rich business people happy, but it irreversibly harms our neighbors and constituents.

Katrina cost insurers about $41 billion in claims, the largest event in the history of the industry, with homes accounting for nearly half of the total. More than 100,000 homes were damaged or destroyed by Katrina in what has been called the worst natural disaster in U.S. history.

The predicament of the Leonard family is not unusual, and a major public policy problem. Life insurance, and other insurance policies, must dutifully act as the crutch they are needed to be in times of crisis. Insurance companies should be ashamed of any activity that results in misleading, tricking, or deceiving its customers out of needed benefits.

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

Ms. FOXX. Mr. Speaker, I urge all Members to support the adoption of H. Res. 912, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from North Carolina (Ms. FOXX) that the House suspend the rules and agree to the resolution, H. Res. 912.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECOGNIZING THE LIFE AND CONTRIBUTIONS OF PRESTON ROBERT TISCH

Ms. FOXX. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 605) recognizing the life of Preston Robert Tisch and his outstanding contributions to New York City, the New York Giants Football Club, the National Football League, and the United States.

The Clerk read as follows:

H. RES. 605

Whereas Preston Robert ''Bob'' Tisch was born on April 29th, 1926, in the Bensonhurst neighborhood of Brooklyn to a middle class family;

Whereas Bob Tisch attended Erasmus Hall High School in Brooklyn for 3 years and DeWitt Clinton High School in the Bronx for one year;

Whereas Bob Tisch earned a Bachelor of Arts degree in economics from the University of Michigan in 1948;

Whereas in 1948 Bob Tisch joined a family hotel business venture, the Laurel-in-the-Pines in Lakewood, New Jersey, establishing the foundation for his success;

Whereas from 1946 through 1959 Bob and Larry Tisch built a thriving hotel chain spanning New York, New Jersey, and Florida;

Whereas in 1959 Bob and Larry Tisch acquired a controlling interest in Loew's Theatres, consisting of 102 movie theatres and a New York radio station, WMGM;

Whereas the investment in Loew's Theatres formed the basis for the modern-day Loews Corporation, which was created in 1969;

Whereas Bob and Larry Tisch built Loews Corporation into one of the largest diversified financial corporations in the United States;

Whereas in 1986 Bob Tisch was appointed by the Board of Governors of the United States Postal Service as Postmaster General under the administration of President Ronald Reagan;

Whereas in 1991 Bob Tisch purchased a 50 percent share in the New York Giants Football Club;

Whereas Bob Tisch helped create the Meals-on-Wheels program and served as its president for over 10 years, frequently delivering meals himself;

Whereas Bob Tisch founded the Take the Field program, a program which during the 1990s raised over $100,000,000 in public and private funds to rebuild 43 athletic fields in New York City for the use of hundreds of thousands of public school students;

Whereas Bob Tisch gave countless millions of dollars to hospitals, charities, and universities in the spirit of improving the lives of Americans;

Whereas on November 15, 2005, Bob Tisch died of a brain tumor at the age of 79; and

Whereas the life of Bob Tisch serves as a model for self-made success and positive American philanthropy: Now, therefore, be it

Resolved, That the House of Representatives, on the occasion of the death of Preston Robert Tisch—

(1) expresses its deepest condolences to his wife of 57 years Joan and their 3 children; and

(2) recognizes the outstanding contributions Preston Robert Tisch made throughout his life to New York City, the New York Giants Football Club, the National Football League, and the United States.

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

The Chair recognizes the gentlewoman from North Carolina.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, Preston Robert Tisch realized a long-term dream in 1991 when he completed negotiations with Timothy Wellington Mara for a 50-percent interest in the New York Giants Football Club. Tisch played an active role in the organization as a member of the National Football League's Finance and Super Bowl Policy Committees, attaining a prominence in the sports arena equal to his position in the world of business.

Owning the Giants was one of many careers Tisch pursued simultaneously. He was the chairman and a director of the Loews Corporation, one of the country's most successful financial companies. From 1990–1993, Tisch served as chairman of the New York City Partnership, Inc., and the New York Chamber of Commerce and Industry, where he was instrumental in developing the campaign to enhance New York's position as an international business center.

After completing his term as chairman, Tisch remained on the Board of Directors of both organizations, now merged, and continued serving as a trustee of New York University. However, co-owning the New York Giants was his true love. As a life-long sports fan, he attended every Giants game, home and away, and spent as much time working in his stadium office as possible.

I urge all Members to honor a man that promoted excellence in business and took every opportunity to give back to the community by adopting H. Res. 605.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of H. Res. 605, which recognizes

the life and achievements of Preston Robert Tisch.

The New York Giants begin the 2006 football season next week absent the front office presence of Bob Tisch for the first time in 15 years. The Giants have been one of the National Football League's most successful franchises, and this is due in no small part to Tisch's leadership. The New York Giants grieve the passing of their former owner, but they do not grieve alone.

In addition to the New York Giants, Bob Tisch and his family own the Loews hotels and movie theaters and many other successful businesses.

However, Tisch will be remembered by many for his philanthropic ventures. Many organizations and educational institutions, such as the University of Michigan, his alma mater, and New York University, benefited from Tisch's generosity.

Tisch established the overwhelmingly successful Take the Field program. During the 1990s, the Take the Field program raised over $140 million to help rebuild dozens of athletic fields used by public school children in New York City.

Tisch also created the Meals on Wheels program and served as president of the program for a decade. It was not uncommon to find Bob Tisch delivering meals to those in need.

Bob Tisch was also a devoted and successful public servant. From 1986–1988, Tisch served as Postmaster General of the United States. He served honorably in his role at the United States Postal Service and created the Department of Philatelic Affairs. This department revolutionized the sale of stamps in postal facilities.

On November 15, 2005, Preston Robert Tisch lost his battle against brain cancer at the age of 79. In one last demonstration of his eminent generosity, Tisch donated $10 million to the Duke University Cancer Center that had treated and cared for him in his final days.

Mr. Speaker, I urge my colleagues to join me in strong support of H. Res. 605 in recognition of the life and work of Preston Robert Tisch.

Mr. Speaker, it is not unusual for individuals to become wealthy and to become successful. It is not even unusual for some of them to share some of what they have been able to accumulate with others. But in looking at the history of Preston Robert Tisch, it is difficult to find a more magnanimous individual who made greater use of his time, his energy, his efforts, and, of course, his wealth.

When you think of the Meals on Wheels program and the large numbers of senior citizens who have benefited so greatly from such a great program, you realize how great Mr. Tisch was and how long his legacy will continue to live.

Mr. Speaker, it is my pleasure to yield such time as she may consume to the Democratic Leader, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. Mr. Speaker, I thank the distinguished gentleman from Illinois for yielding and thank all who were responsible for bringing this important tribute to the floor of the House.

Mr. Speaker, I rise with very mixed emotions about this. I am absolutely delighted that Bob Tisch is receiving the recognition that he deserves, and he deserves even more, but sad that it has come at a time when he has passed on.

I rise proudly to pay tribute to Preston Robert Tisch, known to all of us fortunate enough to call him ''friend'' as Bob. My friendship with him goes back to 1976; that would be 30 years, Mr. Speaker, a long, long time. It was at the time when he was the chair of the host committee for the Democratic National Convention in New York.

I later became the chair of its host committee for the convention in San Francisco and, as such, went to visit him to get some advice on how to make our city shine when all of that attention was focused on us. His advice was always excellent, professional and, in fact, nonpartisan. It was very important, he said, for this to be about your community. It isn't about the Democrats. It is about your city, your State and your welcome to a convention that is part of the democratic process. But your role is not a political one.

He was bipartisan in so much of what he did. He was a mentor to many, and I was very honored to receive advice from him now for the past 30 years.

Bob Tisch and his family, his brother Larry, are well-known to many of us on both sides of the aisle, and there wasn't anything that was wonderful in our community and our society and our economy that they weren't part of, whether it was the arts, the media, education, sports, again, very important factors in the economy.

But I guess the last note I received from Bob Tisch, he was on his way home from a football game, and I guess dictated it or something, but football was such a love for him. He found a way to combine his love for football with his philanthropic spirit by founding the Take the Field program. This is a wonderful, wonderful venture, a nonprofit organization dedicated to renovating and rebuilding the athletic fields at New York City's public high schools.

Bob believed in giving back to New York City public high schools, the public high schools that educated him, giving student athletes fields of play and single-handedly raising more than $147 million to do so.

Across the country, there is other evidence of Bob Tisch's generosity. His name graces both a medical center and an arts school at New York University, a gallery at the Metropolitan Museum of Art, and the Children's Zoo at Central Park.

Bob helped found Meals on Wheels and served as its president for 20 years. He delivered many meals personally to elderly patrons.

I wanted to just mention football, because he loved it so much. Many know Bob Tisch realized his lifelong dream in 1991 when he became chairman and co-CEO of the New York Giants. The Giants brought him great joy. He attended every game, both home and away, and spent as much time working in his stadium office as possible.

Bob was a tremendously talented businessman, as we discussed, a dedicated public servant who served as our Nation's Postmaster General, again, under a Republican President, a Democratic Postmaster General, and one of the most generous philanthropists our country has known.

As we pay tribute to Bob, we must remember the many people who loved him and grieve his death, especially his wife of 57 years, Joan Tisch; his children, Steven, Laurie and Jonathan; and his nine grandchildren.

The last time I saw Bob Tisch, he was having brunch, Sunday brunch, at the Regency Hotel with his family and some of his grandchildren. He held court there. Many of us would see him when we were in New York. He held court there, and it was just always a wonderful, wonderful, wonderful experience to see him. He was always so full of optimism and hope, even though, at some point, we didn't know how long he would be with us.

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I think the former mayor of New York City, David Dinkins said it best of Bob: When you think of Bob Tisch, you smile. Though we grieve the loss of Bob today, we smile as we remember his brilliant life.

Again, I hope it is a comfort to Joan, to Jonathan, to Steven and to Laurie, my friend, that so many people mourn their loss and are praying for them. He has been gone for a number of months, but we continue to pray for them and to sing the praises of this great man, Bob Tisch.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as she might consume to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank my colleague for yielding, and I join my voice with the Democratic leader and Mr. FOSSELLA and many others in honoring Robert Tisch.

When Preston Robert Tisch passed away on November 15, 2005, America lost one of its preeminent and most successful business people. Anyone who followed his career or worked with him knew of his brilliant business sense, and anyone who has seen a movie in a Loews theater or stayed in a Loews hotel can attest to it.

But as much as Bob Tisch will be remembered for his many business successes, he will be remembered and honored for being one of our most caring and giving philanthropists and humanitarians. Anyone who has benefitted from the vital city Meals on Wheels program is a testament to his many efforts. In his business career, Bob was

an enormous success, and he used his wealth and intelligence to assist those who need help the most. For that, we greatly admire him, and we honor him with this resolution today.

I am particularly proud, as is my colleague, VITO FOSSELLA, who introduced this resolution, that Bob Tisch was born and resided in our hometown, New York City. We were able to see the success and many good deeds up close, and our city has been the beneficiary of many of his best and most heartfelt ideas and programs. The City of New York thanks him and misses him.

Bob Tisch, the son of Russian immigrants and a native of Bensonhurst, Brooklyn, served our country in the Army during World War II. He graduated from the University of Michigan with a degree in economics and would go on to become the chairman and director of the highly successful Loews Corporation.

During the financial crisis of the 1970s, he organized business leaders from New York and around the country to earn the support of the Federal Government for New York City, and he helped rebuild our city. He helped our city go from bust to boom.

Bob Tisch served as the Postmaster General under President Reagan from 1986 to 1988 and, likewise, served as the chair of the National Democratic Convention. He was a man who was admired by both parties, admired by all people. He was chairman of the New York City Convention and Visitors Bureau for 19 years, and he was appointed by former Mayor David Dinkins to be the city's ambassador to Washington in 1990. You would often see him here in Washington visiting, talking, promoting New York City.

Perhaps his greatest feats, though, were his philanthropic efforts. Aside from the countless of millions of dollars he gave to charities, hospitals, universities and the Metropolitan Museum, Bob Tisch helped create city Meals on Wheels and was president for more than 20 years. The program provides food to the elderly and to the homebound, New Yorkers in need, allowing them to get nutrition and stay healthy in their homes.

More recently, Bob Tisch's Take the Field campaign raised more than $140 million to refurbish unkempt athletic fields of New York City's public schools.

Since 1991, Bob Tisch, a lifelong sports fan, owned 50 percent of the New York Giants Football Club, sharing it with another great New Yorker whom we recently lost, Wellington Mara.

Few Americans have done more in their lives or have helped more people than Bob Tisch. He is missed tremendously, especially in New York. As the companies he ran endure and as the philanthropic programs he created continue to help those in need, Bob Tisch will not be forgotten.

The good work he began continues even today, and our hearts and our thoughts are with his wife, Joan; his children, Steven, Laurie and Jonathan, all of whom have continued with his philanthropic work. And they have greatly, in their own way, benefitted our city, State and our country.

Overall, Bob Tisch was just a good man. He was a terrific person. He is deeply missed, and I am so pleased for his family and for his city that Congress has thought to honor him today.

Mr. DAVIS of Illinois. Mr. Speaker, I am pleased to yield such time as he might consume to the Dean of the House of Representatives, the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. I thank my dear friend for yielding to me.

Mr. Speaker, like many others in this chamber, I had the opportunity of knowing Bob Tisch, wonderful gentleman, great patriot, public servant, a man concerned about the well-being of his community and a man who greatly loved his family and the Nation of which he was a part. He was also a man who was extraordinary in his charity to America, to its people and to those of almost all parts of the country. He was a great human being, a wonderful friend. He will be missed.

I am delighted that we are honoring him. I thank the committee for what they are doing. I extend with them my condolences to the wonderful family of our dear friend Preston Robert Tisch, but I also rejoice that we are honoring a great American well deserving of that today, and I thank my colleagues.

Mr. ENGEL. Mr. Speaker, I rise today to honor a great American and a great New Yorker, Preston Robert Tisch. I am a friend of the Tisch family, and I am proud to stand here today and speak about Bob Tisch's many accomplishments.

Bob Tisch was a businessman, a philanthropist, and an entrepreneur. He made a positive impact on every organization he was affiliated with. Bob built the Loews Corporation into one of the largest diversified financial companies in the Nation, headed the New York Giants football franchise, and was one of the most generous philanthropists in New York. In every venture of his life he made he made a positive and indelible mark.

Bob and his brother Larry started a small hotel in New Jersey called Laurel-in-the Pines. The two brothers eventually built this business into the Loews chain of hotels. Their company acquired numerous other businesses to become the Loews Corporation that exists today.

After leaving Loews, Bob followed his dream and became the owner of the New York Giants football team. He was a true fan, attending every home and away game. He also brought his considerable talent and experience from the business field to the Giants organization.

However, Bob's most impressive accomplishments were his philanthropic ventures. In 2000, he helped create Take the Field, which raised money to rebuild the athletic fields of the public high schools in New York City. In only 4 years, he raised over $147 million for that cause. Additionally, he donated millions of dollars to universities around the country. New York University's Tisch School of the Arts, NYU Medical Center's Tisch Hospital, and even Tisch Hall at the University of Michigan are all testaments to the generosity of Bob Tisch.

Bob's gifts continued even after his passing. The Tisch Foundation, created by Bob and his wife Joan, has made substantial contributions to Play It Smart, an organization dedicated to training academic coaches to work with high school football teams in underserved neighborhoods. This program has achieved amazing success, with 98 percent of their students graduating high school and 80 percent enrolling in college. Both of these statistics are well above the national average.

Bob Tisch dedicated his life to improving the lives of others. He was a true American in the best sense of the word. For all these reasons, I strongly support H. Res. 605 and I urge my colleagues to do the same.

Mr. FOSSELLA. Mr. Speaker, on November 15th, 2005, America lost one of its greatest entrepreneurs, the great Preston Robert "Bob" Tisch, the former Postmaster General and owner of the New York Giants Football Club.

Bob Tisch grew up in Bensonhurst, Brooklyn, to middle-class parents who had emigrated from Russia. He had a vision that anyone could succeed in life if they worked hard enough to achieve it. He once mentioned that "perseverance is at the heart of meeting any challenge." This is a motto he would live by for the rest of his life. In 1943 Bob Tisch joined the U.S. Army and fought in World War II. Shortly after he left the military, he earned his bachelor's degree in economics from the University of Michigan in 1948. That same year he began what he would later become famous for: he joined his family hotel business at the Laurel-in-the-Pines in Lakewood, New Jersey.

Later in life he would move on to gain total control of the Loews Theater Corporation and in 1962, would build the Summit Hotel in Bal Harbour, Florida. At over 50 stories, it was the world's tallest hotel at the time. Throughout his life he would find success in all that he did. This would continue into the later years of his life. At the age of 60, President Ronald Reagan appointed him the United States Postmaster General, a post he would hold for two years. And finally in 1991, he purchased a 50 percent share of the New York Giants Football Club, an ownership he would happily share with the late Wellington Mara.

Recognizing the financial crisis that New York City was experiencing in the 1970s, Bob Tisch organized regular breakfasts at his Regency Hotel with some of the cities most influential movers and shakers. These breakfasts helped attract influential businessmen and women from all over the country and turned New York City's financial crisis into a burgeoning economy.

Bob Tisch had an incredible record of charity work. He helped create the Meals-on-Wheels program and would serve as its president for over 20 years. His final campaign was called the "Take the Field" imitative which was established to revitalize the ragged athletic fields of the city's public high schools which raised over $140 million. He also gave countless millions of dollars through his philanthropic works to hospitals, charities, and universities in the spirit of improving the lives of Americans.

While we mourn his loss, we as a Nation should smile proudly at his life and his deeds, for there is no greater credit to his accomplishments than having left this Nation and our world better than he had found it.

Mr. MARKEY. Mr. Speaker, Bob Tisch was my friend. He did many things in life for which he will be remembered, but for me it was that he created a family of unsurpassed excellence. It was an honor for me to know him, and his family should know how many people like me came to admire him.

Mr. DAVIS of Illinois. Mr. Speaker, I have no further requests for time, and I yield back the balance of our time.

Ms. FOXX. Mr. Speaker, I urge all Members to support the adoption of H. Res. 605, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from North Carolina (Ms. FOXX) that the House suspend the rules and pass the resolution, H. Res. 605.

The question was taken.

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

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

The yeas and nays were ordered.

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

INTERNATIONAL SOLID WASTE IMPORTATION AND MANAGEMENT ACT OF 2006

Mr. GILLMOR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2491) to amend the Solid Waste Disposal Act to authorize States to restrict receipt of foreign municipal solid waste and implement the Agreement Concerning the Transboundary Movement of Hazardous Waste between the United States and Canada, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2491

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 ''International Solid Waste Importation and Management Act of 2006''.

SEC. 2. INTERNATIONAL TRANSPORTATION AND DISPOSAL OF MUNICIPAL SOLID WASTE.

(a) IN GENERAL.—Subtitle D of the Solid Waste Disposal Act (42 U.S.C. 6941 et seq.) is amended by adding after section 4010 the following new section:

''SEC. 4011. INTERNATIONAL TRANSPORTATION AND DISPOSAL OF MUNICIPAL SOLID WASTE.

''(a) STATE AUTHORITY TO ADDRESS IMPORTATION AND MANAGEMENT OF MUNICIPAL SOLID WASTE.—

''(1) IN GENERAL.—Until the date on which all final regulations issued by the Administrator to implement and enforce the Agreement (including notice and consent provisions of the Agreement) become effective, a State may enact a law or laws or issue regulations or orders imposing limitations on the receipt and disposal of foreign municipal solid waste within the State. Laws, regulations, and orders enacted or issued before that date may continue in effect according to their terms after that date.

''(2) EFFECT ON INTERSTATE AND FOREIGN COMMERCE.—No State action taken as authorized by this section shall be considered to impose an undue burden on interstate and foreign commerce or to otherwise impair, restrain, or discriminate against interstate and foreign commerce.

''(3) TRADE AND TREATY OBLIGATIONS.—Nothing in this section affects, replaces, or amends prior law relating to the need for consistency with international trade obligations.

''(b) AUTHORITY OF ADMINISTRATOR.—

''(1) IN GENERAL.—Beginning immediately after the date of enactment of this section, the Administrator shall—

''(A) perform the functions of the Designated Authority of the United States described in the Agreement with respect to the importation and exportation of municipal solid waste under the Agreement; and

''(B) implement and enforce the notice and consent and other provisions of the Agreement.

''(2) REGULATIONS.—Not later than 24 months after the date of enactment of this section, the Administrator shall issue final regulations with respect to the Administrator's responsibilities under paragraph (1).

''(3) CONSENT TO IMPORTATION.—In considering whether to consent to the importation under article 3(c) of the Agreement, the Administrator shall—

''(A) give substantial weight to the views of the State or States into which the municipal solid waste is to be imported, and consider the views of the local government with jurisdiction over the location where the waste is to be disposed;

''(B) consider the impact of the importation on—

''(i) continued public support for and adherence to State and local recycling programs;

''(ii) landfill capacity as provided in comprehensive waste management plans;

''(iii) air emissions from increased vehicular traffic; and

''(iv) road deterioration from increased vehicular traffic; and

''(C) consider the impact of the importation on homeland security, public health, and the environment.

''(4) ACTIONS IN VIOLATION OF THE AGREEMENT.—No person shall import, transport, or export municipal solid waste for final disposal or for incineration in violation of the Agreement.

''(c) COMPLIANCE ORDERS.—(1) Whenever on the basis of any information the Administrator determines that any person has violated or is in violation of this section, the Administrator may issue an order assessing a civil penalty for any past or current violation, requiring compliance immediately or within a specified time period, or both, or the Administrator may commence a civil action in the United States district court in the district in which the violation occurred for appropriate relief, including a temporary or permanent injunction.

''(2) Any order issued pursuant to this subsection shall state with reasonable specificity the nature of the violation. Any penalty assessed in the order shall not exceed $25,000 per day of noncompliance for each violation. In assessing such a penalty, the Administrator shall take into account the seriousness of the violation and any good faith efforts to comply with applicable requirements.

''(d) PUBLIC HEARING.—Any order issued under this section shall become final unless, not later than 30 days after the order is served, the person or persons named therein request a public hearing. Upon such request the Administrator shall promptly conduct a public hearing. In connection with any proceeding under this section the Administrator may issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and may promulgate rules for discovery procedures.

''(e) VIOLATION OF COMPLIANCE ORDERS.—If a violator fails to take corrective action within the time specified in a compliance order, the Administrator may assess a civil penalty of not more than $25,000 for each day of continued noncompliance with the order.

''(f) DEFINITIONS.—For purposes of this section:

''(1) AGREEMENT.—The term 'Agreement' means—

''(A) the Agreement Concerning the Transboundary Movement of Hazardous Waste between the United States and Canada, signed at Ottawa on October 28, 1986 (TIAS 11099) and amended on November 25, 1992; and

''(B) any regulations promulgated and orders issued to implement and enforce that Agreement.

''(2) FOREIGN MUNICIPAL SOLID WASTE.—The term 'foreign municipal solid waste' means municipal solid waste generated outside of the United States.

''(3) MUNICIPAL SOLID WASTE.—

''(A) WASTE INCLUDED.—Except as provided in subparagraph (B), the term 'municipal solid waste' means—

''(i) all waste materials discarded for disposal by households, including single and multifamily residences, and hotels and motels; and

''(ii) all waste materials discarded for disposal that were generated by commercial, institutional, municipal, and industrial sources, to the extent such materials—

''(I) are essentially the same as materials described in clause (i); and

''(II) were collected and disposed of with other municipal solid waste described in clause (i) or subclause (I) of this clause as part of normal municipal solid waste collection services, except that this subclause does not apply to hazardous materials other than hazardous materials that, pursuant to regulations issued under section 3001(d), are not subject to regulation under subtitle C.

Examples of municipal solid waste include food and yard waste, paper, clothing, appliances, consumer product packaging, disposable diapers, office supplies, cosmetics, glass and metal food containers, and household hazardous waste. Such term shall include debris resulting from construction, remodeling, repair, or demolition of structures.

''(B) WASTE NOT INCLUDED.—The term 'municipal solid waste' does not include any of the following:

''(i) Any solid waste identified or listed as a hazardous waste under section 3001, except for household hazardous waste.

''(ii) Any solid waste, including contaminated soil and debris, resulting from—

''(I) a response action taken under section 104 or 106 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9604 or 9606);

''(II) a response action taken under a State law with authorities comparable to the authorities of such section 104 or 106; or

''(III) a corrective action taken under this Act.

''(iii) Recyclable materials that have been separated, at the source of the waste, from waste otherwise destined for disposal or that have been managed separately from waste destined for disposal.

''(iv) Scrap rubber to be used as a fuel source.

''(v) Materials and products returned from a dispenser or distributor to the manufacturer or an agent of the manufacturer for credit, evaluation, and possible reuse.

''(vi) Any solid waste that is—

''(I) generated by an industrial facility; and

''(II) transported for the purpose of treatment, storage, or disposal to a facility or unit thereof that is owned or operated by the generator of the waste, located on property owned by the generator or a company with which the generator is affiliated, or the capacity of which is contractually dedicated exclusively to a specific generator, so long as the disposal area complies with local and State land use and zoning regulations applicable to the disposal site.

''(vii) Any medical waste that is segregated from or not mixed with solid waste.

''(viii) Sewage sludge and residuals from any sewage treatment plant.

''(ix) Combustion ash generated by resource recovery facilities or municipal incinerators, or waste from manufacturing or processing (including pollution control) operations not essentially the same as waste normally generated by households.

''(x) Solid waste generated incident to the provision of service in interstate, intrastate, foreign, or overseas air transportation.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Solid Waste Disposal Act (42 U.S.C. prec. 6901) is amended by adding after the item relating to section 4010 the following new item:

''Sec. 4011. International transportation and disposal of municipal solid waste.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. GILLMOR) and the gentleman from Michigan (Mr. DINGELL) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. GILLMOR. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and to insert extraneous material.

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

There was no objection.

Mr. GILLMOR. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I want to begin by thanking several cosponsors of this bill from Michigan, Mr. ROGERS, Mr. DINGELL, Mrs. MILLER, Mr. STUPAK, Mr. UPTON, Mr. CAMP and many others. The legislation the House is considering today is the version of H.R. 2491 unanimously reported by the Committee on Energy and Commerce with two minor technical amendments; one to correct the year expressed in the bill's title from 2005 to 2006, and the second one to clarify the committee's position as stated in its filed report that this legislation does not cover solid waste generated incident to the provision of service in interstate, intrastate, foreign or overseas air transportation.

Today's consideration of H.R. 2491 has been a long time in coming. This legislation gives States and localities some control over the amount of waste that is generated outside of the United States that they must accept.

To give you an idea of the scope of the problem, we now have almost 4 million tons of municipal solid waste coming into landfills in the United States from outside the country. My staff has calculated that is more than 425 truckloads per day.

Current law basically punishes the environmentally responsible and rewards the environmentally irresponsible. Those States which go to the expense and the effort to create landfill space are finding their landfills clogged with waste from those who do not make and will not make this financial and legal commitment.

While there are many issues in the area of waste from and between jurisdictions, this bill deals only with the international waste, and great care has been taken to be sure to only limit itself to international waste.

Quite simply, this bill gives States the authority, only if they want to use it, to place limits on municipal solid waste generated in another country and exported for disposal in the United States.

In addition, the bill provides the necessary legal authority for the United States to fully implement the U.S.-Canada Waste Agreement. EPA has testified before the House Energy and Commerce Committee that such legal authority was necessary for our country to fully meet its commitments under this pact.

The steps in this bill are ones that must be taken to give meaningful and needed powers to both Federal and State governments. They are consistent with the powers granted in the United States Constitution and the U.S.-Canada Waste Trade Agreement.

We have worked hard to assure that they do not violate any of our international trade obligations like those in the North America Free Trade Agreement.

I urge all Members to support this bill, to send a message to other countries that the United States is not going to be their wastebasket. I would urge Members to support H.R. 2491.

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

Mr. DINGELL. Mr. Speaker, I yield myself 4 minutes.

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

Mr. DINGELL. Mr. Speaker, I rise in strong support of H.R. 2491, the International Solid Waste and Management Act of 2005. I want to express my particular gratitude and commendations to the gentleman from Ohio (Mr. GILLMOR) and for his leadership and the fine way in which he has handled this legislation. We in Michigan are grateful to the gentleman from Ohio and want him to know that he has our appreciation.

This is long overdue. It has been sponsored with great energy by the Members of this delegation in a bipartisan fashion, Mr. ROGERS, Mr. STUPAK, Mr. UPTON, Mr. LEVIN, Mr. SCHWARZ of Michigan, Mr. HOEKSTRA, Mr. KILDEE, Mrs. MILLER, Ms. KILPATRICK, Mr. EHLERS and Mr. CAMP have all worked very hard to bring this legislation to the floor in the shape in which it is.

The legislation came out of the Energy and Commerce Committee a year ago. It requires the Administrator of the Environmental Protection Agency to enforce the notice and consent provisions of the bilateral U.S.-Canadian Agreement, an Agreement that the United States signed in 1986, to govern the transboundary movement of hazardous waste, and amended in 1992 to include municipal solid waste.

Unfortunately, the Administration has made no effort to implement the bilateral agreement. Legislation was promised ''soon'' by this Administration more than 3 years ago. It has yet to arrive. The bill provides criteria to ensure that the views of State and local governments are properly taken into account in implementing the bilateral agreement and adds the necessary statutory enforcement authority.

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The situation in Michigan with regard to Canadian waste continues to get worse. Since 1996, when Michigan started collecting data, the amount of Canadian waste being disposed of in Michigan has risen by 335 percent. Essentially, our State is being used as a dumping ground by the Canadians.

Now, I note that the Administration should be complying with the notice and consent provisions of the bilateral agreement which requires that both countries use ''best efforts'' absent regulations. The bilateral agreement is especially important because Canada is a party to the Basel Convention and the United States is not. The Basel Convention specifically prohibits Basel parties from exporting waste to a nonparty. Thus, the United States-Canadian bilateral agreement is the only way waste can travel between the two countries at all.

Unfortunately, despite several letters that I, along with our two capable and hardworking Michigan Senators, Senators LEVIN and STABENOW, have sent to the Administration, the White House has decided to turn a blind eye to the needs of Michigan.

More than 400 trucks carry waste into Michigan every day from Canada. These are more than just a nuisance. The trucks and the cargo pose an environmental risk, a security risk, a potential hazard to health, as well as being detrimental to our roads. And they have even been used to smuggle narcotics into Michigan.

The citizens of Michigan need action by this Congress, and I am pleased that we are moving forward in the House. This legislation must be made a priority in the Senate. It will do much to help a situation that is intolerable.

While I am pleased with the bill coming to the House floor, and while Canadian waste makes up the majority of waste imports into Michigan, we have a significant amount of waste coming in from other States; and as such, I

look forward to working with my colleagues on a comprehensive bill giving the States the right to regulate unwanted trash imports into their borders.

I urge my colleagues to support the passage of H.R. 2491.

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

Mr. GILLMOR. Mr. Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Mr. Speaker, I thank our chairman and Mr. DINGELL for working so hard and so long to help us put this bill together, as did Mrs. MILLER and Mr. STUPAK.

When many people across the country think of Canada, they think of great trading partners and great allies. They think of hockey great Wayne Gretzky, Michael J. Fox, Shania Twain, all great contributions to our society here and good neighbors.

But when the people from Michigan think about Canada, we don't have that luxury. We think about trash and Canadian trash. We think about PCBs, soiled coffin waste and medical waste. We think of the loss of half of our landfill capacity in Michigan to Canadian imports of household municipal waste.

That is what it looks like and that is where it comes, to the great State of Michigan. There is no value added to it. It comes and is thrown into a hole. Because of the fact that they are consuming our landfill capacity, and coming to a neighborhood near you, my great State of Michigan is a landfill.

This bill, with the work of so many people, will stop the flow of Canadian waste. It will give Michigan citizens, and every citizen across the country in their own States, the ability to make the determination if they want to take this trash in their landfills.

Just a week ago they talked about, as they have since this bill was first introduced in 2001, the Canadians said we will reduce the trash and try to get to our 100 percent recycling rate and we will get back to you. The problem was since that last verbal promise to do that, 5,500 equivalent garbage trucks have come over the bridge in the last week. That is 288,000 garbage truck equivalents coming across our bridge every year for the foreseeable future. It is 11 million cubic yards a year ending up in Michigan landfills.

Why are we concerned about that? You can see on the far chart there is human blood dripping out of the back of that truck. You can imagine what chaos that caused when that truck was coming across the bridge. We had testimony by a Michigan State police officer that they believed that there may have even been a human body in that truck. They stopped it and searched it, and what they found was not a human body, but human medical waste. That is one mosquito away from an epidemic. It is dangerous and illegal. We have no way of knowing what other medical waste is in those trucks. It is impossible to inspect them.

This is really a good-neighbor policy. This says we love our Canadian friends to the north. We want to continue with the most robust trading partner we have in the world, but good neighbors don't throw their trash in another person's yard; and they have been doing it for a long time.

This bill is important for a couple of reasons. It is balanced. It is balanced because it directs the EPA to implement the existing U.S.-Canadian Transboundary agreement; but it also, more importantly, gives the State of Michigan and every State the ability to make their own determination if those trucks should continue at that rate coming into our landfills in the great State of Michigan. It allows Michigan citizens to be good stewards of their environment. There is no better place to place that trust and legal authority and that binding agreement than in the hands of these Michigan citizens.

Mr. Speaker, those PCBs, that blood, we even found illegal drugs coming across in those trucks, as well as soiled coffin waste. It is all living proof of what we have endured over these last years.

Today is the day we will stand up and tell our good friends the Canadians we are tired of getting their trash in the State of Michigan. Let us be good stewards of our environment.

Mr. Speaker, I thank the chairman for his hard work and all he has done to bring us to this point and put all of the right people in the room to make this happen. I thank Mr. DINGELL for working with us and CANDICE MILLER for pushing this vote. This is a vote that will send a very clear signal to our Canadian friends that we won't put up with political promises, that we want real action and we want it now.

Mr. DINGELL. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. STUPAK).

Mr. STUPAK. Mr. Speaker, I thank Mr. DINGELL and Mr. GILLMOR and others from the Michigan delegation for bringing forth this bill. It has been a long time.

I rise in support of H.R. 2491, the International Solid Waste Importation and Management Act, or what is commonly referred to as the Canadian trash bill. I encourage my colleagues to support this legislation which is needed to help control over 400 trucks a day that cross the border from Canada, bringing tons of trash mostly into Michigan, but also to other States.

The unregulated flow of trash into Michigan and other States creates significant environment and public health concerns. Even more alarming, a January 2006 audit conducted by the Department of Homeland Security has shown that these trucks are often found containing human blood, medical waste, illegal drugs, and illegal currency. The report raises significant border security and national safety concerns that must be addressed.

Currently, States and local governments are not allowed to control the trash coming in from out of their State. This Canadian trash bill will give residents of Michigan and other States the power to limit the trash from outside of the United States that they are forced to accept.

I have repeatedly requested that President Bush and the Republican leadership support this legislation. I am pleased that the Republican leadership is finally allowing its consideration more than a year after our Energy and Commerce Committee unanimously approved this bill in our committee.

I will continue to work to encourage the administration to finally support us in addressing Michigan's ongoing problem with imported waste from Canada.

Last week Senators STABENOW and LEVIN announced a landmark agreement that will go a long ways toward eliminating Canadian trash imports. By 2010, Ontario has agreed to stop the shipment of all municipal garbage to Michigan. This is a significant step forward in eliminating trash imports to the United States, and I commend Senators STABENOW and LEVIN for their fine work.

Along with this agreement, the Canadian trash bill we are currently considering will help limit the flow of trash from Canada. Given the environment, public health, border security and national safety concerns, it is especially important that we act immediately to limit the flow of municipal waste from Canada.

I urge my colleagues to vote ''yes'' on H.R. 2491. I thank the gentleman for yielding me this time.

Mr. GILLMOR. Mr. Speaker, I yield 3 minutes to Mrs. MILLER from Michigan.

Mrs. MILLER of Michigan. Mr. Speaker, the nation of Canada is really a great friend to America in so many ways, but it is not very neighborly to unapologetically dump your garbage on your neighbor, and that is what has been happening in Michigan for decades.

Every day in Michigan, hundreds of huge trucks loaded with Canadian garbage come across the Blue Water Bridge in my district, and they dump their garbage in Michigan landfills. For decades, the Michigan legislature, both Republicans and Democrats, have tried to pass laws that would stop this ridiculous situation, but we have always been told that only Congress has the authority to stop it by passing legislation in both the House and the Senate.

Mr. Speaker, I, along with my colleagues in the House, both Republicans and Democrats, have pushed and prodded and persuaded the House leadership to allow us to vote on this legislation.

This legislation will allow the State legislatures the right to block foreign trash while the EPA promulgates a rule over a 2-year period to make the ban permanent. If the House passes this bill today, and I sincerely hope

that we do, the House will have done its duty.

But according to Michigan's two United States Senators, companion legislation which has been languishing in the Senate has little, if any, chance of going forward because you see, Mr. Speaker, Michigan's two Senators secretly negotiated a personal agreement with the Province of Ontario that effectively stops our ability to stop Canadian trash. Michigan's two Senators agreed not to push any legislation in the Senate and not to push any inspection fees of those trucks and agreed not to do anything apparently on this issue for the next 4 years.

And in return, the Canadians have agreed to phase out over the next 4 years about one-third of the garbage that they dump in Michigan today. What about the other two thirds? Apparently there is no problem. We are going to just stand back and let those trucks keep coming.

No wonder the Canadians have been celebrating in the last week. They cannot believe their good luck. Just when the United States Congress finally is set to pass legislation that will stop Canadian trash, the two Senators from Michigan save them.

I am not going to question the motives of my two Senators. Obviously, they want to stop Canadian trash, but the motivation of the Canadians is very clear. In fact, when asked by the Canadian media why they would have agreed to this deal, the environmental ministry spokesperson said, ''Our garbage trucks could have been turned back from the border as early as January of 2007. We needed to find a solution to avert that.''

The Canadians knew very well we were going to have this vote today. They needed a solution. I hope they haven't found it.

In fact, I had one reporter tell me in fairness to the Senators, they thought their agreement was for all of the trash. They didn't realize it was only for one-third. Well, we should have had some other people included in the secret negotiation with the Canadians, and somebody could have pointed that fact out.

Mr. Speaker, I urge my colleagues, both Democrats and Republicans, to vote ''yes'' on this bill and to work together to encourage action in the Senate.

Mr. DINGELL. Mr. Speaker, I yield 6 minutes to Mr. LEVIN from Michigan.

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

Mr. LEVIN. Mr. Speaker, as one of the cosponsors of H.R. 2491, I rise in strong support of this measure.

This issue of waste coming into Michigan from Ontario is one of great concern to the people I represent and to others; and I appreciate, Mr. DINGELL, your efforts and that of others to move this legislation.

Let me just try to put this in perspective.

Recently, a breakthrough occurred after years of inaction, years of inaction. It is the agreement announced by our two Senators from Michigan with the Government of Ontario. Under this agreement, there is a phasing out of municipal waste shipments from Canada over the next 4 years. Under the agreement, some 2.78 million metric tons of waste will stay in Canada and not come to Michigan over the first 4 years alone.

We for a long time have been asking for action on the bill before us today.

□ 1530

A bipartisan group of ten representatives wrote to Speaker HASTERT last November to urge expeditious consideration. That bill had been approved by the full Energy and Commerce Committee 14 months ago. We wrote twice to Speaker HASTERT to urge him to schedule this legislation. As mentioned, there was a letter November 3, and all but one member of the Michigan delegation signed a second letter to the Speaker on May 16.

I will insert these two letters into the CONGRESSIONAL RECORD.

WASHINGTON, DC,
November 3, 2005.

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

DEAR MR. SPEAKER. We write today to request that H.R. 2491, the International Solid Waste Importation and Management Act of 2005, be brought to the floor for consideration as expeditiously as possible before our target adjournment date of November 18.

As you know, in June H.R. 2491 passed both the Energy and Commerce Subcommittee on Environment and Hazardous Materials and the full Committee by voice vote.

The issue of waste coming into Michigan from Ontario, Canada for disposal is one of great concern to the people we represent. Currently, more than 400 trash trucks come across the bridge into the Michigan each day. The goal of H.R. 2491 simply is to implement and enforce an existing bilateral agreement that has been too long ignored and to give states some tools to manage foreign municipal solid waste being disposed of within its borders.

As you know, H.R. 2491 is the bipartisan product of hard work and tough negotiations. We made every attempt to provide the people of Michigan, as well as other states, with some relief while not affecting or amending any prior law relating to the need for consistency with international trade agreements. H.R. 2491 is a good bill that meets the needs of all concerned.

Thank you for your attention to this matter.

Sincerely,

John D. Dingell, Sander Levin, Peter Hoekstra, Dave Camp, Bart Stupak, Carolyn C. Kilpatrick, Mike Rogers, Dale Kildee, Fred Upton, Joe Schwarz.

WASHINGTON, DC,
May 16, 2006.

Hon. DENNIS HASTERT,
Speaker, U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER. We write again today to request that HR 2491, the International Solid Waste Importation and Management Act of 2005, be brought to the floor for consideration as expeditiously as possible. You will remember that we wrote you in November 2005 with the same request. Unfortunately, the bill did not make it to the floor by the end of last year as we had urged in our last letter.

In June, HR 2491 passed both the House Energy and Commerce Subcommittee on Environment and Hazardous Materials and the full Committee by voice vote. As you know, voice votes are traditionally saved for only the most non-controversial bills.

The issue of waste coming into Michigan from Ontario, Canada for disposal is one of great concern to the people we represent. Currently, hundreds of trash trucks come across the bridge into Michigan each day. Just recently, human waste was spilled onto a Michigan road from a Canadian trash truck. This is the second such incident since March 2005.

This is also a national security issue. In January, the Department of Homeland Security Office of Inspector General issued a report—originally labeled ''For Official Use Only''—which found that U.S. Customs ''does not have an effective method to screen and inspect the 350 truckloads of municipal solid waste that enter the U.S. daily through the Detroit and Port Huron ports of entry.'' The report was released to the public by Senate Permanent Subcommittee on Investigations Chairman Norm Coleman and Ranking Member Carl Levin.

The goal of HR 2491 simply is to implement and enforce an existing bilateral agreement that has been too long ignored and to give states tools to manage foreign municipal solid waste being disposed of within its borders.

As you know, HR 2491 is the bipartisan product of hard work and tough negotiations. We made every attempt to provide the people of Michigan, as well as other states, with some relief while not affecting or amending any prior law relating to the need for consistency with international trade agreements. HR 2491 is a good bill that meets the needs of all concerned.

Thank you for your attention to this matter and we look forward to expeditious floor consideration.

Sincerely,

John D. Dingell, Sander Levin, Dale Kildee, John Conyers, Joe Schwarz, Carolyn C. Kilpatrick, Thaddeus McCotter, Dave Camp, Vern Ehlers, Fred Upton, Pete Hoekstra, Bart Stupak, Mike Rogers, Joe Knollenberg.

Mr. LEVIN. Mr. Speaker, I do not understand, in view of the importance of this legislation and, indeed, the light workload of the House this year, why this bill was not brought up months and months ago. Now it is being brought up at the 11th hour, with only 14 or 15 legislative days left before Congress adjourns for the elections. Fourteen months were wasted before this bill was brought up.

And it is not clear at all that the legislation can move in the Senate. Indeed, in an article just this morning in the Congress Daily, a spokesman for the chairman, the Republican chairman, of the Senate Environment and Public Works Committee indicated that the committee has no plans to hold a hearing on this legislation before Congress adjourns or recesses for the election.

Here is a consideration in addition regarding H.R. 2491, and I have read it. If it were to be made a law through passage in this Congress, I think it is likely that there would be lengthy litigation and therefore a further delay in meaningful reduction of trash exports

to Michigan for years. So this bill says the EPA has 2 years, up to 2 years, and in the meanwhile, States could take action, but I think there is a real probability that there would be litigation in the meanwhile. And so because of what the Senate spokesman has said, with no likely action in the Senate, and other problems, we have before us a bill that I strongly support, but it should not be the basis for an attack on what was done by the two Senators from our State of Michigan. No basis whatsoever.

There has also been a mischaracterization of what our two Senators said. They did not say they do not support 2941. They said they support it. They had presented some amendments to the Homeland Security bill, and that helped to instigate action by Ontario to do something. To do something. And now there is an agreement that will lead to a substantial reduction of the trash that is coming in from Ontario.

So, look, I would hope that there would be some limitation, some limitation, on partisanship within this House. Apparently there continues to be little, if none. That agreement was a step forward. It was not everything, but after years of inaction in this House, after at least months after action by the committee, something has happened that will bring about a reduction under this agreement.

So what we should be doing today, instead of engaging in partisanship, is saying, look, there is an agreement. It is a step forward. Congratulations. We have this bill. It would go beyond it. We hope the Senate will act. We are sorry that the Senate Republican spokesman said they would not take it up. Let us unite to see if we can get action by the Senate.

So under those conditions, I very much rise in support of this bill and hope the full picture will be understood, not misrepresented.

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

Just a couple of points. I have been advised that when the Canadians entered into this so-called agreement, they referenced the passage of this bill, H.R. 2491, as a reason for doing that. I am also a little confused by the position of the gentleman from Michigan, who first said he supported the bill and then said if we passed the bill, it could result in litigation that would delay the stopping of the garbage. So I am not sure what his position is.

Mr. LEVIN. Mr. Speaker, will the gentleman yield?

Mr. GILLMOR. I yield to the gentleman from Michigan.

Mr. LEVIN. Look, I said the EPA would have up until 2 years, and in the meanwhile, States could act, and I said it is thought by many observers that there would be litigation. I don't favor litigation. But there might well be litigation in terms of the power of the States as delegated from this House.

All I am saying, sir, is, look, there was reference to this legislation. There was also reference to the reality that there were amendments in the Senate that were going to put a squeeze on Ontario.

I acknowledge the importance of this bill. I am sorry it did not occur earlier, and it comes up at the 11th hour after a number of us wrote to the Speaker saying, bring it up, and most of us, not all of us, signed those letters. And here it is, the 11th hour, and now it is being brought up. Good. It is better late than never. It would also be nice if we could have an agreement from the Senate to act. And the two Senators from Michigan have said, when they announced this agreement with Ontario, they supported this bill. So no one should get up on the floor and say otherwise.

Mr. GILLMOR. Mr. Speaker, reclaiming my time, let me just point out that in the Detroit News, it was reported on September 1 that the environmental ministry spokesman from Ontario, Kate Jordan, said the deal was prompted by fear of this bill's becoming law and that Michigan might stop all trash shipments within 30 days.

Now, I am not critical of the Senators, and I haven't been, for trying to negotiate a deal. But I do want to point a couple things out. First of all, anybody could sue for anything; so you may have litigation. But the fact of the matter is we went to great lengths to be sure that this complied with both NAFTA and the U.S.-Canadian transboundary agreement.

The other point is that the so-called deal with the Canadians is not in any way legally enforceable. All you have is a promise that they will do that. They can turn around tomorrow or next week or next month and take that back.

So there is one legally enforceable way to protect Michigan and the other States, and that is passage of H.R. 2491.

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

Mr. DINGELL. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, this has been, I think, a very useful and very respectful debate. It has been one which does credit for all concerned, and I repeat my commendations to my colleagues who have done such a fine job of bringing this legislation to the floor, and I particularly commend my friend from Ohio, Mr. GILLMOR, for his labors.

We have before us in Michigan a situation which we clearly find intolerable. It is one which has to have something done. Happily, over here, we have been able to get this legislation to the floor. I hope that this bill will be taken up by the Senate in proper fashion and time so that it can go to the President and can be signed and become law. That would be wonderful.

I also hope that the deal which has been cut by our two Senators will be able to bear fruit because it will result in termination of a massive amount of waste coming in from Canada if it is implemented according to its terms.

I want to commend also our Senators, and I think our people back home are very appreciative of what the Senators did because what they have accomplished is to give us something which will have immediate effect if the agreement is honored by the Canadians. I have received assurances from our senior Senator that our Senators will do everything possible to get this legislation which we are now considering, H.R. 2491, enacted into law in the Senate.

We have two arrows rather than one for our bow. We are able to move forward towards the implementation of the agreement achieved in the Senate; and we are able, with the help of everybody concerned, including the leadership in the Senate, to move forward on a piece of legislation which will offer significant relief to our State. Much more will remain to be done after we have concluded, but at least we are beginning to make strides forward, and we are doing so in two ways, in two places, with prospects of success for each.

I urge us not to fall into any partisan arguments here.

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

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

I had some other speakers but they are not here. So let me just say that I hope we can pass this bill. And I want to echo what my colleague from Michigan (Mr. DINGELL) said. This is not a partisan issue. And I very much appreciate the way that Members, particularly of our Committee on Energy and Commerce, have been able to come together and move this bill unanimously, and hopefully we can see it move further in the other body.

Mr. DINGELL. If the gentleman will yield, to that I say a very pious amen.

Mr. KNOLLENBERG. Mr. Speaker, I rise to express my strong support for H.R. 2491, the International Solid Waste Importation and Management Act of 2005.

For many years, Canada has shipped significant amounts of solid waste into the United States each year, with a large percentage of it going to the State of Michigan. In 2004, Canadian trash imports represented 18 percent of all the trash disposed of in Michigan. The State of Michigan receives approximately 350 truck loads of trash every day—or over 12,000 truck loads a year—from Ontario.

Despite heightened border security that has been imposed following the September 11, 2001, terrorist attacks, which include stricter inspections of all truck shipments passing through international borders, the importation of substantial amounts of solid waste into the United States each year from Canada poses a serious security threat to the State of Michigan and other border States which accept imported trash. Moreover, it poses environmental and health risks to these States.

States must have the ability to address these matters as they deem fit. H.R. 2491 is necessary in order to provide States with the power to address these issues, as the U.S. Supreme Court and other Federal courts have consistently ruled that, pursuant to the Interstate Commerce Clause of the U.S. Constitution, States cannot restrict out-of-State trash from their landfills.

Previous agreements regarding the import of trash from Canada have had no legal standing and were not enforceable. This legislation will finally allow the U.S. and the State of Michigan to set for themselves legal, enforceable boundaries for the importation of municipal solid waste.

I urge all of my colleagues to support the passage of H.R. 2491.

Mr. CONYERS. Mr. Speaker, I rise in strong support of H.R. 2491, the International Solid Waste Importation and Management Act of 2005. Riverview and other downriver communities in my district have had to cope with hundreds of trucks full of Canadian trash rumbling down their streets on a daily basis for years. These trucks pass through our communities en route from the Ambassador Bridge to traffic dumps to the west. You can imagine the traffic congestion, environmental, and quality-of-life problems these truckloads of trash have created.

Local activists like Mr. George Read of Trenton and State Representative Kathleen Law have been working tirelessly alongside our congressional delegation to put an end to this never-ending flow of trash, and I am very pleased that the House today is taking a step toward that goal. If adopted, H.R. 2491 would give States the power to restrict the importation of foreign waste. Under current law, only the Federal Government is able to make such restrictions.

Mr. Speaker, let us not overlook the fact that H.R. 2491 has been awaiting floor consideration since it passed the Energy and Commerce committee 14 months ago. Our delegation has had to send two letters to get Speaker HASTERT to finally bring this important legislation to the floor. We now have only about 15 days left in session before we break for the elections, and it will be a tall order for this bill to make it through committee and the full Senate during that time. Indeed, the Republican chairman of the Senate Committee on Environment and Public Works has already announced that he does not foresee consideration of this legislation any time soon.

I want to commend Senators LEVIN and STABENOW and Congressman DINGELL for the deal they have worked out with Ontario's Minister of the Environment to halt the importation of Canadian municipal waste over the next 4 years. The Bush administration and the Republican Congress have wasted many years and numerous opportunities to address this issue both through legislation and by implementing a bilateral agreement between the U.S. and Canada already on the books since 1992. Our constituents were fed up with this inaction, so our Michigan Democratic legislators took the initiative to negotiate an agreement that will reduce the importation of Canadian municipal trash immediately, and end it completely in 4 years. Republicans can complain about our legislators taking matters into their own hands, but the fact is that the Republicans have failed to do a thing to address this serious problem. The negotiated agreement is a step in the right direction, as is passage of this bill.

Mr. CAMP of Michigan. Mr. Speaker, as a strong supporter and cosponsor of the International Solid Waste Importation and Management Act, I am pleased that the House of Representatives will soon vote on this important bill.

My home State of Michigan continues to be on the receiving end of millions of tons of imports of Canadian trash. According to data from the Congressional Research Service, in 2004 nearly two-thirds of Michigan's total waste imports, about 2.8 million tons, came from the Canadian province of Ontario. In response to this growing problem, H.R. 2491 provides States the authority to enact laws or regulations to limit the transportation and disposal of foreign municipal solid waste. Residents in Michigan have long sought a legally binding and enforceable solution that stops the flow of Canadian trash into the State.

For too many years Michigan has been a dumping ground for waste coming in from Canada. When the city of Toronto closed its landfill in 2002, the city sent its trash to Michigan instead of building a new landfill or transporting it to another Canadian location. Toronto's actions compounded the trash flow problem in Michigan and further incensed the State's residents who consider this issue an environmental concern, a transportation problem, and a public health worry. The State of Michigan and other States should have the authority to protect its citizens. Governments at all levels, Federal, State, and local should have the tools to safeguard residents from potential public health and safety risks. Foreign municipal trash is flooding Michigan's borders with virtually no inspection. Hospital waste and other hazardous waste can, and does, make its way to Michigan. I am a fervent supporter of policies that ensure a free-flow of commerce at the U.S. and Canada border. But, States should have the ability to protect residents from shipments that may pose risks to public health and the environment.

The International Solid Waste Importation and Management Act is the right answer to stopping foreign shipments of municipal waste. While negotiating contracts with landfill operators may sound like a good solution, it does not go far enough. Congressional approval of H.R. 2491 will ensure that States have the authority to prevent foreign waste from crossing our borders. Governors should have control over what enters their state. Such decisions should not be left to private business interests. Importantly too, passage of H.R. 2491 will carry the force of U.S. law.

Instead of clogging Michigan bridges and roads with dump trucks destined for Michigan landfills, it is high time Canada keep its own trash. I urge my colleagues to vote for H.R. 2491 and allow States to reject foreign shipments of municipal waste.

Mr. KILDEE. Mr. Speaker, I rise today to offer my support for H.R. 2491, the International Solid Waste Importation and Management Act. I am a cosponsor of this important bill.

Mr. Speaker, the importation of all foreign trash is an issue that is of great concern to the people of Michigan. Time and again the people of my state have made it clear they do not want foreign trash coming into Michigan. Congress has had numerous opportunities to address this problem, either through legislation or the implementation of a bilateral agreement between the U.S. and Canada from 1992, which would allow Michigan to manage foreign waste being disposed of within its borders.

The growing amount of foreign trash coming into Michigan is clogging our roadways, increasing the health and safety risks in our state. In the last 3 years, the number of trucks coming from Canada has roughly doubled, from 180 per day to over 350 per day. Since that time, multiple incidents have occurred where Canadian trash trucks have spilled waste onto Michigan roadways. Owners of two major Michigan landfills are near capacity and state officials claim that in 20 years, there won't be any more landfill space available. It is no overstatement to say the Great Lakes heritage we take so much pride in is at risk if something is not done. We need to protect our environment.

The escalating importation of Canadian trash also constitutes a security threat. In January, the Department of Homeland Security Office of Inspector General issued a report, later released to the Senate Permanent Subcommittee on Investigations, which found that U.S. Customs does not have an effective method to screen and inspect the hundreds of truckloads of municipal solid waste that enter the U.S. daily through the Detroit and Port Huron ports of entry. In this day and age, Mr. Speaker, such lack of inspection is unacceptable.

H.R. 2491 has broad, bipartisan support, reinforced by its clear passage through the House Energy and Commerce Committee in 2005 by a voice vote without objection.

Once again, Mr. Speaker, I add my support for H.R. 2491 and call for its passage.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. GILLMOR) that the House suspend the rules and pass the bill, H.R. 2491, 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.

YOUTHBUILD TRANSFER ACT

Mr. CASTLE. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 3534) to amend the Workforce Investment Act of 1998 to provide for a YouthBuild program.

The Clerk read as follows:

S. 3534

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 ''YouthBuild Transfer Act''.

SEC. 2. YOUTHBUILD PROGRAM.

(a) ESTABLISHMENT OF YOUTHBUILD PROGRAM IN THE DEPARTMENT OF LABOR.—Subtitle D of title I of the Workforce Investment Act of 1998 is amended by inserting before section 174 (29 U.S.C. 2919) the following new section:

''SEC. 173A. YOUTHBUILD PROGRAM.

''(a) STATEMENT OF PURPOSE.—The purposes of this section are—

''(1) to enable disadvantaged youth to obtain the education and employment skills necessary to achieve economic self-sufficiency in occupations in demand and post-secondary education and training opportunities;

''(2) to provide disadvantaged youth with opportunities for meaningful work and service to their communities;

''(3) to foster the development of employment and leadership skills and commitment to community development among youth in low-income communities; and

''(4) to expand the supply of permanent affordable housing for homeless individuals and low-income families by utilizing the energies and talents of disadvantaged youth.

''(b) DEFINITIONS.—In this section:

''(1) ADJUSTED INCOME.—The term 'adjusted income' has the meaning given the term in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

''(2) APPLICANT.—The term 'applicant' means an eligible entity that has submitted an application under subsection (c).

''(3) ELIGIBLE ENTITY.—The term 'eligible entity' means a public or private nonprofit agency or organization (including a consortium of such agencies or organizations), including—

''(A) a community-based organization;

''(B) a faith-based organization;

''(C) an entity carrying out activities under this title, such as a local board;

''(D) a community action agency;

''(E) a State or local housing development agency;

''(F) an Indian tribe or other agency primarily serving Indians;

''(G) a community development corporation;

''(H) a State or local youth service or conservation corps; and

''(I) any other entity eligible to provide education or employment training under a Federal program (other than the program carried out under this section).

''(4) HOMELESS INDIVIDUAL.—The term 'homeless individual' has the meaning given the term in section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302).

''(5) HOUSING DEVELOPMENT AGENCY.—The term 'housing development agency' means any agency of a State or local government, or any private nonprofit organization, that is engaged in providing housing for homeless individuals or low-income families.

''(6) INCOME.—The term 'income' has the meaning given the term in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

''(7) INDIAN; INDIAN TRIBE.—The terms 'Indian' and 'Indian tribe' have the meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

''(8) INDIVIDUAL OF LIMITED ENGLISH PROFICIENCY.—The term 'individual of limited English proficiency' means an eligible participant under this section who meets the criteria set forth in section 203(10) of the Adult Education and Family Literacy Act (20 U.S.C. 9202(10)).

''(9) LOW-INCOME FAMILY.—The term 'low-income family' means a family described in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)).

''(10) QUALIFIED NATIONAL NONPROFIT AGENCY.—The term 'qualified national nonprofit agency' means a nonprofit agency that—

''(A) has significant national experience providing services consisting of training, information, technical assistance, and data management to YouthBuild programs or similar projects; and

''(B) has the capacity to provide those services.

''(11) REGISTERED APPRENTICESHIP PROGRAM.—The term 'registered apprenticeship program' means an apprenticeship program—

''(A) registered under the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 20 U.S.C. 50 et seq.); and

''(B) that meets such other criteria as may be established by the Secretary under this section.

''(12) TRANSITIONAL HOUSING.—The term 'transitional housing' means housing provided for the purpose of facilitating the movement of homeless individuals to independent living within a reasonable amount of time. The term includes housing primarily designed to serve deinstitutionalized homeless individuals and other homeless individuals who are individuals with disabilities or members of families with children.

''(13) YOUTHBUILD PROGRAM.—The term 'YouthBuild program' means any program that receives assistance under this section and provides disadvantaged youth with opportunities for employment, education, leadership development, and training through the rehabilitation or construction of housing for homeless individuals and low-income families, and of public facilities.

''(c) YOUTHBUILD GRANTS.—

''(1) AMOUNTS OF GRANTS.—The Secretary is authorized to make grants to applicants for the purpose of carrying out YouthBuild programs approved under this section.

''(2) ELIGIBLE ACTIVITIES.—An entity that receives a grant under this subsection shall use the funds made available through the grant to carry out a YouthBuild program, which may include the following activities:

''(A) Education and workforce investment activities including—

''(i) work experience and skills training (coordinated, to the maximum extent feasible, with preapprenticeship and registered apprenticeship programs) in the rehabilitation and construction activities described in subparagraphs (B) and (C);

''(ii) occupational skills training;

''(iii) other paid and unpaid work experiences, including internships and job shadowing;

''(iv) services and activities designed to meet the educational needs of participants, including—

''(I) basic skills instruction and remedial education;

''(II) language instruction educational programs for individuals with limited English proficiency;

''(III) secondary education services and activities, including tutoring, study skills training, and dropout prevention activities, designed to lead to the attainment of a secondary school diploma, General Education Development (GED) credential, or other State-recognized equivalent (including recognized alternative standards for individuals with disabilities);

''(IV) counseling and assistance in obtaining postsecondary education and required financial aid; and

''(V) alternative secondary school services;

''(v) counseling services and related activities, such as comprehensive guidance and counseling on drug and alcohol abuse and referral;

''(vi) activities designed to develop employment and leadership skills, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors, and activities related to youth policy committees that participate in decision-making related to the program;

''(vii) supportive services and provision of need-based stipends necessary to enable individuals to participate in the program and supportive services to assist individuals, for a period not to exceed 12 months after the completion of training, in obtaining or retaining employment, or applying for and transitioning to postsecondary education; and

''(viii) job search and assistance.

''(B) Supervision and training for participants in the rehabilitation or construction of housing, including residential housing for homeless individuals or low-income families, or transitional housing for homeless individuals.

''(C) Supervision and training for participants in the rehabilitation or construction of community and other public facilities, except that not more than 10 percent of funds appropriated to carry out this section may be used for such supervision and training.

''(D) Payment of administrative costs of the applicant, except that not more than 15 percent of the amount of assistance provided under this subsection to the grant recipient may be used for such costs.

''(E) Adult mentoring.

''(F) Provision of wages, stipends, or benefits to participants in the program.

''(G) Ongoing training and technical assistance that are related to developing and carrying out the program.

''(H) Follow-up services.

''(3) APPLICATION.—

''(A) FORM AND PROCEDURE.—To be qualified to receive a grant under this subsection, an eligible entity shall submit an application at such time, in such manner, and containing such information as the Secretary may require.

''(B) MINIMUM REQUIREMENTS.—The Secretary shall require that the application contain, at a minimum—

''(i) labor market information for the labor market area where the proposed program will be implemented, including both current data (as of the date of submission of the application) and projections on career opportunities in growing industries;

''(ii) a request for the grant, specifying the amount of the grant requested and its proposed uses;

''(iii) a description of the applicant and a statement of its qualifications, including a description of the applicant's relationship with local boards, one-stop operators, local unions, entities carrying out registered apprenticeship programs, other community groups, and employers, and the applicant's past experience, if any, with rehabilitation or construction of housing or public facilities, and with youth education and employment training programs;

''(iv) a description of the proposed site for the proposed program;

''(v) a description of the educational and job training activities, work opportunities, postsecondary education and training opportunities, and other services that will be provided to participants, and how those activities, opportunities, and services will prepare youth for employment in occupations in demand in the labor market area described in clause (i);

''(vi) a description of the proposed rehabilitation or construction activities to be undertaken under the grant and the anticipated schedule for carrying out such activities;

''(vii) a description of the manner in which eligible youth will be recruited and selected as participants, including a description of arrangements that will be made with local boards, one-stop operators, community- and faith-based organizations, State educational agencies or local educational agencies (including agencies of Indian tribes), public assistance agencies, the courts of jurisdiction, agencies operating shelters for homeless individuals and other agencies that serve youth who are homeless individuals, foster care agencies, and other appropriate public and private agencies;

''(viii) a description of the special outreach efforts that will be undertaken to recruit eligible young women (including young women with dependent children) as participants;

''(ix) a description of the specific role of employers in the proposed program, such as their role in developing the proposed program and assisting in service provision and in placement activities;

''(x) a description of how the proposed program will be coordinated with other Federal, State, and local activities and activities conducted by Indian tribes, such as local workforce investment activities, vocational education programs, adult and language instruction educational programs, activities conducted by public schools, activities, conducted by community colleges, national service programs, and other job training provided with funds available under this title;

''(xi) assurances that there will be a sufficient number of adequately trained supervisory personnel in the proposed program;

''(xii) a description of results to be achieved with respect to common indicators of performance for youth and lifelong learning, as identified by the Secretary;

''(xiii) a description of the applicant's relationship with local building trade unions regarding their involvement in training to be provided through the proposed program, the relationship of the proposed program to established registered apprenticeship programs and employers, and the ability of the applicant to grant industry-recognized skill certification through the program;

''(xiv) a description of activities that will be undertaken to develop the leadership skills of participants;

''(xv) a detailed budget and a description of the system of fiscal controls, and auditing and accountability procedures, that will be used to ensure fiscal soundness for the proposed program;

''(xvi) a description of the commitments for any additional resources (in addition to the funds made available through the grant) to be made available to the proposed program from—

''(I) the applicant;

''(II) recipients of other Federal, State or local housing and community development assistance who will sponsor any part of the rehabilitation, construction, operation and maintenance, or other housing and community development activities undertaken as part of the proposed program; or

''(III) entities carrying out other Federal, State, or local activities or activities conducted by Indian tribes, including vocational education programs, adult and language instruction educational programs, and job training provided with funds available under this title;

''(xvii) information identifying, and a description of, the financing proposed for any—

''(I) rehabilitation of the property involved;

''(II) acquisition of the property; or

''(III) construction of the property;

''(xviii) information identifying, and a description of, the entity that will operate and manage the property;

''(xix) information identifying, and a description of, the data collection systems to be used;

''(xx) a certification, by a public official responsible for the housing strategy for the State or unit of general local government within which the proposed program is located, that the proposed program is consistent with the housing strategy; and

''(xxi) a certification that the applicant will comply with the requirements of the Fair Housing Act (42 U.S.C. 3601 et seq.) and will affirmatively further fair housing.

''(4) SELECTION CRITERIA.—For an applicant to be eligible to receive a grant under this subsection, the applicant and the applicant's proposed program shall meet such selection criteria as the Secretary shall establish under this section, which shall include criteria relating to—

''(A) the qualifications or potential capabilities of an applicant;

''(B) an applicant's potential for developing a successful YouthBuild program;

''(C) the need for an applicant's proposed program, as determined by the degree of economic distress of the community from which participants would be recruited (measured by indicators such as poverty, youth unemployment, and the number of individuals who have dropped out of secondary school) and of the community in which the housing and public facilities proposed to be rehabilitated or constructed is located (measured by indicators such as incidence of homelessness, shortage of affordable housing, and poverty);

''(D) the commitment of an applicant to providing skills training, leadership development, and education to participants;

''(E) the focus of a proposed program on preparing youth for occupations in demand or postsecondary education and training opportunities;

''(F) the extent of an applicant's coordination of activities to be carried out through the proposed program with local boards, one-stop operators, and one-stop partners participating in the operation of the one-stop delivery system involved, or the extent of the applicant's good faith efforts in achieving such coordination;

''(G) the extent of the applicant's coordination of activities with public education, criminal justice, housing and community development, national service, or postsecondary education or other systems that relate to the goals of the proposed program;

''(H) the extent of an applicant's coordination of activities with employers in the local area involved;

''(I) the extent to which a proposed program provides for inclusion of tenants who were previously homeless individuals in the rental housing provided through the program;

''(J) the commitment of additional resources (in addition to the funds made available through the grant) to a proposed program by—

''(i) an applicant;

''(ii) recipients of other Federal, State, or local housing and community development assistance who will sponsor any part of the rehabilitation, construction, operation and maintenance, or other housing and community development activities undertaken as part of the proposed program; or

''(iii) entities carrying out other Federal, State, or local activities or activities conducted by Indian tribes, including vocational education programs, adult and language instruction educational programs, and job training provided with funds available under this title;

''(K) the applicant's potential to serve different regions, including rural areas and States that have not previously received grants for YouthBuild programs; and

''(L) such other factors as the Secretary determines to be appropriate for purposes of carrying out the proposed program in an effective and efficient manner.

''(5) APPROVAL.—To the extent practicable, the Secretary shall notify each applicant, not later than 5 months after the date of receipt of the application by the Secretary, whether the application is approved or not approved.

''(d) USE OF HOUSING UNITS.—Residential housing units rehabilitated or constructed using funds made available under subsection (c) shall be available solely—

''(1) for rental by, or sale to, homeless individuals or low-income families; or

''(2) for use as transitional or permanent housing, for the purpose of assisting in the movement of homeless individuals to independent living.

''(e) ADDITIONAL PROGRAM REQUIREMENTS.—

''(1) ELIGIBLE PARTICIPANTS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an individual may participate in a YouthBuild program only if such individual is—

''(i) not less than age 16 and not more than age 24, on the date of enrollment;

''(ii) a member of a low-income family, a youth in foster care (including youth aging out of foster care), a youth offender, a youth who is an individual with a disability, a child of incarcerated parents, or a migrant youth; and

''(iii) a school dropout.

''(B) EXCEPTION FOR INDIVIDUALS NOT MEETING INCOME OR EDUCATIONAL NEED REQUIREMENTS.—Not more than 25 percent of the participants in such program may be individuals who do not meet the requirements of clause (ii) or (iii) of subparagraph (A), but who—

''(i) are basic skills deficient, despite attainment of a secondary school diploma, General Education Development (GED) credential, or other State-recognized equivalent (including recognized alternative standards for individuals with disabilities); or

''(ii) have been referred by a local secondary school for participation in a YouthBuild program leading to the attainment of a secondary school diploma.

''(2) PARTICIPATION LIMITATION.—An eligible individual selected for participation in a YouthBuild program shall be offered full-time participation in the program for a period of not less than 6 months and not more than 24 months.

''(3) MINIMUM TIME DEVOTED TO EDUCATIONAL SERVICES AND ACTIVITIES.—A YouthBuild program receiving assistance under subsection (c) shall be structured so that participants in the program are offered—

''(A) education and related services and activities designed to meet educational needs, such as those specified in clauses (iv) through (vii) of subsection (c)(2)(A), during at least 50 percent of the time during which the participants participate in the program; and

''(B) work and skill development activities such as those specified in clauses (i), (ii), (iii), and (viii) of subsection (c)(2)(A), during at least 40 percent of the time during which the participants participate in the program.

''(4) AUTHORITY RESTRICTION.—No provision of this section may be construed to authorize any agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution (including a school) or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

''(5) STATE AND LOCAL STANDARDS.—All educational programs and activities supported with funds provided under subsection (c) shall be consistent with applicable State and local educational standards. Standards and procedures for the programs and activities that relate to awarding academic credit for and certifying educational attainment in such programs and activities shall be consistent with applicable State and local educational standards.

''(f) MANAGEMENT AND TECHNICAL ASSISTANCE.—

''(1) SECRETARY ASSISTANCE.—The Secretary may enter into contracts with 1 or more entities to provide assistance to the Secretary in the management, supervision,

and coordination of the program carried out under this section.

''(2) TECHNICAL ASSISTANCE.—

''(A) CONTRACTS AND GRANTS.—The Secretary shall enter into contracts with or make grants to 1 or more qualified national nonprofit agencies, in order to provide training, information, technical assistance, and data management to recipients of grants under subsection (c).

''(B) RESERVATION OF FUNDS.—Of the amounts available under subsection (h) to carry out this section for a fiscal year, the Secretary shall reserve 5 percent to carry out subparagraph (A).

''(3) CAPACITY BUILDING GRANTS.—

''(A) IN GENERAL.—In each fiscal year, the Secretary may use not more than 3 percent of the amounts available under subsection (h) to award grants to 1 or more qualified national nonprofit agencies to pay for the Federal share of the cost of capacity building activities.

''(B) FEDERAL SHARE.—The Federal share of the cost described in subparagraph (A) shall be 25 percent. The non-Federal share shall be provided from private sources.

''(g) SUBGRANTS AND CONTRACTS.—Each recipient of a grant under subsection (c) to carry out a YouthBuild program shall provide the services and activities described in this section directly or through subgrants, contracts, or other arrangements with local educational agencies, postsecondary educational institutions, State or local housing development agencies, other public agencies, including agencies of Indian tribes, or private organizations.

''(h) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated for each of fiscal years 2007 through 2012 such sums as may be necessary to carry out this section.

''(2) FISCAL YEAR.—Notwithstanding section 189(g), appropriations for any fiscal year for programs and activities carried out under this section shall be available for obligation only on the basis of a fiscal year.''.

(b) CLERICAL AMENDMENT.—Section 1(b) of the Workforce Investment Act of 1998 (relating to the table of contents) is amended by inserting before the item relating to section 174 the following:

''Sec. 173A. YouthBuild program''.

(c) EXCEPTION TO PROGRAM YEAR APPROPRIATION CYCLE REQUIREMENT.—Section 189(g)(1)(A) of the Workforce Investment Act of 1998 (29 U.S.C. 2939(g)(1)(A)) is amended by inserting ''and section 173A'' after ''Except as provided in subparagraph (B)''.

(d) CONFORMING AMENDMENTS.—

(1) Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) is amended in paragraphs (1)(B)(iii) and (2)(B) of subsection (c), and paragraphs (1)(B)(iii) and (2)(B) of subsection (d), by striking ''Youthbuild'' and all that follows and inserting ''YouthBuild programs receiving assistance under section 173A of the Workforce Investment Act of 1998.''.

(2) Section 507(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4183(b)) is amended by striking ''subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act,''.

(3) Section 402 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12870) is amended by striking the second sentence of subsections (a) and (b).

(e) REPEAL OF PROVISIONS.—Subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12899 et seq.) is repealed.

(f) EFFECTIVE DATE.—This section and the amendments made by this section take effect on the earlier of—

(1) the date of enactment of this Act; and

(2) September 30, 2006.

SEC. 3. TRANSFER OF FUNCTIONS AND SAVINGS PROVISIONS.

(a) DEFINITIONS.—For purposes of this section, unless otherwise provided or indicated by the context—

(1) the term ''Federal agency'' has the meaning given to the term ''agency'' by section 551(1) of title 5, United States Code;

(2) the term ''function'' means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program; and

(3) the term ''office'' includes any office, administration, agency, institute, unit, organizational entity, or component thereof.

(b) TRANSFER OF FUNCTIONS.—There are transferred to the Department of Labor all functions which the Secretary of Housing and Urban Development exercised before the effective date of this section (including all related functions of any officer or employee of the Department of Housing and Urban Development) relating to subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12899 et seq.).

(c) DETERMINATIONS OF CERTAIN FUNCTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—If necessary, the Office of Management and Budget shall make any determination of the functions that are transferred under subsection (b).

(d) PERSONNEL PROVISIONS.—

(1) APPOINTMENTS.—The Secretary of Labor may appoint and fix the compensation of such officers and employees, including investigators, attorneys, and administrative law judges, as may be necessary to carry out the respective functions transferred under this section. Except as otherwise provided by law, such officers and employees shall be appointed in accordance with the civil service laws and their compensation fixed in accordance with title 5, United States Code.

(2) EXPERTS AND CONSULTANTS.—The Secretary of Labor may obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, and compensate such experts and consultants for each day (including traveltime) at rates not in excess of the rate of pay for level IV of the Executive Schedule under section 5315 of such title. The Secretary of Labor may pay experts and consultants who are serving away from their homes or regular place of business travel expenses and per diem in lieu of subsistence at rates authorized by sections 5702 and 5703 of such title for persons in Government service employed intermittently.

(e) DELEGATION AND ASSIGNMENT.—Except where otherwise expressly prohibited by law or otherwise provided by this section, the Secretary of Labor may delegate any of the functions transferred to the Secretary of Labor by this section and any function transferred or granted to the Secretary of Labor after the effective date of this section to such officers and employees of the Department of Labor as the Secretary of Labor may designate, and may authorize successive redelegations of such functions as may be necessary or appropriate. No delegation of functions by the Secretary of Labor under this subsection or under any other provision of this section shall relieve the Secretary of Labor of responsibility for the administration of such functions.

(f) REORGANIZATION.—The Secretary of Labor is authorized to allocate or reallocate any function transferred under subsection (b) among the officers of the Department of Labor, and to establish, consolidate, alter, or discontinue such organizational entities in the Department of Labor as may be necessary or appropriate.

(g) RULES.—The Secretary of Labor is authorized to prescribe, in accordance with the provisions of chapters 5 and 6 of title 5, United States Code, such rules and regulations as the Secretary of Labor determines necessary or appropriate to administer and manage the functions of the Department of Labor.

(h) TRANSFER AND ALLOCATIONS OF APPROPRIATIONS.—Except as otherwise provided in this section, the assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds used, held, arising from, available to, or to be made available in connection with the functions transferred by this section, subject to section 1531 of title 31, United States Code, shall be transferred to the Department of Labor. Unexpended funds transferred pursuant to this subsection shall be used only for the purposes for which the funds were originally authorized and appropriated.

(i) TRANSFERS.—The Director of the Office of Management and Budget, at such time or times as the Director shall provide, is authorized to make such determinations as may be necessary with regard to the functions transferred by this section, and to make such dispositions of assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds used, held, arising from, available to, or to be made available in connection with such functions, subject to section 1531 of title 31, United States Code, as may be necessary to carry out the provisions of this section. The Director of the Office of Management and Budget shall provide for the termination of the affairs of all entities terminated by this section and for such further measures and dispositions as may be necessary to effectuate the purposes of this section.

(j) SAVINGS PROVISIONS.—

(1) CONTINUING EFFECT OF LEGAL DOCUMENTS.—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(A) which have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions which are transferred under this section; and

(B) which are in effect at the time this section takes effect, or were final before the effective date of this section and are to become effective on or after the effective date of this section,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Secretary of Labor or other authorized official, a court of competent jurisdiction, or by operation of law.

(2) PROCEEDINGS NOT AFFECTED.—The provisions of this section shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending before the Department of Housing and Urban Development at the time this section takes effect, with respect to functions transferred by this section but such proceedings and applications shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this section had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this paragraph shall be deemed to prohibit the discontinuance or modification of any

such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this section had not been enacted.

(3) SUITS NOT AFFECTED.—The provisions of this section shall not affect suits commenced before the effective date of this section, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this section had not been enacted.

(4) NONABATEMENT OF ACTIONS.—No suit, action, or other proceeding commenced by or against the Department of Housing and Urban Development, or by or against any individual in the official capacity of such individual as an officer of the Department of Housing and Urban Development, shall abate by reason of the enactment of this section.

(5) ADMINISTRATIVE ACTIONS RELATING TO PROMULGATION OF REGULATIONS.—Any administrative action relating to the preparation or promulgation of a regulation by the Department of Housing and Urban Development relating to a function transferred under this section may be continued by the Department of Labor with the same effect as if this section had not been enacted.

(k) SEPARABILITY.—If a provision of this section or its application to any person or circumstance is held invalid, neither the remainder of this section nor the application of the provision to other persons or circumstances shall be affected.

(l) TRANSITION.—The Secretary of Labor is authorized to utilize—

(1) the services of such officers, employees, and other personnel of the Department of Housing and Urban Development with respect to functions transferred to the Department of Labor by this section; and

(2) funds appropriated to such functions for such period of time,

as may reasonably be needed to facilitate the orderly implementation of this section.

(m) ACCOMPLISHING ORDERLY TRANSFER.—Consistent with the requirements of this section, the Secretary of Labor and the Secretary of Housing and Urban Development shall take such actions as the Secretaries determine are appropriate to accomplish the orderly transfer of functions as described in subsection (b).

(n) ADMINISTRATION OF PRIOR GRANTS.—Notwithstanding any other provision of this Act, grants awarded under subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12899 et seq.) with funds appropriated for fiscal year 2006 or a preceding fiscal year shall be subject to the continuing authority of the Secretary of Housing and Urban Development under the provisions of such subtitle, as in effect on the day before the date of enactment of this Act, until the authority to expend applicable funds for the grants, as specified by the Secretary of Housing and Urban Development, has expired and the Secretary has completed the administrative responsibilities associated with the grants.

(o) REFERENCES.—A reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or relating to—

(1) the Secretary of Housing and Urban Development with regard to functions transferred under subsection (b), shall be deemed to refer to the Secretary of Labor; and

(2) the Department of Housing and Urban Development with regard to functions transferred under subsection (b), shall be deemed to refer to the Department of Labor.

(p) EFFECTIVE DATE.—This section takes effect on the earlier of—

(1) the date of enactment of this Act; and

(2) September 30, 2006.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Delaware (Mr. CASTLE) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Delaware.

GENERAL LEAVE

Mr. CASTLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on S. 3534.

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

There was no objection.

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

It gives me great pleasure to rise today in support of S. 3534, the YouthBuild Transfer Act. I have been working with my Senate colleagues, the administration, the YouthBuild community, and the gentleman from Massachusetts (Mr. FRANK) for over a year, and I am pleased that we are here today to finish our work and send the transfer to the President.

YouthBuild began as a community-based organization in 1978, was later replicated in other cities, and ultimately authorized by Congress in 1992. The program provides grants for job training and educational opportunities for at-risk youth who help construct or rehabilitate housing for low-income or homeless families and individuals in their respective communities. Each year, youth who participate in YouthBuild receive a combination of classroom and job skills development and on-site training in a construction trade.

Today there is a national network of more than 225 local YouthBuild programs which have served more than 54,000 young people and built more than 14,000 units of affordable housing in 44 States since 1994. In my work on the Committee on Education and the Workforce, it is clear that our high schools still have room for reform and that graduation rates are a significant problem. This program fulfills a small niche and is making a difference not only in degree attainment but also skills.

Since 1992, the program has been operated out of the U.S. Department of Housing and Urban Development. Given the fact that the program is at its core an employment and training program for disadvantaged youth, today's bill will delete the program from HUD's jurisdiction and transfer administrative responsibilities to the U.S. Department of Labor.

The ultimate goal of the transfer is to improve services to youth. This is accomplished through the transfer but also in a number of ways, including establishing a stronger linkage to the Workforce Investment Act, WIA, One-Stop System's specialized resources, expertise and market knowledge, particularly in connecting the individuals to supportive services and placing individuals in education, training, or occupations in demand. In addition, the bill authorizes additional education and workforce investment activities including occupational skills training, internships and job shadowing, alternative secondary school services, community service and peer-centered activities, and comprehensive guidance and counseling.

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While enhancing these services, the YouthBuild program will maintain its mission to provide affordable housing for low-income and homeless individuals and families. Eligibility is targeted to a more specific youth population by including, in addition to meeting the current-law requirements of being between the ages of 16 and 24, and not having finished school, being in one or more of the following categories: a member of a low-income family, foster care youth, youth offenders, disabled youth, children of incarcerated parents, and migrant youth.

To ensure that other at-risk youth have access to the program, an exemption to the eligibility requirements will be expanded to allow secondary schools to refer students to a YouthBuild program that leads to the attainment of a secondary school diploma.

This is an easy program to support. Not only does it address housing needs in our communities, but also addresses important educational workforce needs by providing meaningful opportunities for at-risk youth to acquire the basic education and job skills needed to advance to productive employment and higher education.

It is not often the case that a program meets two important needs. Mr. Speaker, I urge my colleagues to continue their support of the program by passing this.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise in support of the YouthBuild Transfer Act, which would move this valuable community development program from the Department of Housing and Urban Development to the Department of Labor.

The YouthBuild is a program designed to offer construction job opportunities and leadership training to low-income youth while building affordable housing for low-income communities.

While the program has been located in the Department of Housing and Urban Development since its inception in 1993, this bill reflects a new understanding about how we should approach youth issues. Ultimately, the YouthBuild is a youth development program where the participants, largely at-risk young men, nearly half of whom are African Americans, have the opportunity to complete their education and prepare for future careers while developing leadership skills and

learning the value of civic engagement and community service.

YouthBuild participants benefit from the strong counseling and support component of the program. Counseling through the YouthBuild helps participants navigate work and education barriers such as substance abuse, child care, and transportation.

After graduating, YouthBuild participants continue to have access to the resources that will help them explore post-secondary options, have successful careers, and become role models for other at-risk youth.

Since 1993, nearly 60,000 young people have built over 15,000 units of affordable housing. Yet this program has value that far surpasses only the development of affordable housing. This bill provides for the transition of this program from the Department of Housing and Urban Development to the Department of Labor and specifically as a national program under the Workforce Investment Act.

By integrating the YouthBuild into WIA programs, the program will have access to a wider range of youth employment resources. As a national program it will have the attention of the Secretary of Labor.

We welcome the program to the jurisdiction of the Committee on Education and the Workforce. With continued appropriations, I am confident that this program will continue to thrive in the Department of Labor.

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

Mr. CASTLE. Mr. Speaker, I continue to reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. FRANK), the ranking member of Financial Services.

Mr. FRANK of Massachusetts. Mr. Speaker, I appreciate very much the yielding by the ranking member from the Education and Workforce Committee. I hope we are going to set some good examples for the body today.

First, my friend from Illinois correctly noted that I am the ranking member of the Committee on Financial Services, which under this bill will lose jurisdiction over the program. And I cheerfully get up here to thank my colleagues for doing this.

We are too consumed by turf in this body. I must say, having served on a number of committees, there is not a committee in the Congress that does not have more to do than any rational human being can handle. I wish people would be less concerned about turf.

I agree here: this is a program that makes more sense in the Workforce Committee. It will also resolve a problem we have had in which the appropriation for this program was bounced back and forth between the appropriations subcommittee that deals with HUD and the appropriations committee that deals with the Department of Labor.

I do note parenthetically, I guess, I am surprised that my Republican colleagues have not yet changed the name of the Secretary of Labor to the Secretary of Workforce. They let that nasty word ''labor'' survive longer than I think they meant to.

The point is that there was a tension that was there. I want to express my appreciation to all of my colleagues, including those on the appropriations committee, for dealing with it. And my understanding is that once this bill, which goes from here to the President's desk for what I know is a sure signature, it will free up a contingent appropriation that we have, that is, an appropriation was in, I think, the Labor-H bill contingent on this being done.

So this is a good example, I hope, of cooperation between committees about how to do things. It is also a very good example of bipartisanship. I want to particularly express my appreciation and admiration to the gentleman from Delaware. This was a subject that should not have been hard, but for a variety of reasons it became hard. It involved two appropriations subcommittees, two standing committees, and then it involved that wondrous place, the United States Senate, where very little is simple.

And I want to express my admiration for the extent to which the gentleman from Delaware navigated between shoals in the Senate. I do notice that the Washingtonian magazine listed him as a ''bridge builder.'' And I have to say that in getting all of the various pieces together, and he was able to take the lead in this, he built a bridge that rivals the Delaware Water Gap Bridge in terms of what he was able to do. I am very appreciative.

Because what we have here, as both of my colleagues have said, is a wonderful program. It does what a lot of people talk about doing, but we are rarely able to do. It goes to young people, including many young people who have had troubled pasts who have been not only troubled, but let's be honest, troubling to others. And it takes some of those who are willing to make an effort to straighten out their lives and gives them a framework in which to do it. I have experienced this program in the city of New Bedford, Massachusetts, which has had some problems.

I see my colleague from Georgia here, who did us the great honor of coming to New Bedford and was very well received. We have a situation there with young people who were in those circumstances, and this program has been a wonderful program.

It is actually kind of a two-in-one program, because it provides great help to the young people, and we also get some affordable housing out of it. It is not primarily a housing program, that is why it belongs in this Committee on Workforce, but it does have a housing benefit. And so what we have is a very good program tangled up in jurisdictional issues.

Thanks to the leadership of the gentleman from Delaware, and it was a fortuitous circumstance that he serves on both of the committees, Financial Services and Education and Workforce, and the great enthusiasm of the gentleman from Illinois who has been a strong advocate of this and has helped when we tried to save it a couple of times.

Because of this ambiguity, it was in nobody's appropriation bill. Given the limited allocations that appropriators have, they have the reverse turf issue, because the more you have to cover a program, the less you have got for your other programs. So for a couple of years now, we have had this problem where this program became orphaned in the appropriations process. It was the subject of an unusual custody: both parents were insisting that the other one take responsibility.

We finally resolved that. And so what has happened is that the legislative situation has caught up with an excellent substance. And I now am very pleased that we are going to pass this bill. It is going to be signed by the President. The appropriation will go forward. I have to say the appropriation is not what I would like it to be. Like a lot of other good programs, it has suffered from being squeezed by the, I think, the distorted priorities of this Congress. I do not want to be wholly bipartisan about all of this.

But at least we have saved the program to fight again for a better day. For that I thank the gentleman from Delaware for his leadership, the gentleman from Illinois who has been a strong supporter, and let me say, as a member of the Financial Services Committee, and we had jurisdiction over this program, I say good-bye to it cheerfully, because I understand that in its new home it will be very well taken care of.

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

Mr. Speaker, let me thank the gentleman from Massachusetts for his kind words. I hadn't thought about the jurisdictional aspects of this bill until he raised it for it. I cannot really take much credit for it since I am both the receiving and the giving end of this.

But I do agree with his kind words about the legislation. He has been a behind-the-scenes pusher for this legislation for all of this time. In fact, frankly, without his support we would not be where we are today. He is absolutely right: nobody is ever willing to yield jurisdiction on anything around here. So it is a sign of the times, perhaps, that we can move something forward.

I have no further speakers and I am prepared to yield.

Mr. DAVIS of Illinois. Mr. Speaker, I have no further requests for time. I would like to thank the gentleman from Delaware. I want to thank the gentleman from Massachusetts for recognizing that enough is enough and that there is enough work to go around, and for being willing to give up jurisdiction of this work.

I am sure that Education and the Workforce would gladly take it.

Mr. MCKEON. Mr. Speaker, I rise today in support of S. 3534, the YouthBuild Transfer Act. I commend the gentleman from Delaware for his leadership on this issue and for sponsoring the corresponding House legislation.

Through community organizations nationwide, YouthBuild provides education and job training services, leadership training, counseling, and other support activities to at-risk youth, who—as part of their training—help construct or rehabilitate housing for low-income or homeless families in their communities.

The bill before us today simply would transfer operation and oversight of the program from the Department of Housing and Urban Development to the Department of Labor. President Bush proposed this change in his two most recent budgets, based on the recommendation of the White House Task Force for Disadvantaged Youth.

The YouthBuild program is, at its core, an employment and training program for disadvantaged youth. The Department of Labor is the Federal agency with primary responsibility for providing youth development and employment services, including the youth development program of the Workforce Investment Act and the Job Corps program. Therefore, moving this program to the Department of Labor will allow better coordination of services for at-risk youth, strengthen connections to the workforce investment system, and streamline program operations.

Mr. Speaker, by moving the program under the Workforce Investment Act, YouthBuild will make more efficient and effective use of Federal funds. The program will be able to maximize collaboration with partners in the One-Stop Career Centers and reduce duplication of efforts across funding streams. In addition, the program will emphasize training that leads to industry-recognized certifications, which will increase participants' access to high demand jobs. At the same time, the program will retain the dual purpose of providing affordable housing.

In short, this transfer will enhance the YouthBuild program and provide meaningful opportunities for at-risk youth to acquire the basic education and job skills they need to advance to higher education and productive employment, while at the same time helping rebuild communities. This is a sound, straightforward, and common sense proposal that I urge my colleagues to support.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to support S. 3534, a bill to amend the Workforce Investment Act of 1998 to provide for a YouthBuild program.

The YouthBuild Program enables disadvantaged youth to obtain the education and employment skills necessary to achieve economic self-sufficiency in occupations in demand and postsecondary education and training opportunities.

The program provides disadvantaged youth with opportunities for meaningful work and service to their communities. The goals of the program include fostering the development of employment and leadership skills and commitment to community development among youth in low-income communities, and expanding the supply of permanent affordable housing for homeless individuals and low-income families by utilizing the energies and talents of disadvantaged youth.

The program provides a crucial package of work experience and skills training, occupational skills training, internships and job shadowing, remedial education, language instruction educational programs for individuals with limited English proficiency, secondary education, counseling and assistance in obtaining postsecondary education and required financial aid, and job search assistance.

If you are between the ages of 16 and 24, and have dropped out of school, this is a way to pick up the pieces and learn a craft that can literally rebuild your life and rebuild your neighborhood.

The program is intended for individuals who are serious and committed, interested in learning construction, interested in helping to rehabilitate affordable housing, a low income School drop out, and member of a low-income family, a youth in foster care including youth aging out of foster care, a youth offender, a youth who is an individual with a disability, a child of incarcerated parents, or a migrant youth.

This is an excellent program; we are pleased to have it in my district in Houston. However, it is underfunded, and because of this, it struggles to find the direction it needs to achieve, its maximum benefit. Worthwhile programs like this must be fully funded and supported.

I urge my colleagues to support this bill.

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

Mr. CASTLE. Mr. Speaker, I urge support of what I think is a very good piece of legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and pass the Senate bill, S. 3534.

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

A motion to reconsider was laid on the table.

CONGRATULATING SPELMAN COLLEGE ON ITS 125TH ANNIVERSARY

Mr. PRICE of Georgia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 875) congratulating Spelman College on the occasion of its 125th anniversary, as amended.

The Clerk read as follows:

H. RES. 875

Whereas Spelman College was established by Sophia B. Packard and Harriet E. Giles, school teachers and Baptist missionaries, in 1881 in Atlanta, Georgia, for the purpose of educating African American women and girls;

Whereas as a result of the benevolence of John D. Rockefeller, Sr. and Laura Spelman Rockefeller, the name of the institution was changed from ''Atlanta Baptist Female Seminary'' to ''Spelman Seminary'' in honor of the Spelman family;

Whereas the curriculum expanded to include high school and college classes, and Spelman Seminary conferred its first high school diplomas in 1887, and its first college degrees in 1901;

Whereas in 1924, Spelman Seminary officially became Spelman College and grew to become a leading undergraduate institution for African American women;

Whereas Spelman College was ranked among the top 75 Best Liberal Arts Colleges according to U.S. News & World Report, 2007 edition;

Whereas Spelman College is one of six institutions designated by the National Science Foundation and the National Aeronautics and Space Administration as a Model Institution for Excellence in undergraduate science and math education;

Whereas the administration of Spelman College has initiated a strategic plan for Spelman (''Spelman ALIVE'') that includes five goals: Academic excellence, Leadership development, Improving the infrastructure, Visibility of accomplishments of the campus community, and Exemplary customer service, all designed to create a vision for Spelman of ''Nothing Less than the Best''; and

Whereas Spelman College has prepared more than six generations of African American women to reach the highest levels of academic, community, and professional achievement: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates Spelman College on the occasion of its 125th anniversary; and

(2) commends the administration, faculty, staff, students, and alumnae of Spelman College for their outstanding achievements, and contributions to African American education, history, and culture.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. PRICE) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. PRICE of Georgia. Mr. Speaker, I ask unanimous consent that Members may have 5 legislative days in which to revise and extend their remarks on House Resolution 875.

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

There was no objection.

Mr. PRICE of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of House Resolution 875, which is a resolution to recognize the contributions of Spelman College on the occasion of its 125th anniversary. I sincerely want to thank the gentleman from Georgia, my good friend, Mr. LEWIS, for introducing this resolution and for his continuing recognition of the important role Spelman College plays in educating young women from all over the world.

Spelman College, located in Atlanta, Georgia, was originally founded in 1881 by two women with the intent of serving as an all-female seminary school. The school has since expanded its mission and ranks now as one of the leading liberal arts institutions offering a full range of degrees.

Today, Spelman educates over 2,000 young women and brings students from across the United States and around the globe to our community of Atlanta. As a Historically Black College and University, Spelman is one of a diverse community of institutions. Historically, black colleges and universities

include 2- and 4-year institutions, both public and private, as well as single sex and coed.

To be designated a Historically Black College or University, an institution must have been established prior to 1964, with a primary mission of educating African Americans.

Mr. Speaker, these schools have a long, proud and well-established heritage. These institutions have been educating students of this Nation for over 100 years. And while comprising less than 3 percent of the country's 2- and 4-year institutions, they are responsible for producing a significant number of all bachelors, masters and professional degrees earned by African Americans.

Congress has repeatedly recognized the importance of Historically Black Colleges and Universities. Between 1995 and 2006, congressional funding for strengthening the Historical Black Colleges and Universities program rose from $109 million to $238 million, a 118 percent increase.

Furthermore, funding for the graduate programs increased from $19.6 million to $57.9 million over that same period of time, an increase of nearly 200 percent.

Historically, Spelman College has been named as a college with the ''best environment.'' Spelman works with its fellow colleges and universities to advance the goals of educating African American students as part of the largest consortium of historically black higher education institutions in the world.

□ 1600

It does this by sharing cross-registration with its partner institutions, which include Clark Atlanta University, the Interdenominational Theological Center, Morehouse College and the Morehouse School of Medicine.

Mr. Speaker, for this reason and many more, I urge my colleagues to honor the 125th anniversary of Spelman College and support H. Res. 875.

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

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he might consume to the gentleman from Georgia (Mr. LEWIS), the author of this legislation and the chief deputy whip of the Democratic Caucus.

Mr. LEWIS of Georgia. Mr. Speaker, I want to thank my colleague and friend Mr. DAVIS for yielding.

Mr. Speaker, it is with great pleasure and delight that I rise with my colleague Mr. KINGSTON of Georgia to offer H. Res. 875, a resolution commemorating the 125th anniversary of Spelman College. I must also thank Mr. PRICE and Mr. GINGREY of Georgia for being here to participate in the passing of this resolution.

Mr. Speaker, not so long ago, 50 years ago, in many parts of the American south, black women had limited options when it came to furthering their education after high school. Just 50 years ago, black women were turned away from many colleges and universities throughout the south. They were turned away not because of a low GPA, not because of inferior SAT scores and not for submitting a poorly written essay with their application. So many of these students were turned away simply because of the color of their skin.

Mr. Speaker, fortunately, since 1881, Spelman College has been here to provide hope, opportunity and a bright future for women of color. Created for the purpose of educating African American women and girls, Spelman is part of the Atlanta University Center, which is the largest concentration of historic black universities and colleges in the Nation. Spelman College is located in Atlanta, Georgia, and I have the privilege of representing Spelman as part of my congressional district. Spelman has a very diverse student population from 41 States and 15 foreign countries. It has been ranked among the top 75 liberal arts colleges in the Nation by U.S. News and World Report.

Mr. Speaker, one of the many things that I admire about Spelman College is that its students are encouraged to pursue the study of fields where minorities and women are often underrepresented. This is evident in Spelman's continued emphasis on exposing black women to the fields of science and engineering. Spelman has established a partnership with NASA, and it is one of six institutions designated by the National Science Foundation and NASA as a model institution for excellence in undergraduate science and math education.

Mr. Speaker, last summer, Spelman College made history when six Spelman women qualified for the International Robo Cup 2005 Four-Legged Robot Soccer Competition in Japan. They were the first and only historically black college and university, the only all-women institution and the only United States undergraduate institution to qualify for this tournament.

Mr. Speaker, under the leadership of current Spelman's president, Dr. Beverly Daniel Tatum, I have every confidence that the institution will continue to excel. Dr. Tatum's extraordinary vision for the college will enable Spelman to make extraordinary contributions to our Nation for another 125 years and beyond. I want to congratulate President Tatum for creating and executing the Spelman ALIVE initiative that promotes the following ideas for Spelman: Academic excellence, Leadership development, Improving our environment, Visibility of our achievements and Exemplary customer service. I understand that this program is enjoying much success.

Mr. Speaker, for 125 years, Spelman College has empowered women to fully use their talents to succeed and to better the world. For many years, Spelman College served as a refuge for black women seeking to further their education when they were turned away by others. Fortunately, times have changed, and black women have virtually unlimited options when it comes to pursuing a college education today.

Nevertheless, Spelman's impact on our society remains as important as ever. As one of two historically black women's colleges in the Nation, Spelman College has a rich and historical legacy that we must continue to celebrate.

So, Mr. Speaker, I ask and urge all of my colleagues in the House to join me and Congressman KINGSTON in commemorating the 125th anniversary of Spelman College and in supporting this resolution.

Mr. PRICE of Georgia. Mr. Speaker, I am pleased to yield 2 minutes to my colleague from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank Mr. PRICE for his cosponsorship of this, and also, I wanted to acknowledge my friends Mr. SCOTT and Mr. GINGREY for their cosponsorship, but I also wanted to say, many thanks to my friend JOHN LEWIS, the lead sponsor of this.

When he asked me to cosponsor the resolution commemorating Spelman College for their 125th anniversary, it was an easy ''yes,'' Mr. Speaker, and it was easy because I had an employee who is a Spelman graduate. Her name is Karen Robenson Boggans. She is not working with me anymore and, indeed, has gone on to bigger and better things, but I hope that I helped her on the pathway to the top. She is doing great things.

When she was my legislative assistant, Karen handled many issues. She was smart, intelligent, capable, task-oriented, focused and got the job done, and only because she was moving out of town did she leave our office. In fact, when she moved back to Savannah, I was able to get her to come back to work for us for a short period of time, and then she got a bigger calling one more time.

But if she is an example, and she is, of a Spelman graduate, it is a great institution, and I know it to be a great institution.

As Mr. LEWIS pointed out: in 1881, when Spelman was started, it was a school for African American women because there were not many choices. Now there are lots and lots of choices, and yet Spelman still continues to show lots of leadership. It is still a great choice for women to go to this school because they learn how to be competitive, and they learn business, and they learn how to write, and they learn the basics of getting the job done. They are all over the world today. They are in 39 different countries and 42 different States. It is international in scope.

The funding for historically black colleges and institutions since 1995, under the leadership, I believe, of J.C. Watts, and as much as anybody, but good bipartisan leadership has increased 118 percent. Spelman College is

an investment not just in historically black colleges and institutions but in America, because you are investing in your own people who will go on to become great leaders in our country.

So I am proud to stand as a cosponsor of this, and I thank the gentleman.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 6 minutes to another son of Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, thank you very much to my distinguished colleague from Chicago, Congressman DAVIS; my distinguished colleague and Congressman from Georgia, JOHN LEWIS; to my distinguished colleagues from Georgia, Mr. KINGSTON, Dr. Price. I appreciate so much having this opportunity, and I am also pleased to join with my colleague Mr. GINGREY.

I am honored on this day to recognize one of our Nation's most prestigious institutions of higher learning, and that is indeed Spelman College. Singularly devoted to the education of women, Spelman College now celebrates its 125th anniversary this year.

What an extraordinary story this is, Mr. Speaker, because when you tell the story of Spelman, you are telling a truly genuine American story that represents the heart and soul of what America is all about.

Spelman College is a private and historically black college that opened its doors less than two full decades after the Emancipation Proclamation and the ratification of the 13th amendment, and out of necessity, and it was necessary to provide educational opportunities for black women in the south when none existed.

To get the proper perspective on this, Mr. Speaker, we must understand that it was not long, just a few years before this, when the law of the land was not to allow African Americans to even read a book. Just think of that: In this country, it was against the law for African Americans to even learn to read.

It is within this backdrop that Spelman College stepped forward.

Sophia B. Packard and Harriet E. Giles founded Spelman College in Atlanta, Georgia, naming it first the Atlanta Baptist Female Seminary. It began as a comprehensive academy that provided education for women from elementary school all the way through to college. It was renamed Spelman Seminary in 1884 and underwent one final change, becoming Spelman College in 1924.

Let me stop for a moment to give the importance of this name Spelman. It originated from a member of the distinguished Rockefeller family. For without John D. Rockefeller, it can arguably be said that there would have been no Spelman.

Reflecting on the early relationship forged by this institution's founders, it was a unique relationship with John D. Rockefeller himself who provided necessary resources that ensured the longevity of this college. So as we celebrate the 125th anniversary of Spelman College, let us pay direct homage to the Rockefeller family, without whom this college would not have been.

The academic achievements of its students and the rigor of its academic programs have brought numerous honors to this private college. Spelman was awarded a chapter of Phi Beta Kappa honor society in 1998, one of only four historically black colleges and universities to receive such an honor. In 2003, Spelman was named one of six institutions to receive a $4.2 million grant from the National Institutes of Health's National Center for Minority Health and Health Disparities to eliminate health disparities among racial and ethnic minorities.

They put together a health and wellness initiative that set the standard for academic institutions' outreach to the community to improve health care. Spelman College did that.

Throughout its history, Spelman's campus has grown, reflecting the addition of new programs and the strengthening of its renowned liberal arts program. A new academic center that houses several departments, a museum and the college archives resulted from a $20 million donation from Bill and Camille Cosby.

Indeed, an institution lives in the hearts and minds of the people who inhabit it, and Spelman's many accomplished graduates include the founder of the Children's Defense Fund, Marian Wright Edelman; actress Esther Rolle; Pulitzer Prize novelist Alice Walker; and writer, Pearl Cleage.

Many distinguished presidents have been at its helm, notably Dr. Johnetta Cole, the institution's first black female president and current president of Bennett College; Dr. Audrey Manley, former deputy Surgeon General; and current president, Dr. Beverly Tatum, administrator and clinical psychologist.

What a great day this is, Mr. Speaker, for us to be able to stand here in this wonderful country and pay homage to Spelman College on its 125th anniversary. What a distinguished institution, and we are proud of the great service that it has given to African Americans for sure, but most definitely to this great Nation of America and the world.

□ 1615

Mr. PRICE of Georgia. I am pleased to yield 3 minutes to my friend and colleague from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I thank my colleague for yielding, and I rise today to congratulate Spelman College on its 125th anniversary. This is a historic anniversary for a historic institution, and I am indeed proud to cosponsor the resolution of my good friend Mr. LEWIS and my other Georgia colleagues in honoring Spelman College.

In 1881, two female schoolteachers, Sophia Packard and Harriet Giles, established Spelman College in Atlanta for the purpose of educating African American women and girls. Over its 125-year history, there have been many individuals who have worked hard to bring excellence to this institution, a tradition that indeed continues today.

Spelman College today encompasses a student body of more than 2,100 students from more than 21 States and 15 foreign countries. In 2006, their excellence was noted nationally when U.S. News and World Report ranked Spelman College among the top 75 best liberal arts colleges in the country.

Mr. Speaker, in this resolution, just looking at a couple of points, Spelman College was ranked, as I say, among the top 75 best liberal arts colleges, according to U.S. News and World Report; also the Association of Medical Colleges ranked Spelman fifth among undergraduate programs for black students accepted to medical school; and Spelman is one of six institutions designated by the National Science Foundation and the National Aeronautics and Space Administration as a model institution for excellence in undergraduate science and math studies.

Mr. Speaker, I want to take this opportunity to commend Spelman College President Dr. Beverly Daniel Tatum, as well as the administration, the faculty, students, and alumni for contributing to the enormous success Spelman College has achieved over these past 125 years. With Dr. Tatum's vision for achieving excellence, I know the next 125-plus years will see the same quality education and the strong community support of Spelman College.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join with Representatives PRICE, KINGSTON, GINGREY, SCOTT, and my good friend and the chief sponsor of this legislation, Mr. LEWIS from Georgia. I rise in strong support of H. Res. 875 congratulating Spelman College on the occasion of its 125th anniversary.

I am pleased to take this opportunity to recognize the achievements of this fine institution of higher education and to pay special tribute to the unique role it has played in the lives of students, especially African American women. Spelman College, founded in 1881, for the purposes of educating African American women, set a high standard early on for providing quality instruction and valuable experiences, especially at a time when opportunities were not plentiful for African Americans, let alone African American women.

As a Historically Black College, Spelman has focused on not only increasing opportunities for black women, but it is also their mission to ensure students think objectively, critically, and creatively within a moral framework. Founded by two Massachusetts teachers, Harriet Giles and Sophia Packard, the school was originally named the Atlanta Baptist Female Seminary. The school was started with 11 black women and $100 given to Miss Giles and Miss Packard

by a church congregation in Medford, Massachusetts. With the $100, the two teachers built more than a school, rather a foundation and a reason for women to believe in themselves and to aspire to do and be more.

The school eventually became Spelman College, named after John D. Rockefeller's in-laws. When funds ran out, Rockefeller settled the debt on the property and donated funds for what is currently the oldest building on campus, Rockefeller Hall. This institution produced many notable alumni, including Marian Wright Edelman, head of the Children's Defense Fund; novelist Alice Walker; as well as the mother of Martin Luther King, Jr., Ms. Alberta Williams King.

Spelman continues the tradition of excellence as one of the best liberal arts colleges in the Nation, according to the latest rankings of U.S. News and World Report. This prestige is coupled with the designation by the National Science Foundation and the National Aeronautics and Space Administration as a model institution for excellence in undergraduate science and math education. Spelman is one of six in the country with this designation.

In the Spelman tradition of seeing a need and filling the need, the school created the Spelman College Health and Wellness Initiative. This program is helping to create preventive strategies for the unique circumstances that apply to all African American women. These strategies are currently being developed and used to prevent cancer, cardiovascular diseases, diabetes, and HIV/AIDS in African American women.

To top this all off, last year Spelman College made history when six Spelman women qualified for the international RoboCup 2005 robot soccer competition in Osaka, Japan. They were the first and only Historically Black College and University, the only all-women institution, and the only United States undergraduate institution to qualify for this tournament. For those of you unfamiliar with the RoboCup, it is truly an amazing competition. Students from all over the world enter their robot into a competition to play soccer against humans.

Spelman is one of those schools that offers its students the opportunity to broaden their horizons and reach their fullest potential. Among African American women especially, and in black life, the young African American woman who gets an opportunity to go to Spelman considers herself to be not only honored but is often in awe. It is considered to be sui generis, fruit of the loom, in a class by itself, all alone. And there is nothing more delightful to a young African American woman growing up in this country than the opportunity to attend Spelman.

So I join with all of my colleagues in congratulating this fine and outstanding institution, and I urge support for this resolution.

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

Mr. PRICE of Georgia. Mr. Speaker, I am pleased also to join Mr. DAVIS and my good friends from Georgia, Mr. SCOTT, and the author, Mr. LEWIS, in urging all of my colleagues to support H. Res. 875.

Mrs. JONES of Ohio. Mr. Speaker, I rise today to congratulate Spelman College on the occasion of their 125th anniversary. 125 years ago, two Baptist missionaries Sophia B. Packard and Harriet E. Giles traveled to Atlanta, Georgia for the purpose of educating African American women and girls. Founded as Atlanta Baptist Female Seminary on April 11, 1881, the first Bible class was held in the basement of the Friendship Baptist Church for 11 brave young women—who only years earlier had been enslaved.

Since that day, Spelman College has maintained a tradition of producing African American women of excellence who have gone on to serve in various capacities throughout the world and has empowered its daughters to make a difference in their communities while shattering stereotypes.

Spelman is an institution within the African American community and remains an intricate part of American history. In 1884, the college was renamed Spelman Seminary, and later Spelman College, in honor of Mrs. Laura Spelman Rockefeller and her parents Harvey Buel and Lucy Henry Spelman, who were longtime activists in the antislavery movement. In 1968, thousands came to mourn the loss of Rev. Martin Luther King, Jr., whose body was laid in state on Spelman's Campus in the historic Sisters Chapel. And in 1987, millions of viewers were introduced to Spelman's beautiful campus through the groundbreaking Cosby Show spin-off "A Different World."

Today, Spelman continues to be the leading institution for educating African American women and was ranked among the top 75 Best Liberal Arts Colleges according to U.S. News & World Report, 2005 edition.

I am proud to say that I am a friend of Spelman College. Dr. Johnnetta B. Cole, the first African American female to serve as president of Spelman is a good friend of mine. Additionally, Nicole Y. Williams, a class of 2000 Spelman graduate and the current president of the Washington, D.C. Chapter of the National Alumnae Association of Spelman College has been a member of my staff for over five years serving as my Communications Director.

Spelman's current President, Dr. Beverly Daniel Tatum continues to strengthen the Spelman legacy through her Spelman ALIVE strategic plan that includes five goals: Academic excellence, Leadership development, Improving the infrastructure, Visibility of accomplishments of the campus community, and Exemplary customer service, all designed to create a vision for Spelman of 'Nothing Less than the Best'.

So today, I join my colleagues in commending Spelman College on reaching this milestone and wish them continued success.

Mr. MARKEY. Mr. Speaker, I would like to add my congratulations to Spelman College for providing African American women with outstanding education and guidance for the last 125 years.

Spelman College was founded in 1881 as Atlanta Baptist Female Academy by two women commissioned by the Baptist church to provide educational opportunities for newly freed black women. Spelman began in a damp church basement with 11 pupils, mostly women, determined to learn to read the Bible and write well enough to send letters to their families in the North. The academy first offered postsecondary education in 1897. It adopted its present name in 1924.

Two years after its founding, the former barracks and drill grounds used for federal troops after the Civil War were purchased for the school for $15,000. To pay the enormous debt, the black community raised $4000, the Negro Baptists of Georgia raised $3000, and individuals donated $1300, which left an outstanding balance of $6700. John D. Rockefeller was so impressed with the school when he visited that before he left, he paid the outstanding balance, which resulted in a name change to Spelman Seminary, in honor of Rockefeller's mother-in-law, Harvey Spelman. Several years later, Rockefeller donated $40,000 toward the building of Rockefeller Hall, named in his honor.

Spelman continues to be blessed with friends dedicated to its mission to provide high-quality educational opportunities to black women. Spelman was the recipient of a $20 million gift from entertainer Bill Cosby and his wife Camille to build the Camille Olivia Hanks Cosby Academic Center. The school also receives $37 million from the DeWitt Wallace/Spelman College Fund, which was established by the founder of the Reader's Digest Association. The College has gained national recognition as a result of such philanthropic gifts and the fact that it was the basis for the fictional black college in the television show "A Different World."

Despite large-scale development, Spelman continues to place special emphasis on the cultural, social, and personal development of each student and sisterhood and individual discovery is encouraged and stressed. Spelman continues to prepare women to become successful in any field they choose while also instilling a sense of giving back to the community, with their motto of "Women Who Serve". The founder of the Children's Defense Fund, Marian Wright Edelman, Spelman '60, is perhaps this generation's most effective voice for the disadvantaged and forgotten in our society. The author Alice Walker, Spelman '63, who received the Pulitzer Prize in literature for The Color Purple is also a dedicated activist and social visionary.

I am particularly proud that a Massachusetts native and member of the Spelman class of 2006, Tulani Elisa, has chosen to serve the people of the 7th Congressional District of Massachusetts here in my Washington office.

Congratulations to a great American institution of higher learning and of commitment to service.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 875, Congratulating Spelman College on the occasion of its 125th anniversary.

Spelman College was established by Sophia B. Packard and Harriet E. Giles, school teachers and Baptist missionaries, in 1881 in Atlanta, Georgia, in order to educate African American women and girls.

The seminary conferred its first high school diplomas in 1887, and its first college degrees in 1901. In 1924, Spelman Seminary officially became Spelman College and grew to become a leading undergraduate institution for African American women.

Spelman College has prepared more than six generations of African American women to reach the highest levels of academic, community, and professional achievement.

Spelman College continues to pave the way for new generations of African American students. The college offers competitive and high quality academic programs in liberal arts, humanities, sciences, communications, and engineering, to name just a few.

The Association of Medical Colleges ranks Spelman College fifth among undergraduate programs for Black students accepted to medical school, and Spelman is one of six institutions designated by the National Science Foundation and the National Aeronautics and Space Administration as a Model Institution for Excellence in undergraduate science and math education.

I urge my colleagues to support the achievements of this institution, and support this resolution honoring the 125th anniversary of Spelman College.

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 Georgia (Mr. PRICE) that the House suspend the rules and agree to the resolution, H. Res. 875, 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. DAVIS of Illinois. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

EXPRESSING CONDOLENCES TO FAMILIES, FRIENDS, AND LOVED ONES OF VICTIMS OF CRASH OF COMAIR FLIGHT 5191

Mr. MICA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 980) expressing condolences to the families, friends, and loved ones of the victims of the crash of Comair Flight 5191, and for other purposes.

The Clerk read as follows:

H. RES. 980

Whereas the people of Kentucky, including the citizens of the 6th Congressional District, have experienced a terrible tragedy with the loss of 49 lives in the crash of Comair Flight 5191 at Blue Grass Airport in Lexington, Kentucky, on August 27, 2006;

Whereas many of the victims of the crash were residents of Kentucky, particularly of the small, close-knit town of Lexington and other surrounding communities; and

Whereas Federal, State, and local officials have cooperated not only at the crash site but throughout Kentucky and the Nation to respond to the emergency, investigate the accident, and provide assistance to families devastated by the loss of loved ones: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses condolences to the families, friends, and loved ones of the victims of the crash of Comair Flight 5191;

(2) honors the victims of the crash: Rebecca Adams, Christina Anderson, Lyle Anderson, Arnold Andrews, Anne Marie Bailey, Bobbie Benton, Jesse Clark Benton, Carole Bizzack, George Brunacini, Brian Byrd, Jeffrey Clay, Homer Combs, Diane Combs, Fenton Dawson, Thomas Fahey, Mike Finley, Clarence Wayne ''C.W.'' Fortney II, Wade Bartley ''Bart'' Frederick, Hollie Gilbert, Erik Harris, Kelly Heyer, Jonathan Hooker, Scarlett Parsley Hooker, Priscilla Johnson, Tetsuya Kono, Nahoko Kono, Charles Lykins, Dan Mallory, Steve McElravy, Lynda McKee, Bobby Meaux, Leslie Morris II, Kaye Craig Morris, Cecile Moscoe, Judy Ann Rains, Michael Ryan, Mary Jane Silas, Pat Smith, Tim Snoddy, Marcie Thomason, Greg Threet, Randy Towles, Larry Turner, Victoria Washington, Jeff Williams, Paige Winters, Bryan Woodward, JoAnn Wright, and Betty Young;

(3) expresses sympathies to the people of Lexington, the entire Commonwealth of Kentucky, and the Nation who grieve for the victims;

(4) commends the heroic actions of the rescue workers at the crash site who retrieved copilot James M. Polehinke from the wreckage; and

(5) commends the Federal, State, and local officials and the volunteers who worked together to respond to the tragedy with courage, determination, and skill.

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

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MICA. Mr. 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 House Resolution 980.

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

There was no objection.

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

Mr. Speaker, I rise in very strong support of this resolution today that is being introduced by my good friend and colleague from Kentucky (Mr. CHANDLER).

This resolution, H. Res. 980, expresses condolences to the families, friends, and loved ones of the victims of the August 27, 2006, aircraft accident of Flight 5191, which took place in Lexington, Kentucky. There were 50 people on board Flight 5191, including passengers and crew, with one individual surviving the crash, Copilot James Polehinke, who is currently recovering, and we wish him Godspeed in his recovery.

Mr. Speaker, I want to say that my heartfelt sympathy goes out to the victims and to each and every one of their families, friends, and loved ones. Losing a loved one is always very tragic, but I think it is compounded when such a loss is the result of an unfortunate and unforeseen situation. I am hopeful that this resolution will in some small way help to comfort the families and friends of all those who lost their lives on Flight 5191.

Mr. Speaker, as Chair of the House Aviation Subcommittee, I want to assure the traveling public and my colleagues that the National Transportation Safety Board is now and will continue to thoroughly investigate every aspect of this accident. Any presumption on the cause or causes of this accident at this stage are purely speculative, and at this time I think it should be definitely left to the professional investigative abilities of the NTSB. It is their responsibility in fact to determine the circumstances and cause, and they will report back to Congress.

I can also assure the families, the public, and Members of Congress that those charged with the investigation of this tragedy will not rest until the cause of this aviation crash has been finally determined.

While even the loss of one life in an aviation accident is unacceptable, the public should know, Members of Congress should know, and those who travel should know that our commercial airlines today are both safe and also reliable. Since 2001, more than 4 billion passengers have flown safely on U.S. commercial airliners with the lowest fatality accident rate in history.

Mr. Speaker, it is important to note that on a typical weekday, just one day like today, there are an average of some 33,000 commercial airline takeoffs and landings at airports of general aviation across the country, and almost all of them, again with large commercial aircraft since November 12, 2001, have done so safely. Despite this amazing safety record, I wish we all lived in a world where we could eliminate all accidents and all risks. While I do not believe that we can do that, I do sincerely believe that we can continue to work together to do everything humanly possible to avoid these types of accidents in the future.

Again, I want to express my heartfelt condolences to the families, friends, and loved ones of the victims on board Flight 5191, also to Mr. CHANDLER, a good friend and distinguished colleague from Kentucky, and his constituents. He told me he lost a number of personal friends and a large number of constituents in this unfortunate aviation tragedy. Again, my condolences to all affected.

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

□ 1630

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

Mr. Speaker, I would like to first thank my friend and colleague, the gentleman from Florida (Mr. MICA) for his good wishes and for his efforts as chairman of the Aviation Subcommittee to help with promoting safety in the air throughout this country. I appreciate those efforts very much, and I appreciate his help with this resolution.

Mr. Speaker, I rise today with a heavy heart for Kentuckians who have

tragically lost their lives and for loved ones who have been left behind to pick up the pieces.

On August 27, 2006, Comair Flight 5191 crashed upon take off at Blue Grass Airport in Lexington, Kentucky, killing 49 of the 50 people aboard. Twenty-eight of the victims lived in the district I represent, and several other passengers were fellow Kentuckians. Fathers and mothers, daughters and sons, brothers and sisters, husbands and wives, all perished in the worst plane crash this country has seen since 2001.

The small, close-knit town of Lexington and the surrounding communities of Central Kentucky will forever be changed by the scenes from early that Sunday morning and by the sudden loss of family, friends, neighbors and community leaders. Almost everyone in central Kentucky knew someone on that plane. The loss is a community loss, but also a profoundly personal loss for those of us who remain.

I am here today to honor the victims of this horrible crash by urging this body to pass House Resolution 980, expressing the condolences of this body to all who grieve during this time and commending all of those who responded to this tragedy with courage and determination.

It is also important that today we remember copilot James Polehinke, who was the only person on board who survived the tragedy. He is currently recovering, and we certainly wish him the very best.

Mr. Speaker, I am sure there will come a day when this body will address the causes of this tragedy, particularly if there are measures to be taken to prevent future accidents. At this time, however, the thing we must do is memorialize those that we have lost.

All of Kentucky is still grieving as families continue to say goodbye to loved ones. The following are the victims whose lives were cut short by this horrible tragedy:

Rebecca Adams; Christina Anderson; Lyle Anderson; Arnold Andrews; Anne Marie Bailey; Bobbie Benton; Jesse Clark Benton; Carol Bizzack; George Brunacini; Brian Byrd; Jeffrey Clay; Homer Combs; Diane Combs; Fenton Dawson; Thomas Fahey; Mike Finley; Clarence Wayne ''C.W.'' Fortney, II; Wade Bartley ''Bart'' Frederick; Hollie Gilbert; Erik Harris; Kelly Heyer; Jonathan Hooker; Scarlett Parsley Hooker; Priscilla Johnson; Tetsuya Kono; Nahoko Kono; Charles Lykins; Dan Mallory; Steve McElravy; Linda McKee; Bobby Meaux; Leslie Morris, II; Kaye Craig Morris; Cecile Moscoe; Judy Ann Rains; Michael Ryan; Mary Jane Silas; Pat Smith; Tim Snoddy; Marcie Thomason; Greg Threet; Randy Towles; Larry Turner; Victoria Washington; Jeff Williams; Paige Winters; Bryan Woodward; JoAnn Wright; and Betty Young.

Mr. Speaker, I strongly urge this body to honor these victims by passing H. Res. 980.

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

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

Mr. Speaker, first of all, I want to extend my condolences to all the family, friends and loved ones of those who lost their loved ones on Flight 5191 in Lexington, Kentucky.

I also want to express my condolences to Mr. CHANDLER. Mr. CHANDLER is a member of the Transportation and Infrastructure Committee. I particularly want to again thank him for the way he has handled himself in this matter.

Mr. CHANDLER has been a spokesperson for those who have lost their loved ones in this tragedy. He has also yielded to appropriate manners of resolution to determine what caused this crash, and I appreciate his leadership on the committee and on this issue.

It is critical that we do find the cause of aviation crashes and incidents and that we take preventative measures, and that is something that has been very much my intention as chairman of the Aviation Subcommittee. In fact, we have changed some procedures to accomplish that goal.

One of the provisions of the law that we changed now requires NTSB to continue corrective measures. In the past the NTSB would investigate these accidents. A recommendation would be made, findings would be made, but they just sort of stayed on the shelf. That is no longer the case. Today recommendations from these accidents are not left on the shelf, where causes and risks would not be addressed. Recommendations now must be followed through and brought back to the Congress and measures taken to correct any of the errors or institute appropriate remedies that are recommended by the NTSB.

Again, I am pleased that Mr. CHANDLER comes before the House today to remember those lost in this incident and that he has also been supportive of having the NTSB thoroughly investigate this crash. We give assurances to the loved ones and others that due course and due process will be followed and a full review and determination of the cause of this horrible aviation accident and tragedy will be made so that we will know how to prevent similar accidents in the future, and we will be able to correct these deficiencies.

Again, to Mr. CHANDLER, to all those who suffered loss, we extend our condolences, and I ask the House to concur in adoption of House Resolution 980, sponsored by the gentleman.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H. Res. 980, which formally expresses Congress' condolences to the families and friends of the 49 passengers who perished in the August 27, 2006 crash of Conair Flight 5191 at the Blue Grass Airport in Lexington, Kentucky.

H. Res. 980 not only expresses the condolences for the lives lost, but also honors those rescue workers and personnel at the crash site, as well as the Federal, State and local officials who worked together to respond to the unfolding tragedy.

While we will not know the probable cause of the Conair crash until the National Transportation Safety Board, NTSB, completes its investigation, serious questions have been raised regarding the Federal Aviation Administration's, FAA, air traffic control staffing policies. The FAA confirmed that the air traffic control tower at the Blue Grass Airport was understaffed at the time of the accident.

Mr. Speaker, air traffic controllers are essential to the safe operation of our nation's air traffic system, and the effectiveness of controllers requires proper staffing levels at each facility.

Inadequate staffing during periods of low traffic is not a new problem. It was reported that in November 2005, an overloaded controller at the Raleigh, North Carolina airport directed two planes too close to one another, and this close call prompted the FAA to issue guidance forbidding air traffic controllers with certain responsibilities from working alone.

After the Lexington accident, the FAA stated that some air traffic control towers responsible for surface traffic also separate airborne aircraft using radar equipment, contrary to FAA guidance to provide individual controllers for the radar and control tower functions. It is not clear whether this guidance is written or verbal. The FAA statement further indicates that this guidance was not followed at the Lexington tower where the manager decided to have one controller handle both functions during the overnight shift. Moreover, further investigation has revealed that the Lexington tower was not an anomaly; other tower managers across the country routinely chose not to staff their towers adequately, and the FAA was either unaware of these deviations or unwilling to crack down until after the Lexington tragedy.

The FAA's inconsistency in applying its own controller staffing policy is very troubling. That is why Representatives COSTELLO, CHANDLER and I have requested that the Department of Transportation's Inspector General, IG, investigate how widely the staffing experience at the Blue Grass Airport is practiced at other air traffic control facilities across the Nation and determine the extent to which the towers covered by the guidance are complying with it. Importantly, we have requested that the IG investigate the steps that FAA undertook after the Raleigh incident to review staffing at its facilities to determine if the facilities were complying with the guidance, and to require compliance if they were not.

While it will be some time before the NTSB completes its investigation into the probable causes of the Conair Flight 5191 crash, we should waste no time in ensuring that the FAA consistently applies its controller staffing policies across our Nation's air traffic control towers.

Finally, and most importantly, Mr. Speaker, I want to express my condolences to the families and friends of the Flight 5191 passengers, and I urge my colleagues to support this resolution.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to support this resolution expressing condolences to the families, friends, and loved ones of the victims of the crash of Comair Flight 5191.

It should come as a sobering fact that this is the worst aviation crash our country has

seen since 2001. The crash occurred on Comair Flight 5191 upon take-off at 6:07 am at Blue Grass Airport, in Lexington, KY. The flight was en route to Atlanta, GA.

All but one of the 50 people on board, including passengers and crew, died. The only individual who survived the crash, copilot James M. Polehinke, is recovering at Chandler Medical Center, in Lexington, Kentucky, and we wish him a speedy recovery.

Many individuals and entities who responded to the disaster acted nobly, cooperatively, and admirably. Federal, state, and local officials and volunteers were soon on the scene, and I applaud their efforts.

However, this was clearly a mistake, and an accident that should never have occurred. We desperately need adequate and rigorous oversight to ensure the operational safety of every commercial flight in this country. Air control towers across the country are currently short-staffed. Since September 2003, the number of air traffic controllers has plummeted from 15,386 to 14,305 in August 2006. Moreover, at the time of this tragic accident, there was only one air traffic controller present, which is a violation of FAA guidelines which mandate at least two air traffic controllers be present.

At the heart of every oversight issue is inevitably a funding issue Funds must be provided and managed effectively and efficiently in order to make sure that there exists a sufficient level of trained air traffic controllers ensuring the safety of air travel.

I offer my sympathy to the good citizens of Kentucky, and I join Mr. CHANDLER in mourning those lost and honoring their memory. I encourage my colleagues to support this resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MICA) that the House suspend the rules and agree to the resolution, H. Res. 980.

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

A motion to reconsider was laid on the table.

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 4 o'clock and 40 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. BONNER) at 6 o'clock and 30 minutes p.m.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL LIFE INSURANCE AWARENESS MONTH

Mr. LEWIS of Kentucky. Mr. Speaker, I ask unanimous consent that the ordering of the yeas and nays be vacated with respect to the motion to suspend the rules and adopt H. Res. 912 to the end that the Chair put the question de novo.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from North Carolina (Ms. FOXX) that the House suspend the rules and agree to the resolution, H. Res. 912.

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

A motion to reconsider was laid on the table.

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. 2808, by the yeas and nays;

H. Res. 605, by the yeas and nays;

H. Res. 875, by the yeas and nays.

The first and third electronic votes will be conducted as 15-minute votes. The second vote in this series will be a 5-minute vote.

ABRAHAM LINCOLN COMMEMORATIVE COIN ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2808, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, H.R. 2808, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 401, nays 0, not voting 31, as follows:

[Roll No. 427]

YEAS—401

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutknecht
Hall
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris Rodgers
McNulty
Meehan
Meek (FL)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo

Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—31

Beauprez
Bilirakis
Boucher
Costello
Davis (FL)
Davis (KY)
Doyle
Drake
Engel
Evans
Feeney
Gallegly
Green (WI)
Gutierrez
Harris
Istook
Johnson, Sam
McHenry
McKinney
Meeks (NY)
Miller, Gary
Murtha
Nadler
Nunes
Nussle
Pallone
Peterson (PA)
Rush
Sánchez, Linda T.
Sanchez, Loretta
Young (AK)

□ 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.

RECOGNIZING THE LIFE AND CONTRIBUTIONS OF PRESTON ROBERT TISCH

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 605.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from North Carolina (Ms. FOXX) that the House suspend the rules and agree to the resolution, H. Res. 605, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 399, nays 0, not voting 33, as follows:

[Roll No. 428]

YEAS—399

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

NOT VOTING—33

Beauprez
Berman
Bilirakis
Boucher
Capuano
Costello
Davis (FL)
Davis (KY)
Doyle
Drake
Engel
Evans
Feeney
Gallegly
Green (WI)
Gutierrez
Harris
Istook
Johnson, Sam
McKinney
Miller, Gary
Murtha
Nadler
Nunes
Nussle
Pallone
Peterson (PA)
Ramstad
Rush
Sánchez, Linda T.
Sanchez, Loretta
Wynn
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1905

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONGRATULATING SPELMAN COLLEGE ON ITS 125TH ANNIVERSARY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 875, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. PRICE) that the House suspend the rules and agree to the resolution, H. Res. 875, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 400, nays 0, not voting 32, as follows:

[Roll No. 429]

YEAS—400

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Cramer
Crenshaw

Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutknecht
Hall
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Young (FL)

NOT VOTING—32

Beauprez
Bilirakis
Boucher
Costello
Davis (FL)
Davis (KY)
Doyle
Drake
Engel
Evans
Feeney
Gallegly
Gilchrest
Green (WI)
Gutierrez
Harris
Istook
Johnson, Sam
Mack
McKinney
Miller, Gary
Murtha
Nadler
Nunes
Nussle
Pallone
Peterson (PA)
Rush
Sánchez, Linda T.
Sanchez, Loretta
Wynn
Young (AK)

□ 1924

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. DAVIS of Kentucky. Mr. Speaker, on Wednesday, September 6, 2006 I was absent from the House to attend the visitation for a United States Marine from my district.

Had I been present I would have voted: Rollcall No. 427—"yea"; rollcall No. 428—"yea"; rollcall No. 429—"yea."

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 No.'s 427, 428, and 429.

MILITARY COMMISSIONS ACT OF 2006—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 109–133)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Armed Services, Committee on the Judiciary, and Committee on International Relations and ordered to be printed:

To the Congress of the United States:

I transmit for the consideration of the Congress draft legislation entitled the ''Military Commissions Act of 2006.'' This draft legislation responds to the Supreme Court of the United States decision in Hamdan v. Rumsfeld, 126 S. Ct. 2749 (2006), by establishing for the first time in our Nation's history a comprehensive statutory structure for military commissions that would allow for the fair and effective prosecution of captured members of al Qaeda and other unlawful enemy combatants. The Act also addresses the Supreme Court's holding that Common Article 3 of the Geneva Conventions applies to the conflict with al Qaeda by providing definitions rooted in United States law for the standards of conduct prescribed by Common Article 3.

The military commission procedures contained in this draft legislation reflect the result of an extended deliberation both within the executive branch and between representatives of my Administration and Members of Congress. The draft legislation would establish a Code of Military Commissions that tracks the courts-martial procedures of the Uniform Code of Military Justice, but that departs from those procedures where they would be impracticable or inappropriate for the trial of unlawful enemy combatants captured in the midst of an ongoing armed conflict, under circumstances far different from those typically encountered by military prosecutors.

Five years after the mass murders of 9/11, it is time for the United States to begin to prosecute captured al Qaeda members for the serious crimes that many of them have committed against United States citizens and our allies abroad. As we provide terrorists the justice and due process that they denied their victims, we demonstrate that our Nation remains committed to the rule of law.

I ask that the Congress carefully consider this legislation and respectfully urge its speedy passage for enactment into law.

GEORGE W. BUSH.

THE WHITE HOUSE. *September 6, 2006.*

BANKS AND ILLEGALS

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

Mr. POE. Mr. Speaker, the battle for the border continues. Our recent terrorism hearings on the crimes inflicted on America by illegals brought forth almost universal testimony that illegals in this country contribute a vast over-percentage of violent crime and street crime, from theft to rape to murder.

Only one witness, a banker, said illegals do not affect crime rates in his border town of Laredo, Texas, this despite the overwhelming contradictory testimony of his own sheriff and numerous lawmen.

When the banker was questioned about his motives, that his bank makes money off deposits by illegals, and they are shipping their money south, he told the Wall Street Journal he felt attacked.

Well, it is American communities that are under attack, Mr. Speaker. The banks and the wire services that profit off illegals can and should charge a fee for each transaction. That money would be used to compensate crime victims and pay for health care and education costs of illegals. Americans are paying these costs of illegals. Now it is time illegals pay.

Mr. Speaker, that's just the way it is.

REMEMBERING THE FALLEN IN IRAQ

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I just want a moment in reflection of those that we lost on the front lines of Iraq and Afghanistan in the absence of this Congress. I believe we owe them not only a debt of gratitude, but also an apology.

It is time now for there to be a defined strategy by this administration to return our soldiers home, those who have been deployed once, two times, three times, and to have an orderly redeployment as soon as possible.

I will not accept the condemnation that Democrats do not understand the war on terror, nor will I accept the condemnation that we are not patriotic or respect our soldiers, for we know a civil war when we see it. We know bloodshed when we see it. We know a wrong policy when we see it. We know a failed Secretary of Defense when we see it.

Might I just say for those of us who traveled across the country on immigration hearings, there was much more testimony than undocuments create a criminal situation in America. Undocuments are families and children who are basically seeking an opportunity.

Democrats want border security. We want comprehensive immigration reform. We are not here to condemn and suggest that those children are the basis of crime in America.

□ 1930

NEED FOR EMPLOYER SANCTIONS

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today in frustration with the Senate's delay in protecting Americans by taking up the House border security bill.

Employer verification and enforcement are vital to upholding our immigrant laws. Innocently hiring an illegal alien because there is no system in place is one thing. Knowingly violating our immigration laws for cheap labor is another. Not only does this hurt Americans by driving down wages, it invites an influx of illegal aliens that overwhelms our border security.

H.R. 4437 cracks down on those who compound our immigration problems by hiring illegals, fining them up to $25,000 per employee when they consistently violate the law.

To the Senate we need to say, listen up. Listen to what the American people are saying and pass H.R. 4437. This must become law this year so we can stop the massive illegal flow and secure our borders.

JUSTICE WILL PREVAIL IN THE WAR ON TERROR

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

Mr. PENCE. Mr. Speaker, I had the opportunity today to join President George W. Bush at the White House, along with colleagues from the House and Senate and, most poignantly, with the families of victims of September 11 as President Bush gave a forceful and fact-based address about the war on terror.

The President declassified today a CIA program that over the last 5 years has resulted in securing vital information in the war on terror from some of the most nefarious characters that we captured, along with Khalid Shaikh Mohammed and others.

The President also announced today that those same individuals, including Khalid Shaikh Mohammed, who was the mastermind behind the attack on our country 5 years ago this Monday, will now be transferred to Guantanamo Bay, and the process will begin of facing a military tribunal. Five years hence, we have proven that justice will not sleep for the terrorists in this country.

America remembers 9/11, and today our Commander in Chief spoke truth to the world that justice will prevail.

THE PRESIDENT IS ON THE RIGHT TRACK

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

Mr. BURGESS. Mr. Speaker, the President gave a major policy speech today outlining the future and the fate of those individuals who are detained at our base in Guantanamo, Cuba. Two months ago, I had the opportunity to travel to Guantanamo to evaluate for myself the treatment of the individuals who are housed there.

Mr. Speaker, I might remind us how these individuals held in that facility are not signatories of the Geneva Convention, nor are they citizens of the United States and, therefore, entitled to constitutional protections.

With these individuals, it is not a question of guilt or innocence. It is a question of capability and intent. Clearly, these are individuals who are capable of doing our country great harm. Clearly, the intent is there.

I think the President is on the right track with the announcement today of military tribunals. I look forward to us getting that legislation in the House and passing it forthwith.

SPECIAL ORDERS

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

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

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

HONORING THE LIFE OF STAFF SERGEANT JEFF HANSON

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent to assume the 5 minutes of the gentleman from Minnesota (Mr. RAMSTAD) and address the House for 5 minutes.

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

There was no objection.

Mr. OSBORNE. Mr. Speaker, yesterday, I attended a funeral of the Staff Sergeant Jeff Hanson from my district in Nebraska who was killed in Iraq last week. His death was the 29th soldier from Nebraska and the 14th from my district. My district is largely rural. We find that people from small towns and farms tend to volunteer, enlist at a higher rate, tend to be rather patriotic. Therefore, districts like mine have assumed a disproportionate load of the war in the Middle East.

One of the things that struck me about the funeral was that I visited with his father, Robert, and also with his wife, Jennie. Robert had one request of me, and he said, please do not let them pull out prematurely. He said that his son saw progress in Iraq, and he felt that little of that progress was being translated to the American people.

Robert said this, and I think it is very true, he said, freedom is costly and always has been. Like the Civil War, we go back to World War I, World War II, there has always been a great price that has been exacted. He said that there was no doubt in his mind that we needed to stay the course and see things through.

But this is just the story of one soldier, one wife, and does it reflect the thinking of a lot of people? I guess, as I thought about Robert's comments, I reflected on the fact that I have talked to almost all of the parents and spouses of those 14 soldiers who have died in Iraq, and I cannot recall one of them saying, get us out of this.

I have seen time after time comments very similar to Robert's saying, we saw meaning, we saw purpose; we saw progress; we think we need to stay the course.

Jeff Hanson was a young person, well-educated, was an excellent leader. He served in Kosovo previously, was a Federal police officer. His wife, Jennie, indicated that Jeff was not only committed to fighting terrorism but also

giving everyone in the world, including Iraqis, a chance at freedom. He felt that was really an important part of his mission.

She, also like Robert, felt that we should continue until we had had some measure of finality to the struggle.

So I guess, as the funeral concluded, I was reminded of the words of a young captain that I met over in Kuwait in 2002. This captain had been in Iraq for a year, and he said this; he said, if we pull out prematurely, three things will happen: Number one, those who have died will have died in vain, and that is very true. I think that is one of the things that the family of Jeff were trying to get across.

Secondly, he said, we will have gone back on our word to the Iraqis, and you may recall that that happened in the first Gulf War. We cannot afford to do that.

Then, thirdly, we will have indicated to terrorists everywhere that terrorism works, it is effective, and if they hang in there long enough, eventually, we will back down, and terrorism will only multiply.

I believe that strongly, and I think the family of Jeff Hanson feels that very strongly. I know we are involved in a great debate. There are many people who do not agree with that point of view. So, before long, we will have 300,000 Iraqis trained and equipped sometime late this fall, and that has been the target. At some point, we obviously have to turn it over to them and say, it is your ball, you run with it, now let us see what you can get done with it.

So we do not know how it is going to end up, but I do feel that we need to honor the feelings of so many who have sacrificed so greatly and think this national debate through very carefully before we make any preemptive or presumptive move that may be contrary to the wishes of so many who have suffered.

I thank the Speaker for this opportunity to reflect on the life of Jeff Hanson and his family, and we hope that Jeff and his fellow soldiers can see this through to a successful solution.

NATIONAL INSTANT CRIMINAL BACKGROUND CHECK SYSTEM

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, the clock is ticking on the 109th Congress. There is not much time left to pass commonsense gun legislation that will keep guns out of the hands of criminals without infringing on anyone's second amendment rights.

When it comes to commonsense gun laws, the Congress has a dismal record. Thus far, this Congress has given corrupt and incompetent gun dealers immunity from negligence lawsuits. This Congress will make it a crime for two police departments to share information from ATF's ballistics database. This Congress has tied the hands of law enforcement dealing with gun-wielding mobs during times of disaster, and it has made it possible for guns to be brought into hurricane shelters.

But now this Congress has a chance to redeem itself a little bit. Last spring, the Judiciary Committee's Subcommittee on Crime, Terrorism and Homeland Security approved H.R. 1415, the NICS Improvement Act, and the full committee markup is scheduled for tomorrow.

This is a bill that would increase the effectiveness of the existing National Instant Criminal Background Check System, the database used to check firearms buyers for any criminal record or any disqualifying criteria.

Overall, NICS has been a success. Since 1994, more than 1.2 million individuals have been denied a gun because of a failed background check. NICS also provides the vast majority of honest gun sellers with peace of mind in knowing that they are selling their products to citizens who will use their guns legally.

However, the NICS system is only as good as the information that the States provide, and unfortunately, many States do not have the resources necessary to enter all of their disqualifying criteria into the NICS system.

The end result is that felons and others who are not permitted by existing law to buy guns are passing background checks and buying guns through legitimate means.

In fact, 28 States have automated less than 75 percent of their criminal record history. In 15 States, domestic violence restraining orders are not accessible through NICS. Those and other loopholes have cost countless people their lives. It is only a matter of time before the system's failings provoke more tragedies.

We must improve the NICS system and allow it to do what it was designed to do. The responsibility for accuracy and effectiveness of the NICS system ultimately belongs to the States. However, many State budgets are already overburdened.

This legislation would provide grants to States to update the NICS system. States would be able to update their system, their database, to include felons, domestic abusers and others not legally qualified to buy a gun.

The bill's goal is to have all 50 States enter at least 90 percent of their disqualifying information into the NICS system.

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States that don't comply or fall short of these goals will be penalized with a 5 percent reduction of their Federal Department of Justice grant allocations.

Also, the bill would provide grants for State courts to promptly enter information to the NICS system. For example, when someone is served with a restraining order stemming from domestic violence, an inefficient NICS system allows him or her to leave the courthouse and head right to the gun store. My bill would make sure all prevailing court records are entered into the NICS database before a crime of passion can be committed.

It is important to keep in mind this bill does not infringe on anyone's second amendment right, which I support. It creates no new gun laws. It simply gives States the resources to better enforce the current laws. If H.R. 1415 becomes law, law-abiding citizens who want to buy a gun legally will not experience any delay at the point of purchase. This bill poses no new burden on gun sellers or owners.

In fact, I first introduced this bill in 2002 with my friend and colleague Mr. DINGELL of Michigan, who is well-known for his strong support of gun rights. This legislation passed in 2002. Unfortunately, the other body didn't have time to take it up. This is something that we can actually get passed. This is something that we should be passing.

We see gun violence becoming more prevalent lately. I know. In my own Long Island district suburban area, over the weekend, we had many gun violence incidents. We are seeing more robberies with guns. These are illegal guns. We must enforce the laws that are on the books so we can save lives, and especially those that do survive these horrible tragedies so that we don't run up the medical costs of this country.

Mr. Speaker, the debate on guns has been going on for a long time, and I understand that this body is nervous about the National Rifle Association, but we have to do what we can to protect the citizens of this country by making sure that illegal guns don't get into the wrong hands. It may not be a perfect bill. We are not going to be perfect in anything we do here, but we can certainly do better, and we should be doing better.

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

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

H.R. 5866, A MEDICARE SOLUTION

Mr. BURGESS. Mr. Speaker, I ask unanimous consent to go out of order.

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

There was no objection.

Mr. BURGESS. Mr. Speaker, I come to the floor tonight to talk about the way that this Congress and the Center for Medicaid and Medicare Services pays for patient access in the Medicare system and how they reimburse physicians.

Under the current formula, America's doctors participating in Medicare

can expect an annual pay cut of approximately 5 percent over the next decade. That translates to between a 30 and a 36 percent pay reduction for physicians in this country over the next 10 years. Now, Mr. Speaker, I do not know of many small businesses where the expectation of their overhead payments is going to fall by a third over the next 10 years. Indeed, it will be very hard for many of these individuals to remain in business if this issue is not fixed. Not addressing this impending crisis would be negligent at best and put frail and elderly Medicare beneficiaries at risk of losing their physician.

The current Medicare physician payment methodology is fundamentally flawed, and it must be reformed. It is not going to be fixed by the application of a Band-Aid. This requires major surgery. A recent bill introduced, 5856, the Medicare Physician Payment Reform and Quality Improvement Act of 2006, will attempt to accomplish this and two additional goals.

The three purposes of this bill are, one, ensure that physicians receive fair payment for the services that they provide; number two, create quality performance measures and improve the quality improvement organizations that exist to improve the quality of care available to Medicare patients; and, three, identify reasonable offsets to give Medicare physicians a more regular and predictable payment update year to year.

Without intervention, payment for physician services will be cut more than 5 percent next year. H.R. 5866 ends the application of what is known as the sustainable growth rate on January 1, 2007, and institutes a single conversion factor, the Medicare economic index minus 1 percent. This creates a more market-based approach to physician payment by placing more value on the actual costs of inputs and not on arbitrary volume of service targets each year.

In other words, doctors would be paid the same as hospitals are paid, the same as nursing homes are paid, the same as long-term care hospitals are paid, based upon the market cost of inputs for providing that care.

The bill also establishes a system of quality performance measures so that physicians can voluntarily, and let me stress the word voluntarily, report data to the Center for Medicare and Medicaid Services. Patients can then assess the level of quality of their prospective doctors, the level those doctors are achieving, and decide which doctor they would prefer to use. These measures will be developed in collaboration with physician specialty organizations for core medical services to make certain that these measures are relevant and meaningful to that particular practice of that branch of medicine.

As an incentive to participate in reporting for performance measures, participating physicians will be permitted to balance bill certain high-income Medicare beneficiaries. Redirecting the stabilization fund from the Medicare Modernization Act provides an additional $10 billion for offsets. Eliminating the double payment from Medicare for indirect costs of medical education is another source of offsetting these costs.

Mr. Speaker, this August, the American Medical Association, in its publication the American Medical News, talked about this bill, 5866. Quoting now, it said that ''the bill would ensure positive annual updates by tying rates to the Medicare economic index. This index is an indicator of how much doctors' cost of caring for patients is increasing. If lawmakers and the White House can approve the measure before Congress adjourns for the year, physicians would start receiving yearly updates equal to an approximately 1.5 percent increase in Medicare rates.''

The bill drew endorsements, of course, from the American Medical Association. But also the American College of Obstetricians and Gynecologists and the American College of Clinical Endocrinologists are a few of the specialty organizations that have endorsed the concept of this legislation.

We need help to make real changes in this system. We need help from every Member on both sides of the aisle. We need to create solutions and stop simply talking about the Medicare problem. I am asking my colleagues to join me in cosponsoring H.R. 5866.

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.)

REPUBLICAN PARTY AFRAID OF LOSING POWER

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

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

There was no objection.

Mr. MCDERMOTT. Mr. Speaker, we have not returned to Washington, D.C. to legislate on behalf of the American people. The Republican Party will spend the next 30 days trying to make us all afraid. They are afraid of losing power, and the only way they know how to govern is to play the fear game.

It is the Republican mid-term strategy that if you can make us afraid and keep us afraid, maybe they can cling to power. For the rest of September, until the moment the Republican leaders gavel the Congress into adjournment, Republican speakers will rise and implore the American people to be afraid.

Republicans will call it security. And every time they do, just remember they are speaking in code. Republicans really mean insecurity. During September, Republicans will wield the gavel, but they won't make America safer.

We will not consider, much less pass, legislation to protect our ports by inspecting the minimum number of cargo that it takes to stop a potential terrorist threat. We know what needs to be done, but the Republicans are hard on rhetoric and soft on action.

Republicans are going to use their insecure words so often I hope Lou Dobbs, John Stewart, and the others keep track and remind people daily of how often Republicans are willing to talk and how little they are willing to act.

After America was attacked on 9/11, the finest military in the world, the United States Armed Forces, was sent to Afghanistan to hunt down bin Laden and stop the Taliban. They did a magnificent job, until U.S. soldiers were ordered to leave before the job was done and go to Iraq. We don't have bin Laden and Afghanistan is now looking more like Iraq.

A Republican administration is responsible for diverting our military, draining our treasury, destroying our credibility, and making America less safe. The American people know that Iraq has nothing to do with 9/11, but the administration denies that intelligence. Instead, the President mechanically recites his standard PR line.

The American people know that we are off course and adrift in a sea of violence. U.S. soldiers are not fighting a war on terror in Iraq. They are targets in a civil war among Iraqis. When Republicans parade to the rostrum to outdo each other using their insecurity word, think of just how insecure our soldiers are.

Republicans keep saying things are getting better. This is disproved by their own Secretary of Defense, Mr. Rumsfeld, who ordered another 13,000 troops back into Iraq. There are now 140,000 targets. With 2,653 American lives lost and 19,600 wounded, the country deserves Democratic leadership that knows the Republican plan to stay the course is the most insecure plan for our soldiers, for our Nation, and for the Iraqi people.

But the Republicans are going to spend the next 30 days trying to stay in power. Nothing more. They will say their insecurity code word over and over and over again, but they won't pass the recommendations of the bipartisan Commission on 9/11. Republicans won't bring up immigration legislation intended to make our borders safer. Republicans won't address reforms to Social Security. Republicans won't bring up legislation to end taxpayer subsidies for Big Oil or launch a national campaign to end our addiction to oil.

Instead, the Republicans will tell you to be afraid unless you pay through the nose at the pump and Big Oil can drill in every part of the pristine environment on our planet. Republicans will tell you to be afraid for Social Security unless you give your money to Enron

through Wall Street. Republicans will tell you to be afraid unless we mortgage our future in the 22nd century by giving the rich tax breaks now.

Republicans have had their chance and used it to overwhelm the American people with monstrous debt so the rich can have more riches. The Republicans had their chance and used it to divert America away from the real problems of this country.

Americans are calling this Security September. Just remember to be afraid, afraid of what else the Republicans will do if they remain in power after November 8. Don't forget, there is an election coming.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 503, TO AMEND THE HORSE PROTECTION ACT

Mr. LINCOLN DIAZ-BALART of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 109–642) on the resolution (H. Res. 981) providing for consideration of the bill (H.R. 503) to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes, which was referred to the House Calendar and ordered to be printed.

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

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

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

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

PUBLIC SCHOOLS IN NEW ORLEANS AFTER KATRINA

Ms. MILLENDER-McDONALD. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Without objection, the gentlewoman from California is recognized for 5 minutes.

There was no objection.

Ms. MILLENDER-McDONALD. Mr. Speaker, a year ago last week, Americans saw one of the most devastating natural disasters in our country's recent history. Hurricane Katrina ravaged the gulf coast and overwhelmed the levees of New Orleans, resulting in near total submersion of that city. A year later, the flood waters have receded, yet the devastation sadly remains.

One area where this devastation is most readily apparent is in the city's public schools, many of which were destroyed beyond repair in the storms. However, the system which has arisen in the wake of Katrina is fragmented and poorly organized. More than half of New Orleans' schools remain closed a year after the storm. Of those that are open, some are run by the city, others are run by the State, and others are run by private companies. As a result, area schools may have different application procedures, admission rules, and starting dates. That is no way to educate children.

□ 2000

Further complicating this problem is the fact that more students are returning than were ever previously expected, putting an additional strain on a system already stretched to the breaking point. Parents have expressed frustration at the difficulty of navigating this system, and many have been unable to enroll their children in school, despite their best efforts.

These barriers to education are intolerable, Mr. Speaker, anywhere in America. However, it is particularly egregious that we have allowed such barriers to exist for a population that is already so challenged. We must do better, especially for an area with a high minority population, high poverty levels and historically poor academic outcomes.

The consequences of the failure to improve the education system in New Orleans are all too real. Without drastic improvement, we will surely see higher dropout rates and substandard education for those who manage to remain in school.

Furthermore, the effects of this neglect will not rest solely with the young and vulnerable. A poorly educated population promises a bleak future for the entire City of New Orleans and for this country, one characterized by poverty, crime and broken families.

We cannot leave the victims of Hurricane Katrina to fend for themselves twice. President Bush has promised to stand with the victims of Hurricane Katrina until the job is done, yet the persistent problems with New Orleans schools are a disheartening sign that the job is far from done.

In Congress, we have approved four emergency spending bills that together provide more than $110 billion in Federal aid for rebuilding these areas. However, less than half of this money has actually been spent by Federal agencies, with hardly any accountability. Much needs to be done to help New Orleans recover from the disastrous effects of Hurricane Katrina. However, we must prioritize children in our efforts to rebuild this city, making them first priority.

Therefore, I call on the Bush administration, as well as relevant State and local agencies, to promise the children of New Orleans that they will have access to safe, high quality schools this year. As part of this, the administration must exercise the oversight and follow-through necessary to ensure that Federal funds are appropriately spent and schools are built.

Our children can wait no longer. While Hurricane Katrina resulted in much destruction along the Gulf Coast, it has also given us an unprecedented opportunity to completely remake underperforming schools. We must do that for the children of America. We must do that for New Orleans children. I demand that this administration and other relevant persons not let this opportunity slip through their fingers.

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

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

BRING OUR TROOPS HOME

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, Sergeant Christian Williams of Winter Haven, Florida; Staff Sergeant Tracy Melvin of Seattle, Washington; Lance Corporal Jeremy Long of Sun Valley, Nevada, only 18 years old; Private First Class Colin Wolfe, also an 18 year old, of Manassas, Virginia; and Staff Sergeant Michael Deason of Farmington, Missouri.

Mr. Speaker, these are just five of the Americans who have been killed in action in Iraq since this Chamber last convened. You see, Congress gets to close up shop for a month, the entire month of August, even if we haven't completed the Nation's business. But no such luxury for the 138,000 men and women who are stationed in Iraq. Their dangerous work goes on and on. No adjournment, no recess, no end to their mission in sight.

In fact, many who were scheduled to come home were told in August, no, they had to stay in Iraq. And why? Because their commander-in-chief says that people who want our troops to come home don't understand the world in which we live.

I submit, Mr. Speaker, that it is the President himself whose understanding of our world could use some real work.

Does he understand that his clumsy belligerence has contributed to more intense feelings of jihad and anti-American radicalism in the Muslim world?

Does he understand that the invasion and occupation of Iraq has created many more terrorists than it could possibly defeat?

Does he understand that his policy lit the match that engulfed Iraq in sectarian violence and civil war?

Does he understand that at least 40,000 and perhaps as many as 100,000 innocent Iraqi civilians have died for what he calls their liberation?

Does he understand that military force is one of the least effective ways of exercising American power?

Does he understand the concept of ''soft power,'' the idea that America can and must lead by example, by demonstrating compassion, by promoting our values, by maintaining global goodwill and credibility?

Does he understand that outside his window today at the National Mall, veterans and their families are launching Camp Democracy, a 16-day anti-war demonstration just like the one they held outside the President's Crawford ranch last August?

He must not understand that he has lost the confidence of the people of the United States of America; that in overwhelming numbers they believe he made a mistake in Iraq and want him to reverse course as soon as possible.

It is clear that he understands none of these things, and, as a result, our Nation is paying the price, all of us; all of us who want to live in a country that is admired around the world; all of us who want to be safe from terrorism; all of us who depend on public investment in education and health care, housing and more, investments that won't be possible because of the $1 trillion cost of the Iraq occupation.

But, of course, no one has sacrificed more than young Americans like Christian Williams, Tracy Melvin, Jeremy Long, Colin Wolfe and Michael Deason, who lost their lives. There is nothing more we can do for them other than honor their memories and take care of their families. But we can save hundreds and perhaps thousands of their fellow soldiers from a similar fate if this ruinous policy continues.

Mr. President, bring our troops home.

GOVERNMENT FAILED TO ADDRESS 9/11 PROPERLY

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

Mr. HINCHEY. Mr. Speaker, next Monday, 5 days from now, it will be 5 years since we experienced the attack of September 11, 2001. That was one of the most tragic circumstances ever to confront this country. More than 3,000 Americans lost their lives.

But it has developed into an additionally tragic circumstance for our Nation as a whole, because the administration and the Congress, the entire government of our country, the legislative and executive branches, failed to address the issue properly.

The administration called upon the Congress to give it the authority to conduct itself in a way that was entirely inappropriate, and on October 16, the majority of the Members of this Congress voted to give the President that authority. As a result of that, we have now been bogged down as a result of the attack in Iraq and the subsequent occupation for more than 3 years, and the administration and this Congress have no plan for relieving ourselves of that obligation and responsibility.

One of the tragic aspects of that, of course, is the fact that more than 2,600 American servicemen and women have now lost their lives. That number now is approaching the number of Americans who lost their lives as a result of the attack of September 11th by the al Qaeda network.

There are a great many issues that this Congress has failed to address. Let me begin by talking just for a minute or two about the circumstances that existed prior to that attack of September 11, 2001.

The intelligence agencies of our country had informed the administration beginning with the first meeting of the National Security Council of this administration in January of 2001 that the al Qaeda network offered the greatest threat to the safety and security of America and that it was likely that they were going to advance some form of attack against our country.

Now, we know that they had done other things in the past. They organized the initial attack against the World Trade Center in 1993. They organized the attack against the two United States embassies in East Africa. They organized the attack against the USS *Cole*. The President of the United States was informed from the first day this administration came into office and virtually every single day thereafter up to September 11, 2001, that there was a great danger from the al Qaeda network.

On August 6, 2001, the President's daily briefing said that al Qaeda was determined to attack the United States, and there were other instances where the intelligence community told the administration that al Qaeda was determined to attack the United States. Yet nothing was done about it. No action was taken. The President was on a very extended vacation in Crawford, Texas.

One of the things that this Congress has failed to do is to investigate the intelligence that was available prior to the attack of September 11th and why that intelligence was not used appropriately by this administration to prevent the attack of September 11th.

Why has this Congress failed to carry out its obligations and responsibilities under the Constitution to oversee actions of the administration in that regard? The Senate Select Intelligence Committee has conducted an investigation, but they have failed to release the information with regard to the intelligence that the administration had available to it prior to the attack. We need to ask ourselves why that is the case.

And why is it that the House Intelligence Committee has not carried out its obligations and responsibilities to conduct an investigation as to the quality and caliber of the intelligence information available to the administration prior to the attack of September 11th and why that information, which seems to have been so clear and so focused, was not used appropriately? Let's focus our attention on that.

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

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

TWO WARS—NOT ONE

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

Mr. SKELTON. Mr. Speaker, Iraq. A good number of people are confused when the name of that country is mentioned.

Let's be clear. Our country is engaged in two wars. The first is the war against terrorism, which has its genesis in Afghanistan with tentacles reaching throughout the world.

The terrorist group known as al Qaeda, headed by a man named Osama bin Laden, originated in Afghanistan and was protected by the former Afghan Taliban government. After the September 11, 2001, attacks on our country, which were sponsored by bin Laden's al Qaeda, our military forces struck the Taliban government and the al Qaeda strongholds in Afghanistan. Our military forces, along with allied and NATO forces, remain fighting the remnants of al Qaeda and the Taliban with the assistance of the Afghan National Army.

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The attack by our military in the ongoing conflict was a war of necessity. The second war, our attack on Saddam Hussein's Iraq originated because of the alleged threat of weapons of mass destruction against America and our interests. This is a war of choice. After soundly defeating the military in open battle, our occupation of that troubled country came about without proper planning or resources.

Massive looting was allowed. The Iraqi Army was disbanded, without giving former soldiers paychecks and shovels, which caused many to turn against the American occupation. There were insufficient troop numbers to provide a successful military occupation and reconstruction.

Former Sunni Muslim Baathist regime elements formed the basis of a growing insurgency against the occupation forces. They were joined by foreign fighters, mainly al Qaeda, and numerous criminals who were recently released from prison by Saddam Hussein shortly before the conflict started.

In more recent days, a new source of violence has erupted in Iraq, sectarian religious violence with Shia and Sunni elements killing each other. According to a recent Pentagon report, sectarian bloodshed has pushed violence in Iraq to its highest level in more than 2 years. Preventing full-scale civil war is now the most urgent mission of the U.S. troops in that country.

Thus, this is the status of the Iraq war, which is a separate and distinct

war from that against the terrorists. The enemy in each conflict has different goals. The al Qaeda terrorist group wishes to establish a Muslim caliphate throughout the entire Middle East. The Iraqi insurgents' goal is to cause the existing Iraqi government to fail and to establish Sunni dominance in Iraq.

The Sunni Arab insurgency remains strong and viable. The sectarian violence overlays this initial struggle with the sectarian leaders such as Muqtada al-Sadr in the wings of the Shiite groups. On September 4, 2002, and again on March 18, 2003, before we invaded Iraq, I wrote the President warning of the instability in the months following the initial coalition victory.

Sadly, my warnings were of Cassandra-esque value. They were not heeded by the administration. So there we are, two conflicts, two wars, and the two should not be confused.

There are those who attempt to fuzz the two conflicts together as the war on terror, but the wars are truly separate and distinct. With the help of NATO troops, we made significant gains in Afghanistan, but these are in danger of being overturned if we relax our focus.

The picture is not so rosy in Iraq, which calls for a different policy and a different approach to bring about stability and representative government. The recent Pentagon report is not encouraging.

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

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

LABOR DAY 2006: TOUGH TIMES IN AMERICA'S HEARTLAND

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, the United States is spending $250 million a day in Iraq, over $11 million an hour. This week, as we celebrated Labor Day across this country, President Bush continued to proclaim the strength and health of the U.S. economy.

Treasury Secretary Henry Paulson, whom he appointed, said recently, the American people are clearly better off as a result of strong economic growth and job creation. Well, for the wealthiest 1 percent, that tiny slice that President Bush has called his core supporters, things might be looking up. But for everybody else, we are having to work harder for less.

As someone said to me, not only have we had the race to the bottom, we are now bouncing off the bottom. So as Congress left Washington for an entire month, the economic anxiety felt palpably by the American people increased. The debt piled up more, now over $5 trillion. Interest rates are up as a throttle on economic growth.

Unemployment is up, surely, in America's heartland. According to the Census Bureau, working families fell even farther behind in the past year as they have every single year since this president took office. President Bush's own Census Bureau reports that the median income of working age households fell by another half of a percent last year.

According to the University of Michigan, consumer confidence hit a 9-month low in August, and authors of a confidence report say the gap between rich and poor in the United States is quite different than anything else observed in the prior half century. Truly America is in uncharted economic waters.

According to The New York Times, for the first time since World War II, though productivity is up by our people, real wages have failed to increase for most workers at a time when the overall economy was even growing. Even though President Bush and Secretary Paulson might claim the American people are better off, working people know better. They trust their real life experiences, not White House press releases.

The reality for America's families is that high gasoline prices, higher natural gas prices, rising health care costs, credit card debt increasing and borrowing against home equity have topped out. They are eating away at disposable income, and everywhere they turn, many middle class families are getting squeezed.

Job losses due to more outsourcing and foreign competition have left working families wondering, what does the future hold? Does work have a value in America anymore?

The median hourly wage for American workers has declined 2 percent since 2003 despite their increased productivity. The Economic Policy Institute estimates that real median income for households headed by someone under age 65 has declined 5.4 percent since President Bush took office. Is anybody here in Washington paying attention?

The net result, according to the New York Times, is that wages and salaries now make up the lowest share of the Nation's gross domestic product since the government began recording the data in 1947. But yet corporate profits represent the larger share of gross domestic profit since the 1960s.

There is a little imbalance there. The Times quoted a report from economists at Goldman Sachs. The most important contributor to higher profit margins over the past 5 years has been a decline in labor's share of national income.

Our mother used to ask the question for the super wealthy and the super rich, did they ever fill up? When is enough? How many homes? How many cars? How many chauffeurs? How many trips? How much do you really need? How much? So the bottom line on Labor Day 2006 is this: The strong economy that President Bush and his Secretary of the Treasury keep talking about has benefitted big business, but it has clearly bypassed the vast majority of the American people. It is time we change this Congress.

It is time we have people here in Washington who again represent the vast majority of the people of the United States who believe in hard work, who want to follow the rules, and they have a right to live a better way of life for investing themselves in the beliefs of this country and for putting their lives on the line for it. Mr. Speaker, America, this Congress, and, frankly, this President simply have to do much better.

GAS PRICES

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

Mr. ETHERIDGE. Mr. Speaker, right now in my district in rural North Carolina, folks are very concerned about the high cost of fuel. I rise tonight to call on this Congress to take action now to help the people who are suffering from this very serious crisis, not only in my district and State, but really in this country.

Gas prices are higher than they have ever been in the history of our country, and rural Americans are getting hit particularly hard. Our farmers are watching most of the profits from the crops that they harvest go back into their fuel tanks or their tractors and their equipment.

Our school districts in rural North Carolina are having trouble keeping the buses on the road. Rural Americans as a whole feel a greater pinch from these outrageous fuel prices. They have longer commutes just to get to the grocery store, to the doctor's office and to their church on Sunday.

Yet, while Americans are struggling to make ends meet, big oil companies are making record profits.

I support legislation to crack down on price gouging of gasoline and fuel. I also believe that it is our duty in this body to find alternatives to what has become a dangerous reliance on foreign oil.

As the co-chairman of the Democratic Rural Working Group, we have introduced H.R. 5372, the Biofuels Act of 2006. This is legislation that will help bring Americans a step closer to energy independence.

Today, we have the technology to solve our energy crisis. Other countries are already making significant progress and are far ahead of the United States in their energy independence. Countries such as Brazil already use over 80 percent ethanol and biodiesel, and they are 100 percent energy independent.

The Biofuels Act would increase production of vehicles that are E85 compatible and provide the tax credits to service station owners who update their equipment. We have the ability to turn soybeans and cellulose into biodiesel and ethanol. What we don't have is the infrastructure to maximize our ability to use these fuels.

Instead of the same old giveaways to big oil companies, the Republican leadership in this Congress should allow a vote on the legislation that we have introduced, H.R. 5372. Other countries have accomplished their energy independence. Americans can, too. Now is the time. The answer to our crisis of energy is growing in our fields.

NATIONAL SECURITY

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

Mr. CARTER. Mr. Speaker, we have had a month here in August where we have gone back home and talked to folks back home and visited with them, and we are moving forward on issues that are vital to America. But nothing is more vital to the United States of America than its national security.

So I rise this evening to discuss with my colleagues and my neighbors the view that I am a little concerned about and want to talk about on the issue of national security. National security, the term itself, has a broad umbrella. It has an umbrella that we have a lot of historical experience to look at.

I am an old history buff. I like history. I study history. I think we learn lessons from history. I think when we forget history, we forget lessons we have learned, sometimes the hard way.

So, tonight, I want to talk a little bit about the national security of the United States today and compare that national security to a little bit of our history, and then also to discuss a little bit about what our response is, how we are now viewing our lives that we live in this country in light of national security. Now, national security means, are we secure as a Nation in the scope of our world, which means we have to think about our own common defense, promoting our own general welfare, the things that our founders talked about. That is part of it.

National security is securing our Nation's borders, and this debate has been ongoing now in this Congress for quite some time concerning our Nation's borders, and we may talk a little bit about that tonight.

□ 2030

But I think that anyone who establishes a nation, and of course I believe with my whole heart our Founders, when they established our Nation, had in mind securing our lives in the United States of America by protecting the life, liberty, and property of Americans.

And they had in mind when those who would do us harm would put the life, liberty, or property of Americans at risk, that we would have the resources with which to protect those citizens and their holdings.

In our recent memory, and I was actually born 1 month, I am going to show my age here, 1 month before the Japanese bombed Pearl Harbor on December 7, so I am a prewar human being by 1 month. Almost 1 month to a day. I want to look at that event and how our Nation responded to that event.

On December 7, 1941, the Imperial Navy of Japan attacked the United States of America basically from the air. They killed 2,402 Americans, 57 of them were civilians and 2,345 were Americans who were in the service. They attacked our military with their military all in uniform. It was a dastardly sneak attack. The American citizens were irate.

But what is kind of interesting, that particular day my dad tells the story, that was the first day under the way doctors looked at babies that people could visit the new baby. So on December 7, 1941, a group of friends came to my house to see me as a 1-month-old baby.

When this was announced on the radio, the first question they asked was, where is Pearl Harbor? When they found out American citizens were attacked, American soldiers, sailors, airmen and marines were attacked, the American public was irate. The next day we went to war with Japan by declaration of this Congress. We followed that by going to war with Germany and Italy, supporters, allies of Japan, people who had the same agenda.

The American public went wholeheartedly into that war. They suffered things on the homefront. A whole lot of women had to take men's jobs on the assembly line so men could go to war. They rationed gasoline and food. They rationed sugar. They rationed lots of things. The American public saved scrap iron and they got involved in selling war bonds. They supported our soldiers as our soldiers went to war.

On the 11th day of September, 9/11 as we call it, 2001, a group of people attacked the United States of America again. These people didn't wear uniforms. These people didn't attack a military target. Well, sort of. Their last attack was on the Pentagon, but their initial attack was a civilian target, a symbol of international freedom and economy. The total number of United States citizens killed that day was 3,025, the vast majority of whom were civilians, not military soldiers, sailors, airmen and marines; and they were not attacked by someone's army. They were totally and completely sneak attacked on 9/11 to kill innocent American civilians who had done absolutely no imaginable harm to the people who attacked them.

You know, this Congress gathered on the steps of the Capitol in a very touching moment and sang ''God Bless America,'' Republicans and Democrats alike. For 48 hours this country was united, and we sit there and say that is when it all started. Actually, that is not when it all started.

Actually, if you want to go back a little bit, you can look at this same ideology, if you will, related groups of people attacked the embassy in Baghdad in 1983, attacked the Marines barracks in Lebanon in 1983 killing an additional 242 and 120 in those two attacks; hijacked a TWA airplane, the Pan Am 103 bombing; the first World Trade Center bombing in 1993; attempted assassination of President George H.W. Bush; the Khobar Towers bombing in 1996; the embassy bombing in east Africa in 1998; and the USS Cole bombing in 2000, followed by an attack on our country for a total of American citizens killed of 4,037. And we were really upset about it. But who sacrificed? Where are we in the support of enemies who would bring down our Nation? That is something I find very curious.

Tonight I heard some of my colleagues, my Democrat colleagues over here, saying the Iraqi war is wrong. They had nothing to do with 9/11.

Well, the first people we whipped in the Second World War were the Italians. They had nothing to do with Pearl Harbor. And the second group of people we whipped in the Second World War was the Germans. They had nothing to do with Pearl Harbor by their definition, but they lent allied support to the country that attacked this country. How can they argue when Saddam Hussein paid $25,000 to every terrorist family that attacked the United States of America? How can they say they were not aiding and abetting our enemies?

The President of the United States said something I thought was right. He said: Folks, you are either with us or you are against us. If you are helping our enemies, you are our enemies.

Now, sort of like the Monday morning quarterback at a football game, and I know about that, it is fun to sit in the stands and watch everybody second-guess your kid, all of a sudden we have people who knew all along, even though President Clinton thought they had weapons of mass destruction and said so publicly, those in his administration said the same thing, all indications were that they did, and the British intelligence, along with others around the world confirmed that they thought that they had the potential to get to the hands of terrorists weapons of mass destruction. But in addition, they aided and abetted through at least a $25,000 reward to aid the terrorists who attacked us, our enemies.

The Germans didn't do that and neither did the Italians, and yet we had to take care of those who would bring down our Nation. This Congress, the government in 1941, recognized the threat to the United States and knew that national security required us to

get rid of the evil that was coming after our Nation.

Mr. Speaker, that evil is still out there in this war we are fighting right now. You know what, we have been successful, very successful in taking down an awful lot of evil people. And we have used tools that are constitutional and legal to maintain our national security.

Our intelligence network had been gutted in the 1980s and in the 1990s. And all of a sudden we are all very critical of our intelligence network. But if you go back and look at the history of our intelligence network, we basically took the on-the-ground resources out of the hands of our intelligence people. We have had to replace those. We have had to do a lot of hard work communicating. We have the best electronics in the world, but our human resources were lacking.

But that doesn't excuse the fact that we have an enemy who as recently as about 3 weeks ago was planning on blowing up, the estimate is nine or ten, airplanes headed to the United States with American citizens on board, with us the target, with our airline industry the target. And thank goodness for good British intelligence and information-gathering by the Brits that they were able to stop this from happening.

But it tells us something. I am not trying to scare anybody. It tells us commitment counts. Here tonight we have heard some of my Democrat colleagues say we need a new strategy in the Middle East. We need to pull our troops out of Iraq and do it today. A passionate plea to the President, Mr. President, pull back the troops.

You know, if you read about the battles, and I use as an example the Civil War, sometimes those people bashed each other for 3 or 4 days to a bloody pulp. But when one army left the field, the other side was the victor. The Battle of Gettysburg, which was probably the turning point in the war, when the Confederate Army left the field, the Union Army was the victor. That is the definition.

I would propose, we are talking about a battle in Iraq and Afghanistan. The war is worldwide, but the battles are in Afghanistan and Iraq. Hopefully, that is the only place we will have to fight.

Mr. Speaker, if we retire from the field, it is a victory for evil, evil that wishes to bring down the United States of America. It is the wrong thing to do.

I hesitate to talk about this, but it is something that concerns me. We are constantly examining ourselves and looking at our warts, but whenever evil is defined by our enemies, we say it is just too bad to talk about. Has anybody thought about the fact that American guys who were just working for a living trying to help rebuild Iraq got kidnapped and their heads sawed off with an 8-inch knife? Has anybody thought about that? Because it was so gruesome we didn't see it on television, thank God. That horrible incident alone ought to inflame Americans against our enemies. Don't we care any more about the safety of American citizens around the world? Aren't we willing to stand up and say we are not going to tolerate this?

We have some fine people in this country who are willing to do that. God bless each and every one of them. That is the American soldier, sailor, airman, marine and Coast Guard. It is unsafe right now. Because of kidnappings and decapitations and murder and terror around the world, it is unsafe for Americans. We have a bunch of people walking around Afghanistan and Iraq flying the American flag on their shoulders. They are not afraid. They are standing up for what it takes to win the war on terrorism, the war on Islamic fascism. And even a better definition, the war on evil. When you do what they did to these contractors, when you do something like that to a human being, the whole world, but especially the United States of America, ought to be fighting mad.

Mr. Speaker, I think that in our hearts we know that we have to confront evil where it is and we have to do hard jobs. You know, somebody said in 3 years there has been no progress. Once again I went back to my thoughts about history. I said, okay, we were bombed in 1941 and we landed on the beaches at Normandy on June 6, 1944. So that very argument could have been made in this House on the Second World War in the spring of 1944. We have been fighting 3 years, and we have made relatively no progress because we haven't gotten after the Germans where they are. We had to fight the Italians, we had to fight in North Africa, and we had to fight the Japanese. We were still fighting the Germans, and we have made no progress against the people who attacked us.

But that is not how our fathers and grandfathers and great grandfathers felt about this country. They were in it to get it done. That is why they are the Greatest Generation. That is why we talk about them as the Greatest Generation.

You can sit around and make excuses, and you can get in folks' faces on things, and you can put politics before country.

□ 2045

But, Mr. Speaker, this is not about politics. This is about the safety of this country.

I think we have got a lot to be proud of. I think we have done a lot of good. We have revitalized an intelligence group that is doing the job, accomplishing the mission, getting us good intelligence. It is substantially, substantially better than what we inherited and what we started with. But I think that there are some fuzzy thinking people out there that have got strange ideas about what entitles our enemy, for instance, to sue us in court. That is fuzzy thinking.

The American people know what is right and what is wrong. The American people do not need to be scared because they know whatever the United States of America sets its mind to it gets done. And I think that is really the message that we have got.

We have increased funding for our intelligence community. We have got all of our law enforcement communities talking to each other now and sharing information. We have poured $30 billion into our first responders so that we are ready to protect our homeland. This House has passed a bill to address the border, and hopefully, we will get that bill passed and written into law, and we will work out all of the issues that involve immigration and work them out in a way that they will be manageable and we can do what is right for all the people of the United States. But we first have got to defend our borders.

Mr. Speaker, this is national security. It is a big picture. And it is one we have to be concerned about. We have to realize that the only realistic thing for us to do is to continue to support our soldiers as they do a very tough job. I have the only two division posts in the entire world in my district. No one has more compassion for those young men and women that go to war, on their third rotation now. We are getting the 4th Infantry Division back early this fall, and we have got the 1st Cav going back again. And it is hard. But do you know what? Those soldiers know that they are doing their duty, and they are doing what they have to do and they are doing what it takes to keep our Nation secure.

I am confident, Mr. Speaker, that we will examine each and every day in light of protecting the American citizen wherever he may be, and that is what national security is all about. I am confident the American people will give us the resources. I am confident that this government will do the right thing to protect Americans.

I have got colleagues here that have joined me, and I am going to ask Mr. GINGREY from Georgia, one of my best friends in this Congress, to talk to us a little bit about this issue. I yield to the gentleman.

Mr. GINGREY. Mr. Speaker, I thank the gentleman for yielding. And, indeed, it is a pleasure to be here tonight, Mr. Speaker, with my good friend Judge Carter. We are about the same age, and he was giving us a little bit of a history lesson, much better than I can, in regard to some of the things that went on with our Greatest Generation in defending this country in World War II, and I think that some of these statistics are so telling, the things that Judge Carter talked about in regard to, of course, that day that will live in infamy, December 7, 1941. And, of course, I am referencing again, as he did, Pearl Harbor. I think Judge Carter mentioned that something like 2,400 of our sailors and airmen and a lot of civilian workers were killed that Sunday morning, a day of rest, a day of worship. An unprovoked attack. And the very next day, as John Carter

pointed out, this Congress declared war against imperial Japan for this dastardly act, this unprovoked sneak attack on that early Sunday morning.

Here again we think back now, and next Monday, 5 days from now, will be the fifth anniversary of an attack that was just as unprovoked and just as dastardly as Pearl Harbor and resulted actually in the loss of a greater number of lives. Something above 3,000 innocent men and women were killed in the Twin Towers attacks of September 11, 2001.

And as I think about the numbers, and we are all very saddened when we read in the newspaper that another of our brave young soldiers has either been injured or killed in Iraq, maybe by one of these improvised explosive devices, and we are getting beyond the 3-year anniversary. We are more than 3 years engaged in that battle, and the number is something like 2,470 killed.

Mr. Speaker, I remind my colleagues on both sides of the aisle and the American people that in the battle of Iwo Jima, we lost 7,000 of our Greatest Generation in 30 days; 7,000 to secure that strategic island in the mid-Pacific. That was a tremendous price for our Greatest Generation to pay. But we didn't hear Members of Congress telling President Roosevelt, well, that is too high a price, and we need to bring the troops home. We need to come back and batten down the hatches and cut our losses. I could say the same thing to my colleagues about the Battle of the Bulge, as tough as that was. Representative CARTER referenced some Civil War battles, Antietam, Gettysburg. When the going gets tough, the tough don't leave. The tough fight back. And that was what happened in the Battle of the Bulge. That was what happened on the island of Iwo Jima where that famous flag was raised on Mount Suribachi. We cannot afford to cut and run. I am not saying that my colleagues on the other side of the aisle are necessarily advocating that, but certainly some of the rhetoric sounds a lot like that, Mr. Speaker, and I think the American people are hearing that. But even worse, our soldiers that are doing the fighting and the dying and the suffering on our behalf are hearing it.

One of our colleagues on the other side of the aisle a few minutes ago was talking about what things that President Bush should have known and how he should have responded even before 9/11. And as I listened, Mr. Speaker, I heard him talk about the United States embassies in East Africa; the attack on the USS *Cole*, where I think 17 of our soldiers were killed there; the first attack on the World Trade Center in the early 1990s; the Khobar Towers bombing. Well, I would remind my colleagues on the other side of the aisle that that was under the administration of one William Jefferson Clinton, a Democratic President, where basically the response was the bombing of an aspirin factory in Sudan, and I think maybe one janitor was injured a little bit in that bomb attack. That was the kind of response we got from them.

The bottom line is you cannot continue to dare and double-dog dare and triple-dog dare and draw lines in the sand that you ignore, and that was what led us to this situation and that culminated in 9/11.

This President responded. This President had the guts, if you will pardon my Georgia slang, to stand up and get permission from Congress, just as President Roosevelt did on December 8, 1941, and declared war on these people that were responsible for that attack.

And I will just take a couple of minutes more, and then I will turn it back over to my colleagues and the gentleman from Tennessee for his remarks. The President was just speaking to the Reserve Officers Association a couple days ago, and this is what he said and this is, so telling, Mr. Speaker. And I quote:

''The experience of September 11th made clear, in the long run, the only way to secure our Nation is to change the course of the Middle East. So America has committed its influence in the world to advancing freedom and liberty and democracy as the great alternatives to repression and radicalism. We're taking the side of democratic leaders and moderates and reformers across the Middle East. We strongly support the voices of tolerance and moderation in the Muslim world. We're standing with Afghanistan's elected government against al Qaeda and the Taliban remnants that are trying to restore tyranny in that country. We're also standing with Lebanon's young democracy against the foreign forces that are seeking to undermine the country's sovereignty and independence. And we're standing with the leaders of Iraq's unity government as they work to defeat the enemies of freedom and chart a more hopeful course for their people. This is why victory is so important in Iraq. By helping freedom succeed in Iraq, we will help America, and the Middle East, and the world become more secure.''

I cannot improve on that, Mr. Speaker. I think the President said it well.

I thank God that we have a President that has the moral character and the intestinal strength to fight when we need to fight, to lead us, as President Roosevelt did, in that war that our Greatest Generation fought.

So I am really proud to be here and share a little time with my colleagues. I thank Congressman JOHN CARTER for leading this hour and giving me an opportunity to discuss such a vital issue as this with my colleagues.

Mr. CARTER. Mr. Speaker, I thank the gentleman for his comments.

At this time I will yield to my colleague from Tennessee, Mr. ZACH WAMP.

Mr. WAMP. Thank you, Judge CARTER, for yielding.

Mr. Speaker, I just want to, as I begin, stand, as I think virtually everyone in this Chamber would do, and thank the men and women in uniform who volunteered to serve because whatever that call is that our commander-in-chief deems in our national interest and the Congress supports the actions for, they are the ones standing in harm's way. They are the ones willing to make the sacrifice.

Over this August district work period, like many of my colleagues, I spent a lot of time with the men and women in uniform from my home State. The 196th Field Artillery Brigade just got back from a year in Afghanistan. I welcomed them home, and then I traveled to Nashville to spend several hours with them and their families, going through the slide slows and listening to the success of their mission there. And I am so very proud that they would volunteer to serve and that they would be willing to step up.

So I begin today just by honoring them, and I know the House stands behind them. But where we are seeing some confusion is the messages that are coming out across the country here in the middle of a very divisive election year that, frankly, are at best mixed messages to our troops in the field and, at the very worst, not helpful at all. And I really hate that because I know that the Greatest Generation who set the standard for sacrifice and courage in our country would want us to attempt to work through our sometimes petty division and right now political division to stand at the waters' edge united against this threat. And there are people in this country who, frankly, do not want to acknowledge it. The Wall Street Journal editorialized last week and called it an ''aversion to conflict,'' meaning that there are people in this country that just do not want to be bothered. They do not want to accept the fact that these threats are real.

I also spent all of August reading, and I would encourage people to read ''Londonistan,'' how the radical Islamists, the jihadists, the people who are literally waging war and believe that death is the only end, are spreading like wildfire through Great Britain and Europe, through the mosque, and radicalization is taking place so fast that we need to wake up as a Nation.

□ 2100

I have been here 12 years. But sometimes I feel like Paul Revere. When you know something in your heart, you better not be quiet about it. You better speak out about it. The gentleman from Texas and I serve on the Homeland Security Appropriations Subcommittee.

For 4 years, we have had the detailed briefings of some of these threats. And while we cannot speak of some things, we know that Hezbollah is the A Team in terrorism around the world. Al Qaeda has been seriously hit by us. We have dismantled a lot of their operations. We have killed Zarqawi. We have had a lot of success.

But Hezbollah now has reared its ugly head in a way that threatens the entire free world. And they want, by their own charter and definition, the destruction of Israel and Christians. That is the truth. That is in their charter.

I would encourage you to read ''While Europe Slept,'' about the rest of Europe and the radicalization that is taking place there, and be sensitive to what is happening in northern Africa where just this week we finally established a U.S. command. Why? Because Somalia is at risk. I was there last summer in eastern Africa. I came back and talked about the problems that we face with the potential of the terrorist networks and the jihadists looking for a vacuum in leadership, the Sudan, Somalia, Algeria, where they can go in and find another sovereign nation from which to operate like they had in Afghanistan.

That was one of the great successes of removing Saddam Hussein, as we took Iraq out of the picture of having a sovereign nation from which the terrorists could operate. But this war has not gone perfectly.

But as Senator MCCAIN said 2 weeks ago on ''Meet the Press,'' no war we have ever fought went perfectly. We have never entered a war and not made mistakes. Of course mistakes have been made. That is the essence of war.

But I am reminded of what John Stuart Mill said about war. This is where the veterans come in, our troops in the field. He said: ''War is an ugly thing. But it is not the ugliest of things. The decayed and degraded state of moral and patriotic feelings which thinks that nothing is worth war is much worse.''

He said: ''A person who has nothing for which they are willing to fight, nothing they care more about than their own personal safety, is a miserable creature, who has no chance of ever being free unless those very freedoms are made and kept by better persons than himself.''

And those better persons, men and women of the House, Mr. Speaker, are our Nation's veterans. Our sons and daughters and friends and relatives that are in harm's way today looking back asking, often to each other, does this country stand behind us? Does the elected leadership of the United States Congress believe in this mission? Will we be successful or will we go home early?

Those are serious questions of war and peace, of freedom or tyranny, whether or not there is ever going to be a hope of us instilling some democratic systems in a part of the world that frankly is breeding hate and destruction directed right at us.

The chronology that you have heard some of today was articulated well by a U.S. Navy captain in Pensacola, Florida. I want to read it into the RECORD, and then submit it for the RECORD. It takes a minute, but this really capsulizes the threats we face that some people are in denial of, and some people do not want to acknowledge that this is worse than it was on September 11 in terms of the global proportions of the terrorist networks, the jihadists working together.

Hamas, Hezbollah, al Qaeda, it is growing. But it did not just start. He writes: ''It was a cool fall day in November 1979 in a country going through a religious and political upheaval when a group of Iranian students attacked and seized the American embassy in Tehran.

''The seizure was an outright attack on American soil. It was an attack that held the world's most powerful country hostage and paralyzed a Presidency. The attack on the sovereign U.S. embassy set the stage for events to follow for the next 25 years.

''America was still reeling from the aftermath of the Vietnam experience and had a serious threat from the Soviet Union when then President Carter had to do something. He chose to conduct a clandestine raid in the desert. The ill-fated mission ended in ruin, but stood as a symbol of America's inability to deal with terrorism. America's military had been decimated and downsized or right-sized since the end of the Vietnam war.

''A poorly trained, poorly equipped, and poorly organized military was called on to execute a complex mission that was doomed from the start. Shortly after the Tehran Experience, Americans began to be kidnapped and killed throughout the Middle East. America could do little to protect her citizens living and working abroad. The attacks against U.S. soil continued.

''In April of 1983, a large vehicle packed with high explosives was driven into the U.S. embassy compound in Beirut. When it exploded, it killed 63 people. The alarm went off and America hit the snooze button once again.

''Then just 6 short months later, in 1983, a large truck heavily laden down with over 2,500 pounds of TNT smashed through the main gate of the U.S. Marine Corps headquarters in Beirut, and 241 U.S. servicemen were killed.

''America mourned her dead and hit the snooze button once more. Two months later, in December of 1983, another truck loaded with explosives was driven into the U.S. embassy in Kuwait, and America continued her slumber. The following year, in September of 1984, another van was driven into the gate of the U.S. embassy in Beirut, and America slept.

''Soon the terrorism spread to Europe. In April 1985, a bomb exploded in a restaurant frequented by U.S. soldiers in Madrid. Then in August of 1985, a Volkswagen loaded with explosives was driven into the main gate of the U.S. Air Force base Rhein-Main. Twenty-two were killed and the snooze alarm was buzzing louder and louder as U.S. interests were continually attacked.

''Fifty-nine days later, in 1985, a cruise ship, the *Achille Lauro*, was hijacked as we watched an American in a wheel chair singled out from the passenger list and executed.

''The terrorists then shifted their tactics to bombing civilian airlines when they bombed TWA Flight 840 in April of 1986 that killed four, and the most tragic bombing, Pam Am Flight 103 over Lockerbie, Scotland, in 1988, killing 259.

''President Clinton treated these terrorist acts as crimes. In fact, we are still trying to bring these people to trial. These were acts of war. The wake-up alarm was getting louder and louder. The terrorists decided to bring the fight to America. In January 1993, two CIA agents were shot and killed as they entered CIA headquarters in Langley, Virginia. The following month, February, 1993, a group of terrorists were arrested after a rented van, packed with explosives, was driven into the underground parking garage of the World Trade Center in New York City. Six people were killed and 1,000 injured.

''Still, this was a crime and not an act of war. The snooze alarm was depressed again. Then in November, 1995, a car bomb exploded at a U.S. military complex in Riyadh, Saudi Arabia, killing seven servicemen and -women. A few months later, in June of 1996, another truck bomb exploded, only 35 yards from the U.S. military compound in Dhahran, Saudi Arabia. It destroyed the Khobar Towers, a U.S. Air Force barracks, killing 19 and injuring over 500.

''The terrorists were getting braver and smarter as they saw that America did not respond decisively. They moved to coordinate their attacks in a simultaneous attack on two U.S. embassies in Kenya and Tanzania, where I was. These attacks were planned with precision. They killed 224 people.

''America responded with cruise missile attacks and went back to sleep. The USS *Cole* was docked in a port in Yemen for refueling on October 12, 2000 when a small craft pulled alongside the ship and exploded, killing 17 U.S. Navy sailors. Attacking a U.S. warship is an act of war, but we sent the FBI to investigate the crime and went back to sleep.

''And of course you know the events of September 11, 2001. Most Americans think this was the first attack against U.S. soil or in America. How wrong they are. America has been under a constant attack since 1979 and we chose to hit the snooze alarm and roll over and go back to sleep.''

Now, this was written by a U.S. Navy captain currently serving. This was his speech to a group. I submit it for the RECORD. You can take issue with that. But that is a chronology of what has happened. These threats are real and they are building, they are growing.

Ladies and gentlemen, when Zarqawi wrote a letter to Zawahari before we killed him, he said, use the infidel's, us, presence in the Middle East, Iraq, to expand the califate from Morocco to

Indonesia. Morocco is in northern Africa. It is in northwest Africa. Indonesia is way over here, east of Saudi Arabia and the Middle East.

The califate is frankly jihadist rule, expanding their territory. This is an aggressive plan, documented by their own words. People can deny this if they want to, but I got to tell you, our generation has been called to many, many challenges. And since the Greatest Generation set the standard for sacrifice and commitment, we have had it really easy in this country.

But we need to be honest with the American people. It is not going to be easy in the coming years at all. We are very fortunate we have not been struck again. We are kidding ourselves if we do not think they are planning another attack. We are kidding ourselves if we think that this problem will go away if we pull out of Iraq.

What will happen is it will give them momentum. It will cause them to recruit more jihadists and more suicide bombers, because they will see us in retreat. That is the truth. This problem is not going away. This problem did not just start either. It has been building. We just did not get serious enough about it until they actually took the Towers down, which they tried to do 8 years earlier, but their engineering was flawed and it did not work. That is when they wanted them to come down.

Ladies and gentlemen of the House, Mr. Speaker, we have an obligation to try our best to meet at the water's edge. I want these volunteer troops and the Guard and Reserve and active duty to see us united around this issue.

This is our call. This is so important. Our way of life is worth defending. Everybody is going to have their role. They say, oh, well, you are not over there serving. Everybody has got a role to play. The Greatest Generation, ''Rosie the Riveter'' was the spouse who stayed and worked in the factories and raised the kids so the men could serve. And they were people on the floor of this House standing with those troops. We need to do it again.

I will be glad when the next 62 days are over so this is not as much about politics as it is about doing what is right for the men and women in uniform, and for global security because the world is looking to us for leadership. And I am also grateful that we have had consistent and decisive hard-nosed Texas-tough leadership in the White House.

Because this is not a time for wimps. This is a time for us to be consistent and be resolute. The President has got a big heart. I have been with him when he has talked about the families of these troops and there were tears rolling down his face. He understands the sacrifice. He would never, ever put any person in harm's way unless he knew deep in his soul that it is in our national interest and we have to do this. Freedom is not free. We hear that so much we think, oh, that is just what the politicians say.

The sacrifices of the generation before us hang in the balance today. Are we going to rise to meet this or not? We have got to keep talking about it too. Even though we are in an election, this is about the free world and our leadership, whether or not we are going to stand with our allies, whether or not the people in Europe and across the world look to us for leadership or put their hope in organizations like the United Nations that have proved ineffective and today grossly corrupt.

The coalition of the willing are the only people willing to do it today, us and our allies, and tyranny and terrorism is on the rise. Let's not bury our head in the sand.

WHEN WWIII STARTED—1979

It was a cool fall day in November 1979 in a country going through a religious and political upheaval when a group of Iranian students attacked and seized the American Embassy in Tehran. The seizure was an outright attack on American soil; it was an attack that held the world's most powerful country hostage and paralyzed a presidency. The attack on this sovereign U.S. embassy set the stage for events to follow for the next 25 years.

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America's military has been decimated and down sized/right sized since the end of the Viet Nam war. A poorly trained, poorly equipped and poorly organized military was called on to execute a complex mission that was doomed from the start.

Shortly after the Tehran experience, Americans began to be kidnapped and killed throughout the Middle East. America could do little to protect her citizens living and working abroad. The attacks against U.S. soil continued.

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The following year, in September 1984, another van was driven into the gate of the U.S. Embassy in Beirut and America slept.

Soon the terrorism spread to Europe. In April 1985 a bomb exploded in a restaurant frequented by U.S. soldiers in Madrid.

Then in August 1985 a Volkswagen loaded with explosives was driven into the main gate of the U.S. Air Force Base at Rhein-Main, 22 were killed and the snooze alarm was buzzing louder and louder as U.S. interests were continually attacked.

Fifty-nine days later in 1985 a cruise ship, the Achille Lauro, was hijacked and we watched as an American in a wheelchair was singled out of the passenger list and executed.

The terrorists then shifted their tactics to bombing civilian airlines when they bombed TWA Flight 840 in April of 1986 that killed 4, and the most tragic bombing, Pan Am Flight 103 over Lockerbie, Scotland in 1988, killing 259.

President Clinton treated these terrorist acts as crimes; in fact we are still trying to bring these people to trial. These were acts of war.

The wake up alarm was getting louder and louder.

The terrorists decided to bring the fight to America. In January 1993, two CIA agents were shot and killed as they entered CIA headquarters in Langley, Virginia.

The following month, February 1993, a group of terrorists were arrested after a rented van packed with explosives was driven into the underground parking garage of the World Trade Center in New York City. Six people were killed and over 1,000 injured. Still this was a crime and not an act of war? The snooze alarm was depressed again.

Then in November 1995 a car bomb exploded at a U.S. military complex in Riyadh, Saudi Arabia killing seven service men and women.

A few months later in June of 1996, another truck bomb exploded only 35 yards from the U.S. military compound in Dhahran, Saudi Arabia. It destroyed the Khobar Towers, a U.S. Air Force barracks, killing 19 and injuring over 500. The terrorists were getting braver and smarter as they saw that America did not respond decisively.

They moved to coordinate their attacks in a simultaneous attack on two U.S. embassies in Kenya and Tanzania. These attacks were planned with precision. They killed 224. America responded with cruise missile attacks and went back to sleep.

The USS *Cole* was docked in a port in Yemen for refueling on 12 October 2000, when a small craft pulled along side the ship and exploded killing 17 U.S. Navy sailors. Attacking a U.S. war ship is an act of war, but we sent the FBI to investigate the crime and went back to sleep.

And of course you know the events of 11 September 2001. Most Americans think this was the first attack against U.S. soil or in America. How wrong they are. America has been under a constant attack since 1979 and we chose to hit the snooze alarm and roll over and go back to sleep.

U.S. Navy Captain from Pensacola, Florida.

Mr. CARTER. Mr. Speaker, I thank Mr. WAMP, and I thank him for sharing that letter from that Navy captain. I think that was very well expressed by that captain in the Navy.

Mr. Speaker, there is a lot of rhetoric going on. What we really need is we need, as Mr. WAMP has so very accurately described, we need to meet on the water's edge. We are waiting to hear plans for solutions. Mr. Speaker, if we do not stay the course, as hard as it is, whether it is hard politically, whether it is hard socially, whatever, if we do not stay the course, Mr. Speaker, I honestly think, as Mr. WAMP said, all the investment in freedom that we have made in the past will pale to the surrender that follows.

I thank you for your time, Mr. Speaker, and I thank you for allowing us to share this concern and this little bit of history. I yield back.

□ 2115

THE WAR ON TERRORISM FIVE YEARS AFTER SEPTEMBER 11—HOW SAFE ARE WE?

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

Mr. SCHIFF. Mr. Speaker, next Monday will mark the fifth anniversary of the most calamitous day in the modern history of this country. Not since the British torched Washington during the War of 1812 has the American homeland suffered such a devastating attack. For all of us, the terrible events of September 11th remain an all-too-fresh memory that still casts a pall over our national life.

For the families of the more than 2,900 people killed in New York, Washington and Pennsylvania, the 9/11 attacks remain an open wound. Many of them have sought to redirect their anger and grief into ensuring that we as a Nation are secure and safe from future attacks. In pursuing this goal, they have only asked that our Nation's leaders be honest in assessing the state of our Nation's security, willing to address shortfalls in our defense and that we act together as Americans and not as Republicans and Democrats.

Mr. Speaker, bipartisanship has been at the center of America's national security policy-making for most of our history. In standing behind our Armed Forces, in standing up for our diplomatic priorities, in supporting the intelligence community and in supporting the President in times of crisis, Congress has often spoken with one voice.

This unanimity was never stronger than in the aftermath of the September 11 attacks on the World Trade Center and the Pentagon. When President Bush addressed the Congress and the Nation on September 20, this Nation was more united than at any time since the Second World War.

That unity extended around the world, to friends and foes alike. In the wake of the attacks, NATO invoked for the first time in its history Article 5 of the NATO Charter, declaring the attacks on the United States to be an attack on the alliance. As American military assets rushed toward Afghanistan in preparation for the invasion that would topple the Taliban regime, allied early-warning aircraft patrolled American skies to protect us.

Five years later, this national and international unity seems quaint. Here at home, the President and his fellow Republicans have made no secret that they intend to exploit the 9/11 attacks and the war on terror for political advantage in the upcoming midterm elections, and they have sought to smear as unpatriotic anybody who questions their conduct of our Nation's security policy, most recently, as Secretary of Defense Rumsfeld did, likening war critics to Nazi appeasers.

Overseas, we are isolated. Where America was seen as a victim in the wake of 9/11, it is wrongly viewed as an aggressor. American troops are fighting and dying in Iraq while our closest allies sit on the sidelines, many of them refusing to help.

President Bush and the Republicans have not only squandered domestic unity and international goodwill, they have poorly prosecuted the war on terror and failed to improve our security here at home. Even as we spend $1 billion a week in Iraq, basic security here at home has not been improved as it should have been. This failure has been most clearly demonstrated by the administration's woefully inadequate performance in implementing the recommendations of the independent and bipartisan 9/11 Commission.

In fact, in December of last year, the 9/11 Commission Public Discourse Project, made up of the members of the commission, issued a report card on the lack of progress in improving our Nation's security. The report card was filled with Cs, Ds and Fs. In a statement accompanying the report card, Chairman THOMAS Kean, a Republican, and Vice Chair Lee Hamilton, a Democrat, said, ''Many obvious steps that the American people assume have been completed have not been. Some of these failures are shocking.'' What we have seen over the last 4 years, Mr. Speaker, has been a failure of leadership and a failure of initiative.

My friends on the other side of the aisle, as we heard tonight, I guess have decided that their best response to the criticism of the 9/11 Commission is to blame Bill Clinton. I guess that is the new national security strategy of my friends in the GOP, blame Bill Clinton. I suppose that would be fine if Bill Clinton was the President of the United States, but the last time I checked, it was George W. Bush and had been for a great many years. The last time I checked, it was a Republican House and a Republican Senate.

If we step back 5 years to the immediate aftermath of September 11th and we ask ourselves, would we as a country choose a course that would lead us 5 years hence to a place where we were mired in civil war in Iraq, where Osama bin Laden was still at large, where he and al Zawahiri were issuing a dozen taped messages just in this year alone, where North Korea is testing missiles to carry nuclear bombs that it has manufactured, where Iran is thumbing its nose at the international community and going forward with its nuclear program, where we have become more dependent on foreign oil, not less, how many of us would choose that course for the United States of America? I submit none of us would. None of us would choose that course.

The administration, all they can say is, stay that course; stay a course that has made us more energy dependent on the Middle East than ever; stay that course where Afghanistan's opium production now exceeds what it did under the Taliban; stay that course where sectarian violence is increasing and it is now a civil war in Iraq; stay the course where we have not protected the homeland; stay the course where we have earned Cs, Ds and Fs from the bipartisan 9/11 Commission. Stay the course is the best they can come up with.

If anyone is hitting the snooze button that my colleagues on the other side of the aisle refer to, it is this administration and this Congress. The majority has dubbed this Security September. Well, that has a lovely ring to it, Security September. The problem with Security September is I suppose that in October it will be something else. It will not be security month anymore. Security September will be over. What will October be? October will be, what is a good old term for the political agenda on the floor?

The problem is the Nation's security is not a political agenda to be talked about in the September before a midterm election under the quaint title of Security September.

My colleagues on the other side of the aisle say that everyone has a role to play in the Nation's defense, and with that I wholeheartedly agree, but who has the administration asked among us, other than those brilliant and brave Americans wearing the uniform of this country and their families, who has been asked to be Rosie the Riveter? Who has been asked to make a sacrifice? Has the President asked the American people to sacrifice on the war on terror?

When he was interviewed recently by Brian Williams, who said, Mr. President, many have criticized that you have not asked the American people for a sacrifice; the President said, no, that is not true; the American people have sacrificed. They pay taxes.

That, I guess, was the extent of the sacrifice Americans have been asked to make in the war on terror. The President could have gone on to say he has asked the American people to sacrifice by paying less taxes, by ringing up large deficits on our children to pay for the war, to pay for our own security. That is not the kind of sacrifice, that is not the kind of role that we have to play in the Nation's security.

Now I would like to go through briefly some of the criticisms of the 9/11 Commission that have not been addressed. One of the core parts of the Democratic real security plan is, we will implement the recommendations of the 9/11 Commission. We will put them into effect, and when we go through some of those tonight, we will see just how important they are, just how derelict the majority has been and the administration has been in not implementing these recommendations.

I am joined tonight by CHRIS VAN HOLLEN of Maryland and by DAVID SCOTT of Georgia, two leaders on national security issues, and I want to turn to them after I go through some of the failing grades that we have

earned as an institution and this Congress, under majority GOP rule and that the administration has earned.

First, in its report, the 9/11 Commission talked about having a national strategy for transportation security. The commission said, ''Hard choices must be made in allocating limited resources. The U.S. government should identify and evaluate transportation assets that need to be protected, set risk-based priorities for defending them, select the most practical and cost-effective ways of doing so, and then develop a plan, budget and funding to implement the effort. The plan should assign roles and missions to the relevant authorities, Federal, State, regional and local, and to private stakeholders. In measuring effectiveness, perfection is unattainable. But terrorists should perceive that potential targets are defended. They may be deterred by a significant chance of failure.''

Well, that was what the 9/11 Commission recommended. Now let us see what the 9/11 Commission said about how this administration and the majority have done. The grade: C. ''DHS,'' the Department of Homeland Security, ''has transmitted its National Strategy for Transportation Security to the Congress. While the strategy reportedly outlines broad objectives, this first version lacks the necessary detail to make it an effective management tool.'' C on the National Strategy For Transportation Security.

Airline passenger prescreening: The 9/11 Commission urged that ''improved use of 'no-fly' and 'automatic selectee' lists should not be delayed while the argument about a successor to Computer Assisted Passenger Pre-Screening continues. This screening function should be performed by the TSA, and it should utilize the larger set of watch lists maintained by the Federal Government. Air carriers should be required to supply the information needed to test and implement this new system.''

What grade did the 9/11 Commission, the bipartisan commission, give this administration and Congress? An F, failure. ''Few improvements have been made to the existing passenger screening system since right after 9/11. The completion of the testing phase of TSA's prescreening program for airline passengers has been delayed. A new system, utilizing all names on the consolidated terrorist watch list, is therefore not yet in operation.'' Remarkable. We do not have a unified terrorist watch list in operation that is trustworthy, that we can rely on to keep dangerous people off our planes. F, failing grade by the bipartisan 9/11 Commission.

Checked bag and cargo screening. The 9/11 report stated that ''more attention and resources should be directed to reducing or mitigating the threat posed by explosives in vessels' cargo holds.''

Well, that has not happened either. The grade here: D. Now, we all know we have got to take our shoes off and we cannot carry fluids on the plane, but you can still ship a crate the size of a piano in the cargo hold of a passenger plane, and it will not be screened for explosives. This is a glaring hole. We have known about it for a long time. The 9/11 Commission has talked about it, written about it, cajoled about it, as have the Democrats in Congress. What has been done about it? Very, very little. Precious little. Dangerously little.

Airline passenger explosive screening, the grade given by the 9/11 Commission for the administration and Congress work in that area: C.

Critical infrastructure assessment, where we determine the risks and vulnerabilities that will guide the distribution of Homeland Security funds to the most threatened areas. You would expect that when we are identifying what the risks are to the country, that we would go about it in a logical way; we would identify these are the most vulnerable sites, these are the areas where terrorists could cause the most catastrophic damage and losses, and we will prioritize our resources, addressing the most significant risks first.

Well, if that is what you thought we were doing, then you were wrong. Grade by the 9/11 Commission: D. ''A draft National Infrastructure Protection Plan spells out a methodology and process for critical infrastructure assessments. No risk and vulnerability assessments actually made; no national priorities established; no recommendations made on allocation of scarce resources. All key decisions are at least a year away.'' That is negligence with the Nation's security.

Information sharing between government agencies. The grade the 9/11 commission gave: D. ''Designating individuals to be in charge of information sharing'' within the government ''is not enough. They need resources, active presidential backing, policies and procedures in place that compel sharing, and systems of performance evaluation that appraise personnel on how they carry out information sharing.''

Intelligence oversight reform, grade given by the 9/11 Commission: D.

International collaboration on borders, grade given by the commission to this administration and this Congress: D.

Let me just talk about border security for a minute. Again, my colleagues on the other side of the aisle blame Bill Clinton. Well, that is great. Let us blame Bill Clinton for everything, but border security? We have had a Republican President. We have a Republican House. We have a Republican Senate. If the GOP wanted to pass border security, it could have been done years ago. Positions that we appropriated in this House to fill border patrol positions have remained vacant. The administration has not followed through.

Well, okay, Security September, maybe October will be border Security October. Maybe they will get around to it in October because, after all, the midterms are in November. But one cannot help escape the conclusion that this is driven by the midterm elections and not the national security of the United States of America, and that is wrong.

Those brave people that protected this Capitol when that plane was over Pennsylvania headed our way, those brave people that protected this Capitol deserve better from the people working in this Capitol. They have the right to expect that those working in this Capitol will use their best efforts to protect the rest of the country and not just with the midterm coming up, a couple of months away.

Now, I am joined tonight by two great leaders on national security issues, and I would like to turn first to my colleague from Maryland, CHRIS VAN HOLLEN, who has joined me on several of these national security Special Order hours, in fact, when it was not Security September, and I thank Mr. VAN HOLLEN for his leadership and yield to the gentleman.

Mr. VAN HOLLEN. Mr. Speaker, I thank my colleague from California (Mr. SCHIFF) and thank you for your leadership on these very important national security issues, and as you have suggested, national security issues should not be devoted to just 1 month. We need to make sure that we are watching after the national security every day of this year.

I am pleased to join you and Mr. SCOTT here this evening to discuss these issues because the President has said he wants a national conversation on national security issues in Iraq, but in the same speech, he begins finger pointing; he begins name-calling. Secretary Rumsfeld and Vice President CHENEY are out around the country name-calling and pointing fingers and trying to malign anybody that disagrees with them. That is not a national conversation.

Let us have a national conversation. I say, bring it on when it comes to a national security discussion here in the Nation's Capital and throughout the country because, unfortunately, if you look at Iraq, if you look at our national security policy and the implications of that policy around the world, you can see we have created a mess and that in so many ways we have made ourselves less safe than we could be if we had been smart, smart and tough as we went about it.

□ 2130

And it is very difficult to listen to President Bush and Vice President CHENEY talk about how if we only stick with their plan, we would begin to see a way out of here. After all, we all remember President Bush when he was on the aircraft carrier USS *Lincoln* back in May 2003, with a big banner in front of him declaring ''mission accomplished.'' May 2003. Well, here we are today in Iraq and we just had a report come out a few days ago from the Pentagon saying things are worse than

ever before. Clearly, we are a long way from mission accomplished.

We had Vice President CHENEY say more than a year ago that the insurgency in Iraq was in its final throes, and yet the report that came out just a few days ago from the Pentagon, a report I must say was required by Congress, it wasn't volunteered by the administration, Democrats in Congress pushed for a little small measure of accountability. Not what we need, but we got this report. And while the Vice President said the insurgency was in its last throes more than a year ago, the report says the Sunni-based insurgency remains ''potent and viable.''

And Secretary Rumsfeld, from day one has looked at Iraq through these rose-colored glasses. I remember when he sort of referenced an estimate by people at the Office of Management and Budget regarding the costs of the war as just a few million dollars. I mean, the figure he gave was peanuts compared to what we already have spent in Iraq.

So I say to all those people who for all these years have said to us, trust us, we know what we are doing, just look at your record. Let us have that debate and let us have a real national conversation on these issues. Because the mantra ''stay the course'' is not a strategy.

Do we really want to keep doing exactly what we have been doing when just a few days ago the report that came out of the Pentagon said things are worse than they have been in Iraq? Is that a strategy for success? Is that the plan for victory that the President announced last November at the U.S. Naval Academy in Maryland?

I represent a congressional district in Maryland. The President went there and unveiled his plan for victory, he called it. Again, we have a report just a few days ago out of the Pentagon saying things are worse than ever. So I say we need a national conversation. We need to work together to find our way forward here.

Mr. SCHIFF. If I can interject for just a second, we had a nonclassified briefing, so I can raise this point, before we had the August recess with Secretary Rice, Secretary Rumsfeld, Director Negroponte, and General Pace, and I asked a question that is based on your comments. It was acknowledged at that time that the sectarian violence now exceeded the violence from the insurgency.

I asked them how are we changing our strategy, militarily or politically, because the strategy used in dealing with the counterinsurgency effort and the strategy you use in trying to bring a halt to a civil war are two very different animals. So I asked, how are we adjusting to these new conditions on the ground? And the long and short of it was, we are not adjusting to the conditions on the ground. We are doing the same thing, the same strategy, the one-size-fits-all, the stay-the-course.

That, I think, given the history you have outlined, where this congressionally compelled report indicates things have gotten worse across almost every metric, not better, that stay the course just doesn't cut it any more.

Mr. VAN HOLLEN.

Mr. VAN HOLLEN. It doesn't. And what is unfortunate is people on the one hand are saying let us have this national conversation and then finger-pointing at people who raise questions about what is happening in Iraq and elsewhere in our national security policy, when any sensible person looking at what is going on would have questions. So let us really get together and have a genuine national conversation about these very important issues.

Now, you mentioned, and others have mentioned, that we are coming up very shortly to the tragic fifth anniversary of the September 11 attacks on our country, and I do think it is important to take a moment to reflect again on where those attacks came from and the reaction of the international community, which you have outlined a little bit. Because we all know that those attacks were launched from Afghanistan. They were launched by al Qaeda. They were launched by Osama bin Laden as the head of al Qaeda, and they were launched from Afghanistan because the Taliban government gave al Qaeda sanctuary there in Afghanistan.

When we were attacked on September 11, this country, and in fact the international community, responded. You already referred to the action taken by the North Atlantic Treaty Organization. But in fact also the United Nations unanimously passed a resolution saying they were with the United States in its fight against terror and they were with us in going after al Qaeda and Osama bin Laden. And in fact, when we went into Afghanistan, we were united as a country and the world was united behind us.

You would think, given a lot of the recent talk and rhetoric out of the administration, until just a few days ago, that Osama bin Laden had kind of been forgotten. We weren't talking a lot about Osama bin Laden. But now, just the other day, as we approached September 11 and the anniversary of that tragic attack, the President again raised the words of Osama bin Laden and the very real threat that Osama bin Laden and al Qaeda and their virulent form of extremist Islamic ideology poses.

But I think we should ask the question, given the fact that the President has now reminded us again of where those attacks came from, what are we doing in Afghanistan and how much progress have we really made? If you look at the situation now and you look at the southern part of Afghanistan, we have seen, by all accounts, including from the testimony of the Defense Intelligence Agency, the head of that is General Maples, that you have seen a resurgence in Taliban activities in southern Afghanistan. That is the hotbed of the resistance in Afghanistan. Yet, while we are seeing that resistance grow, we have actually seen a reduction in U.S. military forces in that area. That is not the way you address a real threat.

Secondly, this administration disbanded the one unit, the one unit within the Central Intelligence Agency that was specifically dedicated to targeting al Qaeda and Osama bin Laden. They got rid of it.

We have also seen reports today that opium production in Afghanistan is now at a record high, the highest levels ever recorded in terms of opium production. And those are funds that are able to be used by al Qaeda to help arm themselves and help promote their ideology and help promote their efforts against the United States and others.

At the same time, we learned today that Pakistan, Pakistan, has now entered into a deal with the pro-Taliban militia in the Waziristan portion of Pakistan, that rugged mountain area along the Pakistan-Afghan border, where the Taliban have been assembling and using as a launching pad for their attacks into Afghanistan. We have heard that Pakistan apparently is no longer going to sort of prosecute the war against al Qaeda.

So if you look at the state of play today, and you ask yourself what have we done to eliminate the threat that attacked us on September 11, I would say the answer is pretty clear. We have a long way to go before we can hang up a banner of mission accomplished. And we need to redouble our efforts in Afghanistan.

Unfortunately, what has happened is we have, as a result of the war in Iraq, diverted our resources and gotten ourselves bogged down in a very messy situation with a huge amount of sectarian violence, a budding civil war, civil war, whatever you want to call it. We heard from the Pentagon it is the worst situation they have seen. We have gotten bogged down there and we haven't finished the job against al Qaeda.

Yet, at the same time, we have actually fueled the forces that support the extremists. We have added to their allies. We have provided a great recruiting tool for them. And the biggest beneficiary of all has been Iran. The biggest beneficiary of all has been Iran, which is right there next to Iraq. They fought a long war with Iraq. During most of the 1980s Iraq and Iran were engaged in a very bitter war. But now, with Iraq in chaos, Iran is extremely well positioned and is taking advantage of the situation. They are emboldened and they are trying to expand their influence in the region through Hezbollah and through other proxies.

So I think as we have this national conversation, it is very important that the American people, not just looking at some of this rhetoric out there, but they really try to figure out what is going on. Because one of the biggest consequences of the administration's mistakes, and many of them are coming home to roost now, is that they

refuse to listen. They refuse to listen to many generals regarding the best way to prosecute the war in Iraq. They refuse to listen to the experts at the Central Intelligence Agency about the possible consequences within Iraq of taking the lid off Pandora's box and unleashing the forces between the Sunnis, the Shiias, and the Kurds.

They have all the answers, the administration. We have got all the answers. Who are you to question us? And you know what this Republican Congress said? You are right, you have got all the answers, so we are not going to ask you the tough questions. This was a blank-check Congress. No tough questions. No accountability. And the result has been very clear: when you ignore failure, or when you reward failure, you are going to get more failure.

So what we are saying is, let us have a real national conversation. Let us have a Congress that will begin to ask the hard questions.

□ 2145

Let's hold people accountable when they make mistakes.

The finger pointing, you have got to scratch your head, as you pointed out. We have President Bush in the White House. We have Republicans controlling the Senate and the House. They really have no one to look around right now to blame. Yet they still are out there in the field trying to tell the American people that somehow it is the other guy's fault that we are in this mess now.

It is time to hold them accountable.

Mr. SCHIFF. On that point, Mr. VAN HOLLEN, we had one of the very few hearings, you were in attendance, on Iraq in committee, after years of asking the committee leadership in International Relations to hold a hearing on the Iraq war. You would think it wouldn't be so difficult. We finally had a hearing.

During that hearing, I asked the administration witnesses, who has been held accountable for some of the disastrous decision making that has been made? Who has been held accountable for the standing down of the Iraqi army? Who has been held accountable for the intelligence failures that led to the Iraq war? Who has been held accountable for any one of these innumerable errors?

There was this long, painful, prolonged silence. And the answer was clear: No one. No one has been held accountable.

Mr. VAN HOLLEN. We know what the consequence of that is. We know what the consequence is. When you don't hold people accountable for failure, you shouldn't be surprised when you get more of the same. But more of the same is not a good strategy in Iraq. More of the same is not a good strategy in terms of our national security. These are tough, difficult issues. Nobody has all the answers.

So, it is very important that the Bush administration and the Republican leadership stop pretending that they have all the answers, because their view of the world has gotten us to where we are now, and we can be doing a lot better.

I want to thank you and Mr. SCOTT for your very sensible leadership on these national security questions.

Mr. SCHIFF. I thank gentleman. You really put your finger on it. The reality is that ''stay the course'' is nothing but more of the same. That doesn't cut it anymore.

I yield to my good friend, a leader on national security issues, David Scott from the great State of Georgia.

Mr. SCOTT of Georgia. Thank you very much. It is good to be here with you and my good friend, Congressman VAN HOLLEN, always a pleasure, and I commend both of you on your expert comments and thought-provoking comments here today.

Accountability is the issue that we just left trippingly off our tongues. Accountability. The timing is right now for accountability. ''The buck stops here,'' as Harry Truman said. ''The buck stops here.'' And the buck is stopping within 9 or 10 weeks, for we are right around the corner from true accountability. That is accountability with our customers, our clients, the people who put us here. They want some accountability.

We have all just come back from our August recess. Paramount on their minds is security. The American people have lost faith with the direction in which we are headed. Every poll speaks that. I don't care if it is the Fox poll, the CNN poll, the Washington Post poll, the ABC poll, every poll that has been taken speaks clearly; 63 percent of the American people are dissatisfied with the direction this country is moving in, in Iraq, and half of the people in this country are finally getting the picture, the ability to separate the war in Iraq from the war on terror.

That is very fundamental. That is a sea change. That has been a very serious part of our problem, and it has really been the Achilles' heel of this administration, of the Bush administration. I think a serious mistake was made in trying to link the war on terror with the war in Iraq, and we have had a muddled policy ever since.

It is no wonder then that here we are on the eve of the fifth anniversary of 9/11. If you would have told me 5 years ago, right after 9/11, Mr. SCHIFF, Mr. VAN HOLLEN, that 5 years from now we would not have been able to catch Osama bin Laden; if you had told me 5 years ago that we will have expended 2,600 precious lives of our American soldiers in the so-called war on terror, and yet and still al Qaeda is still running around stronger than ever before and Osama bin Laden is turning out more videotapes and CDs than Michael Jackson ever did, 25 at the last count that he has turned out.

And yet for this President to say that we are winning this, that we are succeeding, that we are safer? We are not safer, Mr. SCHIFF, when the butcher that masterminded that mass murder of our citizens and citizens of the world on 9/11 is still alive, and yet we know where he is. And, Mr. SCHIFF, he is not in Iraq. That was the mistake.

What have we done? We have wasted precious resources, not only just in the lives of our precious soldiers there, but to the tune of nearly $3 billion every week. But Osama bin Laden is alive. Al Qaeda is alive. Terrorist attacks have increased over 250 percent since 9/11.

No, we are not safer than where we were. And, yes, we have an accountability coming, and the American people are saying one important thing; they are saying we need a change. We don't need more of the same.

Yes, the Republicans will throw out to us, if you get up here and criticize the President here, you are being un-American or you are not being patriotic or you are talking about ''cutting and running.''

We are talking as Democrats about being courageous, being bold and being smart. We will win this war on terror, but we will never win the war on terror as long as Osama bin Laden is running around on the border of Pakistan and Afghanistan. We will never win this war on terror if we do not realize we are going to have to develop better intelligence.

Military might alone won't do it, not in this war. We are not fighting states or countries. We are fighting non-state actors. We are fighting rogues. We are fighting folks who, like rats in the night, are looking for holes to scurry in. Now they are secure in that hole over there on the border of Afghanistan and Pakistan. And you tell me how far we have come, when the government of Pakistan just last week condescended to them to give the terrorists safe haven in that section of Pakistan and Afghanistan.

No, no, no, that is not winning this war. That strategy is not right. There is something wrong with this picture.

They can talk and say all they want to say about Democrats, but the American people are very delighted and very pleased that Democrats are finally getting this Congress to stand up and be Congress. That is what they elected us for, to provide the oversight, to ask the questions.

We control the purse strings. And before we turn loose these purse strings, we have to ask the questions the American people want to know. They want to know when are we getting to get and cut off the head of bin Laden? They want to know when are we going to arrest and solve this worldwide terror problem?

Who would have thought, 5 years? On this anniversary, as we look, let us look at the landscape. Let's look at it clearly. Who would have thought that a terrorist group named Hezbollah would be basically running the nation of Lebanon? Who would have thought that a terrorist group, Hamas, would be running the Palestinians over in Palestine? Who would have thought that

Iran would be on the verge of nuclear weapons? Who would have thought that North Korea would have eight nuclear weapons as we speak and the capacity of producing at least six or seven in a year's cycle? Unstable regimes.

And who would have thought that China would be eating our lunch in two ways, two essential ways; not only in terms of the free market and the market economy that they are developing over there at the same time they have a planned socialist economy, but the fact that they are one of our largest creditors, and we are one of their largest debtors. We are borrowing $328 billion from China, a huge debt.

Are we safer? I don't think so. And this administration has some serious questions that they have got to answer, and the American people are expecting it.

I hope, Mr. SCHIFF, that each night that we can come on this floor, and we are going to take this national security, and we are going to show the American people that Democrats are stronger on national security. You know why? Because we are smarter.

We are going to find bin Laden, and we are going to destroy him. We are going to beef up our resources in intelligence and the State Department because we know that this war on terror cannot be won strictly with bullets and bombs. It cannot be, for we are not dealing with a standing target to bomb. Nations we can. But we need to make friends with these nations.

We have got the world's best military, but because we are in Iraq, our military is coming off at the wheels. I am not going to get into very direct specifics on that; I don't want the enemy to know. This is going over C–SPAN to the Nation. I don't want our enemies to know just what our situation is. But you know what it is, and I know what it is.

Without question, we are the superior force. But, by Jove, we have got to keep it that way. That is the greatest deterrent to these terrorists, to know that we have that military capacity.

But we won't be able to win the war on military alone. We have got to beef up the State Department. We have got to make sure we have the kinds of relationships with these countries that no nation would do what Pakistan has done. That is unconscionable. That is one of the great defeats that we have had.

Democrats can change that. No, we don't want the same course. We want to get smart. We want to fight this war on terror, and we want to win it. And in order to win it, we have got to be smart.

Mr. SCHIFF. Mr. SCOTT, I thank you for those words. They are right on the mark. You pose the question, who would have thought, and it is a good one. Who would have thought, here we are, 5 years after 9/11, that the mastermind of the butcher of thousands of American lives would still be at large? Who would have imagined that the strongest nation on Earth would not have succeeded in hunting him down and killing him? That is an astounding, astounding fact.

But I think the important thing here tonight is this country cannot, must not, accept this as the best America can do. We can do better. We can do better in aggressively taking it to our enemy. We can do better defensively protecting America. We have to do better.

The fact that this crowd that runs this House, that runs this White House, can't capture and kill bin Laden doesn't mean he can't be captured and killed. He can. He must, but not on the course this crowd is on.

The fact that this crowd can't stop Iran from developing a nuclear bomb doesn't mean they can't be stopped. They can be stopped. They must be stopped.

The fact that this crowd in this House and in the White House can't stop North Korea from testing its missiles doesn't mean North Korea can't be stopped. But it does require a certain competence in an administration. It does require a certain diplomatic skill in an administration. It does mean that you cannot alienate the rest of the world and expect them to come to your assistance, to rally to your cause.

We seem to compartmentalize and think that we can spurn the rest of the world on other things, and then on the issues that we care about, that we can count on them.

□ 2200

It hasn't worked that way. But just because this crowd has failed, it doesn't mean that failure is inevitable. It isn't. I believe in this country, as I know you do. I believe there is a better way. I believe the Democrats have a better way. I believe part of that better way is to make this country energy independent so we are not relying on these Middle Eastern nations.

Do you know why Iran can thwart the international community, they can thumb their nose at us? Because they are a petroleum-rich state, and petroleum prices are through the roof.

It is the same reason Russia can thumb its nose at the United States now, because they are awash in oil money. And part of the reason they are awash in that oil money is because we have that addiction to oil that this oil-soaked administration isn't willing to confront.

Mr. SCOTT of Georgia. Well, I think you are absolutely right, and I think a part of that is those who are at the helm, President Bush and those in the White House, are good decent people, but they are oil people. I mean, they think like oil people.

That is it, when our future is not in that way. We have got to have a clean energy policy. We have got to invest in our own farms and our agriculture products like corn and soybeans and sugar cane so that we can develop ethanol as an alternative. We have got to have a robust economy in this country that is based upon our own self-sufficiency of oil.

We should be going down to Brazil by the planeloads, learning and seeing what they have done. If Brazil can take their own automotive industry, their main means of transportation, and run it 80 percent on ethanol made from sugar cane, what is keeping us from doing that? Why must we be so dependent on Middle Eastern oil? It is the way they think in the White House.

Now, I am telling you, it is not just me here. You have been around this country; all the polls are saying it. Americans want a difference. They want a change in direction. Quite honestly, that is why you have two parties. That is why you have parties here. That is why the Founding Fathers made it that way.

One party cannot have it all the time, and the American people deserve a change. I am convinced President Bush has stayed the course. America says, no, no, we want a new direction.

Well, you can't take a new direction with somebody who says stay the course, do what the job has done, we are here, this is the way we are going with the Republican-led Congress. We have got to have some changes. Democrats are aggressive. Democrats are smart. We have shown time and time in the history of this country, when this country was in a world war. This President was in the world, the business talks about Naziism, he talks about fascism and he talks about all of that about Hitler.

All that time, who stood up to Hitler? Who was it who said the only thing we have to fear is fear itself? A Democrat, Franklin Delano Roosevelt. When the communists were threatening in South Korea and North Korea, who was there? Harry S. Truman, who said, the buck stops here.

When we had that missile crisis down in Cuba, when we were on the throes, right on the edge of what many say meant the end of the world if that had happened, can you imagine? It was a Democrat with steely eyes who stood there and looked Khrushchev in the eyes and had the courage. It was John Fitzgerald Kennedy, a Democrat.

Now, the world can rest assured this Nation will be secure in the hands of Democrats. We are waiting on the chance to provide the change and direction. I am just proud of our national security review by myself and Mr. ISRAEL, who for the past 3 years have provided leadership on this very issue where we have had great leaders like Senator Nunn, Senator Sam Nunn, who has provided the way, my friend from Georgia all the way in; and Sandy Berger, we have had men and women at the helm of national security that have done a fine job and we are here to do that job. This is the way for us to go, strong and smart.

Mr. SCHIFF. Mr. SCOTT, I think this is the key importance of our being here

week after week, as you and I and Mr. VAN HOLLEN and others have. The country recognizes we cannot go on with business as usual in our national security. We can't just have a policy that says more of the same. More of the same has put this Nation at inordinate risk.

And so the country is asking, all right, we don't like what this crowd is doing. We don't like what the crowd in the House is doing; we don't like what the crowd in the White House is doing. What are Democrats proposing? And for weeks now we have been laying that out, in the pillars of our own security plan, where we will rebuild our military, because that is what it really means at this point.

Our military is strained so thin, stretched so thin, we are now using professional recruiters to try to recruit. We are getting bonuses to recruit people in the Armed Forces. We are using involuntary recalls. These men and women in uniform, they deserve our undying gratitude, because, boy, are we asking a lot of them, not only them but their families.

But our military is at the breaking point. Our forces are stretched, our equipment is degrading in the conditions in Afghanistan and elsewhere. It needs an investment, it needs to be better managed than this administration has done, and we will build that 21st century military. We are committed to the war on terror and to going after the heart of that war, which is Osama bin Laden and al Qaeda. When I was in Afghanistan, Mr. SCOTT, do you know what one of our troops said to me?

He said, Mr. SCHIFF, you know, we here in Afghanistan, we feel like we are the third front in a two-front war, third front in a two-front war. This won't be the third front in a two-front war under Democratic leadership.

Homeland Security? We will implement those recommendations of the 9/11 Commission that the snooze alarm policy, the snooze button policy this administration has ignored. In Iraq, we will recognize the facts on the ground, which is now a civil war. We will adjust our strategy. We will reduce and redeploy our forces so the Iraqis have to take control of their own country.

If Shiite and Sunni are determined to murder each other in large numbers, it is not the job of American troops to stand in the way and catch the bullets. We ought to play a supporting role; we ought to do everything we can to reduce the conflagration there. But ultimately Iraqis have to decide they want to be one country.

Finally, we will achieve energy independence. That is a key part of our national security agenda. The fact that this administration has failed in so many of these respects doesn't mean failure is acceptable or inevitable. This country has always done better and can do better, will do better.

Mr. SCOTT of Georgia. You know, that certainly doesn't sound like cutting and running to me. It says sticking and staying, but sticking and staying smart. Nobody is running away from this war on terror. You cannot run away from it. We are simply talking about putting our resources where they need to be. We are talking about building a military and not dragging it down. Let me give you one example of where I am talking about where we will make choices. Democrats will not make this mistake. Right now we are facing our military. We are trying to make choices about air superiority versus ground superiority. It should not be one versus the other. We have got to have both.

But here we have got right now, in my home district in Atlanta, Georgia, in the Atlanta metro area, I represent CBO county, Marietta, which is the Lockheed Martin base where we make the F–22s. Right now there is debate, the Army, the Air Force wants 318 F–22s. Well, we have got 75 already moving off the line, but they cut down their request now to about 125.

If the Air Force says we need 318, we should make 318. That is what the military says we need in order to maintain the superiority. The F–22 fights in the air and on the ground. We need that, but here is the rub. The rub is the Defense Department right now is saying we cannot even afford the 125.

Why? Because the war in Iraq is making us choose between how we are going to fit our military. That need not be. We need not allow the war in Iraq to be a drag on the resources of our military operation. No wonder you have Iran doing what they are doing. No wonder you have Syria and North Korea, China, even Russia.

No wonder we can't get around and even talk with Russia and the Eastern European countries about gathering up those loose nukes. Sam Nunn brought that to our national security meeting and made it very clear that quite honestly that is a number one threat to the security of this country.

So when you look at the entire fix we are in, we are talking about a reallocation of resources. Democrats are talking about being smart, taking our resources and using it, stopping the drain on it, making sure that we don't have soldiers who are going over into Iraq for the third and fourth tour, or having soldiers, last we had about 30,000 marines called up, their retirement was cut short and having to go back to Iraq.

Mr. SCHIFF. Mr. SCOTT, let's look at this, let's look at this through the prism of more of the same, or stay the course, as our majority is advocating, as opposed to what we have outlined in a new direction on each of these items.

What does it mean to stay the course? Well, what it means in terms of energy independence is that we continue and increase our reliance on Middle Eastern oil, and all of the national security risk that entails for that country. That is what stay the course means on energy independence that we remain dependent on Middle Eastern oil.

What does more of the same mean in Iraq? More of the same in Iraq means most costly, the continuing casualties, American troops losing their lives and becoming severely injured. But in addition to that, more of the same in Iraq means if you look at the course of Iraq, it means an increase in the civil war violence, because when you look at the curve of the Iraqi violence, it has been a steady increase in sectarian violence.

So what does stay the course mean? It means stay the increasing course of civil war violence. The insurgent violence, which has been on the increase, the number of incidents over the summer reaching all-time highs. What does stay the course wartime policy mean? It means more insurgent violence.

Is that the course we want to stay on? The only, and, boy, I have searched, I have searched high and low for some good news to report out of Iraq. The only positive news I have seen out of Iraq has been in terms of the political development in terms of the elections in Iraq, the unity government.

But, unfortunately, that government has not been able to solidify its control over Iraq. It doesn't have the confidence of the Iraqi people. Unfortunately, if we stay that course, that doesn't offer much hope either. Homeland security, what does stay the course, more of the same mean for America under homeland security?

It means more Cs, more Ds, and for more Fs for our failure to do more for airports, nuclear plants, chemical plants. More of the same on the war on terror, more of the same means more messages from Osama bin Laden, more of the same from Zarqawi, more of the same bombings in London, Madrid, Turkey, elsewhere, more sanctuary in Pakistan. That's what stay the course means in the war on terror.

More of the same in the military means people on their third deployment, fourth deployment, sixth deployment. That is what more of the same means in the military. That just is not right for America.

Mr. SCOTT of Georgia. No, it is not, and more of the same means this, Mr. SCHIFF: this is the latest report on terrorism, what the facts are. On 9/11, more than 5 years ago, there was an estimated number of al Qaeda numbers worldwide, and on 9/11/2001 it was 20,000. Now, the estimated number of al Qaeda numbers worldwide is 50,000. Then on 9/11/2001, the number of al Qaeda terrorist attacks in the 5 years before 9/11, three.

The number of al Qaeda attacks in the 5 years since 9/11, 30. The number of days Osama bin Laden has been at large since U.S. military operations commenced in Afghanistan, 1,784 days and counting. What do we have to show for that?

If we look again at the 2,600 American soldiers that we have loss in this war on terror, good brave soldiers, where we score the more of the same, no more of the same, no more of this

staying the course on this course. We have got to correct the course and stay and fight the war on terror, deal with the situation in Iraq, but do it smartly with the resources we have.

□ 2215

NATIONAL SECURITY

The SPEAKER pro tempore (Mr. PRICE of Georgia). Under the Speaker's announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized for half the remaining time before midnight.

Mr. KING of Iowa. Thank you, Mr. Speaker. I appreciate the privilege and honor to address you here on the floor of the United States Congress. I am pleased to be back in Washington, D.C., where we can join together and work together to resolve the issues that are in front of us between now and the election and after the election.

As I awaited this opportunity to address you, Mr. Speaker, and I listened to the remarks made by my colleagues on the other side of the aisle, I have to say that it is a bit depressing to listen to that litany, but as I look back across these Presidents that have done such a fantastic job, I think in terms of who was in charge when we got into those wars that were ended when they were in charge, it is the same person.

I don't take a great issue with the way the Second World War was conducted by FDR. In fact, I am quite proud of the way Harry Truman had enough vision and courage to do what he did to end the Second World War. But as I listened through the rest of that, who was in charge when the war in Vietnam began, and the first troops were sent over there by John F. Kennedy, who was in charge at the Bay of Pigs when air power was taken off to protect the lives of the Cuban freedom fighters who were caught out in the open and slaughtered in the Bay of Pigs, that was John F. Kennedy who decided not to provide the air cover that he had guaranteed them. They went in there thinking they had air cover, they didn't have air cover, and Castro has been in power ever since down there in Cuba.

I would go further. Not only did Kennedy send the first troops into Vietnam, but Johnson accelerated the operations that were there. As I listened along throughout some of these Presidential candidates, and I am just simply giving the balance on the other side, Mr. Speaker. I didn't come here to make a case to denigrate any of our proud Presidents that we have, just to put some balance in this perspective that we have here and hopefully I can get that done and then move on to some other subjects that I came here to talk about.

But the Johnson administration got to the point where Lyndon Johnson would not run for a second term of office. Those of us that were here remember that. He knew he couldn't win. The streets were full of demonstrators. Things had melted down in Vietnam to the point and melted down in this country to the point that he had lost confidence, and he came to the American people and said I will not be a candidate for a second term for President.

So that some characterize as a failed Presidency, and I just point this out to bring some balance to the reality of it all.

I also recall what happened in the aftermath of the issue that nobody is proud of, and that is the Watergate break-in. That put political power in the hands of the people on the other side of the aisle. And what was the first thing that they did with it? They passed legislation that said there won't be a dollar spent in Vietnam helping anybody defend anybody from the North Vietnamese. There won't be a dollar spent for a meal or a bullet or a tank or a gallon of fuel for air cover to protect the people that we pledged to protect.

And in a matter of a few months, the North Vietnamese stormed through South Vietnam. And you wonder why they couldn't defend themselves. They didn't have munitions to work with. They didn't have air cover support which we had pledged them. And there were hundreds of thousands, in fact, millions that died in the aftermath because we made a commitment and didn't keep that commitment because of political fighting here in Congress. Not because of the lack of the will of the American soldier or the lack of the will of the South Vietnamese soldier, for that matter, at least during that era.

And as we move forward throughout history and we bring ourselves up to the Clinton era, I just have a little note in my pocket from a speech that I gave a couple of nights ago. In fact, it was last night. Someone remarked in that meeting that I was at that they knew what the meaning of the word ''is'' is. Well, all I have to do is say that, Mr. Speaker, and I think it brings back to mind all kinds of images of things that went on through the 8 years of the Clinton administration.

I didn't notice that there were some strong remarks there, but I do remember the remarks that were made with regard to Sandy Berger, the proud adviser to the Clinton administration, and how he had provided for a strong military.

Mr. Speaker, there is something about the image of Sandy Berger with his socks full of secret documents at the National Archives that just belies any kind of image of Sandy Berger contributing to a strong military. In fact, on his watch, and on the watch of Bill Clinton, we saw our military be reduced from 2.4 million military down to about 1.4, perhaps even 1.3 million in our military. Now, that is not what you call contributing to a stronger military. That is reducing the military. That is what they called the peace dividend.

If you remember when the Wall went down on November 9, 1989, most of the people in the mainstream media thought that had to do with a family reunion between East and West Berlin families. But what it was, when that wall went down, the Iron Curtain came crashing down at the same time and peace echoed across Europe almost bloodlessly in what I would consider to be nearly a historical miracle.

But in that period of time after a couple of years and that soaked in and we got around to the 1992 elections, people in Congress then coupled with the President decided, and that would be President Clinton, decided we have this great peace dividend. Now the Soviet Union is no more. There is no evil empire out there. Of course, they wouldn't have called it an evil empire. That was Ronald Reagan that defined our enemy there. But the evil empire had fallen apart and been separated into its parts. And, of course, it wasn't equal to the sum of its parts. Each part was separate. They didn't pull together anymore. And the threat from a superpower from without diminished substantially.

When that happened, the decision was made here, Mr. Speaker, in this Congress, to dramatically reduce our military and take the savings and spend them on growing government programs. That is what was going on during the reign of Sandy Berger. I don't know how he was the guide that propped up and beefed up our military.

There are compliments that we can lay into every administration and criticism that we can lay into every administration, but it is pretty difficult to lay out a clear perspective that is subjective because all of us have a different viewpoint. We have that different viewpoint. It has driven us to come here to help serve the American people.

But out of this Congress needs to come a consensus that can help direct the American people, Mr. Speaker. It doesn't serve us well to be tearing down our effort of our military when they are overseas, when their lives are on the line for our safety, for our freedom, to win this global battle and this war on terror and provide an opportunity for freedom for the Iraqi and the Afghani people.

And who knows what might be next. Who knows what people might be next. Who knows who might be attacked next. But we are on the eve of the fifth anniversary of September 11, 2001, and I am standing tonight on the floor of Congress listening to a lamentation of sadness and despair because the resolve to finish this appears to not be there with some of my esteemed colleagues on the other side of the aisle. I regret that, and it saddens me.

But I ask: if they say staying the course is not a plan, and I am looking for some direction that can resolve this thing more quickly myself, Mr. Speaker, but if they say staying the course is not a plan, I have to tell you, it is no

plan to tear down the effort. You had better have a positive message. You better have a way to resolve this issue. Or it works against the American people and it works against the American soldier to stand on the floor of this Congress and say, This is not a plan. We're going to take a new direction. We will fight the war wiser than President Bush fights the war. But we're not going to tell you how. We're going to keep that classified.

That would be one of the few things kept classified that had to do with military, but that is because there is nothing to uncover. There is not an idea. There is not a plan. They don't have a way to fight the war smarter than it is being fought now, or they would tell you. They would surely tell you between now and the elections in November. But that seems to be still a secret.

So I say to them, gentlemen, what is your plan? Please tell the American people what is your plan. How would you resolve the issue in Iraq? How would you resolve the issue across the world where about 1.3 million Muslims have within them, maybe 10 percent that are sympathetic to, or actively supporting, al Qaeda? How would you resolve this issue?

And if as some of the people on the other side of the aisle say, Mr. Speaker, and that would include the minority leader, that Iraq was a diversion, that it really didn't have anything to do with the global war on terror, that the terrorists weren't in Iraq, that they weren't operating in there. Saddam Hussein, they claim, was not harboring terrorists and he was not fomenting any kind of terror. He was essentially a benign dictator that just tortured and murdered, in mass fashion, with weapons of mass destruction, his own people. That is the argument, Mr. Speaker.

I would submit this, then: If Iraq was a diversion and didn't have anything to do with the global war on terror, why did you vote for military operations to go in there? Don't tell me that you were duped by the intelligence of the United States, that you were given misinformation. That was the intelligence that all the world had, that all the world concurred with. This was the intelligence of America and the United Nations and Great Britain and Israel, and probably the intelligence that Saddam Hussein had as well.

We made a decision based upon the very best information that was available, all of us together. And now you want to say, No, it was a diversion. It was a distraction. We should have been somewhere else. Where? Well, anywhere else.

If Iraq could have been taken off the map, and I would challenge you on this, as a nation that didn't threaten us and didn't foment terror and didn't have weapons of mass destruction, all these things we know did happen, they are true, but you want to argue that they are not. If you could have taken Iraq off the map and wouldn't have had to worry about Iraq, what other countries out there, gentlemen, would you name that are nice and safe and we can cozy up to and we can take them out of the equation as a nation that might harbor terrorists, breed terrorists, foment terror, fund them or sympathize with them or have the kind of habitat that breeds them? Who can we take off our list?

Could it be Syria? I don't think so.

Iran? No, I don't believe so.

Even Saudi Arabia? Well, there are a lot of Saudis that were here 5 years ago in the air, came in to blow up Americans. So I don't think so.

Pakistan? There are thousands of madrassas teaching hatred there. Even though Musharaf has been doing a very good balancing job within Pakistan and he is making progress there, but we can't turn our back and conclude that the Pakistanis are all our friends. A lot of them are. They have done a good job of working with us. But there are elements from within.

What about Great Britain, speaking of elements from within? Can we take them off the list? It would have been a foolish mistake to do so, Mr. Speaker, as we found out just a few weeks ago as a plan was foiled to blow up as many as 10 or more airliners across the Atlantic Ocean that would have flown out of Great Britain towards the United States. That plot was put together and led by, some of them, born citizens of the United Kingdom, second generation people, who were taught hatred in their home and in their schools that didn't assimilate into the society.

So the argument that Iraq was a diversion just simply does not hold up, Mr. Speaker, because you could not have taken Iraq out of that equation any more than you could take Syria or Iran out of the equation today.

It is a false and specious argument and the American people know it, Mr. Speaker. The more it gets repeated by the other side of the aisle, the broader the margins of victory are going to be for the Republicans in November, because at least we have a rational process of thinking. We are a reasonable people. Even though we disagree, we understand a logical and rational argument, and we understand when one is not logical and it is not rational. It is not rational to argue that we didn't have to worry about Iraq if you can't name a country that we don't have to worry about today. You didn't have the vision then, you don't have the vision now, and that is where it stands.

Moving along now, Mr. Speaker, as I listened to the argument that we need to go to Brazil to figure out what to do about our energy crisis here in the United States of America, I went down to Brazil to take a look at that. I wish the gentlemen over there would sit down and have a conversation about this or maybe just simply, Mr. Speaker, tune into C–SPAN and I will fill them in on what one can find out in a place like that. You can go to Brazil believing that they have replaced 100 percent of their gasoline with ethanol that is produced from sugar cane. But you can't go to Brazil and come home believing that, because it is simply not true. And it is obvious from your first moments within the country.

I can give you some real numbers that put this in perspective. Of all of the fuel that is burned on the roads in Brazil, only 15 percent of it is ethanol. Only 15 percent out of the 100 percent pie chart, 15 percent is ethanol, of all the fuel burned on the roads by all the vehicles in Brazil. When you take the trucks and the diesel fuel vehicles out of there so you are just dealing with the ethanol gas market, now the number goes up to 37 percent. Not 100 percent. Even when you take the diesel vehicles out of it. That is respectable, though, I have to say. But it is only a little bit more than a third of what most people think is the reality in Brazil.

But 37 percent of the gas-burning vehicles that have the option of gas and ethanol, 37 percent of the fuel burned is ethanol. Then they burn a blend. You can either go in, pull in and buy a 100 percent blend of ethanol, or you can buy the blend.

The blend is actually a 25 percent blend. While I was there, they reduced it down to 20 percent because they didn't have enough ethanol to fuel their own vehicles. So I don't think Brazil has got the answer for us all here. They want $8 billion to build the capital to invest in their ethanol production because they want to double this production that they have, but they don't have the sugar cane to make enough ethanol to even blend their fuel up to 25 percent.

□ 2230

I would rather have that capital invested in this country where we can build an infrastructure here that is going to produce the ethanol that will replace the gasoline from the Middle East.

So I would simply submit that there is $1 billion worth of private capital that is being invested in this construction year in my little congressional district to produce renewable fuels, between ethanol, biodiesel, and wind, $1 billion in that sliver, that western third of Iowa, and we are kicking up our ethanol production. And if you want to see how to do it, come out there where we are doing it in America.

I see my esteemed colleague on the floor this evening, and I am quite interested to hear what my friend and the chairman of the Armed Services Committee, DUNCAN HUNTER, might have to say, and I would be happy to yield to him.

Mr. HUNTER. Mr. Speaker, I want to thank my good colleague, Mr. KING, for yielding.

And I listened, as you probably did, to some of the Democrat Members who were decrying the state of the world and ''woe is me'' and things are going

terribly, according to them. And as the gentleman took the floor, as I watched him take the floor, and started talking about the Republican legacy in national security that they were complaining about and the Republican legacy of peace through strength, I was reminded about coming here in 1980 when a guy named Ronald Reagan was running for President. And we just finished with a President who was very, very similar to Jimmy Carter, the gentleman who had his tenure in office somewhat truncated by Ronald Reagan, and that was Bill Clinton. And I thought of the fact that the Democrats entered the Clinton administration with 15 Army divisions, combat divisions, and when they walked out of the White House and that administration left, they had cut the United States Army by about 40 percent. They were down to 10 divisions, and many of those divisions were undermanned, and then I was reminded that they were the same people that complained that we didn't have enough people on the ground when we went into Iraq. And then I was reminded that, as we are talking about Iraq, and today there is a big hue and cry to get rid of Secretary Rumsfeld among the Democrats, in the Democrat cloakroom, thankfully, 6,000 miles away that sentiment is not shared by the Americans who are reenlisting in the combat zone, in places like the Sunni triangle, where the 101st is well over 100 percent of their expected reenlistment rate. The First Marine Division out in the very dangerous Anbar Province is up well over 100 percent of their expected reenlistment rate. So the people that serve in combat under Don Rumsfeld seem to like him.

But I was reminded, as I listened to that ''woe is me'' discussion by the Democrats, that it is the Republican Party that is the party of peace through strength, and the American people rely on us to do that. And I think that is one reason they are trying to pull down Secretary Don Rumsfeld.

And I thought it was interesting today, as the President announced that Khalid Shaikh Mohammad, the mastermind of the attack that drove those planes into New York, into Washington, D.C., and into Pennsylvania, will soon be coming to a courtroom near us in the United States because he was captured and he was interrogated and others were interrogated in what the Democrats call inhumane methods, even though our lawyers and all of the people who scrutinized the methods of interrogation found that they were legal methods of interrogation, uncomfortable but legal and not torture, and that that person and others who joined him, his team of terrorists who joined him in masterminding the 9/11 attacks on America, will be coming to a courtroom near us, soon to be prosecuted, truly brought to justice because of the leadership of this administration and because of some of these methods of interrogation that have been associated with Secretary of Defense Don Rumsfeld. And the President laid out today how thousands of Americans had their lives spared, how we stopped attacks and we stopped plots to attack our country in mid course, including not only attacks that would include explosives but also attacks that would include things like anthrax, because we had a forward-leaning, tough, aggressive posture in this war against terror.

So as the Democrats sip their lattes and find themselves very comfortable in what they describe as a very uncomfortable world, the reason they are able to be here having enjoyed almost 5 years after the 9/11 attack with no further attacks on the United States is partly because we had a President with an aggressive, forward-leaning policy against terrorism; that he went out and took them on; that he hunted them down in places where they didn't think they would ever be found, with the leadership of Don Rumsfeld, and we kept them off balance. And because of that, because they were kept off balance, because we penetrated them, because we were able to get into their cells and we were able to discover who was masterminding these plots against the United States, we were able to keep our people safe.

And I am further reminded that when Don Rumsfeld's military, our military, led by General Tommy Franks, was driving that iron spearhead up toward Baghdad, you already had the Democrats complaining that there were not enough troops and that he would get bogged down. And as you saw them on talk shows, the talk shows in which Democrats were complaining that he would get bogged down were interrupted by news announcements that Tommy Franks had taken yet other stronghold of Saddam Hussein. And they would seem to be almost disappointed rather than joyous when they would hear that American troops had, in fact, mowed down another line of defense by Saddam Hussein; so they stopped criticizing for a while. Then after we took Baghdad, the criticism started again. And this time the criticism was what I called the ''both ways criticism.'' In the same discussion, a Democrat leader would say we need to have more troops on the ground and in the next sentence he would say we want to have an Iraqi face on the security apparatus. Well, how do you have an Iraqi face on a security apparatus if you stuff enough troops into that country to have a GI on every corner? The facts are you cannot have it both ways.

And then the other criticism was, we should have kept the Iraqi military intact.

The Iraqi military had over 10,000 Sunni generals. What do you do with 10,000 Sunni generals? You don't do anything. And that is what the army would have done to secure Iraq: nothing. The idea of having that army where corruption was the order of the day, where you had people who were simply following their own political agenda and making their own way and making their own profits and the idea that we would maintain that army as the new safeguard or security force in Iraq to protect this fledgling, newly elected, democratically elected government coming up makes no sense at all. The smartest thing we ever did was starting with scratch with that military and teaching the new army the chain of command; teaching them respect both up and down the chain of command; teaching them to take responsibility; teaching them to have a thing called NCOs, noncommissioned officers; teaching them to be decent to people; teaching them not to be corrupt. And that is why today the best force that we have in Iraq is not the police force, is not the security force. It is the military. And even people who have criticized this administration in the way they conducted the war concur that there is a strong core in this Iraqi army. That is because we built it from scratch, and we didn't start with 15,000 Sunni generals.

Now, the last thing, and I have mentioned it, that the administration was condemned for and that Don Rumsfeld became a lightning rod for was uncomfortable interrogation methods. Well, you know, the world is a tough place, and the people that we are dealing with are not made out of cotton candy. And the fact that we were able to get information from terrorists because they are the ones that have the information, not Americans, but because the terrorists are the ones that have the information, the fact that we were able to get that information from them and use that to stop other actions against the United States before they could mature, before they could result in American casualties accrued to the benefit of America's security.

So when I look at this ''woe is me'' and we have got the real security plan and if we had only taken the other road, you will notice that the road not taken is always the smoothest one, where we had all the Sunni generals, that we would have used those to somehow bring security to Iraq, or if we had stuffed enough GIs into Iraq that somehow there would not be any car bombings or would not be any violence, or if we would just ask people politely to give up the names of their co-terrorists, they would do that and we wouldn't have to be tough on them in interrogations. All those positions, I think, define why the American people, Democrats and Republicans, rely on Republicans for national security.

And I thank the gentleman for yielding.

Mr. KING of Iowa. Mr. Speaker, I thank the chairman for coming to the floor and speaking on behalf of our military men and women. And as I listened to his presentation, it was very welcomed from my perspective.

I wonder if the chairman would yield for a question.

Mr. HUNTER. Absolutely.

Mr. KING of Iowa. Chairman HUNTER, I would ask you, would you care to comment on the remarks on the position that Iraq is a diversion on this global war on terror and it didn't have anything to do with Osama bin Laden and al Qaeda?

Mr. HUNTER. I think that comment that somehow this is a neat, tidy package and if we just confined ourselves to Afghanistan, somehow we would win the war against terror and we wouldn't have to worry about Iraq is a naive position.

The facts are that we learned after 9/11 that if we didn't change the world, the world was going to change us. And having an Iraq that has a modicum of freedom, that is not an enemy of the United States and will not be a springboard to future terrorism accrues to the benefit of generations of Americans. It is not something you can put on a bumper sticker, but having some change in that part of the world.

And one manifestation of that change that was little noticed was when, during the conflict between Israel and Hezbollah, Hezbollah sought rearmaments from Iran, and Iran, according to reports, sent off a plane full of new missiles to throw at the defenseless civilian populations in Israeli cities, and Iraq would not let them fly over. So they said, okay, we will try to fly over Turkey. And Turkey said, You can come into our aerospace but only if you land and we can search your plane. And Iran then turned the plane around and took it back home and did not deliver the missiles.

Now, that is only a small thing. On the other hand, it could be a big thing for the people who might have felt the impact of those warheads in Israeli cities. But that was an Iraq whose government was not friendly to terrorists. That was an Iraq whose government was supportive of free people. And that was because of the American position in Iraq and the fact that we have changed the face of Iraq.

Now, there is something I think all American troops should see because they are hearing this constant drumbeat now from the Democrats that the casualties have been in vain, that their efforts have been in vain, that this is all a terrible fiasco. I think that every American who serves should be shown the excavations that are taking place in Iraq right now, those mass graves wherein if you watch the History Channel, you might have seen some of this about a month ago where American anthropologists and scientists are excavating the mass graves, where Saddam Hussein's people would herd hundreds and thousands of people and in many cases would shoot the mother holding her baby in the back of the head. And then when the scientists would examine the skull of the little baby, they would notice it too would have a pistol bullet hole in the back of its head. Double execution, mother and baby. I think all Americans that serve over there should see the photos of those Kurdish mothers whose bodies are strewn out across the hillsides still holding their babies, killed in mid stride by Chemical Ali.

And I am reminded of a Democrat President who stood on the west steps of this Capitol many years ago and said, Let the word go out, let friend and foe alike know that America will bear any burden to support the cause of freedom. And I am paraphrasing, of course, John Kennedy. What happened to those Democrats? What value do they place on those thousands of people who were pushed into mass graves?

In fact, I think one farmer testified about Saddam Hussein's executioners that they had an execution squad that would show up at about 9 o'clock on his farm. They had an excavation squad or team that would show up with construction equipment, and they would dig these big trenches on his farm in the morning, and then the execution squad would arrive, and then they would truck in the unfortunate villagers who were going to be executed. They would line them up and shoot them in the back of the head, push them into this big cut that they had made in the Earth, and then they would cover them up with bulldozers.

□ 2245

As I recall at one point, the farmer said that one day the execution squad, the logistics guy did not show up so they did not have any bullets. So he said, what the heck. They just pushed the people in alive and covered them up without shooting them. It did not make a lot of difference to them.

Those historical excavations, and that record of human suffering and human tragedy that was visited on those people, that should be shown. Because that is the work of Saddam Hussein. That should be shown to every GI, every marine, every navy corpsman that serves out there in that tough Fallujah area, and al Ramadi with the marines, every airman who flies those long lifts, bringing and keeping that logistical train going between American bases and that area of operation.

Every one of them ought to be shown the full story of what Saddam Hussein did and what he was. And the idea that we can turn that country where the ruler did that to those people, to a country who, when Iran says we want to fly these missiles over your air space so we can kill people in Israel says ''no, we are not going to let you do that. Go back''.

To me that is a remarkable thing. Now, you know, the freedom of the Iraqi people is not guaranteed by this operation in perpetuity. Nobody's freedom is guaranteed in perpetuity including our own. We are developing them, a freedom for that country. We are giving them a running start at freedom. I think it was Ben Franklin one time who said, we have our freedom, now if we can keep it. It will be up to them to keep it.

But we learned after 9/11 that if we did not change the world, the world was going to change us. This is far-reaching. This is visionary. This is going beyond Fortress America that somehow we must have said something wrong to these extremists to come after us and bomb us and do these things to us.

And you know, I have thought about this idea that somehow what did we do wrong to invite this strike against America? I thought about that. I thought about the last couple of wars we fought. Two wars ago it was the invasion of Kuwait by Saddam Hussein. Kuwait is a Muslim country. We saved it.

And then we went in and we saved hundreds of thousands of Muslims in the Balkans, in Bosnia. We had that record. And the reward that we got from the extremists was for them to attack the United States of America. So what more could we do? So this idea of this flagellation of America is something that is reviving in the Democratic party. I think you probably noticed that. It is coming to the fore. It is, we did something wrong. And it is not Khalid Sheikh Mohammad, the real devils in this operation, according to the Democrats, are not these people that we are going after who have tried to kill thousands of Americans, it is really our leaders.

Those are the people that they say are the bad people. And it is not the guys that our great intelligence agencies and military people manage to bring to justice that we will soon see in a court of justice being tried I believe for murder, among other things.

But it is the methods of these uncomfortable methods that were used to get them to tell about people that were planning to kill Americans and fly planes into our country loaded with explosives and do the other things that the President talked about today. This blame America first thing is reviving on the Democrat side of the aisle.

I do not think the American people are going to buy it.

Mr. KING of Iowa. I thank you, Mr. Chairman. I would take this to another level of this vision too. Before I do that, I would point out that I sometimes have some opportunities to sit down and talk to people who were raised in Iraq. Some of them are refugees that have found their way here. There is just a certain bond and affinity between Iraqi and Americans today because they understand and they appreciate the sacrifice and the commitment that has given them now an opportunity.

I recall a conversation with a young lady who was raised in the north up near Kirkuk. And she said that no one admitted that they had any boys in the family. The houses in that town all had hidden compartments in them. If they had a boy they had hidden compartments. So when Saddam's men came to town, those boys crawled into those hiding places within those homes to hide from the military recruiters.

They would pick those young men up and haul them off to the military and they would never know where they went and they would never see them again. The girls could go out and play, but the boys could not. They had to be kept in hiding, like young little Anne Frank hiding in their home and growing up and trying to make a happy life out of this.

But I would take this image, that we had Iowa Guard troops on the ground in Afghanistan helping to guard the routes to and those polling places that were there. The first time in the history of the world that those people had ever voted on that place in the planet.

And we have seen the Iraqi people go to the polls, and three times pull off a successful election, when the naysayers on the other side of the aisle said it cannot be done, there is too much violence, and the Iraqi people really cannot handle this Democratic process.

Think about what this means. The inspiration that Afghanistan is today, and the inspiration that Iraq is becoming. I see those two nations as the loadstar for the world of Islam. And if Islam can see that they can live in compatibility with freedom and prosper and turn their focus, as Benazir Bhutto, the former prime minister of Pakistan told me shortly after September 11, she came to Buena Vista University in Storm Lake, Iowa, and gave an outstanding speech.

And we sat down afterwards one on one and had a conversation. And I asked her a couple of questions, that I remember, at least. And one of them was, what percentage of the Muslims are really inclined to be supportive of or sympathetic to al-Qaeda? And her answer was, not very many, perhaps 10 percent. A very quick answer which told me that she had thought about it.

Daniel Pipes used the number 15 percent in his book Radical Islam, I think, Visits America or something very close to that. 15 percent. So when you think about what that means, I said how can we get to this point? How do we define victory, and how do we achieve victory?

And she said, you have got to give them freedom, you have got to give them a chance at democracy. And if you do that, they will turn their focus then from hatred and killing and jealousy, and the kind of things that motivate people to evil, their focus will be to good.

It will be to build their families and build their communities and build their countries and make that stronger. Take those goals, and now they have an opportunity to reach for. But today, their energy is being used in hatred and being taught in madrassas to hate people that are not like them.

So when you think about it in terms of Iraq and Afghanistan becoming the lodestar nations, they are the inspiration for the world of Islam. I want to say to the Arab world, but then we have got countries like Iran that are really not Arab they are Persian. But the inspiration for those countries to know that they can become free, and then index that to that historical miracle that I referenced a little earlier about how freedom echoed across eastern Europe when the Berlin Wall and the Iran Curtain came crashing down, that historical

miracle can be replicated in the Middle East, probably not as fast, certainly not as easy, maybe it takes a lot longer, maybe it is not as pretty when it is done, but there is an opportunity there to find a way to finally win.

Our alternatives become, promote freedom as the President has done, that is the Bush doctrine. And in that freedom, change the habitat that breeds terror. And if we go the other route, if we go the route to the poor me's, the lamentations, the everything is wrong and we would have been smarter, we just cannot tell you even in hindsight how, and we certainly are not going to give you any foresight as to how to be smarter, if we go that route, then our alternative, and there only being two, the first one is the road to freedom, to change the habitat that breeds terror.

The other road is for the United States of America to curl up in a fetal position and guard every bus stop and every school and every hospital and every football stadium, and still be attacked and still see our families blown to bits by people that hate us. We cannot prevail in this war, this clash of these two civilizations by simply playing defense and thinking it is a law enforcement mission. It is a matter of defending ourselves militarily, putting our resources at the tip of the spear, but it is also a matter of changing that habitat, so that freedom can grow and prosper.

When that day comes, and I believe that freedom burns in the heart of every person, and I believe it is in the future of everyone on this earth. When that day comes, we will be a lot closer to freedom than we are today. Free people never go to war against other free people.

I particularly appreciate the chairman and ask him if he has any other remarks to make.

Mr HUNTER. Mr. Speaker, I think the last thing the gentleman said, and I appreciate you letting me come in and butt in here and talk a little bit. But you know Great Britain has nuclear weapons. But we do not fear Great Britain because Great Britain is free. France has nuclear weapons. We do not fear France because France is free.

The Soviet Union, former Soviet Union, now Russia has nuclear weapons, residual from their days as the center of the Soviet Empire. But they are becoming free. They are still a fragile country that is trying to move in that direction. Still with lots of problems. We have less worry about them today because they have more freedom than they had before.

So clearly bringing freedom to the world is an important part of America's own future, and an important part of our own security. And for those who think we can hold back in Fortress America and not change the world, and not worry about what the rest of the world is doing, that is a naive position.

It is one that politicians had a number of occasions in the last century, in which 619,000 Americans died on battlefields around the world. In many places and cases where we had forgotten that we achieved peace through strength, where we let our guard down, where we thought we could pull back into the United States and not worry about what was going on around the world.

This president is aggressive. He has been tough in the war against terror. He has been determined. That is probably his best quality. He does not read the polls every day. He does not check the wind every day to see which direction it is blowing. But his aggressive stance against the terrorists, running them down in places where they never thought that our forces could get to them, killing them at 10,000-foot elevation mountains in Afghanistan, taking them out in safe houses where they had no idea that we were on to them, going after them and taking them out and keeping them off balance is one reason that we have had 5 years without attacks on this United States.

So I thank the gentleman for talking about the Republican position on national security. It is too bad. I think it is too bad when we have to politicize or put a partisan face on national security. But I think it is appropriate when the Democratic leadership gets up and talks about the Republican position on security.

I think it is appropriate to remind them that we rebuilt our national security after we had the hollow army of the 1970s, we had 1,500 petty officers a month leaving the navy because they could not make enough money to feed their families. We had about 35 percent of our ships that could not sail, about 50 percent of our combat aircraft that were not fully mission capable.

And we rebuilt America from those days. We stood up to the Soviet Union and we disassembled the Soviet Union and we made the world a lot safer because we did that. We stood up to the Communist intrusion in Central America. When on this side of the aisle, the Democrats were writing Dear Commandante letters and talking about appeasement in Central America.

Because of that, those countries that were dictatorships when Ronald Reagan came into office are now fragile democracies where people get to vote, where they settle things with ballots not bullets. That is the legacy of the Republican Party. And it is the Republican party that rebuilt national security.

You know, we put $40 billion extra into the defense budgets during the Clinton years because President Clinton took our defenses down like a rock falling off a cliff. As I said, we had over 15-plus Army divisions when he came

into office. When he left we only had 10. When he needed money for other things in the budget, he just cut the military. We had to rebuild that force after that gentleman left office. We did it.

Today we are spending more than $100 billion more, not counting the operations in Afghanistan and Iraq than we did under the Clinton administration.

□ 2300

We still need to spend more. We are spending about 4 percent of GDP on defense today. Under John Kennedy, a conservative Democrat who believed in peace through strength, we were spending 9 percent of GDP on defense, and under Ronald Reagan, we were spending 6 percent. Probably, we are going to need to go up to about 4½ or 5 percent of GDP being spent on defense to make sure that we ensure security for the coming decades.

I thank the gentleman for his allowing me to come down and say a word or two this evening.

Mr. KING of Iowa. Mr. Speaker, I thank the chairman. It is for a good cause, and as I recall, I believe that the percentage of our GDP during the Second World War was perhaps up to 26 percent for a period of time there. There was a real, real commitment, and as those numbers go down and you see the numbers in the military shrink, our commitment to our military has not been as strong as it might have been and needs to be stronger again.

We do not have a real handle on how broad and how deep this is going to have to be, but we must be ready at every quarter, and especially, this homeland security side has been for these 5 years, it has outstripped the expectations and the aspirations I think. I did not hear anybody say back on September 11, 2001, we can go a half a decade without an attack in this country. Everyone believed that there would be another attack. Now, heaven forbid it happens at this point or beyond, but I am grateful for work that has been done that has kept us safe to this point.

I would take us to another aspect of this issue, too. One of the things that this administration decided to do was we are not going to touch the oil in Iraq, and we set that aside for the Iraqi people. Now, that system over there is not shaping up the way it might be. There is a lot of oil in Iraq. It seeps to the top of the ground, and the wells they have drilled, there have not been new ones in years and years, and a lot of the infrastructure has not been rebuilt. That needs to all happen and get that oil online.

One of the first things I would do, if I were the prime minister of Iraq, would be to hold a bidding conference and bring in the oil companies and get them to inject international capital into the development of the fields and the development of the infrastructure so they can get that cash flow running, and if the cash flow runs, capitalism will take over.

I gave a speech in Baghdad a while back to the Baghdad Chamber of Commerce in the Al Rasheed hotel. As I walked in there, they started to introduce me. I said, just a moment, I would like to know who my interpreter is before you introduce me. They said, no, you do not have an interpreter. I said, but I do not speak Arabic. They said, you do not need to; these businesspeople speak English. There were 57 members there of the Iraqi Chamber of Commerce, and you could tell by the way they laughed and smiled and applauded, it was all timed just right. They understood English.

Afterwards we had a great gathering over on the side of the room, handing out business cards like frantic businessmen in a way. They wanted to exchange information and ideas. They are ready to do business in that country, and they are doing business in that country. The more dollars can come in and the faster that can get turned over, the closer they are to their own solution in Iraq. So I am optimistic that we get a solution out of there that bodes well when judged by history.

Sometimes we lose confidence in who we are as a Nation. I would take us back to a little over 100 years ago, and actually in 1898, we sent the military over to the Philippines. I recall being in this city about 3 years ago in a hotel when the President of the Philippines, President Arroyo gave a speech. She was not speaking to Members of Congress. I was kind of a random dinner guest, but she said, speaking of this random crowd in a hotel here in Washington, she said, Thank you America. Thank you for sending the Marine Corps to the Philippines in 1898. Thank you for freeing us. Thank you for liberating us. Thank you for sending the priests and the pastors there. Thank you for sending 10,000 teachers that taught in our schools and you taught your language to us and we learned your language. We learned your culture, and today, there are 1.6 million Filipinos that go anywhere in the world to work and send their money back to the Philippines because they have the language skills and they have the cultural skills that came because of the liberation that came from the American military.

How often do we read that in our history books, Mr. Speaker, that kind of an impact that, a century later, the expressions of gratitude that come from a national leader? That was an insurgency. That was an insurgency we fought in the Philippines and defeated at insurgency in the Philippines. That does not seem to be part of our national memory.

We can often learn from history, and we need to understand the economics and the sociology and the military tactics and put this all together, but we must have faith in who we are as a people. We must have faith in what has made us great. We must hang on to those things that are going to enhance that greatness and move America to the next level of our destiny. Once in a while we have got to discard some of those things that are not assets to us.

We have got to move into the future with technology. We have got to hang on to those core things that give us strength, and those things I believe are free enterprise capitalism, Western civilization and our biblical values, tied together as the three pillars that make America great.

So, Mr. Speaker, I appreciate the privilege to address this chamber and address you tonight. I especially appreciate the chairman coming down to stand up for American fighting men and women, and the job that you have done to lead us through these difficult years from September 11 and on into the future, and I will stand with you and our military men and women when one day hopefully it will be us, and if it will not, it will be our children and grandchildren that realize there has been a victory in this global war on terror and the face of the world will have changed and the world will be a freer place. A freer place is a safer place, and that is the goal and that is the call of the trumpet for us in this country.

OMISSION FROM THE CONGRESSIONAL RECORD OF THURSDAY, JULY 27, 2006, AT PAGE H6010

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on July 27, 2006, she presented to the President of the United States, for his approval, the following bills.

H.J. Res 86. Approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003, and for other purposes.

H.R. 4019. To amend title 4 of the United States Code to clarify the treatment of self-employment for purposes of the limitation on State taxation of retirement income.

H.R. 5865. To amend section 1113 of the Social Security Act to temporarily increase funding for the program of temporary assistance for United States citizens returned from foreign countries, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DOYLE (at the request of Ms. PELOSI) for today and September 7 on account of personal matters.

Mr. GARY G. MILLER of California (at the request of Mr. BOEHNER) for today and September 7 on account of illness.

Mr. NUNES (at the request of Mr. BOEHNER) for today and the balance of the week on account of attending the funeral of former Representative Bob Mathias.

Mr. BILIRAKIS (at the request of Mr. BOEHNER) for today and September 7 on account of illness.

SPECIAL ORDERS GRANTED

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

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

Mrs. MCCARTHY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Ms. MILLENDER-MCDONALD, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. SKELTON, for 5 minutes, today.

Mrs. MALONEY, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. ETHERIDGE, for 5 minutes, today.

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

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

Mr. OSBORNE, for 5 minutes, today.

Mr. POE, for 5 minutes, today and September 12 and 13.

Mr. FLAKE, for 5 minutes, today.

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

Mr. BURGESS, for 5 minutes, today.

SENATE BILLS REFERRED

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

S. 466. An act to deauthorize a certain portion of the project for navigation, Rockland Harbor, Maine; to the Committee on Transportation and Infrastructure.

S. 843. An act to amend the Public Health Service Act to combat autism through research, screening, intervention and education; to the Committee on Energy and Commerce.

S. 1899. An act to amend the Indian Child Protection and Family Violence Prevention Act to identify and remove barriers to reducing child abuse, to provide for examinations of certain children, and for other purposes; to the Committee on Resources, in addition to the Committee on the Judiciary for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 2068. An act to preserve existing judgeships on the Superior Court of the District of Columbia; to the Committee on Government Reform.

S. 2694. An act to amend title 38, United States Code, to remove certain limitations on attorney representation of claimants for veterans benefits in administrative proceedings before the Department of Veterans Affairs, to make certain improvements in the area of memorial affairs, and for other purposes; to the Committee on Veterans' Affairs, in addition to the Committee on Financial Services for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 3613. An act to designate the facility of the United States Postal Service located at 2951 New York Highway 43 in Averill Park, New York, as the ''Major George Quamo Post Office Building''; to the Committee on Government Reform.

S. 3836. An act to reauthorize the United States Advisory Commission on Public Diplomacy; to the Committee on International Relations.

ENROLLED BILLS SIGNED

Mrs. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore, Mr. TOM DAVIS of Virginia.

H.R. 4. An act to provide economic security for all Americans, and for other purposes.

H.R. 4646. An act to designate the facility of the United States Postal Service located at 7320 Reseda Boulevard in Reseda, California, as the ''Coach John Wooden Post Office Building''.

H.R. 4811. An act to designate the facility of the United States Postal Service located at 215 West Industrial Park Road in Harrison, Arkansas, as the ''John Paul Hammerschmidt Post Office Building''.

H.R. 4962. An act to designate the facility of the United States Postal Service located at 100 Pitcher Street in Utica, New York, as the ''Captain George A. Wood Post Office Building''.

H.R. 5104. An act to designate the facility of the United States Postal Service located at 1750 16th Street South in St. Petersburg, Florida, as the ''Morris W. Milton Post Office''.

H.R. 5107. An act to designate the facility of the United States Postal Service located at 1400 West Jordan Street in Pensacola, Florida, as the ''Earl D. Hutto Post Office Building''.

H.R. 5169. An act to designate the facility of the United States Postal Service located at 1310 Highway 64 NW. in Ramsey, Indiana, as the ''Wilfred Edward 'Cousin Willie' Sieg, Sr. Post Office''.

H.R. 5440. An act to designate the facility of the United States Postal Service located at 217 Southeast 2nd Street in Dimmit, Texas, as the ''Sergeant Jacob Dan Dones Post Office''.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reports that on July 26, 2006, she presented to the President of the United States, for his approval, the following bills.

H.R. 3549. To designate the facility of the United States Postal Service located at 210 West 3rd Avenue in Warren, Pennsylvania, as the ''William F. Clinger, Jr. Post Office Building''.

Karen L. Haas, Clerk of the House, also reports that on August 2, 2006, she presented to the President of the United States, for his approval, the following bills.

H.R. 3682. To redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge.

H.R. 5683. To preserve the Mt. Soledad Veterans Memorial in San Diego, California, by providing for the immediate acquisition of the memorial by the United States.

H.R. 5877. To amend the Iran and Libya Sanctions Act of 1996 to extend the authorities provided in such Act until September 29, 2006.

Karen L. Haas, Clerk of the House, also reports that on August 14, 2006, she presented to the President of the United States, for his approval, the following bills.

H.R. 4. To provide economic security for all Americans, and for other purposes.

H.R. 4646. To designate the facility of the United States Postal Service located at 7320 Reseda Boulevard in Reseda, California, as the ''Coach John Wooden Post Office Building''.

H.R. 4811. To designate the facility of the United States Postal Service located at 215 West Industrial Park Road in Harrison, Arkansas, as the ''John Paul Hammerschmidt Post Office Building''.

H.R. 4962. To designate the facility of the United States Postal Service located at 100 Pitcher Street in Utica, New York, as the ''Captain George A. Wood Post Office Building''.

H.R. 5104. To designate the facility of the United States Postal Service located at 1750 16th Street South in St. Petersburg, Florida, as the ''Morris W. Milton Post Office''.

H.R. 5107. To designate the facility of the United States Postal Service located at 1400 West Jordan Street in Pensacola, Florida, as the ''Earl D. Hutto Post Office Building''.

H.R. 5169. To designate the facility of the United States Postal Service located at 1310 Highway 64 NW. in Ramsey, Indiana, as the ''Wilfred Edward 'Cousin Willie' Sieg, Sr. Post Office''.

H.R. 5540. To designate the facility of the United States Postal Service located at 217 Southeast 2nd Street in Dimmitt, Texas, as the ''Sergeant Jacob Dan Dones Post Office''.

ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 7 minutes p.m.), the House adjourned until tomorrow, Thursday, September 7, 2006, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

9085. A letter from the Director, Office of Energy Policy and New Uses, Department of Agriculture, transmitting the Department's final rule — Office of Energy Policy and New Uses; Designation of Biobased Items for Federal Procurement (RIN: 0503-AA26) received August 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9086. A letter from the Chairman and CEO, Farm Credit Administration, transmitting the Administration's final rule — Organization; Termination of System Institution Status (RIN: 3052-AC29) received August 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9087. A letter from the Assistant Administrator, Bureau for Legislative and Public Affairs, United States Agency for International Development, transmitting the Agency's report as required by Pub. L. 109-113; to the Committee on Appropriations.

9088. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f)

of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 19-06 informing of an intent to sign the Joint U.S./U.K. Studies on Ballistic Missile Defense Lethality Project Arrangement between the United States and the United Kingdom, pursuant to 22 U.S.C. 2767(f); to the Committee on Armed Services.

9089. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting the National Defense Stockpile Annual Materials Plan (AMP) for fiscal year 2007, pursuant to 50 U.S.C. 98h-5; to the Committee on Armed Services.

9090. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's report on the feasibility and desirability of capital budgeting for major defense acquisition programs, pursuant to Section 1004 of the National Defense Authorization Act for Fiscal Year 2006; to the Committee on Armed Services.

9091. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting the Department's report on the implementation plan for accession of persons with specialized skills, pursuant to Public Law 108-375; to the Committee on Armed Services.

9092. A letter from the Under Secretary for Acquisitions, Technology and Logistics, Department of Defense, transmitting the Department's report on the amount of purchases from foreign entities in fiscal year 2005, pursuant to Public Law 108-287, section 8032(b); to the Committee on Armed Services.

9093. A letter from the Secretary, Department of Energy, transmitting a report concerning plutonium storage at the Savannah River Site, located near Aiken, South Carolina, pursuant to Public Law 107-314, section 3183; to the Committee on Armed Services.

9094. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — National Flood Insurance Program (NFIP); Appeal of Decisions Relating to Flood Insurance Claims [FEMA-2005-0057] (RIN: 1660-AA41) received August 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9095. A letter from the Acting Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Mexico pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

9096. A letter from the Secretary and Chairman, Federal Trade Commission and Board of Governors of the Federal Reserve System, transmitting a copy of the Commission's and the Board's Report to Congress Under Sections 313(b) of the Fair and Accurate Credit Transactions Act of 2003; to the Committee on Financial Services.

9097. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Amendments to the Informal and Other Procedures; Public Company Accounting Oversight Board Budget Approval Process [Release Nos. 33-8724; 34-54168] received August 19, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9098. A letter from the Assistant Secretary, Division of Corporation Finance, Securities and Exchange Commission, transmitting the Commission's final rule — Executive Compensation and Related Person Disclosure [Release Nos. 33-8732; 34-54302; IC-27444; File No. S7-03-06] (RIN: 3235-AI80) received August 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

9099. A letter from the Secretary, Department of Education, transmitting the Department's final rule — Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities (RIN: 1820-AB57) received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

9100. A letter from the Assistant General Counsel for Regulations, Office of General Counsel, Department of Education, transmitting the Department's ''Major'' final rule — Assistance to States for the Education of Children with Disabilities and Preschool Grants for Children with Disabilities (RIN: 1820-AB57) received August 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

9101. A letter from the Assistant General Counsel, Division of Regulatory Services, Department of Education, transmitting the Department's final rule — Federal Student Aid Programs (RIN: 1840-AC87) received August 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

9102. A letter from the Secretary, Department of Education, transmitting the Department's follow-up report on the September 2005 report entitled, ''The Mission Continues, Annual Report to the President on the Results of Participation of Historically Black Colleges and Universities in Federal Programs 2002-03''; to the Committee on Education and the Workforce.

9103. A letter from the Acting Director, OSHA Standards and Guidance, Department of Labor, transmitting the Department's final rule — Assigned Protection Factors [Docket No. H049C] (RIN: 1218-AA05) received August 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

9104. A letter from the Assistant Secretary, EBSA, Department of Labor, transmitting the Department's final rule — Mental Health Parity (RIN: 1210-AA62) received August 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

9105. A letter from the Chair, Board of Directors, Corporation for Public Broadcasting, transmitting the semiannual report of the Office 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 Energy and Commerce.

9106. A letter from the Assistant Secretary for Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's first semi-annual Implementation Report on Energy Conservation Standards Activities, pursuant to Section 141 of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

9107. A letter from the Secretary, Department of Energy, transmitting the Department's report entitled, ''Used Oil Re-refining Study to Address Energy Policy Act section 1838''; to the Committee on Energy and Commerce.

9108. A letter from the Secretary, Department of Energy, transmitting the Department's report entitled, ''Benefits of Using Mobile Transformers and Mobile Substations for Rapidly Restoring Electric Service,'' pursuant to Section 1816 of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

9109. A letter from the Secretary, Department of Energy, transmitting the Department's report on the National Electric Transmission Congestion Study, pursuant to Section 1221 of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

9110. A letter from the Secretary, Department of Energy, transmitting the Department's report outlining the status of Exxon and Stripper Well Oil Overcharge Funds as of September 30, 2005, satisfying the request set forth in the Conference Report accompanying the Department of Interior and Related Agencies Appropriations Act of 1988, Pub. L. 100-202; to the Committee on Energy and Commerce.

9111. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule — Standby Support for Certain Nuclear Plant Delays (RIN: 1901-AB17) received August 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9112. A letter from the Secretary, Department of Health and Human Services, transmitting the third annual financial report to Congress required by the Medical Device User Fee and Modernization Act of 2002 (MDUFMA), covering FY 2005; to the Committee on Energy and Commerce.

9113. A letter from the Deputy Chief, Pricing Policy Division, Wireless Competition Bureau, Federal Communication Commission, transmitting the Commission's final rule — Regulation of Prepaid Calling Card Services [WC Docket No. 05-68] received August 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9114. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Savanna, Oklahoma) [MB Docket No. 05-297; RM-11290] received August 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9115. A letter from the Associate Managing Director, PERM, Federal Communications Commission, transmitting the Commission's final rule — Assessment and Collection of Regulatory Fees for Fiscal Year 2006 [MD Docket No. 06-68] received August 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9116. A letter from the Associate Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Altamont and Odin, Illinois) [MB Docket No. 05-86; RM-11165; RM-11297] received August 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9117. A letter from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Americus and Emporia, Kansas) [MB Docket No. 05-139; RM-11218] received August 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9118. A letter from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Improving Pub. Sfty. Comms. in the 800 MHz Band [WT Dckt 02-55]; Consolidating the 800 & 900 MHz Ind./Land Trans. & Bus. Pool Chs.; Amdt. of Pt. 2 of the Commission's Rules to Allocate Spect. Below 3 GHz for Mobile & Fixed Serv. to Supp. the Intro. of New Adv. Wireless Servs., Inc. 3rd Gen. Wireless Systs. [ET Dckt No 00-258] Pet. for Rule Making of the Wireless Info. Networks Forum Concerning the Unlicensed Pers. Comms. Serv. [RM-9498]; Pet. for Rule Making of UT Starcom, Inc. Concerning the Unlicensed Pers. Conns. Serv. [RM-10024]; Amdt. of Sec. 2.106, Commission's Rls. to Allocate Spec. at 2 GHz for Use by the Mobile to the Committee on Energy and Commerce.

9119. A letter from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section

73.202(b) Table of Allotments, FM Broadcast Stations. (Austwell, Refugio, and Victoria, Texas) [MB Docket No. 05-154; RM-11224; RM-11250] received August 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9120. A letter from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b); Table of Allotments, FM Broadcast Stations. (Aspen and Leadville, Colorado) [MB Docket No. 05-184] received August 2, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9121. A letter from the Legal Advisor to the Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations. (Lometa and Richland Springs, Texas) [MB Docket No. 05-305; RM-11137; RM-11248]; Reclassification of License of Station KELI(FM), San Angelo, Texas, and Station KAMX(FM), Luling, Texas. received August 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9122. A letter from the Acting Chief, Telecom. Access Policy Div., Federal Communications Commission, transmitting the Comm's final rule — Univ. Serv. Contrib. Meth.[WC Dkt 06-122]; Fed-State Jnt. Brd. on Univ. Serv.[CC Dkt 96-45]; 1998 Bien. Reg. Rev. — Strmlne. Contrib. Rprt. Reqs. Assoc. w/Admin. of Telecomms. Relay Serv., N. Amer. Num. Plan, Loc. Num. Port., and Univ. Serv. Supp. Mechs.[CC Dkt 98-171]; Telecomms. Servs. for Indivs. w/Hearing & Speech Disab., & the Amers. with Disab. Act of 1990[CC Dkt 90-571]; Admin. of the N. Amer. Num. Plan & N. Amer. Num. Plan Cost Rec. Contrib. Fact. & Fund Size[CC Dkt 92-237; NSD File No L-00-72]; Num. Res. Opt.[CC Dkt 99-200]; Tele. Num. Port. [CC Dkt 95-116]; Truth in Billing [CC Dkt 98-170]; IP-Enabled to the Committee on Energy and Commerce.

9123. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Long-Term Firm Transmission Rights in Organized Electricity Markets [Docket No. RM06-8-000; Order No. 681) received July 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

9124. A letter from the Secretary, Federal Trade Commisison, transmitting the Commission's annual report of the operation of the National Do Not Call Registry for Fiscal Year 2005, from October 1, 2004 through September 30, 2005; to the Committee on Energy and Commerce.

9125. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's report on the efforts of the Radiation Source Protection and Security Task Force, in accordance with Section 651(d) of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

9126. A letter from the Chairman, Nuclear Waste Technical Review Board, transmitting the first report of 2006, as required by the Nuclear Waste Policy Amendments Act of 1987, Public Law 100-203, pursuant to 42 U.S.C. 10268; to the Committee on Energy and Commerce.

9127. A letter from the Secretary, Department of the Treasury, transmitting a six month periodic report on the national emergency with respect to Cote d'Ivoire that was declared in Executive Order 13396 of February 7, 2006, pursuant to 50 U.S.C. 1641(c) 50 U.S.C. 1703(c); to the Committee on International Relations.

9128. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on International Relations.

9129. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to Section 62(a) of the Arms Export Control Act (AECA), notification concerning the Department of the Army's proposed lease of defense articles to the Government of United Kingdom (Transmittal No. 06-07); to the Committee on International Relations.

9130. A letter from the Director, Defense Security Cooperation Agency, transmitting the Department's notification of Presidential Determination No. 2006-20, pursuant to section 36(b) of the Arms Export Control Act; to the Committee on International Relations.

9131. A letter from the Assistant Secretary for International Security Policy, Department of Defense, transmitting the Department's notification of the intention to obligate up to $44.5 million in FY 2006 funds for the Cooperative Threat Reduction Program, pursuant to Public Law 104-106, section 1205; to the Committee on International Relations.

9132. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Fifty-Fourth report on the extent and disposition of United States contributions to international organizations for fiscal year 2005, pursuant to Public Law 107-228, section 405(b); to the Committee on International Relations.

9133. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the quarterly report of obligations and outlays of FY 2004, FY 2005 and FY 2006 funds under the Emergency Plan for AIDS Relief through December 31, 2005 pursuant to Division D, Pub. L. 108-199; to the Committee on International Relations.

9134. A letter from the Secretary, Department of State, transmitting the Department's report consistant with the United States Policy in Iraq Act, section 1227 of the National Defense Authorization Act for Fiscal Year 2006, Pub. L. 109-163; to the Committee on International Relations.

9135. A communication from the President of the United States, transmitting a notice of continuation of national emergency beyond August 17, 2006 declared by Executive Order 13222 of August 17, 2001, to deal with the threat to the national security, foreign policy, and economy of the United States caused by the lapse of the Export Administration Act of 1979, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 109—130); to the Committee on International Relations and ordered to be printed.

9136. A letter from the White House Liaison and Executive Director, White House Commission on the National Monument of Remembrance, transmitting the Fourth Annual Report of the White House Commission on the National Moment of Remembrance for fiscal year 2005, pursuant to 36 U.S.C.116 note Public Law 106-579, section 6 (b)(1); to the Committee on Government Reform.

9137. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-474, ''Emerging Technology Opportunity Development Task Force Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

9138. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-473, ''Targeted Historic Preservation Assistance Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

9139. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-475, ''Technical Amendment Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

9140. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-476, ''Fiscal Year 2007 Budget Support Act of 2006,'' pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

9141. A letter from the White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9142. A letter from the White House Liaison, Department of Commerce, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9143. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9144. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9145. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9146. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9147. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9148. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9149. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9150. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9151. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9152. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9153. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9154. A letter from the Special Assistant to the Secretary, White House Liaison, Department of Veterans Affairs, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9155. A letter from the President, Federal Financing Bank, transmitting the Annual Management Report of the Federal Financing Bank for fiscal years 2004 and 2005, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform.

9156. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Topeka, transmitting the 2005 Statements on System of Internal Controls of the Federal Home Loan Bank of Topeka, pursuant to 31 U.S.C. 9106; to the Committee on Government Reform.

9157. A letter from the Executive Director, Interstate Commission on the Potomac River Basin, transmitting the audited Sixty-Fifth Financial Statement for the period October 1, 2004 to September 30, 2005, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

9158. A letter from the Acting Senior Procurement Executive, (OCAO), GSA, National Aeronautics and Space Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-12; Introduction [Docket FAR-2006-0023] received August 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

9159. A letter from the Director, Office of National Drug Control Policy, transmitting a report on the ''Fiscal Year 2005 Accounting of Drug Control Funds,'' pursuant to Public Law 105-277, section 705(d)(Div. C-Title VII); to the Committee on Government Reform.

9160. A letter from the Director, Office of Personnel Management, transmitting the semiannual report of the Inspector General and the Management Response for the period of October 1, 2005 to March 31, 2006, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

9161. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Absence and Leave (RIN: 3206-AK61) received August 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

9162. A letter from the Secretary, Postal Rate Commission, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9163. A letter from the Board Members, Railroad Retirement Board, transmitting the Board's 2006 report for the fiscal year ended September 30, 2005, pursuant to the provisions of section 7(b)(6) of the Railroad Retirement Act and section 12(l) of the Railroad Unemployment Insurance Act; to the Committee on Government Reform.

9164. A letter from the Executive Secretary/Chief of Staff, U.S. Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

9165. A letter from the Director, Minerals Management Service, Department of the Interior, transmitting the Department's report entitled, ''Bringing Gas Hydrates — A Potential New Source of Natural Gas — to Market,'' pursuant to Section 353(e) of the Energy Policy Act of 2005; to the Committee on Resources.

9166. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Wyoming Regulatory Program [WY-034-FOR] received August 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9167. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — West Virginia Regulatory Program [WV-109-FOR] received August 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9168. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Migratory Bird Hunting and Permits; Regulations for Managing Resident Canada Goose Populations (RIN: 1018-AI32) received August 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

9169. A letter from the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the North Carolina advisory committee; to the Committee on the Judiciary.

9170. A letter from the Staff Director, Commission on Civil Rights, transmitting notification that the Commission recently appointed members to the Connecticut advisory committee; to the Committee on the Judiciary.

9171. A letter from the Under Secretary and Director, Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — Clarification of Filing Date Requirements for Ex Parte and Inter Partes Reexamination Proceedings [Docket No.: PTO-P-2006-0007] (RIN: 0651-AC02) received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

9172. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of a class of workers from the Y-12 Plant in Oakridge, Tennessee to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

9173. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of a class of workers from the Ames Laboratory in Iowa to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

9174. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule — Controlled Substances and List I Chemical Registration and Reregistration Application Fees [Docket No. DEA-266F] (RIN: 1117-AA96) received August 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

9175. A letter from the Secretary, Judicial Conference of the United States, transmitting the Executive Committee's status report on Judicial Conference action on judicial ethics and accountability; to the Committee on the Judiciary.

9176. A letter from the General Counsel, National Tropical Botanical Garden, transmitting the annual audit report of the National Tropical Botanical Garden for the period from January 1, 2005 through December 31, 2005, pursuant to 36 U.S.C. 1535 Public Law 88-449, section 10(b); to the Committee on the Judiciary.

9177. A letter from the Secretary, Department of Transportation, transmitting the Department's report on the recomendations of the Intelligent Transportation Systems (ITS) Program Advisory Committee, pursuant to 23 U.S.C. 512 note Public Law 109-59, section 5305(h)(4); to the Committee on Transportation and Infrastructure.

9178. A letter from the Acting Secretary, Department of Transportation, transmitting the Department's report on the Transportaton Infrastructure Finance and Innovation Act of 1998 (TIFIA); to the Committee on Transportation and Infrastructure.

9179. A letter from the Secretary, Department of Energy, transmitting the Department's report entitled, ''Technical Milestones for 2020 Goals and Project Status for the Clean Coal Power Initiative,'' pursuant to Section 403 of the Energy Policy Act; to the Committee on Science.

9180. A letter from the Secretary, Department of Energy, transmitting the Department's reserach development and demonstration program to ensure the reliability, efficiency, and environmental integrity of the electric transmission and distribution system, in accordance with Section 925 of the Energy Policy Act; to the Committee on Science.

9181. A letter from the Secretary, Department of Energy, transmitting the Department's report entitled, ''Hydrogen Program Goal-Setting Methodologies Report to Congress,'' pursuant to section 1819 of the Energy Policy Act of 2005; to the Committee on Science.

9182. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Implementation of the Andean Trade Promotion and Drug Eradication Act [CBP Dec. 0621] (RIN: 1505-AB37) received August 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9183. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Stock Transfer Rules; Carryover of Earnings and Taxes [TD 9273] (RIN: 1545-AX65) received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9184. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Flat Rate Supplemental Wage Withholding [TD 9276] (RIN: 1545-BD96) received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9185. A letter from the Regulations Director, Social Security Administration, transmitting the Administration's final rule — Changes to the Income and Resources Provisions for Supplemental Secuirty Income (SSI) Based on Sections 430, 435, and 436 of the Social Security Protection Act (SSPA) of 2004 (RIN: 0960-AG13) received August 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

9186. A letter from the Secretary, Department of Energy, transmitting the Department's report on Alternatives to Industrial Radioactive Sources, pursuant to Section 957 of the Energy Policy Act of 2005; jointly to the Committees on Energy and Commerce and Science.

9187. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's final report and strategic and implementing plan required under Section 5006 of the Deficit Reducation Act of 2005; jointly to the Committees on Energy and Commerce and Ways and Means.

9188. A letter from the Secretary and Attorney General, Departments of Health and Human Services and Justice, transmitting the ninth Annual Report on the Health Care Fraud and Abuse Control (HCFAC) Program for Fiscal Year 2005, pursuant to 42 U.S.C. 1395i; jointly to the Committees on Energy and Commerce and Ways and Means.

9189. A letter from the Director, Defense Security Cooperation Agency, transmitting pursuant to Section 634A of the Foreign Assistance Act of 1961, as amended,and Division D, Title V, Section 515 of the Consolidated Appropriations Act, 2005, as enacted in Pub. L. 109-102, notification that implementation of the FY 2006 International Military Education and Training (IMET) program, as approved by the Department of State, requires revisions to the levels justified in the FY

2006 Congressional Budget Justification for Foreign Operations for the enclosed list of countries; jointly to the Committees on International Relations and Appropriations.

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:

Mr. HOEKSTRA: Permanent Select Committee on Intelligence. Report entitled ''al-Qaeda: The Many Faces of an Islamic Extremist Threat'' (Rept. 109–615). Referred to the Committee on the Whole House on the State of the Union.

Mr. TOM DAVIS of Virginia: Committee on Government Reform. Brownfields: What Will It Take To Turn Lost Opportunities Into America's Gain? (Rept. 109–616). Referred to the Committee of the Whole House on the State of the Union.

Mr. GOODLATTE: Committee on Agriculture. H.R. 503. A bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes, with an amendment; adversely (Rept. 109–617 Pt. 1). Ordered to be printed.

Mr. POMBO: Committee on Resources. H.R. 138. A bill to revise the boundaries of John H. Chafee Coastal Barrier Resources System Jekyll Island Unit GA–06P; with an amendment (Rept. 109–618). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 383. A bill to designate the Ice Age Floods National Geologic Trail, and for other purposes; with amendments (Rept. 109–619). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 479. A bill to replace a Coastal Barrier Resources System Grayson Beach Unit FL–95P in Walton County, Florida; with an amendment (Rept. 109–620). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 631. A bill to provide for acquisition of subsurface mineral rights to land owned by the Pascua Yaqui Tribe and land held in trust for the Tribe, and for other purposes (Rept. 109–621). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 1796. A bill to amend the National Trails System Act to designate the route of the Mississippi River from its headwaters in the State of Minnesota to the Gulf of Mexico for study for potential addition to the National Trails System as a national scenic trail, national historic trail, or both, and for other purposes (Rept. 109–622). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 2069. A bill to authorize the exchange of certain land in Grand and Uintah Counties, Utah, and for other purposes (Rept. 109–623). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 2110. A bill to provide for a study of options for protecting the open space characteristics of certain lands in and adjacent to the Arapaho and Roosevelt National Forests in Colorado, and for other purposes, with an amendment (Rept. 109–624). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 2334. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of permanent facilities for the GREAT project to reclaim, reuse, and treat impaired waters water in the area of Oxnard, California; with an amendment (Rept. 109–625). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 3350. A bill to amend the Native American Business Development, Trade Promotion, and Tourism Act of 2000 to establish the Tribal Development Corporation Feasibility Study Group (Rept. 109–626). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 3534. A bill to designate the Piedras Blancas Light Station and the surrounding public land as an Outstanding Natural Area to be administered as a part of the National Landscape Conservation System, and for other purposes (Rept. 109–627). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO. Committee on Resources. H.R. 3961. A bill to authorize the National Park Service to pay for services rendered by subcontractors under a General Services Administration Indefinite Deliver/Indefinite Quantity Contract issued for work to be completed at the Grand Canyon National Park (Rept. 109–628). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO. Committee on Resources. H.R. 4382. A bill to provide for the conveyance of certain land in Clark County, Nevada, for use by the Nevada National Guard (Rept. 109–629). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO. Committee on Resources. H.R. 4588. A bill to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under the Water Resources Research Act of 1984; with an amendment (Rept. 109–630). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO. Committee on Resources. H.R. 4612. A bill to redesignate Dayton Aviation Heritage National Historic Park in the State of Ohio as ''Wright Brothers-Dunbar National Historic Park,'' and for other purposes; with amendments (Rept. 109–631). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO. Committee on Resources. H.R. 4750. A bill to authorize the Secretary of the Interior to conduct a study to determine the feasibility of implementing a water supply and conservation project to improve water supply reliability, increase the capacity of water storage, and improve water management efficiency in the Republican River Basin between Harlan County Lake in Nebraska and Milford Lake in Kansas; with an amendment (Rept. 109–632). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO. Committee on Resources. S. 1773. An act to resolve certain Native American claims in New Mexico, and for other purposes (Rept. 109–633). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO. Committee on Resources. H.R. 4789. A bill to require the Secretary of the Interior to convey certain public land located wholly or partially within the boundaries of the Wells Hydroelectric Project of Public Utility District No. 1 of Douglas County, Washington, to the utility district; with an amendment (Rept. 109–634). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO. Committee on Resources. H.R. 5016. A bill to provide for the exchange of certain Bureau of Land Management land in Pima County, Arizona, and for other purposes; with an amendment (Rept. 109–635). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO. Committee on Resources. H.R. 5079. A bill to provide for the modification of an amendatory repayment contract between the Secretary of the Interior and the North Unit Irrigation District, and for other purposes; with amendments (Rept. 109–636). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 5132. A bill to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Monroe County, Michigan, relating to the Battles of the River Raisin during the War of 1812; with an amendment (Rept. 109–637). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 5381. A bill to establish a volunteer program and promote community partnerships for the benefit of national fish hatcheries and fisheries program offices (Rept. 109–638). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 5539. A bill to reauthorize the North American Wetlands Conservation Reauthorization Act; with an amendments (Rept. 109–639). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 5802. A bill to amend the National Park Service Concessions Management Improvement Act of 1998, to extend to additional small businesses the preferential right to renew a consessions contract entered into under such Act, to facilitate the renewal of a commercial use authorization granted under such Act, and for other purposes; with an amendment (Rept. 109–640). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 5861. A bill to amend the National Historic Preservation Act, and for other purposes; with amendment (Rept. 109–641). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINCOLN DIAZ-BALART of Florida: Committee on Rules. House Resolution 981. Resolution providing for consideration of the bill (H.R. 503) to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes (Rept. 109–642). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on Energy and Commerce discharged from further consideration. H.R. 503 referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. OWENS:

H.R. 6028. A bill to amend the Elementary and Secondary Education Act of 1965 to provide grants to improve the infrastructure of

elementary and secondary schools; to the Committee on Education and the Workforce.

By Mr. RADANOVICH (for himself, Mrs. NAPOLITANO, and Mrs MCMORRIS RODGERS):

H.R. 6029. A bill to amend the Reclamation Safety of Dams Act of 1978 to authorize improvements for the security of dams and other facilities, and for other purposes; to the Committee on Resources.

By Mr. WALDEN of Oregon (for himself, Mr. POMEROY, Mrs. EMERSON, Mr. MCINTYRE, Mr. MARSHALL, Mr. PAUL, Mr. MCNULTY, Mr. GOODE, Mr. GRAVES, Ms. HERSETH, Mr. PETERSON of Minnesota, Mr. DAVIS of Tennessee, Mrs. JO ANN DAVIS of Virginia, Mr. MCHUGH, Mr. JONES of North Carolina, Mr. ROSS, Mrs. MCMORRIS RODGERS, Mr. TANNER, Mr. PETERSON of Pennsylvania, Mr. BERRY, Mr. NUSSLE, Mr. MATHESON, Mr. BOYD, Mr. MORAN of Kansas, Mr. KIND, Mr. SWEENEY, Mr. DEFAZIO, Mr. LEACH, Mr. ETHERIDGE, Mr. SHERWOOD, Mr. BOUCHER, Mr. BISHOP of Georgia, Mr. OBERSTAR, Mr. SALAZAR, Mr. ROGERS of Alabama, Mr. NEY, Mr. STUPAK, Mr. THOMPSON of California, Mr. HINOJOSA, Mr. BASS, Mr. LUCAS, Mr. HASTINGS of Washington, Mr. OTTER, Mr. EDWARDS, Mrs. CUBIN, Mr. LATHAM, Mr. KENNEDY of Minnesota, Mr. RAHALL, Mr. HINCHEY, Mrs. CAPITO, Mr. MICHAUD, Mr. STRICKLAND, Mr. SIMPSON, Mr. HOEKSTRA, Mr. ALLEN, Mr. UDALL of New Mexico, Mr. PICKERING, Mr. KILDEE, Mr. MELANCON, and Mr. RENZI):

H.R. 6030. A bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare Program, 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 Mrs. MCCARTHY:

H.R. 6031. A bill to provide student loan forgiveness to the survivors of victims of the terrorist attack on September 11, 2001; to the Committee on Education and the Workforce.

By Mr. HAYES:

H.R. 6032. A bill to redesignate the Special Textile Negotiator of the United States Trade Representative as the Chief Textiles Negotiator and confer the rank of Ambassador upon that position, and for other purposes; to the Committee on Ways and Means.

By Mr. CROWLEY (for himself, Mr. ACKERMAN, Mr. KING of New York, Mr. WAXMAN, Mr. BARTON of Texas, Mr. DINGELL, Mrs. MCCARTHY, Mr. MCNULTY, Mr. HIGGINS, Mr. SERRANO, Mr. WEINER, Mr. KUHL of New York, Mr. NADLER, Mrs. MALONEY, Mr. RANGEL, Mr. HINCHEY, Mr. ISRAEL, Mr. ENGEL, Mr. WALSH, Mrs. LOWEY, Mr. MCHUGH, Mr. SWEENEY, Mr. FOSSELLA, Mr. BOEHLERT, Mr. TOWNS, Ms. VELÁZQUEZ, Mr. BISHOP of New York, Mr. OWENS, Ms. SLAUGHTER, Mr. REYNOLDS, Mrs. KELLY, Mr. MEEKS of New York, Mr. MARSHALL, Mr. MARKEY, Mr. GORDON, Mr. PALLONE, Mr. BROWN of Ohio, Ms. KILPATRICK of Michigan, Mrs. TAUSCHER, Mr. BUTTERFIELD, Mr. SHERMAN, Mr. LANTOS, Ms. SCHWARTZ of Pennsylvania, Mr. NEAL of Massachusetts, Mr. STARK, Mr. RUSH, Mr. MOORE of Kansas, Mr. SKELTON, and Ms. ESHOO):

H.R. 6033. A bill to designate the facility of the United States Postal Service located at 39-25 61st Street in Woodside, New York, as the ''Thomas J. Manton Post Office Building''; to the Committee on Government Reform.

By Mr. ENGLISH of Pennsylvania:

H.R. 6034. A bill to provide demonstration grants to States for the purpose of extending the length of the academic year at elementary and secondary schools within the State; to the Committee on Education and the Workforce.

By Mr. LARSEN of Washington:

H.R. 6035. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide enhanced travel benefits for veterans traveling to facilities of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PEARCE:

H.R. 6036. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to enter into contracts with community health care providers to improve access to health care for veterans in highly rural areas, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PEARCE:

H.R. 6037. A bill to direct the Secretary of Agriculture to convey to the village of Santa Clara, the city of Bayard, or the county of Grant, in the State of New Mexico, in tracts of not less than 40 acres, at market price at its present state of use as agricultural grazing lands as determined by the Secretary, for business and community development, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS:

H.R. 6038. A bill to provide for an effective HIV/AIDS program in Federal prisons; to the Committee on the Judiciary.

By Ms. WATERS:

H. Con. Res. 468. Concurrent resolution expressing the sense of Congress that the United States should encourage and support the Government of Iraq to pursue a policy that would realign the provinces of Iraq to reflect ethnic boundaries among Shiites, Sunnis, and Kurds and provide opportunity for those groups to exercise control over designated areas; to the Committee on International Relations.

By Mr. CHANDLER (for himself, Mr. WHITFIELD, Mrs. NORTHUP, Mr. DAVIS of Kentucky, Mr. ROGERS of Kentucky, Mr. LEWIS of Kentucky, and Mr. SODREL):

H. Res. 980. A resolution expressing condolences to the families, friends, and loved ones of the victims of the crash of Comair Flight 5191, and for other purposes; to the Committee on Transportation and Infrastructure. considered and agreed to.

By Mrs. CAPPS (for herself and Mr. FOLEY):

H. Res. 982. A resolution supporting the goals and ideals of National Peripheral Arterial Disease Awareness Week; to the Committee on Energy and Commerce.

By Mr. DOYLE (for himself, Mr. MURPHY, Mr. BRADY of Pennsylvania, Mr. PETERSON of Pennsylvania, Mr. ENGLISH of Pennsylvania, Mr. MURTHA, Ms. HART, Mr. SHUSTER, Mr. GERLACH, Ms. SCHWARTZ of Pennsylvania, Mr. SHERWOOD, Mr. HOLDEN, and Mr. PLATTS):

H. Res. 983. A resolution honoring the life and accomplishments of the late Robert E. O'Connor, Jr; to the Committee on Government Reform.

By Ms. WATERS:

H. Res. 984. A resolution expressing the sense of the House of Representatives that Iraq is in the midst of a civil war since the February 22, 2006, bombing of the Golden Mosque in Samarra, Iraq, one of the holiest places for Shiite Muslims; to the Committee on International Relations.

MEMORIALS

Under clause 3 of rule XII,

435. The SPEAKER presented a memorial of the Legislature of the State of Hawaii, relative to House Concurrent Resolution No. 34 commemorating the Fifty-Second anniversary of the detonation of the Bravo Hydrogen Bomb over Bikini Atoll, declaring March 1st as a day of rememberance, and requesting the Congress of the United States to enact appropriate measures to provide for the full health needs of the hydrogen bomb tests survivors and their progeny; to the Committee on International Relations.

ADDITIONAL SPONSORS

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

H.R. 25: Mr. PENCE and Mr. BOREN.
H.R. 97: Mr. CUMMINGS and Mr. REHBERG.
H.R. 98: Mr. WAMP and Mr. KUHL of New York.
H.R. 224: Mr. MICHAUD and Ms. MOORE of Wisconsin.
H.R. 284: Mr. FRANK of Massachusetts and Ms. MOORE of Wisconsin.
H.R. 303: Mr. DENT.
H.R. 332: Ms. ROS-LEHTINEN.
H.R. 354: Mr. FORD.
H.R. 363: Mr. AL GREEN of Texas and Ms. MOORE of Wisconsin.
H.R. 389: Mr. GERLACH.
H.R. 550: Mr. COSTA, Mr. COSTELLO, Ms. HERSETH, Mr. CASTLE, and Mr. BOREN.
H.R. 552: Mr. KELLER.
H.R. 561: Ms. LORETTA SANCHEZ of California.
H.R. 583: Mr. WELDON of Pennsylvania, Mr. BURTON of Indiana, Mr. REICHERT, Mrs. KELLY, Mr. ISSA, Mrs. SCHMIDT, and Mr. FITZPATRICK of Pennsylvania.
H.R. 602: Mr. FORD.
H.R. 615: Ms. ROYBAL-ALLARD and Mr. DAVIS of Tennessee.
H.R. 634: Ms. SCHAKOWSKY.
H.R. 668: Mr. STARK.
H.R. 699: Ms. KAPTUR and Mr. SMITH of Washington.
H.R. 769: Mr. NADLER.
H.R. 791: Mr. FORD.
H.R. 807: Ms. SCHWARTZ of Pennsylvania and Mr. RUPPERSBERGER.
H.R. 808: Mrs. CUBIN and Mr. CLYBURN.
H.R. 817: Mrs. EMERSON, Mr. SALAZAR, and Mr. KANJORSKI.
H.R. 823: Mr. MILLER of North Carolina.
H.R. 865: Mr. CROWLEY.
H.R. 874: Mr. SMITH of Texas.
H.R. 896: Mr. FERGUSON, Ms. JACKSON-LEE of Texas, Mr. STRICKLAND, and Mr. MURPHY.
H.R. 898: Mr. GOODE.
H.R. 910: Mr. STRICKLAND.
H.R. 916: Mr. GOHMERT.
H.R. 947: Mr. PRICE of North Carolina.
H.R. 1040: Mr. PENCE.
H.R. 1120: Mr. DOGGETT and Mr. NADLER.
H.R. 1124: Mr. MCCOTTER.
H.R. 1177: Ms. MOORE of Wisconsin.
H.R. 1214: Mr. SCOTT of Georgia.
H.R. 1226: Mr. GARRETT of New Jersey.
H.R. 1227: Mr. GOHMERT and Mr. TOWNS.
H.R. 1245: Mr. SWEENEY, Mr. LATHAM, Mr. MURTHA, and Mr. GILCHREST.

H.R. 1262: Mr. NADLER.
H.R. 1298: Mrs. KELLY, Mr. TOM DAVIS of Virginia, and Mr. HAYWORTH.
H.R. 1329: Mr. LOBIONDO.
H.R. 1333: Mr. MORAN of Kansas, Mr. DAVIS of Illinois, Mrs. NAPOLITANO, Mr. WELDON of Pennsylvania, and Mr. DOYLE.
H.R. 1356: Ms. LORETTA SANCHEZ of California, Mr. SCHWARZ of Michigan, and Ms. CORRINE BROWN of Florida.
H.R. 1357: Mr. KUHL of New York.
H.R. 1376: Mr. OSBORNE, Mr. NADLER, and Mr. CARDIN.
H.R. 1384: Mrs. CUBIN and Mr. TERRY.
H.R. 1426: Mr. ETHERIDGE, Mr. MCHENRY, and Ms. JACKSON-LEE of Texas.
H.R. 1498: Mr. NORWOOD and Mr. ETHERIDGE.
H.R. 1554: Mr. OWENS, Mr. BOEHLERT, Mr. RAMSTAD, and Mr. JENKINS.
H.R. 1558: Mr. BOSWELL.
H.R. 1632: Ms. BORDALLO, Mr. ETHERIDGE, and Mr. DAVIS of Illinois.
H.R. 1652: Mr. SCOTT of Georgia.
H.R. 1668: Mr. UDALL of Colorado.
H.R. 1671: Mr. HERGER and Mr. DOGGETT.
H.R. 1688: Mr. SERRANO.
H.R. 1707: Mr. MARKEY.
H.R. 1732: Mr. DAVIS of Tennessee.
H.R. 1733: Mr. DAVIS of Tennessee.
H.R. 1734: Mr. DAVIS of Tennessee.
H.R. 1836: Mr. MICA.
H.R. 1898: Mr. SAXTON.
H.R. 1951: Mr. FATTAH, Mr. HAYES, and Mr. SANDERS.
H.R. 2034: Mr. LUCAS.
H.R. 2051: Mr. FILNER, Mr. HINCHEY, and Mr. PLATTS.
H.R. 2356: Mr. HOLT and Ms. HARRIS.
H.R. 2378: Mrs. CHRISTENSEN.
H.R. 2488: Mr. FOSSELLA.
H.R. 2665: Mr. FORD.
H.R. 2669: Mr. MEEHAN.
H.R. 2671: Ms. DEGETTE.
H.R. 2739: Mr. NADLER.
H.R. 2793: Mr. ROSS.
H.R. 2835: Mr. NEAL of Massachusetts and Ms. MOORE of Wisconsin.
H.R. 2869: Mr. CUMMINGS.
H.R. 2928: Mr. SERRANO and Ms. LINDA T. SÁNCHEZ of California.
H.R. 2962: Mr. RAHALL.
H.R. 3004: Mr. BARROW.
H.R. 3006: Mr. DEFAZIO.
H.R. 3019: Mr. WELLER.
H.R. 3151: Mr. NADLER.
H.R. 3159: Mr. FOSSELLA.
H.R. 3318: Mr. WELDON of Pennsylvania.
H.R. 3326: Mr. SCOTT of Georgia.
H.R. 3352: Mr. WOLF.
H.R. 3361: Mr. AL GREEN of Texas, Mr. DANIEL E. LUNGREN of California, Ms. MCCOLLUM of Minnesota, Mr. STARK, Mr. PORTER, and Mr. LOBIONDO.
H.R. 3380: Mr. OBERSTAR.
H.R. 3427: Mr. WYNN and Ms. ESHOO.
H.R. 3438: Mrs. MUSGRAVE.
H.R. 3471: Ms. SCHAKOWSKY.
H.R. 3476: Mr. BARTON of Texas.
H.R. 3502: Mr. PAYNE.
H.R. 3532: Ms. KILPATRICK of Michigan.
H.R. 3628: Mr. HULSHOF, Mr. GEORGE MILLER of California, and Mr. EHLERS.
H.R. 3630: Mr. ANDREWS.
H.R. 3641: Mr. WATT.
H.R. 3689: Mr. MICHAUD.
H.R. 3762: Mr. WALSH, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. WATSON.
H.R. 3776: Mr. SPRATT.
H.R. 3779: Mr. HASTINGS of Florida.
H.R. 3954: Mr. THOMPSON of Mississippi, Mr. RUPPERSBERGER, Mr. FRANK of Massachusetts, Mr. STARK, and Mr. LYNCH.
H.R. 3968: Mr. WAXMAN.
H.R. 4033: Mr. BROWN of South Carolina, Mr. BUTTERFIELD, Ms. MCCOLLUM of Minnesota, and Mr. SMITH of Washington.
H.R. 4045: Mr. CROWLEY and Mr. SHAYS.
H.R. 4098: Ms. GINNY BROWN-WAITE of Florida, Mr. JINDAL, Mr. HAYWORTH, and Mr. HOLT.
H.R. 4188: Mr. WYNN.
H.R. 4197: Ms. BALDWIN.
H.R. 4215: Mr. GENE GREEN of Texas.
H.R. 4239: Mr. ANDREWS and Mr. STARK.
H.R. 4259: Mr. WAXMAN and Ms. MATSUI.
H.R. 4264: Mr. SANDERS and Mr. BROWN of Ohio.
H.R. 4293: Ms. JACKSON-LEE of Texas, Ms. BORDALLO, Mr. NADLER, Ms. SLAUGHTER, and Mr. BOUCHER.
H.R. 4341: Mr. BARRETT of South Carolina.
H.R. 4398: Mr. ROSS.
H.R. 4474: Ms. DELAURO.
H.R. 4517 Mr. PRICE of North Carolina, Mr. MACK, Mr. NADLER, and Mr. MICA.
H.R. 4562: Mr. GOODLATTE, Mr. MCHUGH, and Mr. SHADEGG.
H.R. 4597: Mr. DEFAZIO, Mr. ROSS, Mr. WAXMAN, Mr. HOLT, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. NAPOLITANO, and Mr. BROWN of South Carolina.
H.R. 4604: Ms. BERKLEY.
H.R. 4736: Mr. HOLT.
H.R. 4740: Mr. GERLACH, Mr. MEEHAN, and Mr. BEAUPREZ.
H.R. 4747: Mr. WU, Mr. LARSEN of Washington, Mr. FILNER, Mr. ROTHMAN, Mr. HINCHEY, and Ms. SLAUGHTER.
H.R. 4767: Mr. WAXMAN.
H.R. 4769: Mr. LIPINSKI.
H.R. 4771: Ms. JACKSON-LEE of Texas.
H.R. 4776: Mr. LINDER.
H.R. 4791: Mr. MCCOTTER.
H.R. 4824: Mr. PITTS, Mr. BOUCHER, and Mrs. CAPPS.
H.R. 4829: Mr. SHAYS.
H.R. 4838: Mr. PUTNAM and Mr. FOLEY.
H.R. 4844: Mr. SESSIONS.
H.R. 4870: Mr. LOBIONDO.
H.R. 4873: Mr. BRADLEY of New Hampshire, Mr. SCOTT of Virginia, Mr. OTTER, Ms. MATSUI, and Mr. BAKER.
H.R. 4903: Ms. ESHOO and Mr. SHAYS.
H.R. 4904: Mr. WAXMAN, Ms. ESHOO, Mr. ANDREWS, and Mr. SHAYS.
H.R. 4922: Mr. MEEKS of New York.
H.R. 4949: Mr. HOLT.
H.R. 4992: Mr. SOUDER.
H.R. 4993: Mr. WEXLER, Ms. WOOLSEY, Mr. RAMSTAD, Mr. BROWN of Ohio, and Ms. MOORE of Wisconsin.
H.R. 4994: Mr. TIERNEY.
H.R. 5005: Mrs. MYRICK.
H.R. 5053: Mr. JENKINS.
H.R. 5092: Mr. SHERWOOD, Mrs. MYRICK, Mr. TANNER, Mr. MOLLOHAN, Mrs. CUBIN, Mrs. JO ANN DAVIS of Virginia, and Mr. CARDOZA.
H.R. 5103: Mr. GOODE.
H.R. 5113: Mr. TIERNEY.
H.R. 5120: Mr. HENSARLING and Mr. CANNON.
H.R. 5139: Mr. RYAN of Ohio, Mr. NORWOOD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. TIERNEY, and Ms. ESHOO.
H.R. 5140: Mr. TIERNEY.
H.R. 5150: Mr. SANDERS.
H.R. 5171: Mr. TIBERI, Mr. PLATTS, AND MR. PRICE of North Carolina.
H.R. 5177: Mr. DOYLE.
H.R. 5201: Mr. HOLT.
H.R. 5204: Mr. ANDREWS.
H.R. 5225: Mr. ETHERIDGE, Ms. MILLENDER-MCDONALD, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 5246: Mr. GUTKNECHT, Mr. CRAMER, Mr. BURGESS, Mr. MCGOVERN, Mr. FRANKS of Arizona, Mr. KIRK, Mr. KLINE, Mr. ROGERS of Alabama, and Mr. WAMP.
H.R. 5250: Mr. ROTHMAN.
H.R. 5268: Mr. FRANK of Massachusetts, Mr. STARK, and Ms. WOOLSEY.
H.R. 5269: Mr. FRANK of Massachusetts, Mr. STARK, and Ms. ESHOO.
H.R. 5278: Mr. FOSSELLA.
H.R. 5291: Mr. BOOZMAN and Ms. ROS-LEHTINEN.
H.R. 5309: Mr. REYNOLDS.
H.R. 5312: Ms. HERSETH and Mr. INSLEE.
H.R. 5324: Mr. ROTHMAN, Mr. GILLMOR, and Mrs. SCHMIDT.
H.R. 5332: Ms. ESHOO.
H.R. 5348: Mr. GRIJALVA, Mr. CARDOZA, Mr. LARSEN of Washington, and Ms. MCCOLLUM of Minnesota.
H.R. 5372: Mr. HIGGINS.
H.R. 5400: Mr. JINDAL and Mr. PRICE of North Carolina.
H.R. 5409: Mr. MCHENRY.
H.R. 5444: Mr. GORDON.
H.R. 5452: Mr. LOBIONDO, Mr. FORTUÑO, Mr. MICHAUD, and Mr. FORD.
H.R. 5455: Mr. TAYLOR of Mississippi.
H.R. 5457: Mrs. DRAKE.
H.R. 5465: Mr. GRIJALVA, Mr. JINDAL, and Mr. BOUCHER.
H.R. 5476: Mr. HYDE.
H.R. 5482: Mr. PAYNE.
H.R. 5493: Mr. JEFFERSON and Ms. BORDALLO.
H.R. 5499: Mr. ANDREWS and Mr. GOODLATTE.
H.R. 5506: Mr. SPRATT.
H.R. 5507: Mr. MCHENRY.
H.R. 5513: Ms. HERSETH, Mr. CUMMINGS, Mr. TIERNEY, Mr. DOGGETT, Mr. COBLE, Mr. MICHAUD, Mr. FRANK of Massachusetts, Mr. WILSON of South Carolina, Mr. JEFFERSON, Mr. SIMMONS, and Mr. BRADLEY of New Hampshire.
H.R. 5533: Mr. SHIMKUS and Mr. FERGUSON.
H.R. 5539: Ms. JACKSON-LEE of Texas.
H.R. 5555: Ms. BORDALLO and Mr. SESSIONS.
H.R. 5583: Mr. BARROW and Mr. BOREN.
H.R. 5598: Mr. LYNCH.
H.R. 5642: Mr. LANGEVIN, Mr. ISRAEL, Ms. MOORE of Wisconsin, Mr. FILNER, Mr. HASTINGS of Florida, Mr. JACKSON of Illinois, Mr. WELDON of Pennsylvania, Mr. THOMPSON of Mississippi, Mr. KIND, Mr. FITZPATRICK of Pennsylvania, Mrs. TAUSCHER, Mr. ANDREWS, Mr. CONYERS, Ms. LORETTA SANCHEZ of California, Ms. WATSON, Mr. CHANDLER, and Mr. PAYNE.
H.R. 5674: Mr. ABERCROMBIE, Mr. GEORGE MILLER of California, Mr. MOORE of Kansas, Mr. VAN HOLLEN, Mr. NEAL of Massachusetts, Mr. CLAY, and Mr. SMITH of Washington.
H.R. 5688: Mr. KUHL of New York, and Mr. SWEENEY.
H.R. 5693: Mr. WELDON of Pennsylvania, and Mr. CONAWAY.
H.R. 5697: Mr. YOUNG of Alaska.
H.R. 5700: Mr. MCCOTTER.
H.R. 5702: Mr. GINGREY, Mr. WESTMORELAND, and Mr. SESSIONS.
H.R. 5704: Mr. CUMMINGS, Mr. DUNCAN, Mr. GOODE, Mr. SCHIFF, Mr. TAYLOR of North Carolina, Mr. PAUL, Mr. DAVIS of Tennessee, Mr. GORDON, Mrs. MALONEY, Mr. MCCOTTER, Mr. MURPHY, Mr. SULLIVAN, Mr. RADANOVICH, Mrs. CUBIN, Mr. HERGER, Ms. GRANGER, Mr. SIMMONS, and Mr. AL GREEN of Texas.
H.R. 5707: Ms. MATSUI and Mr. MOLLOHAN.
H.R. 5744: Mrs. DRAKE.
H.R. 5752: Mr. SCHIFF and Mr. PLATTS.
H.R. 5755: Mr. LOBIONDO, Mrs. CAPITO, Mr. EVERETT, Mr. ENGLISH of Pennsylvania, Mr. GORDON, Mr. FITZPATRICK of Pennsylvania, Mr. SMITH of Washington, Mrs. MCCARTHY, Mr. MARSHALL, Mr. HERGER, Mr. KING of New York, and Ms. BERKLEY.
H.R. 5767: Mr. ENGLISH of Pennsylvania.
H.R. 5770: Ms. SOLIS and Mr. GRIJALVA.
H.R. 5772: Mr. EHLERS, Mr. MCCAUL of Texas, Mr. PLATTS, Mrs. MCMORRIS RODGERS, Mrs. KELLY, Mr. WOLF, Mr. HERGER, and Mr. RAMSTAD.
H.R. 5784: Mr. KUCINICH.
H.R. 5790: Mr. SHAW.
H.R. 5791: Mr. GORDON, Mr. PAUL, Mr. TIERNEY, and Mr. FRANK of Massachusetts.
H.R. 5803: Mr. MILLER of North Carolina.
H.R. 5819: Ms. SCHAKOWSKY.
H.R. 5823: Mr. BOEHLERT.

H.R. 5824: Mr. ENGLISH of Pennsylvania and Mr. EHLERS.

H.R. 5830: Mr. PASTOR, Ms. ZOE LOFGREN of California, and Mr. TIBERI.

H.R. 5834: Mr. HASTINGS of Florida, Mr. SCHIFF, Ms. MATSUI, Mr. PASTOR, Mrs. NAPOLITANO, Mr. BOUCHER, Mrs. TAUSCHER, Mr. LAHOOD, Mr. SANDERS, and Mr. FRANK of Massachusetts.

H.R. 5835: Mr. BARROW, Mrs. DAVIS of California, Mr. BARTLETT of Maryland, Mr. PASTOR, and Mrs. BLACKBURN.

H.R. 5840: Mrs. TAUSCHER.

H.R. 5859: Mr. WAMP, Mr. PENCE, Mr. HENSARLING, Mr. BARRETT of South Carolina, and Mrs. MYRICK.

H.R. 5862: Mr. SOUDER.

H.R. 5866: Mr. WHITFIELD.

H.R. 5886: Ms. BALDWIN, Mr. CUMMINGS, and Ms. SLAUGHTER.

H.R. 5888: Mr. MARSHALL, Mr. BARROW, Mr. KELLER, Mr. ADERHOLT, Mr. GORDON, Mr. RAMSTAD, Mr. DEAL of Georgia, Mr. HERGER, Mr. MCCOTTER, Mr. DAVIS of Tennessee, Mr. NEUGEBAUER, Mr. DEFAZIO, Mr. ROTHMAN, Mr. Fortuño, Mr. SNYDER, Mr. HYDE, Mr. WOLF, and Mr. PLATTS.

H.R. 5890: Mr. RENZI, Mr. SHUSTER, and Mr. MCCOTTER.

H.R. 5891: Mr. HINOJOSA and Mr. WEXLER.

H.R. 5894: Mr. FILNER.

H.R. 5902: Mr. CONYERS.

H.R. 5906: Mr. GOODE and Mr. BOEHLERT.

H.R. 5917: Mr. FOLEY, Mr. KING of New York, and Mr. ROGERS of Alabama.

H.R. 5918: Mr. CONYERS, Ms. JACKSON-LEE of Texas, Mr. EHLERS, and Mr. Rothman.

H.R. 5928: Mr. WEXLER, Mr. MELANCON, Mr. MICHAUD, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. MOORE of Wisconsin.

H.R. 5932: Mr. CRAMER and Mr. ENGLISH of Pennsylvania.

H.R. 5940: Mr. FILNER, Mr. CARDIN, Mr. PAUL, Ms. BORDALLO, Mr. ROTHMAN, Mr. GORDON, and Mr. BARROW.

H.R. 5944: Mr. SANDERS.

H.R. 5948: Mr. WEXLER, Mr. MCINTYRE, and Mr. WOLF.

H.R. 5965: Mr. MCNULTY, Mrs. MCCARTHY, Mr. DOYLE, Mr. WYNN, Mr. GRIJALVA, Mr. HINCHEY, Mr. PAYNE, Mr. FORD, Mr. HIGGINS, Ms. WASSERMAN Schultz, and Mr. LEWIS of Georgia.

H.R. 5996: Mr. PALLONE.

H.R. 6014: Mr. CARDOZA.

H.R. 6020: Mr. FATTAH.

H.R. 6027: Mr. GOODE.

H. J. Res. 23: Mr. ANDREWS.

H. Con. Res. 138: Mr. TOWNS and Mrs. MCCARTHY.

H. Con. Res. 158: Mr. SERRANO.

H. Con. Res. 197: Mr. LEACH.

H. Con. Res. 222: Mr. MARSHALL.

H. Con. Res. 231: Mr. WYNN.

H. Con. Res. 343: Mrs. MALONEY and Mr. RANGEL.

H. Con. Res. 348: Ms. LEE.

H. Con. Res. 415: Mr. SHAYS.

H. Con. Res. 419: Mr. WALSH, Mr. ACKERMAN, Mr. MCNULTY, Mr. HIGGINS, Ms. SLAUGHTER, Mr. MEEKS of New York, Mr. REYNOLDS, and Mr. CROWLEY.

H. Con. Res. 434: Mr. HINCHEY.

H. Con. Res. 444: Mr. ABERCROMBIE, Mr. RYAN of Ohio, Mr. GIBBONS, Mr. HAYES, Mrs. MCMORRIS RODGERS, Mr. BARTLETT of Maryland, Mr. JONES of North Carolina, Mr. REYES, Mr. SNYDER, Mr. WILSON of South Carolina, Mr. BURTON of Indiana, Ms. HARRIS, and Mr. KING of New York.

H. Con. Res. 450: Mr. OLVER.

H. Con. Res. 453: Mr. INSLEE, Mr. ROTHMAN, Mr. CASE, Ms. JACKSON-LEE of Texas, and Mr. FARR.

H. Con. Res. 464: Mr. CUELLAR.

H. Res. 295: Mr. MCINTYRE, Ms. LEE, Ms. MATSUI, Mr. MARSHALL, Mr. BLUMENAUER, and Mr. BOUCHER.

H. Res. 316: Mr. GONZALEZ.

H. Res. 526: Mr. MCGOVERN, Mr. SWEENEY, Ms. CARSON, Mr. SMITH of New Jersey, Ms. CORRINE BROWN of Florida, Mr. ETHERIDGE, Mr. RUPPERSBERGER, Mr. KILDEE, and Mr. SHAYS.

H. Res. 635: Mr. ROTHMAN.

H. Res. 636: Mr. ROTHMAN.

H. Res. 637: Mr. ROTHMAN.

H. Res. 745: Mr. DAVIS of Tennessee, Mr. DAVIS of Illinois, Mr. MCCRERY, Mr. PRICE of North Carolina, Mr. SHAYS, and Mr. CLEAVER.

H. Res. 790: Mr. RUSH and Mr. THOMPSON of Mississippi.

H. Res. 822: Ms. WATSON.

H. Res. 838: Mr. GOODLATTE and Mr. DAVIS of Kentucky.

H. Res. 888: Mr. MCDERMOTT, Ms. HOOLEY, Mr. DEFAZIO, and Mr. ROTHMAN.

H. Res. 912: Ms. WASSERMAN SCHULTZ.

H. Res. 931: Mr. CONYERS, Mr. SERRANO, Mr. BECERRA, Ms. WOOLSEY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BOYD, Mr. HINOJOSA, Mr. ANDREWS, Mr. MELANCON, Ms. ZOE LOFGREN of California, Mr. FRANK of Massachusetts, Mr. HASTINGS of Florida, Mr. DOYLE, Mr. ETHERIDGE, Mr. WYNN, Mr. GONZALEZ, Mr. ISRAEL, Mr. CUMMINGS, Mr. PETERSON of Minnesota, Mr. SPRATT, Mr. BERMAN, Mr. VAN HOLLEN, Mr. GRIJALVA, Mr. SABO, Mr. PASTOR, Mr. ROTHMAN, and Ms. WASSERMAN SCHULTZ.

H. Res. 940: Mr. ENGEL, Mr. MEEKS of New York, Ms. LEE, Mr. PASCRELL, Mr. BLUMENAUER, Mr. HINOJOSA, and Mr. SOUDER.

H. Res. 945: Ms. MOORE of Wisconsin.

H. Res. 959: Ms. BORDALLO, Mr. PAYNE, Mr. RUPPERSBERGER, Mr. FORTUÑO, and Mr. GORDON.

H. Res. 960: Mr. FORTUÑO, Mr. SENSENBRENNER, and Mr. COOPER.

H. Res. 961: Mr. PRICE of North Carolina.

H. Res. 962: Mr. SULLIVAN, Mr. MCDERMOTT, and Mr. SENSENBRENNER.

H. Res. 964: Ms. JACKSON-LEE of Texas, Mr. RAMSTAD, Mr. BROWN of South Carolina, Mr. MATHESON, Ms. BORDALLO, Mr. WALSH, Mr. SALAZAR, Mrs. CAPPS, Mr. CUMMINGS, Mr. MURPHY, Mr. BILIRAKIS, and Mr. LARSEN of Washington.

H. Res. 967: Mr. KUCINICH, Mr. WEXLER, and Mr. MCDERMOTT.

H. Res. 970: Mr. RUPPERSBERGER, Mr. STARK, Mr. LEWIS of Georgia, Mr. PAYNE, Mr. BACA, and Mr. GRIJALVA.

H. Res. 972: Mr. WOLF.

H. Res. 973: Ms. CARSON, Mr. FRANK of Massachusetts, Mr. KANJORSKI, Mrs. MALONEY, Mr. OXLEY, Mr. BACHUS, Ms. BEAN, Mr. GUTIERREZ, Mr. FORD, Mr. CLAY, Mr. MOORE of Kansas, Mrs. MCCARTHY, Mr. SCOTT of Georgia, Mr. CLEAVER, Mr. AL GREEN of Texas, Ms. MOORE of Wisconsin, Mrs. NAPOLITANO, Ms. JACKSON-LEE of Texas, Mr. LEWIS of Georgia, Mr. JONES of North Carolina, Ms. WATERS, Mr. ORTIZ, Mr. CROWLEY, Mr. COOPER, Mr. MEEKS of New York, Mr. DREIER, Mr. BACA, Mr. BUTTERFIELD, Ms. MILLENDER-MCDONALD, Mr. PLATTS, Mr. SHAYS, Ms. LEE, Ms. HOOLEY, Ms. LORETTA SANCHEZ of California, Mr. MURPHY, Ms. MATSUI, Mr. PEARCE, Mrs. JOHNSON of Connecticut, Mr. GRIJALVA, Mr. JOHNSON of Illinois, Mr. CAPUANO, Mr. KIRK, Mr. DAVIS of Alabama, Mr. BOSWELL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GONZALEZ, Mr. PAYNE, Mr. FITZPATRICK of Pennsylvania, Ms. LINDA T. SÁNCHEZ of California, Mr. CAMPBELL OF CALIFORNIA, MR. GARRETT of New Jersey, Mr. CUMMINGS, Ms. WASSERMAN SCHULTZ, Mr. HIGGINS, Mr. LARSEN of Washington, Mr. SHIMKUS, and Mr. BAKER.

H. Res. 974: Mr. TANNER, Mr. WU, Mr. SIMMONS, Mr. MCGOVERN, Mr. MCNULTY, Mr. WEXLER, Mr. MURTHA, Mr. HINCHEY, Mr. UPTON, Mr. WOLF, Mrs. JO ANN DAVIS of Virginia, Mr. ETHERIDGE, Mr. CROWLEY, Mr. HOLT, Mr. BERMAN, Mr. OLVER, Mr. FITZPATRICK of Pennsylvania, Mr. CONYERS, Mr. RAMSTAD, Mr. HIGGINS, Mr. CARDIN, and Mr. MARKEY.

H. Res. 977: Mr. KUCINICH.

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PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

Vol. 152 WASHINGTON, WEDNESDAY, SEPTEMBER 6, 2006 No. 108

Senate

The Senate met at 9:45 a.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.

Infinite Spirit, draw near to us today. Forgive us if we have been blind to needs of our world. Take us down the road of humility so that we will be patient with those who don't agree with us.

Guide Your Senators with Your wisdom. Let Your purposes shape their minds and Your holiness direct their decisions. Remind them often that they serve You and that Your standard for success is faithfulness.

Help them pursue mercy as well as justice as You provide them with greater insight into Your will. Show them what is right and then give them the courage to do it.

We pray in Your powerful 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, this morning we will have 30 minutes of morning business. Following that period, we will return to the Defense appropriations bill. We have three amendments pending on the bill at this time. We hope to lock in a vote in relation to the Feinstein amendment regarding cluster munitions. I understand that 12 noon is the best time for that vote. Therefore, Senators can expect a vote prior to the policy luncheons. We will recess for the policy meetings today from 12:30 to 2:15.

I remind everyone we will finish the bill this evening or Thursday, if necessary. If Senators have amendments, they should have already contacted the managers. In order to finish at the earliest time, we will be voting throughout the day and as late as necessary to ensure completion of that bill.

RECOGNITION OF THE MINORITY LEADER

The PRESIDENT pro tempore. The Democratic leader is recognized.

SCHEDULE

Mr. REID. While the distinguished majority leader is on the floor, I just finished our leadership meeting. As I indicated to the leader last night somewhat late, we will be in a position right after the caucus to indicate to floor staff what amendments will be offered on this bill so we can finish it tomorrow. I indicated to the majority leader what we intend to do after the caucus today is completed, and I have floor staff lining up how much time will be taken on that amendment so we can finish that this afternoon or this evening, certainly. We are going to finish this bill. We have had to eliminate a number of amendments. We have squeezed those so we have a reasonable number. They are not completely squeezed out yet. They will be.

As I told the distinguished Presiding Officer yesterday, and the majority leader, we will finish the bill tomorrow.

Mr. FRIST. Mr. President, I very much appreciate the comments of the Democratic leader. This is a bill we started before our recess. We agreed we would finish today, although because of extenuating circumstances we will go to tomorrow. It is a very important bill. It is important in support of our troops, in support of our efforts on the war on terror. It is a bill we will finish tomorrow.

ORDER OF PROCEDURE

I ask unanimous consent the Senate proceed to a vote in relation to the Feinstein amendment No. 4882 at 12 noon today with no second-degree amendments in order prior to the vote; further, that the time from 11:15 to noon be equally divided in the usual form.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. FRIST. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. VITTER). Without objection, it is so ordered.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will be a period for the transaction of morning business for up to 30 minutes, with the first half under the time of the control of the majority leader or his designee and the second half under the control of the minority leader or his designee.

Mr. KYL. I ask unanimous consent to speak for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATEMENT OF PRESIDENT BUSH

Mr. KYL. Mr. President, the remarks President Bush delivered yesterday

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about the war against the radical Islamist terrorists was a historic speech, the clearest statement to date of the nature of the struggle we face.

Probably there were two factors that entered the President's decision to give the remarks today: First, the fact that we will soon, next Monday, have the fifth anniversary of the heinous attack of September 11 on the United States of America; second, because of the increasing calls by partisans to abandon part of the conflict—namely, the Iraq front—in this war.

It was important for the President to define who the enemy is and to make it clear that the enemy is not terrorism. People in the media have called this the war on terrorism. We could have just as easily called the war in the Pacific and World War II the war on kamikaze terrorism, as kamikaze is a suicide tactic by evil people. The war, then, was against Nazism, Fascism, the imperial Japanese, and later communism. It was not against a tactic.

The same thing is true today. It was important for the President to define the nature of the enemy we face in order to be able to adequately confront that enemy. The President made a comparison with a couple of the enemies in World War II. He talked about Adolph Hitler and the fact he was not taken seriously at first. At first, Adolph Hitler was a crazy paper hanger. Then he was greatly underestimated. Eventually, there were those who thought he could be appeased because the world did not want to fight again, with World War I so fresh in everyone's mind. But he did have to be confronted.

And the same later with respect to communism. At first it was Uncle Joe Stalin who helped us win World War II. But it became clear, after the Berlin blockade and his explosion of an H bomb, that communism was a clear and present danger for the United States. Eventually, America understood, and the cold war confronted communism, eventually succeeding in defeating that threat.

There is a big difference between the Soviets of the Communist era and the radical Islamists. One difference is that the Soviets could be deterred. Radical Islamists are not going to be deterred. There is a particular reason why. The Soviets were rational about life itself. Radical Islamists seek to bend us to their will, to kill us or to die trying. Either way, in their view, they win.

I ask my colleagues: What did Steve Centanni and Olaf Wiig have to do before they were released in Gaza just a couple of weeks ago? They had to bend to the will of Allah. They had to convert to Islam before they were released. This is the goal of these radical Islamists, as the President explained—to either bend the rest of the world to their will, to kill us or to die trying.

We will only win this war if we take the threat seriously. The sooner we commit to victory, the fewer our losses will be. The best strategy is to take the fight to the enemy. The worst strategy is to leave in the middle of a battle, for example, in Iraq. It would be difficult, if not impossible, to win the war if we abdicate the battle. What ally in the war will stand with us if we decide that the fight is too tough? How would that help us influence the mullahs who rule in Iran?

I will read from parts of the President's speech to illustrate the clarity with which he described the nature of our enemy, the nature of this conflict, and the absolute necessity that we confront it strongly now in order to save future generations from the scourge of this continuing conflict.

The President said:

> Five years after our nation was attacked, the terrorist danger remains. We're a nation at war.

And he said:

> . . . we've also learned a great deal about the enemy we face . . .

We know what the terrorists intend to do because they've told us—and we need to take their words seriously.

And he proceeded to describe, in the terrorists' own words, what they believe, what they hope to accomplish, and how they intend to accomplish it.

Listen to these words of the President:

> The terrorists who attacked us on September 11, 2001, are men without conscience—but they're not madmen. They kill in the name of a clear and focused ideology, a set of beliefs that are evil, but not insane. These al Qaeda terrorists and those who share their ideology are violent Sunni extremists. They're driven by a radical and perverted vision of Islam that rejects tolerance, crushes all dissent, and justifies the murder of innocent men, women, and children in the pursuit of political power. They hope to establish a violent political Utopia across the Middle East, which they call a ''caliphate,'' where all the world would be ruled according to their hateful ideology. Osama bin Laden has called the 9/11 attacks—in his words—''a great step toward the unity of Muslims and establishing the righteous caliphate.''

The President went on to describe that this caliphate would be a totalitarian Islamic empire, and using the words of the terrorist Zawahiri, al-Qaida second in command, declaring that al-Qaida intends to impose its rule ''in every land that was a home for Islam, from Spain to Iraq.'' And he went on to say:

> The whole world is an open field for us.

The President also described what such a world would look like, referring to the situation in Afghanistan before its liberation as exemplifying the rule of these kinds of terrorists: Under the Taliban and al-Qaida, Afghanistan was a nightmare, a land where women were imprisoned in their homes, girls could not go to school, religious police roamed the streets, and women were publicly whipped. In fact, summary executions were held in Kabul's soccer stadium in front of cheering mobs. And Afghanistan was turned into a launching pad for the horrific attacks against America and other parts of the civilized world.

The President said:

> The goal of these Sunni extremists is to remake the entire Muslim world in their radical image. In pursuit of their imperial aims, these extremists say there can be no compromise or dialogue with those they call ''infidels''. . . .
>
> These radicals have declared their uncompromising hostility to freedom.

And the President said:

> It is foolish to think that you can negotiate with them.

The President also quoted from some of the al-Qaida documents that illustrate the precise nature of this threat. One is the al-Qaida charter that was secured by coalition forces searching a terrorist safe house. The charter states:

> There will be continuing enmity until everyone believes in Allah. We will not meet the enemy halfway. There will be no room for dialogue with them.

The President also noted that the goal of al-Qaida is to cause Americans to tire of the conflict, ''hoping that the American people will grow tired of casualties and give up the fight.''

The President said:

> And they are targeting America's financial centers and economic infrastructure at home, hoping to terrorize us and cause our economy to collapse.

He quoted the words of Osama bin Laden, who calls this his ''bleed-until-bankruptcy plan,'' and noted that Osama bin Laden was very impressed with the relatively small investment he had to make to cause such a large amount of damage to the United States and to our economy.

The President also noted the enemy has a propaganda strategy. Osama bin Laden says al-Qaida intends to ''launch,'' in his words, ''a media campaign to create a wedge between the American people and their government.''

I would submit that the evidence of that campaign is there for all to see.

The President said:

> Bin Laden and his allies are absolutely convinced they can succeed in forcing America to retreat and causing our economic collapse. They believe our nation is weak and decadent, and lacking in patience and resolve.

The President also said that ''they've made clear that the most important front in their struggle against America is Iraq—the nation bin Laden has declared the 'capital of the caliphate.'

The President said:

> Hear the words of bin Laden: ''I now address the whole Islamic nation. Listen and understand. The most serious issue today for the whole world is this Third World War that is raging in Iraq.'' He calls it ''a war of destiny between infidelity and Islam.'' He says, ''The whole world is watching this war,'' and that it will end in ''victory and glory, or misery and humiliation.''

The President noted:

> For al Qaeda, Iraq is not a distraction from their war on America—it is the central battlefield where the outcome of this struggle will be decided.

The President said:

> Bin Laden and his terrorist allies have made their intentions as clear as Lenin and

Hitler before them. The question is: Will we listen? Will we pay attention to what these evil men say?

And then the President noted that there is a second group of these radical Islamists who, combined with the first, represent the axis of evil that we face in this war, the threat posed by Shia extremists.

The President said:

The Shia strain of Islamic radicalism is just as dangerous, and just as hostile to America, and just as determined to establish its brand of hegemony across the broader Middle East. And the Shia extremists have achieved something that al Qaeda has so far failed to do: In 1979, they took control of a major power, the nation of Iran, subjecting its proud people to a regime of tyranny, and using that nation's resources to fund the spread of terror and pursue their radical agenda.

Then the President went on to describe the clear aims of the Iranian regime: wanting to drive America out of the region, to destroy Israel, and to dominate the broader Middle East. Among the ways in which they intend to achieve their goals is by the creation and supporting of terrorist groups such as Hezbollah.

The President said:

Just as we must take the words of the Sunni extremists seriously, we must take the words of the Shia extremists seriously.

He went on to quote the Hezbollah leader, the terrorist Nasrallah, and also the President of Iran, President Mahmud Ahmadi-Nejad, who declared in a speech that some people ask, and I am quoting, ''whether a world without the United States and Zionism can be achieved. I say that this goal is achievable.''

Everyone is aware of Ahmadi-Nejad's threats to wipe Israel off the face of the Earth.

He said:

If you do not abandon the path of falsehood, your doomed destiny will be annihilation.

He delivered this message to the American people. And I am quoting:

If you would like to have good relations with the Iranian nation in the future, bow down before the greatness of the Iranian nation and surrender. If you don't accept to do this, the Iranian nation will force you to surrender and bow down.

The language is always: Bow down. Surrender to their radical, perverted view of Islam.

And now the Iranian regime is pursuing nuclear weapons. Imagine if this nation acquires nuclear weapons, a nation that sponsors terrorism around the world, is the chief sponsor of terrorism, according to the U.S. State Department. And were they to provide nuclear weaponry to terrorists, the result is unthinkable.

What the President concluded was:

The Shia and Sunni extremists represent different faces of the same threat. They draw inspiration from different sources, but both seek to impose a dark vision of violent Islamic radicalism across the Middle East.

The President said:

And armed with nuclear weapons, they would blackmail the free world, and spread their ideologies of hate, and raise a mortal threat to the American people. If we allow them to do this, if we retreat from Iraq, if we don't uphold our duty to support those who are desirous to live in liberty, 50 years from now history will look back on our time with unforgiving clarity, and demand to know why we did not act.

The President then went on to reiterate the five basic elements of the strategy he has discussed before. He pointed out that the enemy is a flexible and agile enemy that adapts and changes its ways of dealing with us, and that we have to do the same, and pointed out how we are doing that.

In fact, the President said:

During the last five years we've learned a lot about this enemy. We've learned that they're cunning and sophisticated. We've witnessed their ability to change their methods and their tactics with deadly speed—even as their murderous obsessions remain unchanging.

He also noted—and I think this is important—that one of the things they have accomplished over the last several years is the slaughtering of huge numbers of innocent Muslim men and women around the world. And you have but to look at the daily casualty count in Iraq, where it is primarily violence on other Muslims in Iraq that represents this terrible news we wake up to every morning.

The President said, as he has said before:

The road ahead is going to be difficult, and it will require more sacrifice. Yet we can have confidence in the outcome, because we've seen freedom conquer tyranny and terror before.

I would say that we have a choice to make. We can understand the nature of this conflict and its seriousness and the required sacrifice now or we can come to that realization after we have suffered far too many more casualties and far too much loss in blood and treasure. Eventually the world will join us in this struggle and we will succeed. But the question is, How many have to die? How much loss has to occur before the world wakes to the nature of this threat?

I harken back to the days just before World War II as a good lesson in history to remind us that we need to take the words of these evildoers to heart. They just may mean what they say. History has proven that to be the case in the past, and recent history leaves no doubt that this is what they mean today.

Next Monday, we will stand on the Capitol steps at 6 o'clock, as we did exactly 5 years before, to demonstrate to the American people that the attacks on America will not deter us from our business or our commitment to protect the American people. When we do that, we need to mean what we say. Our ability to make good on that commitment will depend, first and foremost, on our understanding of the nature of this threat and our ability and willingness to confront it.

The President concluded his remarks with these statements. He said:

This time, we're confronting them—

Meaning the enemy—

before they gain the capacity to inflict unspeakable damage on the world, and we're confronting their hateful ideology before it . . . takes root.

That is the point I was making, that we have a choice today to take this fight to the enemy and win rather than waiting until more damage has been inflicted upon us to understand and appreciate the nature of the threat.

The President concluded by saying:

This is the great ideological struggle of the 21st century—and it is the calling of our generation. All civilized nations are bound together in this struggle between moderation and extremism.

Mr. President, this is the challenge which confronts us. It confronts us as leaders of this country, and it requires of us the discussion, honestly and forthrightly, of the serious nature of this struggle. It will not be won by papering over differences. It will not be won by deciding that the fight is too difficult and that there are places where this struggle is occurring where we just cannot prevail. We cannot send a message to our enemies, let alone to our allies, that we are not up to the struggle, wherever it may break out.

The way to win this struggle is to win it. And that is the point the President was making in his remarks yesterday.

Mr. President, I urge my colleagues to review the President's remarks. I ask unanimous consent that the full text of the speech he made yesterday be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PRESIDENT DISCUSSES GLOBAL WAR ON TERROR

THE PRESIDENT: Thank you all very much. (Applause.) Thank you all. Please be seated. General Hendrix, thank you for the invitation to be here. Thanks for the kind introduction. I'm honored to stand with the men and women of the Military Officers Association of America. I appreciate the Board of Directors who are here, and the leaders who have given me this platform from which to speak. I'm proud to be here with active members of the United States military. Thank you for your service. I'm proud to be your Commander-in-Chief. (Applause.)

I am pleased also to stand with members of the diplomatic corps, including many representing nations that have been attacked by al Qaeda and its terrorist allies since September the 11th, 2001. (Applause.) Your presence here reminds us that we're engaged in a global war against an enemy that threatens all civilized nations. And today the civilized world stands together to defend our freedom; we stand together to defeat the terrorists; and were working to secure the peace for generations to come.

I appreciate my Attorney General joining us today, Al Gonzales. Thank you for being here. (Applause.) The Secretary of Homeland Security, Michael Chertoff, is with us. (Applause.) Three members of the United States Senate—I might say, three important members of the United States Senate—Senate President Pro Tem Ted Stevens of Alaska. Thank you for joining us, Senator. (Applause.) Chairman of the Appropriations Committee, Senator Thad Cochran of Mississippi. (Applause.) The Chairman of the

Armed Services Committee, John Warner of Virginia. (Applause.)

I thank Norb Ryan, as well, for his leadership. I do appreciate all the folks that are at Walter Reed who have joined us today. I'm going to tell the parents of our troops, we provide great health care to those who wear the uniform. I'm proud of those folks at Bethesda and Walter Reed—are providing you the best possible care to help you recover from your injuries. Thank you for your courage. Thank you for joining us here today. May God bless you in your recovery. (Applause.)

Next week, America will mark the fifth anniversary of September the 11th, 2001 terrorist attacks. As this day approaches, it brings with it a flood of painful memories. We remember the horror of watching planes fly into the World Trade Center, and seeing the towers collapse before our eyes. We remember the sight of the Pentagon, broken and in flames. We remember the rescue workers who rushed into burning buildings to save lives, knowing they might never emerge again. We remember the brave passengers who charged the cockpit of their hijacked plane, and stopped the terrorists from reaching their target and killing more innocent civilians. We remember the cold brutality of the enemy who inflicted this harm on our country—an enemy whose leader, Osama bin Laden, declared the massacre of nearly 3,000 people that day—I quote—''an unparalleled and magnificent feat of valor, unmatched by any in humankind before them.''

In five years since our nation was attacked, al Qaeda and terrorists it has inspired have continued to attack across the world. They've killed the innocent in Europe and Africa and the Middle East, in Central Asia and the Far East, and beyond. Most recently, they attempted to strike again in the most ambitious plot since the attacks of September the 11th—a plan to blow up passenger planes headed for America over the Atlantic Ocean.

Five years after our nation was attacked, the terrorist danger remains. We're a nation at war—and America and her allies are fighting this war with relentless determination across the world. Together with our coalition partners, we've removed terrorist sanctuaries, disrupted their finances, killed and captured key operatives, broken up terrorist cells in America and other nations, and stopped new attacks before they're carried out. We're on the offense against the terrorists on every battlefront—and we'll accept nothing less than complete victory. (Applause.)

In the five years since our nation was attacked, we've also learned a great deal about the enemy we face in this war. We've learned about them through videos and audio recordings, and letters and statements they've posted on websites. We've learned about them from captured enemy documents that the terrorists have never meant for us to see. Together, these documents and statements have given us clear insight into the mind of our enemies—their ideology, their ambitions, and their strategy to defeat us.

We know what the terrorists intend to do because they've told us—and we need to take their words seriously. So today I'm going to describe—in the terrorists' own words, what they believe... what they hope to accomplish, and how they intend to accomplish it. I'll discuss how the enemy has adapted in the wake of our sustained offensive against them, and the threat posed by different strains of violent Islamic radicalism. I'll explain the strategy we're pursuing to protect America, by defeating the terrorists on the battlefield, and defeating their hateful ideology in the battle of ideas.

The terrorists who attacked us on September the 11th, 2001, are men without conscience—but they're not madmen. They kill in the name of a clear and focused ideology, a set of beliefs that are evil, but not insane. These al Qaeda terrorists and those who share their ideology are violent Sunni extremists. They're driven by a radical and perverted vision of Islam that rejects tolerance, crushes all dissent, and justifies the murder of innocent men, women and children in the pursuit of political power. They hope to establish a violent political utopia across the Middle East, which they call a ''Caliphate''—where all would be ruled according to their hateful ideology. Osama bin Laden has called the 9/11 attacks—in his words—''a great step towards the unity of Muslims and establishing the Righteous... [Caliphate].''

This caliphate would be a totalitarian Islamic empire encompassing all current and former Muslim lands, stretching from Europe to North Africa, the Middle East, and Southeast Asia. We know this because al Qaeda has told us. About two months ago, the terrorist Zawahiri—he's al Qaeda's second in command—declared that al Qaeda intends to impose its rule in ''every land that was a home for Islam, from [Spain] to Iraq. He went on to say, ''The whole world is an open field for us.''

We know what this radical empire would look like in practice, because we saw how the radicals imposed their ideology on the people of Afghanistan. Under the rule of the Taliban and al Qaeda, Afghanistan was a totalitarian nightmare—a land where women were imprisoned in their homes, men were beaten for missing prayer meetings, girls could not go to school, and children were forbidden the smallest pleasures like flying kites. Religious police roamed the streets, beating and detaining civilians for perceived offenses. Women were publicly whipped. Summary executions were held in Kabul's soccer stadium in front of cheering mobs. And Afghanistan was turned into a launching pad for horrific attacks against America and other parts of the civilized world—including many Muslim nations.

The goal of these Sunni extremists is to remake the entire Muslim world in their radical image. In pursuit of their imperial aims, these extremists say there can be no compromise or dialogue with those they call ''infidels''—a category that includes America, the world's free nations, Jews, and all Muslims who reject their extreme vision of Islam. They reject the possibility of peaceful coexistence with the free world. Again, hear the words of Osama bin Laden earlier this year: ''Death is better than living on this Earth with the unbelievers among us.''

These radicals have declared their uncompromising hostility to freedom. It is foolish to think that you can negotiate with them. (Applause.) We see the uncompromising nature of the enemy in many captured terrorist documents. Here are just two examples: After the liberation of Afghanistan, coalition forces searching through a terrorist safe house in that country found a copy of the al Qaeda charter. This charter states that ''there will be continuing enmity until everyone believes in Allah. We will not meet [the enemy] halfway. There will be no room for dialogue with them.'' Another document was found in 2000 by British police during an anti-terrorist raid in London—a grisly al Qaeda manual that includes chapters with titles such as ''Guidelines for Beating and Killing Hostages.'' This manual declares that their vision of Islam ''does not . . . make a truce with unbelief, but rather confronts it.'' The confrontation . . . calls for . . . the dialogue of bullets, the ideals of assassination, bombing, and destruction, and the diplomacy of the cannon and machine gun.''

Still other captured documents show al Qaeda's strategy for infiltrating Muslim nations, establishing terrorist enclaves, overthrowing governments, and building their totalitarian empire. We see this strategy laid out in a captured al Qaeda document found during a recent raid in Iraq, which describes their plans to infiltrate and take over Iraq's western Anbar Province. The document lays out an elaborate al Qaeda governing structure for the region that includes an Education Department, a Social Services Department, a Justice Department, and an ''Execution Unit'' responsible for ''Sorting out, Arrest, Murder, and Destruction.''

According to their public statements, countries that have—they have targeted stretch from the Middle East to Africa, to Southeast Asia. Through this strategy, al Qaeda and its allies intend to create numerous, decentralized operating bases across the world, from which they can plan new attacks, and advance their vision of a unified, totalitarian Islamic state that can confront and eventually destroy the free world.

These violent extremists know that to realize this vision, they must first drive out the main obstacle that stands in their way—the United States of America. According to al Qaeda, their strategy to defeat America has two parts: First, they're waging a campaign of terror across the world. They're targeting our forces abroad, hoping that the American people will grow tired of casualties and give up the fight. And they're targeting America's financial centers and economic infrastructure at home, hoping to terrorize us and cause our economy to collapse.

Bin Laden calls this his ''bleed-until-bankruptcy plan.'' And he cited the attacks of 9/11 as evidence that such a plan can succeed. With the 9/11 attacks, Osama bin Laden says, ''al Qaeda spent $500,000 on the event, while America. . . lost—according to the lowest estimate—$500 billion . . . Meaning that every dollar of al Qaeda defeated a million dollars'' of America. Bin Laden concludes from this experience that ''America is definitely a great power, with . . . unbelievable military strength and a vibrant economy, but all of these have been built on a very weak and hollow foundation.'' He went on to say, ''Therefore, it is very easy to target the flimsy base and concentrate on their weak points, and even if we're able to target one-tenth of these weak points, we will be able [to] crush and destroy them.''

Secondly, along with this campaign of terror, the enemy has a propaganda strategy. Osama bin Laden laid out this strategy in a letter to the Taliban leader, Mullah Omar, that coalition forces uncovered in Afghanistan in 2002. In it, bin Laden says that al Qaeda intends to ''[launch],'' in his words, ''a media campaign . . . to create a wedge between the American people and their government.'' This media campaign, bin Laden says, will send the American people a number of messages, including ''that their government [will] bring them more losses, in finances and casualties.'' And he goes on to say that ''they are being sacrificed . . . to serve . . . the big investors, especially the Jews.'' Bin Laden says that by delivering these messages, al Qaeda ''aims at creating pressure from the American people on the American government to stop their campaign against Afghanistan.''

Bin Laden and his allies are absolutely convinced they can succeed in forcing America to retreat and causing our economic collapse. They believe our nation is weak and decadent, and lacking in patience and resolve. And they're wrong. (Applause.) Osama bin Laden has written that the ''defeat of . . . American forces in Beirut'' in 1983 is proof America does not have the stomach to stay in the fight. He's declared that ''in Somalia . . . the United States [pulled] out,

trailing disappointment, defeat, and failure behind it.'' And last year, the terrorist Zawahiri declared that Americans ''know better than others that there is no hope in victory. The Vietnam specter is closing every outlet.''

These terrorists hope to drive America and our coalition out of Afghanistan, so they can restore the safe haven they lost when coalition forces drove them out five years ago. But they've made clear that the most important front in their struggle against America is Iraq—the nation bin Laden has declared the ''capital of the Caliphate.'' Hear the words of bin Laden: ''I now address. . . the whole . . . Islamic nation: Listen and understand . . . The most . . . serious issue today for the whole world is this Third World War . . . [that] is raging in [Iraq].'' He calls it ''a war of destiny between infidelity and Islam.'' He says, ''The whole world is watching this war,'' and that it will end in ''victory and glory or misery and humiliation.'' For al Qaeda, Iraq is not a distraction from their war on America—it is the central battlefield where the outcome of this struggle will be decided.

Here is what al Qaeda says they will do if they succeed in driving us out of Iraq: The terrorist Zawahiri has said that al Qaeda will proceed with ''several incremental goals. The first stage: Expel the Americans from Iraq. The second stage: Establish an Islamic authority or amirate, then develop it and support it until it achieves the level of Caliphate . . . The third stage: Extend the jihad wave to the secular countries neighboring Iraq. And the fourth stage: . . . the clash with Israel.''

These evil men know that a fundamental threat to their aspirations is a democratic Iraq that can govern itself, sustain itself, and defend itself. They know that given a choice, the Iraqi people will never choose to live in the totalitarian state the extremists hope to establish. And that is why we must not, and we will not, give the enemy victory in Iraq by deserting the Iraqi people. (Applause.)

Last year, the terrorist Zarqawi declared in a message posted on the Internet that democracy ''is the essence of infidelity and deviation from the right path.'' The Iraqi people disagree. Last December, nearly 12 million Iraqis from every ethnic and religious community turned out to vote in their country's third free election in less than a year. Iraq now has a unity government that represents Iraq's diverse population—and al Qaeda's top commander in Iraq breathed his last breath. (Applause.)

Despite these strategic setbacks, the enemy will continue to fight freedom's advance in Iraq, because they understand the stakes in this war. Again, hear the words of bin Laden, in a message to the American people earlier this year. He says: ''The war is for you or for us to win. If we win it, it means your defeat and disgrace forever.''

Now, I know some of our country hear the terrorists' words, and hope that they will not, or cannot, do what they say. History teaches that underestimating the words of evil and ambitious men is a terrible mistake. In the early 1900s, an exiled lawyer in Europe published a pamphlet called ''What Is To Be Done?''—in which he laid out his plan to launch a communist revolution in Russia. The world did not heed Lenin's words, and paid a terrible price. The Soviet Empire he established killed tens of millions, and brought the world to the brink of thermonuclear war. In the 1920s, a failed Austrian painter published a book in which he explained his intention to build an Aryan super-state in Germany and take revenge on Europe and eradicate the Jews. The world ignored Hitler's words, and paid a terrible price. His Nazi regime killed millions in the gas chambers, and set the world aflame in war, before it was finally defeated at a terrible cost in lives.

Bin Laden and his terrorist allies have made their intentions as clear as Lenin and Hitler before them. The question is: Will we listen? Will we pay attention to what these evil men say? America and our coalition partners have made our choice. We're taking the words of the enemy seriously. We're on the offensive, and we will not rest, we will not retreat, and we will not withdraw from the fight, until this threat to civilization has been removed. (Applause.)

Five years into this struggle, it's important to take stock of what's been accomplished—and the difficult work that remains. Al Qaeda has been weakened by our sustained offensive against them, and today it is harder for al Qaeda's leaders to operate freely, to move money, or to communicate with their operatives and facilitators. Yet al Qaeda remains dangerous and determined. Bin Laden and Zawahiri remain in hiding in remote regions of this world. Al Qaeda continues to adapt in the face of our global campaign against them. Increasingly, al Qaeda is taking advantage of the Internet to disseminate propaganda, and to conduct ''virtual recruitment'' and ''virtual training'' of new terrorists. Al Qaeda's leaders no longer need to meet face-to-face with their operatives. They can find new suicide bombers, and facilitate new terrorist attacks, without ever laying eyes on those they're training, financing, or sending to strike us.

As al Qaeda changes, the broader terrorist movement is also changing, becoming more dispersed and self-directed. More and more, we're facing threats from locally established terrorist cells that are inspired by al Qaeda's ideology and goals, but do not necessarily have direct links to al Qaeda, such as training and funding. Some of these groups are made up of ''homegrown'' terrorists, militant extremists who were born and educated in Western nations, were indoctrinated by radical Islamists or attracted to their ideology, and joined the violent extremist cause. These locally established cells appear to be responsible for a number of attacks and plots, including those in Madrid, and Canada, and other countries across the world.

As we continue to fight al Qaeda and these Sunni extremists inspired by their radical ideology, we also face the threat posed by Shia extremists, who are learning from al Qaeda, increasing their assertiveness, and stepping up their threats. Like the vast majority of Sunnis, the vast majority of Shia across the world reject the vision of extremists—and in Iraq, millions of Shia have defied terrorist threats to vote in free elections, and have shown their desire to live in freedom. The Shia extremists want to deny them this right. This Shia strain of Islamic radicalism is just as dangerous, and just as hostile to America, and just as determined to establish its brand of hegemony across the broader Middle East. And the Shia extremists have achieved something that al Qaeda has so far failed to do: In 1979, they took control of a major power, the nation of Iran, subjugating its proud people to a regime of tyranny, and using that nation's resources to fund the spread of terror and pursue their radical agenda.

Like al Qaeda and the Sunni extremists, the Iranian regime has clear aims: They want to drive America out of the region, to destroy Israel, and to dominate the broader Middle East. To achieve these aims, they are funding and arming terrorist groups like Hezbollah, which allow them to attack Israel and America by proxy. Hezbollah, the source of the current instability in Lebanon, has killed more Americans than any terrorist organization except al Qaeda. Unlike al Qaeda, they've not yet attacked the American homeland. Yet they're directly responsible for the murder of hundreds of Americans abroad. It was Hezbollah that was behind the 1983 bombing of the U.S. Marine barracks in Beirut that killed 241 Americans. And Saudi Hezbollah was behind the 1996 bombing of Khobar Towers in Saudi Arabia that killed 19 Americans, an attack conducted by terrorists who we believe were working with Iranian officials.

Just as we must take the words of the Sunni extremists seriously, we must take the words of the Shia extremists seriously. Listen to the words of Hezbollah's leader, the terrorist Nasrallah, who has declared his hatred of America. He says, ''Let the entire world hear me. Our hostility to the Great Satan [America] is absolute . . . Regardless of how the world has changed after 11 September, Death to America will remain our reverberating and powerful slogan: Death to America.''

Iran's leaders, who back Hezbollah, have also declared their absolute hostility to America. Last October, Iran's President declared in a speech that some people ask—in his words—''whether a world without the United States and Zionism can be achieved . . . I say that this . . . goal is achievable.'' Less than three months ago, Iran's President declared to America and other Western powers: ''open your eyes and see the fate of pharaoh . . . if you do not abandon the path of falsehood . . . your doomed destiny will be annihilation.'' Less than two months ago, he warned: ''The anger of Muslims may reach an explosion point soon. If such a day comes . . . [America and the West] should know that the waves of the blast will not remain within the boundaries of our region.'' He also delivered this message to the American people: ''If you would like to have good relations with the Iranian nation in the future . . . bow down before the greatness of the Iranian nation and surrender. If you don't accept [to do this], the Iranian nation will . . . force you to surrender and bow down.''

America will not bow down to tyrants. (Applause.)

The Iranian regime and its terrorist proxies have demonstrated their willingness to kill Americans—and now the Iranian regime is pursuing nuclear weapons. The world is working together to prevent Iran's regime from acquiring the tools of mass murder. The international community has made a reasonable proposal to Iran's leaders, and given them the opportunity to set their nation on a better course. So far, Iran's leaders have rejected this offer.

Their choice is increasingly isolating the great Iranian nation from the international community, and denying the Iranian people an opportunity for greater economic prosperity. It's time for Iran's leader to make a different choice. And we've made our choice. We'll continue to work closely with our allies to find a diplomatic solution. The world's free nations will not allow Iran to develop a nuclear weapon. (Applause.)

The Shia and Sunni extremists represent different faces of the same threat. They draw inspiration from different sources, but both seek to impose a dark vision of violent Islamic radicalism across the Middle East. They oppose the advance of freedom, and they want to gain control of weapons of mass destruction. If they succeed in undermining fragile democracies, like Iraq, and drive the forces of freedom out of the region, they will have an open field to pursue their dangerous goals. Each strain of violent Islamic radicalism would be emboldened in their efforts to topple moderate governments and establish terrorist safe havens.

Imagine a world in which they were able to control governments, a world awash with oil

and they would use oil resources to punish industrialized nations. And they would use those resources to fuel their radical agenda, and pursue and purchase weapons of mass murder. And armed with nuclear weapons, they would blackmail the free world, and spread their ideologies of hate, and raise a mortal threat to the American people. If we allow them to do this, if we retreat from Iraq, if we don't uphold our duty to support those who are desirous to live in liberty, 50 years from now history will look back on our time with unforgiving clarity, and demand to know why we did not act.

I'm not going to allow this to happen—and no future American President can allow it either. America did not seek this global struggle, but we're answering history's call with confidence and a clear strategy. Today we're releasing a document called the ''National Strategy for Combating Terrorism.'' This is an unclassified version of the strategy we've been pursuing since September the 11th, 2001. This strategy was first released in February 2003; it's been updated to take into account the changing nature of this enemy. This strategy document is posted on the White House website—whitehouse.gov. And I urge all Americans to read it.

Our strategy for combating terrorism has five basic elements:

First, we're determined to prevent terrorist attacks before they occur. So we're taking the fight to the enemy. The best way to protect America is to stay on the offense. Since 9/11, our coalition has captured or killed al Qaeda managers and operatives, and scores of other terrorists across the world. The enemy is living under constant pressure, and we intend to keep it that way—and this adds to our security. When terrorists spend their days working to avoid death or capture, it's harder for them to plan and execute new attacks.

We're also fighting the enemy here at home. We've given our law enforcement and intelligence professionals the tools they need to stop the terrorists in our midst. We passed the PATRIOT Act to break down the wall that prevented law enforcement and intelligence from sharing vital information. We created the Terrorist Surveillance Program to monitor the communications between al Qaeda commanders abroad and terrorist operatives within our borders. If al Qaeda is calling somebody in America, we need to know why, in order to stop attacks. (Applause.)

I want to thank these three Senators for working with us to give our law enforcement and intelligence officers the tools necessary to do their jobs. (Applause.) And over the last five years, federal, state, and local law enforcement have used those tools to break up terrorist cells, and to prosecute terrorist operatives and supporters in New York, and Oregon, and Virginia, and Texas, and New Jersey, and Illinois, Ohio, and other states. By taking the battle to the terrorists and their supporters on our own soil and across the world, we've stopped a number of al Qaeda plots.

Second, we're determined to deny weapons of mass destruction to outlaw regimes and terrorists who would use them without hesitation. Working with Great Britain and Pakistan and other nations, the United States shut down the world's most dangerous nuclear trading cartel, the AQ Khan network. This network had supplied Iran and Libya and North Korea with equipment and know-how that advanced their efforts to obtain nuclear weapons. And we launched the Proliferation Security Initiative, a coalition of more than 70 nations that is working together to stop shipments related to weapons of mass destruction on land, at sea, and in the air. The greatest threat this world faces is the danger of extremists and terrorists armed with weapons of mass destruction—and this is a threat America cannot defeat on her own. We applaud the determined efforts of many nations around the world to stop the spread of these dangerous weapons. Together, we pledge we'll continue to work together to stop the world's most dangerous men from getting their hands on the world's most dangerous weapons. (Applause.)

Third, we're determined to deny terrorists the support of outlaw regimes. After September the 11th, I laid out a clear doctrine: America makes no distinction between those who commit acts of terror, and those that harbor and support them, because they're equally guilty of murder. Thanks to our efforts, there are now three fewer state sponsors of terror in the world than there were on September the 11th, 2001. Afghanistan and Iraq have been transformed from terrorist states into allies in the war on terror. And the nation of Libya has renounced terrorism, and given up its weapons of mass destruction programs, and its nuclear materials and equipment. Over the past five years, we've acted to disrupt the flow of weapons and support from terrorist states to terrorist networks. And we have made clear that any government that chooses to be an ally of terror has also chosen to be an enemy of civilization. (Applause.)

Fourth, we're determined to deny terrorist networks control of any nation, or territory within a nation. So, along with our coalition and the Iraqi government, we'll stop the terrorists from taking control of Iraq, and establishing a new safe haven from which to attack America and the free world. And we're working with friends and allies to deny the terrorists the enclaves they seek to establish in ungoverned areas across the world. By helping governments reclaim full sovereign control over their territory, we make ourselves more secure.

Fifth, we're working to deny terrorists new recruits, by defeating their hateful ideology and spreading the hope of freedom—by spreading the hope of freedom across the Middle East. For decades, American policy sought to achieve peace in the Middle East by pursuing stability at the expense of liberty. The lack of freedom in that region helped create conditions where anger and resentment grew, and radicalism thrived, and terrorists found willing recruits. And we saw the consequences on September the 11th, when the terrorists brought death and destruction to our country. The policy wasn't working.

The experience of September the 11th made clear, in the long run, the only way to secure our nation is to change the course of the Middle East. So America has committed its influence in the world to advancing freedom and liberty and democracy as the great alternatives to repression and radicalism. (Applause.) We're taking the side of democratic leaders and moderates and reformers across the Middle East. We strongly support the voices of tolerance and moderation in the Muslim world. We're standing with Afghanistan's elected government against al Qaeda and the Taliban remnants that are trying to restore tyranny in that country. We're standing with Lebanon's young democracy against the foreign forces that are seeking to undermine the country's sovereignty and independence. And we're standing with the leaders of Iraq's unity government as they work to defeat the enemies of freedom, and chart a more hopeful course for their people. This is why victory is so important in Iraq. By helping freedom succeed in Iraq, we will help America, and the Middle East, and the world become more secure.

During the last five years we've learned a lot about this enemy. We've learned that they're cunning and sophisticated. We've witnessed their ability to change their methods and their tactics with deadly speed—even as their murderous obsessions remain unchanging. We've seen that it's the terrorists who have declared war on Muslims, slaughtering huge numbers of innocent Muslim men and women around the world.

We know what the terrorists believe, we know what they have done, and we know what they intend to do. And now the world's free nations must summon the will to meet this great challenge. The road ahead is going to be difficult, and it will require more sacrifice. Yet we can have confidence in the outcome, because we've seen freedom conquer tyranny and terror before. In the 20th century, free nations confronted and defeated Nazi Germany. During the Cold War, we confronted Soviet communism, and today Europe is whole, free and at peace.

And now, freedom is once again contending with the forces of darkness and tyranny. This time, the battle is unfolding in a new region—the broader Middle East. This time, we're not waiting for our enemies to gather in strength. This time, we're confronting them before they gain the capacity to inflict unspeakable damage on the world, and we're confronting their hateful ideology before it fully takes root.

We see a day when people across the Middle East have governments that honor their dignity, and unleash their creativity, and count their votes. We see a day when across this region citizens are allowed to express themselves freely, women have full rights, and children are educated and given the tools necessary to succeed in life. And we see a day when all the nations of the Middle East are allies in the cause of peace.

We fight for this day, because the security of our own citizens depends on it. This is the great ideological struggle of the 21st century—and it is the calling of our generation. All civilized nations are bound together in this struggle between moderation and extremism. By coming together, we will roll back this grave threat to our way of life. We will help the people of the Middle East claim their freedom, and we will leave a safer and more hopeful world for our children and grandchildren.

God bless. (Applause.)

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. CARPER. Mr. President, good morning.

(The remarks of Mr. CARPER pertaining to the introduction of S. 3846 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I ask unanimous consent that I be allowed to speak in morning business for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF JOHN BOLTON

Mr. DODD. Mr. President, at this moment in history our Nation faces enormous challenges from terrorism, Iraq, Afghanistan, Lebanon, Israel and the occupied territories, Sudan's Darfur region, Iran, North Korea, Syria, HIV/AIDS, global health generally, climate change, energy security, and the list seems endless. These are all important issues that call out for important action and leadership from the United States.

America's capacity to respond to this global clarion call has been seriously circumscribed, in my view, by the Bush administration's preemptive war of choice in Iraq—circumscribed militarily, politically, and economically. The options have become fewer since March 19, 2003, as the world has become more dangerous, and the reputation and global standing of the United States has become weaker.

Our friends know this. More importantly, so do our adversaries, apparently.

That is why it is imperative that we make the most of the options still available to respond to these challenges. Diplomacy is one of the few options that remain available with a reasonable political and minority pricetag. As John Kennedy said so eloquently more than 45 years ago, this Nation should never fear to negotiate but never negotiate out of fear. It is going to take effective and pragmatic diplomacy to build the kinds of international partnerships and coalitions to address the challenges that confront us so that America can feel safe and be safer and more secure.

While the United Nations isn't the only forum for the conduct of that diplomacy, it is very clear that President Bush has placed much more reliance on the United Nations Security Council in his second term in office than he certainly did in the first. Be it Iran, North Korea, Darfur, or Lebanon, the United States has turned to the Security Council to respond to humanitarian crises and other threats to international peace and stability.

That is why, more than at any other time in recent years, since the founding of the United Nations, that it matters who sits in the United States chair on that Council. In my view, Mr. John Bolton does not fit the bill.

Based on information developed by the Senate Foreign Relations Committee last year from unprecedented committee testimony by former Assistant Secretary of State Carl Ford and more than 30 staff interviews of then-current and former colleagues of Mr. Bolton in the Bush administration—in the Bush administration, I might add—the Senate made the decision not to act on that nomination.

Carl Ford and 12 of those interviewed were extremely critical of Mr. Bolton, including retired COL Lawrence Wilkerson, chief of staff to Secretary Powell; Thomas Fingar, Deputy Assistant Secretary of State for Intelligence and Research; former Deputy Director of the CIA, Stuart Cohen; and Robert Hutchings, former acting head and head of the National Intelligence Council, respectively; and Jamie Miscik, former Deputy Director of Intelligence at the CIA.

These are not light people; these are serious people, all of whom served in the Bush administration. Here is what some of them had to say about this nomination. Again, these were Bush appointees, people who served in the Bush administration. Listen to Carl Ford, the Assistant Secretary of State for Intelligence in his testimony before the Senate Foreign Relations Committee:

Mr. Bolton is a ''quintessential kiss-up, kick-down sort of guy.''

Mr. Bolton has ''a bigger kick and it gets bigger and stronger the further down the bureaucracy he's kicking.''

Mr. Bolton is a ''serial abuser.''

I have never seen anyone quite like Secretary Bolton—doesn't even come close. I don't have a second and third or fourth in terms of the way that he abuses his power and authority with little people.

I consider myself to be a loyal Republican and conservative to the core. I'm a firm and enthusiastic supporter of President Bush and his policies, and I'm a huge fan of Vice President Cheney, who I worked with when he was Secretary of Defense.

With respect to the Bolton's treatment of Westermann, Mr. Ford went on:

The attitude, the volume of his tone, and what I understand, the substance of the conversation, he was so far over the line that he meets—he's one of the sort of memorable moments in my 30-plus-year career [in public service for the Federal Government.]

Again, this is a Bush appointee about whom we are talking.

Listen further. Larry Wilkerson, lieutenant colonel, chief of staff to Secretary of State Colin Powell in a telephone interview, Lieutenant Colonel Wilkerson said:

Do I think John Bolton would make a good ambassador to the United Nations? Absolutely not.

He is incapable of listening to people and taking into account their views.

He would be an abysmal ambassador.

Listen further to Mr. Wilkerson:

I differ from a lot of people in Washington, both friend and foe of Under Secretary Bolton, as to his ''brilliance.'' I didn't see it.

I saw a man who counted beans, who said ''98 today, 99 tomorrow, 100 the next day,'' and had no willingness—and, in many cases, no capacity—to understand the other things that were happening around those beans. And that is just a recipe for problems at the United Nations.

Lastly, Mr. McLaughlin, Deputy Director of the CIA, responding to a question as to whether other policymakers had sought to remove CIA analysts:

No. This is the only time I had ever heard of such a request . . . I reacted strongly to it. I didn't think it was appropriate.

I will return to that particular point in a few minutes, this idea of attempting to fire intelligence analysts.

These are just some of the quotes, again, of people who served in the Bush administration commenting on the nomination of John Bolton to be our ambassador to the United Nations.

There have been some excellent U.S. representatives to the United Nations over the years: Henry Cabot Lodge, Adlai Stevenson, Daniel Patrick Moynihan, or former colleague Jeane Kirkpatrick, and Richard Holbrooke, just to name a few. Each and every one of these individuals possessed a certain skill and ability to work with others, our adversaries as well as our friends, in order to stretch the U.N. as an institution in ways that supported U.S. interests. None of them were shrinking violets, to put it mildly.

It is very clear that Mr. Bolton does not possess that skill set. Over the years, Mr. Bolton evidenced great skepticism and disdain for the United Nations and multilateral diplomacy generally.

Nothing he has said or done since assuming his current position in New York suggests that he has altered his views on the United Nations or on multilateral diplomacy generally.

Once again, it is those who have worked most closely with him who are his biggest critics. More than 30 ambassadors with whom Mr. Bolton serves at the United Nations—all supportive of U.N. reform—questioned his leadership abilities.

In a July 21, 2006, New York Times article, one U.N. colleague characterized Mr. Bolton as ''intransigent and maximalist.'' Another suggested that Mr. Bolton's ''high ambitions are cover-ups for less noble aims, and oriented not at improving the United Nations, but at belittling and weakening it.'' A third has essentially written off working with Mr. Bolton. ''He's lost me as an ally now, and that's what many other ambassadors who consider themselves friends of the United States are saying.''

Mr. Bolton's response to a question posed by Senator COLEMAN at his July nomination hearing was stunning to me. Our colleague, NORM COLEMAN, asked the following question:

Mr. COLEMAN. You knew the organization, you were involved in it, then you were on the outside. Now you're there. Is there—has your impression of the U.N. changed? Has there been anything that surprised you in the last year?

Mr. BOLTON. Not really.

That is a response of an individual who is so entrenched in his views that he is incapable of the kind of openness and flexibility that I think most in this Chamber believe is essential if the United Nations Security Council is going to be made to work to serve our interests around the globe.

Mr. Bolton clearly has an aversion to being diplomatic. He has even been called a bully by some of his harshest critics. Mr. Bolton's personality is really not the issue as far as I am concerned. There are a lot of bullies in this town, and I suspect in New York as well. My objection isn't that he is a bully, but that he has been an ineffective bully. He can't win the day for the United States when it really counts. He isolates the United States rather than builds consensus around U.S. positions.

Mr. Bolton showed his colors, in my view, as soon as he arrived in New York after receiving his recess appointment last August 2005. After the U.S. mission had worked for months to negotiate a 2-year reform effort that was to be endorsed by President Bush and other heads of State 2 weeks later, Mr. Bolton almost destroyed the consensus

around the document by tabling 705 separate amendments to the text. It took the involvement of the President of the United States and the Secretary of State to cobble the agreement back together at the last minute at a price of losing some of the provisions that the United States had sought be included with respect to management reforms.

The Bush administration has made the ongoing crisis in Darfur a key concern. Yet when in June of this year members of the Security Council visited the Sudan to send a signal to the Government of Khartoum that it was on the wrong track, Mr. Bolton thought it more important to travel to London to deliver a U.N. bashing speech to a private think tank rather than join his colleagues on a visit to Sudan and carrying on a message of how important we think the genocidal behavior is.

On another occasion, prior to a vote last July on a U.N. Security Council resolution intended to sanction North Korea for its provocative Fourth of July missile launches, Mr. Bolton publicly assured anyone who would listen that he could get support for a resolution with teeth, with the so-called chapter 7 obligations. It turns out he couldn't. The resolution adopted by the U.N. Security Council fell far short of that.

Last September, Mr. Bolton told the House International Relations Committee that the negotiation of an effective Human Rights Council was a key objective of the United States and that it was a ''very high priority, and a personal priority of mine.''

There were 30 negotiating sessions held to hammer out the framework of this new Human Rights Council, and Ambassador Bolton managed to attend just one or two of those sessions.

In the end, the United States was one of four countries to vote against the approval of the U.N. Human Rights Council.

When the tally is taken on how effective Mr. Bolton has been at the U.N., in my view he gets a failing grade overall.

These are key positions that help to strengthen the United States, and yet in case after case, from reform, to Darfur, to North Korea, to the U.N. Human Rights Council—critical issues to strengthen the United States—our ambassador has failed in getting the kind of results that are critically important.

But there is more.

On the basis of those issues, I urge my colleagues to vote against Mr. Bolton, but I am going to go a step further because I believe other actions taken by Mr. Bolton are so outrageous that Mr. Bolton does not even deserve a vote, in my view.

There is Mr. Bolton's well-documented attempts to manipulate intelligence to suit his world view and seek the removal of at least two intelligence analysts who wouldn't play ball. When these analysts refused to support intelligence conclusions not supported by available intelligence, Mr. Bolton mounted a concerted effort to have them fired. The fact they were not removed does not excuse his actions.

I don't mind a heated debate. I don't mind people having serious disagreements with conclusions. But when you attempt to fire lower level employees who are responsible for gathering intelligence for the United States because you don't like their results, that is dangerous business indeed.

I do not care in which administration you may serve. Any individual, in my view, who attempts to doctor evidence to fire people whose conclusions they disagree with when it comes to intelligence gathering does not deserve to be promoted to the high position of ambassador to the United Nations.

His behavior, in my view, endangers our national security because it goes to the very heart of what we depend upon to protect that security—unbiased professional intelligence collection and analysis. Mr. Bolton stepped away and he stepped over the line and committed an offense so grievous, in my view, it warrants that this Senate deny him an up-or-down vote on his nomination.

In concluding, Mr. President, I return to the point I made earlier; namely, that Mr. Bolton has largely burned his bridges with his colleagues in New York and is not likely to be an effective diplomat when his diplomacy is increasingly becoming the coin of the realm in protecting and advancing U.S. interests at this very unstable moment in this country.

Fifty nine former U.S. Ambassadors and diplomats who have served in five administrations, Democratic and Republican, agree. Yesterday, they sent a letter to the Senate Foreign Relations Committee strongly opposing this nomination—59 former U.S. Ambassadors.

I mentioned earlier the number of people in the Bush administration who are outspokenly critical of this nomination. What more do we need to hear, what more do we need to hear that this is a bad nomination and one that is going to jeopardize the interests of the United States? Those Ambassadors recognize, as do I, that at this critical moment in our Nation's future, the President should put the Nation's interests first and nominate an individual with strong diplomatic skills who believes in diplomacy rather than placating his conservative base by continuing to push for the nomination of an unsuitable nominee.

I believe it is time for the Senate to send that message loudly and clearly to the President by rejecting efforts to ramrod this nomination through in the closing days of this session.

I urge my colleagues to join me in strongly opposing this nomination.

Mr. President, I yield floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007

The PRESIDING OFFICER. Under previous order, the Senate will resume consideration of H.R. 5631, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 5631) to make appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes.

Pending:

Kennedy-Reid amendment No. 4855, to include information on civil war in Iraq in the quarterly reports on progress toward military and political stability in Iraq.

Allen modified amendment No. 4883, to make available from Defense Health Program up to $19,000,000 for the Defense and Veterans Brain Injury Center.

Feinstein-Leahy amendment No. 4882, to protect civilian lives from unexploded cluster munitions.

Mr. STEVENS. Mr. President, what is the pending business on this bill?

The PRESIDING OFFICER. The pending amendment is the Feinstein amendment.

Mr. STEVENS. Is the Kennedy amendment still set aside following that amendment?

The PRESIDING OFFICER. Yes, it is.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. GRAHAM). Without objection, it is so ordered.

AMENDMENT NO. 4882

Mrs. FEINSTEIN. Mr. President, I understand it is appropriate for me now to speak on an amendment I offered yesterday having to do with cluster bombs.

The PRESIDING OFFICER. That is correct.

Mrs. FEINSTEIN. Mr. President, I rise to discuss again the amendment offered by myself and Senator LEAHY to this bill on the use of a munition called a cluster bomb. Our amendment is very simple. It prevents any funds from being spent to purchase, use, or transfer cluster munitions until rules of engagement have been adopted by the Department of Defense to ensure that such munitions will not be used in or near any concentration of civilians.

That is not a difficult requirement. It seems to me, because of the widespread damage caused by these munitions, that there ought to be specific rules of engagement which ban their use in areas where civilian death or maiming might result.

Cluster munitions are large bombs, rockets, or artillery shells that contain up to hundreds of small submunitions or individual bomblets. They are intended for attacking enemy troop formations, and they release these small

bomblets over the radius of a half mile. In practice, they pose a real threat to the safety of civilians when used in populated areas because they leave hundreds of unexploded bomblets over a large area, and they are often inaccurate. In some cases, up to 40 percent of cluster bombs fail to explode, posing a particular danger to civilians long after the conflict has ended.

Bomblets are no bigger than a D battery and in some cases resemble a tennis ball, so they are attractive to small children who pick them up to play with them. Then the bomblet explodes and the individual is either killed or maimed.

I would like to show three photographs.

On March 25, 2003, a youngster by the name of Abdallah Yaqoob was sleeping in his bed in his home in Basra, Iraq when he was hit with shrapnel from a cluster munitions strike that hit his neighborhood. He lost his arm, and his abdomen was severely damaged. He was hit by a British L20A1/M85 munition—a cluster bomb.

Second, Falah Hassan, 13, was injured by an unexploded ground-launched submunition in Iraq on March 26, 2003. The explosion severed his right hand and spread shrapnel throughout his body. He lost his left index finger and soft tissue in his lower limbs.

This is a photo of an unexploded M42 cluster submunition found on a barbed-wire fence in southern Iraq in August 2006. As you will see, this is the bomblet and this is a small pinecone. You will see how small this bomblet is, hanging on the barbed wire.

These unexploded cluster bombs become, in essence, de facto landmines.

The issue was first brought to my attention by a 2005 PBS documentary entitled ''Bombies'' which chronicled the impact of unexploded cluster bombs in Laos. This is startling. In Laos alone, there are between 9 and 27 million unexploded cluster bombs. They are leftovers from U.S. bombing campaigns in the 1960s and 1970s. Approximately 11,000 people, 30 percent of them children, have been killed or injured since that war ended—11,000 killed or injured by cluster bombs. So 40 to 50 years after these munitions were used, their deadly force remains active.

As the documentary showed, these unexploded cluster bombs have ended up in bamboo trees, in playgrounds, in houses, on rice paddies, and in schools. They have been found in the ground where farmers prepare their fields to plant. They have threatened their lives and their livelihood. As one farmer from northern Laos put it, ''Working in these fields is a problem. There are lots of bombies. But we work very carefully. If we work fast, we are afraid we'll hit a bombie.''

These farmers have to tend the fields and put their lives at risk because they have to grow food to feed their families. Decades after the last bomb was dropped, they are still threatened by death and serious injury. A cluster bomb is lethal for up to 150 yards. It will kill or maim the person who picks it up and those nearby.

I remind my colleagues, these munitions have been used in many battles in many wars.

In the first gulf war, 60,000 cluster bombs were used, containing 20 million bomblets. Since 1991, unexploded bomblets have killed 1,600 innocent men, women, and children and injured more than 2,500.

In Afghanistan in 2001, 1,228 cluster bombs with nearly a quarter of a million—248,056—bomblets were used.

Between October of 2001 and November of 2002—that is just 1 year—127 civilians were killed, 70 percent of them under the age of 18.

In Iraq in 2003, 13,000 cluster bombs with nearly 2 million bomblets were used. Combining the first and second gulf wars, the total number of unexploded bomblets in the region is approximately 1.2 million. An estimated 1,220 Kuwaitis and 400 Iraqi civilians have been killed since 1991 by these discarded munitions.

Here we have it: In Iraq, 13,000 cluster bombs, two million bomblets; in Afghanistan, 1,200 cluster bombs, a quarter of a million bomblets, numbers killed in a year, 127 civilians; in the first gulf war, 61,000 used, 20 million bomblets lying around, 1,600 innocent, men, women, and children killed, more than 2,500 wounded since 1991.

This gives rise to recent developments in Lebanon. Throughout southern Lebanon, more than 405 cluster bomb sites containing approximately 100,000 unexploded bomblets have been discovered. Each site covers a radius of 220 yards. As Lebanese children and families return to their homes and begin to rebuild, they will be exposed to the danger of these unexploded bomblets lying in the rubble. Thirteen people already, including three young children, have been killed, and 48 injured. One United Nations official estimates that the rate of unexploded bomblets is 40 percent in southern Lebanon. So far, more than 2,900 exploded bomblets have been destroyed. It will take 12 to 15 months to complete that effort.

The State Department is looking into charges that the cluster bombs found in southern Lebanon were American-made and that they were used in violation of agreements between the United States and Israel that govern their use. I do not know whether that is true. We have tried to find out. At this time, and despite repeated inquiries, I am unaware what those agreements actually say and what conditions they place on Israel. It seems to me we ought to know. It seems to me this information ought to be transparent and that the Congress of the United States, in the process of lawmaking, is entitled to that information.

By passing this information and codifying this language in statute we will help ensure that civilian populations will be protected by adequate rules of engagement that accompany the sale or transfer of these weapons to another country and the rules of engagement that condition their use by our military in foreign countries.

Each death that results from an unexploded bomblet weakens American diplomacy and American values. How do people in Laos feel when they live and farm with the daily threat of running into one of these bomblets? How do they feel in Afghanistan, Iraq, in southern Lebanon, in any other place where civilians can be wounded and killed by these bomblets?

Simply put, unexploded cluster bombs fuel anger and resentment. They make security, stabilization, and reconstruction efforts that much harder.

Senator LEAHY and I are not the only ones that feel this way. Former Secretary of Defense Bill Cohen recognized the threat that cluster bombs pose to civilians and U.S. troops alike because they litter a battlefield. He issued a memorandum which became known as the Cohen policy. It stated that beginning in 2005 all new cluster bombs would have a failure rate of less than 1 percent.

This was an important step forward. But we still have 5½ million cluster bombs containing 728 million bomblets. They are aging in the American arsenal. This indicates we are still prepared to use, transfer, or sell an enormous number of cluster bombs that have significant failure rates.

I ask this question: Is this the source of legacy we want to leave behind in Iraq and Afghanistan?

Let me be clear, this amendment does not place a ban on cluster bombs. It is a simple step that will give the Pentagon time to develop specific guidelines to ensure that cluster bombs are not used in or near populated areas. Does anyone in this Senate believe that a cluster munition should be used in a civilian populated area? That person can stand up and talk to that point of view. It is unconscionable. It is immoral. It is beyond the laws of warfare. If somebody wants to argue that point of view, so be it. If that is the kind of country a Member wants to represent, so be it. It is not the country I want to represent.

This is a simple amendment which says no funds will be used until there are rules of engagement that say that these munitions will not be used in civilian areas where death and maiming is apt to result.

This amendment will go a long way toward ensuring only prudent battlefield use. I hope this amendment has an opportunity to pass.

I yield the floor and I reserve the remainder of my time.

How much time remains?

The PRESIDING OFFICER. Four and a half minutes.

Mrs. FEINSTEIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I cannot support this amendment. It is not

enforceable. It establishes policies that may in some situations dangerously restrict the options available to our commanders on the battlefield.

I do share the Senator's concern about potential use on the indiscriminate manner of these antipersonal weapons. Protecting innocent civilians from the violence and destruction of war is our goal. It is a laudable goal.

Of course, the consequences of using cluster munitions must be carefully considered before such weapons are engaged. This is a complex policy area. It deserves comprehensive review by the relevant policy committees, not only the Committee on Armed Services but also the Foreign Relations Committee. As the Senator has said, it has already been reviewed on a secretarial level several times in the Department of Defense.

This amendment is just not acceptable. It legislates the rules of engagement for an entire class of weapon. The task of settling the rules of engagement properly belongs to the military and to the commander and ultimately to the Commander in Chief.

In an extreme situation the commander must be able to use all options to shape the battlefield to protect our forces and those allied with us. Restricting the deployment of cluster munitions could severely hinder aviation and artillery capabilities and reduce the commander's capability to wage war successfully. It could severely degrade our allies' capability to defend themselves in threatening situations.

The Department of Defense already has guidance and target methodologies that emphasize minimizing dangers to civilians in or near the zone of conflict. This amendment requires that prior to the sale or transfer, the Department ensures that munitions will not be used in or near populations, including villages, camps, and groups of refugees, evacuees, or nomads. This could be obtained at the point of sale.

Once the weapons are transferred, it would be impossible to enforce. They place a burden on the military that is impossible to achieve.

The Arms Export Control Act already has broad guidelines on the use of weapons sold by the United States, and press reports indicate the State Department has opened an investigation into use of cluster bombs by Israel against Hezbollah to determine if those guidelines were violated. If it has, the United States may impose sanctions. This was done in 1982. The Department of State already has tools to enforce the humanitarian considerations and sanction wanton use of cluster munitions.

The Senate should recall the use of cluster munitions is consistent with the convention on certain conventional weapons and international humanitarian law, including the Geneva and Hague Conventions. I recommend the Senate refuse to accept this amendment.

I do support the Defense appropriations bill as drafted.

I yield the floor.

Mr. BIDEN. Mr. President, I share the concerns that prompted the introduction of this amendment, but I am not prepared to approve such a far-reaching measure without a clear legislative record regarding the need for it and its likely impact on U.S. and allied forces.

Cluster bombs have always posed problems for responsible military forces like those of the United States. The weapons are very useful militarily, but they also carry a real risk of causing civilian casualties if they are used where civilians are present or if too many submunitions fail to explode when they hit the ground. This is a legitimate issue to consider and, perhaps, to legislate. But it should be done in a careful manner, after holding hearings and with proper preparation.

I urge the Senate Armed Services Committee to hold hearings on the issue of cluster munitions so that we can all gain a better understanding of how to maintain their usefulness while minimizing their risks. The committee should also make sure the Defense Department lives up to its claim that it ''is working towards minimizing 'dud' cluster munitions by phasing cluster munitions systems with more reliable or self-destructing fuzes.'' Success in that effort would go far to reduce the risks of postwar casualties.

The PRESIDING OFFICER. Who yields time?

Mrs. FEINSTEIN. Mr. President, the ranking member of the Judiciary Committee is here, Senator LEAHY of Vermont, someone whose leadership on the landmine issue has been unparalleled in the Senate. He is a cosponsor of this amendment.

I yield the Senator the remainder of my time.

The PRESIDING OFFICER. The Senator is recognized for 4 minutes.

Mr. LEAHY. Mr. President, I thank the distinguished Senator from California. I have had a chance to work with the Senator on this amendment. It is an extremely important amendment. I have spent decades on the question of landmines. We use the Leahy War Victims Fund in parts of the world to aid landmine victims. I have visited these field hospitals. I have seen the damage, usually to children, overwhelmingly to civilians. My wife is a registered nurse. She has gone into the surgeries and watched the amputations.

The problem of cluster bombs which maim and kill the innocent has been known for many years. Probably one of the most egregious examples was in Laos, where millions of the explosives were dropped by U.S. planes during the Vietnam war. Unfortunately, what happens with landmines, the war ends, the landmines stay. The peace treaties are signed and civilians continue to die; 30 years after those were dropped there are horrific casualties of civilians.

I have urged the Pentagon both in Democratic and Republican administrations to address this problem for nearly a decade. While they have acknowledged the problem, and they do acknowledge it, they have not taken effective steps to solve it.

We have used massive numbers of cluster munitions in the invasion of Iraq, including in densely inhabited areas. Civilians paid the price and continue to pay the price.

Israel used these weapons in Lebanon. Again, it has been innocent civilians who have suffered disproportionately.

Now, cluster munitions, like any weapon, of course, have military utility. They can be effective against armor or military infrastructure, but they are in effect indiscriminate because they scatter thousands of lethal bomblets over wide areas. There are many weapons that can be effective. Used right, I suppose, poison gas is effective, but we have banned it since World War I. We have urged other countries to ban it.

On these cluster munitions, between 1 and 40 percent, depending on the type or the condition of the terrain, fail to explode on contact. Remember, there are thousands of these coming down. So if anywhere from even 1 percent fail, and as high as 40 percent fail, they remain as hazardous duds indefinitely, no different than scattering landmines, something we do not do.

And those who come in contact with them activate them. That could very well be a child out walking to school. It can be someone playing. It can be someone going to tend their animals, their crops, and they end up with lifelong disfigurement or disability, often death.

No one argues it is possible to completely avoid civilian casualties in a war.

Such casualties are inevitable. They have been tragic consequences in all wars. But this amendment should not be necessary. Weapons that are so disproportionately hazardous to civilians should be subject to strict rules of engagement.

The Feinstein-Leahy amendment is fully consistent with the laws of war and international humanitarian law. It uses the same standard as for incendiary weapons, which are also notoriously hazardous to civilians. Rather than prohibit cluster munitions, the amendment says only that they should not be used where there are concentrations of civilians.

This is a moral issue and it is an issue of our own self interest. Using or selling weapons that are so indiscriminate, without strict rules of engagement, is immoral. It is immoral. Anyone who has seen the horrific consequences of children with an arm or a leg blown off, or a part of their face, or their lifeless body cut to pieces by the shrapnel, knows that.

But it is also contrary to our own interest to be using or selling weapons which, without strict controls on their use, cause such appalling casualties of

innocent people who are not the enemy. It fuels anger and resentment we can ill afford among the very people whose support we need.

So again I commend the Senator from California and strongly support the amendment.

Mr. President, I ask unanimous consent that an article from USA Today, dated December 11, 2003, about cluster bombs be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From USA Today, Dec. 11, 2003]

CLUSTER BOMBS KILL IN IRAQ, EVEN AFTER SHOOTING ENDS

(By Paul Wiseman)

BAGHDAD.—The little canisters dropped onto the city, white ribbons trailing behind. They clattered into streets, landed in lemon trees, rattled around on roofs, settled on lawns.

When Jassim al-Qaisi saw the canisters the size of D batteries falling on his neighborhood just before 7 a.m. April 7, he laughed and asked himself: ''Now what are the Americans throwing on our heads?''

The strange objects were fired by U.S. artillery outside Baghdad as U.S. forces approached the Iraqi capital. In the span of a few minutes, they would kill four civilians in the ai-Dora neighborhood of southern Baghdad and send al-Qaisi's teenage son to the hospital with metal fragments in his foot.

The deadly objects were cluster bomblets, small explosives packed by the dozens or hundreds into bombs, rockets or artillery shells known as cluster weapons. When these weapons were fired on Baghdad on April 7, many of the bomblets failed to explode on impact. They were picked up or stumbled on by their victims.

The four who died in the al-Dora neighborhood that day lived a few blocks from al-Qaisi's house. Rashid Majid, 58, who was nearsighted, stepped on an unexploded bomblet around the corner from his home. The explosion ripped his legs off. As he lay bleeding in the street, another bomblet exploded a few yards away, instantly killing three young men, including two of Majid's sons—Arkan, 33, and Ghasan, 28. ''My sons! My sons!'' Majid called out. He died a few hours later.

The deaths occurred because the world's most modern military, one determined to minimize civilian casualties, went to war with stockpiles of weapons known to endanger civilians and its own soldiers. The weapons claimed victims in the initial explosions and continued to kill afterward, as Iraqis and U.S. forces accidentally detonated bomblets lying around like small land mines.

A four-month examination by USA Today of how cluster bombs were used in the Iraq war found dozens of deaths that were unintended but predictable. Although U.S. forces sought to limit what they call ''collateral damage'' in the Iraq campaign, they defied international criticism and used nearly 10,800 cluster weapons; their British allies used almost 2,200.

The bomblets packed inside these weapons wiped out Iraq troop formations and silenced Iraqi artillery. They also killed civilians. These unintentional deaths added to the hostility that has complicated the U.S. occupation. One anti-war group calculates that cluster weapons killed as many as 372 Iraqi civilians. The numbers are impossible to verify: Iraqi records are incomplete, and many Iraqi families buried their dead without reporting their deaths.

In the most comprehensive report on the use of cluster weapons in Iraq, USA Today visited Iraqi neighborhoods and interviewed dozens of Iraqi families, U.S. troops, teams clearing unexploded ordnance in Iraq, military analysts and humanitarian groups. The findings:

The Pentagon presented a misleading picture during the war of the extent to which cluster weapons were being used and of the civilian casualties they were causing. Gen. Richard Myers, chairman of the Joint Chiefs of Staff, told reporters on April 25, six days before President Bush declared major combat operations over, that the United States had used 1,500 cluster weapons and caused one civilian casualty. It turns out he was referring only to cluster weapons dropped from the air, not those fired by U.S. ground forces.

In fact, the United States used 10,782 cluster weapons, according to the declassified executive summary of a report compiled by U.S. Central Command, which oversaw military operations in Iraq. Centcom sent the figures to the Joint Chiefs in response to queries from USA Today and others, but details of the report remain secret.

U.S. forces fired hundreds of cluster weapons into urban areas. These strikes, from late March to early April, killed dozens and possibly hundreds of Iraqi civilians. Forty civilians were killed in one neighborhood in Hillah, 60 miles south of Baghdad, say residents and Saad Khazal al-Faluji, a surgeon at Hillah General Hospital who tracked casualties.

The attacks also left behind thousands of unexploded bomblets, known as duds, that continued to kill and injure Iraqi civilians weeks after the fighting stopped. U.S. officials say they sought to limit civilian casualties by trying to avoid using cluster munitions. But often alternative weapons were not available or would not have been as effective during the invasion.

Unexploded U.S. cluster bomblets remain a threat to U.S. forces in Iraq. They have killed or injured at least eight U.S. troops.

The U.S. Air Force, criticized for using cluster bombs that killed civilians during the wars in Vietnam, Kosovo and Afghanistan, has improved its cluster bombs. But U.S. ground forces relied on cluster munitions known to cause a high number of civilian casualties.

The Air Force, responding to the criticism, began working on safer cluster bombs in the mid-1990s and started using them in Afghanistan. But the Army started a program to install self-destruct fuses in existing cluster bomblets only after former Defense Secretary William Cohen called in January 2001 for dud rates of no more than 1% after 2005. The safer bomblets won't be available for at least two years. During the war in Iraq, U.S. ground forces dipped into stockpiles of more than 740 million cluster bomblets, all with a history of high dud rates.

Senior Army officials in Washington would not answer questions about the Army's use of cluster weapons in Iraq. Maj. Gary Tallman, an Army spokesman at the Pentagon, said such weapons are effective ''against enemy troop formations and light-skinned vehicles'' and are used only after ''a deliberate decision-making process.''

WHY CLUSTER BOMBS ARE DEADLY

Cluster bombs have been controversial since they killed thousands of Vietnamese, Cambodian and Laotian civilians during and after the Vietnam War. They have since been used by armies around the world, including Russian forces in Chechnya and Sudanese government troops fighting rebels in a long-running civil war. But their use in urban areas of Iraq has given new momentum to a movement to restrict the use of cluster bombs.

Last month, dozens of activist groups hoping to duplicate the success of the campaign to ban land mines formed a coalition aimed at getting a worldwide moratorium on cluster weapons. After seeing the toll the weapons took on Iraqi civilians and their own forces, even some U.S. soldiers have misgivings about using cluster weapons, at least in urban areas.

As the war in Iraq approached, humanitarian groups warned the Pentagon against using cluster weapons, especially in urban areas. New York-based Human Rights Watch predicted on March 18, a day before the war began with an airstrike in Baghdad: ''The use of cluster munitions in Iraq will result in grave dangers to civilians and friendly combatants.'' Cluster weapons are especially dangerous to civilians because they spray wide areas with hundreds of bomblets. Most are unguided ''dumb'' weapons, so they can miss their target, and many of the bomblets don't explode immediately.

The U.S. military was aware of the threat cluster munitions posed and was determined to minimize them. Col. Lyle Cayce, an Army judge advocate general (JAG), led a team of 14 lawyers providing advice on the battlefield to the 3rd Infantry Division on the use of cluster munitions, as well as other weapons, during its 21-day, 450-mile drive north from Kuwait to Baghdad. The goal was to ensure that U.S. forces complied with international humanitarian law, enshrined in the Geneva Conventions. ''No other army in the world does that,'' Cayce says. ''We value the rule of law.''

The Geneva Conventions hold that when choosing which targets to hit and which weapons to use, armies must make sure they do not ''cause superfluous injury or unnecessary suffering'' and ensure that the harm to civilians does not outweigh the military advantages.

U.S. forces relied on sophisticated radar to pinpoint the sources of Iraqi fire, then cross-checked them against a computerized list of about 10,000 sensitive sites, such as mosques and schools. Cayce and the other lawyers looked at potential targets and advised U.S. commanders whether the military benefits of using specific weapons against those targets justified the risks to civilians.

Cayce gave advice 512 times during the war, usually in cases involving cluster munitions. Most involved sites outside populated areas. Cayce estimates he dealt with only 25 to 30 ''controversial missions.'' For example: He approved a strike against an Iraqi artillery battery in a soccer field next to a mosque because it was firing on the 3rd Infantry Division's artillery headquarters.

The choices could be agonizing. He says he asked himself, ''How many Americans do I have to let get killed before I take out that (Iraqi) weapons system?'' Ten to 15 times, Cayce advised commanders against firing on a target; they never overruled him. Five times, in fact, they decided against using cluster munitions even after he gave them the go-ahead because they believed the risk to civilians was too great. ''We didn't just shoot there willy-nilly,'' he says.

''It was the enemy who was putting his civilians at risk. . . . They put their artillery right in town. Now who's at fault there?''

Rather than call upon their artillery to hit a target with cluster munitions, U.S. ground forces preferred either to use other weapons, such as M–16 rifles or tank rounds, or to summon the Air Force to hit Iraqi targets from the sky with precision bombs. ''Cluster munitions were the last choice, not the first,'' Cayce says.

But aircraft frequently were unavailable. Sometimes the weather was bad or sandstorms were swirling. Sometimes Air Force pilots insisted on seeing targets instead of relying on radar readouts. The cluster munitions, especially M26 rockets fired by a multiple-launch rocket system (MLRS), had

greater range than other weapons and were more reliable in bad weather.

Commanders also thought an MLRS was better at returning fire and killing the enemy. ''MLRS is ideal for counterfire,'' says Col. Ted Janosko, artillery commander for the Army's V Corps. In fighting on March 31 around Karbala, 50 miles south of Baghdad, U.S. forces came under heavy artillery fire from the Iraqis. ''We used (MLRS) rockets to fire back,'' Janosko says. ''As soon as we started using rockets, guess what? We never heard from that unit again. I'm not going to say we killed them all . . . but believe me, they did not fire again from that position.''

The 3rd Infantry Division also used MLRS frequently. The rockets can go more than 20 miles, and they spray a wider area than other weapons. The 3rd Infantry fired 794 MLRS rockets during the Iraq war, according to an assessment by two high-ranking division artillery officers in the U.S. Army journal Field Artillery, published at Fort Sill, Okla.

As they raced north from Kuwait toward Baghdad in late March and early April, U.S. forces fired rockets and artillery shells loaded with bomblets into Iraqi troop and artillery positions in Hillah, in Baghdad and in other cities. U.S. aircraft sometimes dropped cluster bombs as well.

Just before U.S. forces' ''thunder run'' into Baghdad on April 7, the 3rd Infantry Division fired 24 MLRS cluster rockets into Iraqi positions at an important intersection in the capital. The damage assessment, recounted in the Field Artillery article: ''There's nothing left but burning trucks and body parts.''

The PRESIDING OFFICER. The time of the Senator from California has expired.

The Senator from Alaska.

Mr. STEVENS. Mr. President, I reiterate my opposition to this amendment. The rules of engagement properly belong with the Department of Defense and the Commander in Chief. This amends and sets forth restrictions on the ability of our military to use these munitions to protect our people in the future. It also would put on our military and our executive branch the duty of trying to determine how weapons might be used in the future, should they sell these weapons to other countries.

We have been informed that this amendment is opposed by the Department of Defense. It is their determination that once the weapons have been transferred to a country under a sale that is permitted, it would not be possible to enforce this restriction. They point out the Arms Export Control Act already has broad guidelines on the use of weapons sold by the United States. And if that act is violated, the United States may impose sanctions and deny sale or transfer of weapons in the future, and has, as it did in 1982, sanctioned a country for misusing such weapons, not these in particular but the weapons that had been sold.

The Senator from California said if anyone wants to stand up and talk about using these munitions, they ought to defend them. Some of the instances which the Senator from California mentioned were years ago when the areas were not occupied by civilians at all. And later the civilians moved into the areas, areas that had not been cleared properly by the country involved. I think that is a dangerous situation. Obviously, it is a difficult situation.

But I would urge her to go back to the countries she mentioned and reconsider the reason for the use of these weapons in the past—in Korea, in Vietnam. I do not think we used them in Spain. But they were used in Spain after having been sold to Spain. The concepts here are impossible for our commanders to protect our forces with the prohibitions that are involved. It is impossible for us to enforce.

We have a population of approximately 300 million people. We are involved in situations throughout the world and have been. Just remember the ''Marines' Hymn: From the halls of Montezuma to the shores of Tripoli.'' We have been doing this for years, protecting our system abroad and protecting freedom abroad. It is not the province of the Senate to enact rules of engagement. We authorize people to do it, and we review them—if you want to have a hearing on it and review the rules of engagement, I will be pleased to participate in such a hearing—but we do not write them. And we should not attempt to restrict them. I think this would place a dangerous restriction on the options available to our commanders, as I have said.

If the issue is a relatively high rate of existing inventory, as the Senator indicates, then the solution is to replace these munitions with improved items, many of which are not possible to manufacture now because of existing restrictions on such manufacturing.

I do not believe it can be shown we have used these weapons indiscriminately in civilian areas. I believe civilians have moved into areas where they have been used in defense of our country and defense of our people.

So under the circumstances, I oppose this amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. MURKOWSKI). Without objection, it is so ordered.

Mr. STEVENS. Madam President, it is my understanding this is the time set for the vote on Senator FEINSTEIN's amendment. Have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have not been ordered.

Mr. STEVENS. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 30, nays 70, as follows:

[Rollcall Vote No. 232 Leg.]

YEAS—30

Akaka	Durbin	Levin
Baucus	Feingold	Menendez
Bingaman	Feinstein	Mikulski
Boxer	Harkin	Murray
Byrd	Jeffords	Obama
Cantwell	Johnson	Reed
Carper	Kennedy	Reid
Conrad	Kerry	Sarbanes
Dayton	Kohl	Stabenow
Dorgan	Leahy	Wyden

NAYS—70

Alexander	Dole	Murkowski
Allard	Domenici	Nelson (FL)
Allen	Ensign	Nelson (NE)
Bayh	Enzi	Pryor
Bennett	Frist	Roberts
Biden	Graham	Rockefeller
Bond	Grassley	Salazar
Brownback	Gregg	Santorum
Bunning	Hagel	Schumer
Burns	Hatch	Sessions
Burr	Hutchison	Shelby
Chafee	Inhofe	Smith
Chambliss	Inouye	Snowe
Clinton	Isakson	Specter
Coburn	Kyl	Stevens
Cochran	Landrieu	Sununu
Coleman	Lautenberg	Talent
Collins	Lieberman	Thomas
Cornyn	Lincoln	Thune
Craig	Lott	Vitter
Crapo	Lugar	Voinovich
DeMint	Martinez	Warner
DeWine	McCain	
Dodd	McConnell	

The amendment (No. 4882) was rejected.

Mr. DURBIN. Madam President, I move to reconsider the vote.

Mrs. BOXER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 4895

Ms. MIKULSKI. Madam President, I am here to join with my colleague, Senator PAUL SARBANES, to offer an amendment, which we have at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maryland [Ms. MIKULSKI], for herself, and Mr. SARBANES, proposes an amendment numbered 4895.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide that none of the funds appropriated or otherwise made available by this Act may be used to enter into or carry out a contract for the performance by a contractor of any base operation support service at Walter Reed Army Medical Hospital pursuant to a private-public competition conducted under Office of Management and Budget Circular A–76 that was initiated on June 13, 2000, and has the solicitation number DADA 10–03–R–0001)

On page 218, between lines 6 and 7, insert the following:

SEC. 8109. None of the funds appropriated or otherwise made available by this Act may be used to enter into or carry out a contract for the performance by a contractor of any base operation support service at Walter Reed Army Medical Hospital pursuant to a

private-public competition conducted under Office of Management and Budget Circular A–76 that was initiated on June 13, 2000, and has the solicitation number DADA 10–03–R–0001.

Ms. MIKULSKI. Madam President, I ask unanimous consent that Senator SARBANES be added as a cosponsor to the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Madam President, I thought we had an agreement to stand in recess at 12:30.

Ms. MIKULSKI. If the distinguished Senator will yield, I thought there was an agreement for us to offer this amendment and not ask for a vote on this amendment. Had the Senate followed the regular order, we would have been done with the other business, the pending business on cluster bombs.

Mr. STEVENS. Was there an order for the recess at 12:30?

The PRESIDING OFFICER. There is an order to recess. The Senator from Maryland will need unanimous consent in order to proceed beyond the hour of 12:30.

Ms. MIKULSKI. I apologize. Madam President, I ask unanimous consent that the session be extended for 10 additional minutes so that Senator SARBANES and I may offer an amendment.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. Will the Senator yield? I thought the amendment had been offered.

Ms. MIKULSKI. No, it has not.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SARBANES. Madam President, parliamentary inquiry: Is the amendment now pending?

The PRESIDING OFFICER. The amendment is now pending.

Mr. SARBANES. And we have this unanimous consent request to take 10 minutes in order to proceed; we are trying to help the chairman move this process along.

Mr. STEVENS. Madam President, I have no objection to offering the amendment and making comments about its introduction. The Senator wants 10 minutes?

Ms. MIKULSKI. Yes.

Mr. STEVENS. I have no objection.

The PRESIDING OFFICER. The Senator from Maryland is recognized.

Ms. MIKULSKI. We will move briskly. This is to fix a terribly botched competition for Federal jobs at the Walter Reed Army Medical Center. This competition has wasted taxpayer money. It is unfair to Federal employees, and we urge that it stop. We are opposed to this because it has gone on too long, it is unfair, it has broken the rules, and cost taxpayers an incredible amount of money.

I do wish at this time, though, to pay tribute to the distinguished Senators, the chair and the ranking member of the Defense Appropriations Subcommittee, Senator STEVENS and Senator INOUYE. We have had no finer, more hard-working champions for Walter Reed and military medicine than those two men. So in raising this amendment, we understand where they are and why they also don't want to get into individual privatization issues, but this was such an egregious, unfair process, we felt we had to do this.

This amendment would privatize 350 jobs at Walter Reed, mostly landscapers and maintenance workers.

Why is this A–76 so flawed? Well, the competition has broken the rules. It has gone on and on and on. It is deeply flawed. It is disastrous. It started in June of 2000. It has lasted more than 6 years, beyond a full Senate term and longer than a President's term. OMB says that it should not have gone on more than 12 months, but this competition has gone on for more than 6 years. Federal employees in 2004 September were declared the winner of this competition, only to have the decision reversed 2 years later—not 2 days, not 2 weeks, but 2 years. Then DOD kept putting out new plans. They announced a new plan where they amended it 16 times. Every time the Federal employees won, the Army came up with a new rule. The last amendment included 1,500 changes. This was the 49th month of this solicitation, and once again they said: Let's start over. They keep changing the rules every time the Federal employees win, and then finally they lost it in 2006 after this chaos.

Now, does contracting out save money? You bet, sometimes, but not this time. It has already cost the military $7 million to conduct this privatization. It is going to cost another $5 million to implement. When the demands on Walter Reed are so high, when we have a war that has no line item, should we be spending tax dollars to implement a program that will not save it? This will not save the taxpayers' money.

Also, I bring to my colleagues' attention that Walter Reed will be closing in just a couple of years. Why privatize now? It is a solution that is wrong. The competition was flawed. It does not save taxpayers' money. Sure, we understand contracting out when it is legal, when it is fair, when it saves taxpayers' money and maintains integrity. This amendment will eliminate the funding to carry this out, and we urge its adoption at the appropriate time.

Mr. SARBANES. Madam President, how much time remains?

The PRESIDING OFFICER. There is 5 minutes remaining.

Mr. SARBANES. Madam President, I wish to very strongly underscore the arguments made by my very able colleague, Senator MIKULSKI, with respect to this amendment. I am very pleased to join with her in offering it.

This amendment would put an end to a very costly and flawed A–76 competitive sourcing study at Walter Reed Army Medical Center, which is, of course, one of our foremost military hospitals. There have been numerous and serious flaws in the conduct of this A–76 study. The study has been going on now for 6 years—contrary to law governing the A–76 process. As a result, it has been extraordinarily expensive and promises to be even more expensive if completed.

The Federal employees actually were declared the winner of this competition in September of 2004, only to have that decision reversed earlier this year. The decision was reversed after a whole new set of amendments were made with respect to the bidding process. In fact, the solicitation has been amended a number of times with hundreds of changes, making the process terribly unfair to everyone involved. This particular A–76 is so egregious that it ought to be brought to an end, and that is what this amendment proposes to do.

I believe the situation as it currently stands is also having a detrimental impact on the work being done at Walter Reed. The A–76 study covers base operation support services—workers who deal in landscaping and maintenance. The requirements now are that these A–76 processes cannot go on for more than 30 months—in part to avoid such a disruption in the workforce. However, this study has been going on for more than 6 years. Obviously it is having an impact on the morale of the employees and resulting in a loss in productivity. So I urge my colleagues to be supportive of this amendment, which will bring this costly and flawed A–76 study to an end and help Walter Reed maintain the high level of services which characterizes that fine institution.

I would also add that the BRAC Commission has recommended the consolidation of Walter Reed with the Bethesda Naval Medical Center. That is supposed to take place over the next few years. That seems to me to be an additional argument for adopting this amendment.

In other words, in a very short period of time, Walter Reed will move to a new campus where we will be developing a new, more modern, military hospital. At that point, the base operations workforce will have to be reshaped to fit the needs of this new facility.

So I urge my colleagues to respect the reasonable rules of the bidding process, rules which have been so departed from in this instance. We should adopt this amendment to ensure that this and other competitive sourcing studies are conducted pursuant to the laws and regulations governing the A–76 process.

I very strongly support my colleague. I commend her for her important leadership on this issue. Let's be fair to the employees. Let's honor a reasonable bidding process with its own rules and requirements.

If Federal jobs are to be subject to the competitive sourcing process, Federal agencies should follow the rules and requirements governing that process. That has not been done in this instance, which is the reason I support

the amendment that is pending before us.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate will now stand in recess until 2:15 p.m.

Thereupon, the Senate, at 12:45 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. SUNUNU).

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007—Continued

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, the distinguished Democratic leader seeks recognition now. I ask unanimous consent that the majority leader be recognized immediately following Senator REID.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Nevada is recognized.

Mr. REID. Mr. President, I will at an appropriate time send an amendment to the desk. The amendment will read as follows:

At the appropriate place insert the following:

It is the sense of the Senate on the Need for a New Direction in Iraq Policy and in the Civilian Leadership of the Department of Defense.

Here are the findings.

1. U.S. forces have served honorably and courageously in Iraq, with over 2,600 brave Americans having made the ultimate sacrifice and over 20,000 wounded.

2. The current ''stay the course'' policy in Iraq has made America less secure, reduced the readiness of our troops, and burdened America's taxpayers with over $300 billion in additional debt.

3. With weekly attacks against American and Iraqi troops at their highest levels since the start of the war, and sectarian violence intensifying, it is clear that staying the course in Iraq is not a strategy for success.

Therefore, it is the sense of the Senate that:

1. Our troops deserve and the American people expect the Bush Administration to provide competent civilian leadership and a true strategy for success in Iraq.

2. President Bush needs to change course in Iraq to provide a strategy for success. One indication of a change of course would be to replace the current Secretary of Defense.

In war, strategy is the searchlight that illuminates the way ahead. In its absence, the U.S. military would fight hard and well but blindly and the noble sacrifices of soldiers would be undercut by the lack of thoughtful leadership at the top that soberly assessed the realities of the situation and constructed a response.

That is a direct quote from a book called ''Fiasco,'' which was written by Washington Post senior Pentagon correspondent, Thomas Ricks. The quote concerns a war and a Secretary of Defense I would like to talk about today. The war is Iraq, the Secretary of Defense is Donald Rumsfeld.

For me, it was not a quick or easy decision to come to the floor to demand that President Bush replace Secretary Rumsfeld. I have always held the opinion that the President of the United States deserves ample leeway in determining who serves in his Cabinet. Regrettably, after 5 years of mismanagement and mistakes in Iraq that have made America less safe, the time for that leeway has passed. So, today, as I have indicated, I will offer an amendment expressing the sense of the Senate that President Bush replace Secretary Rumsfeld immediately.

This amendment is bigger than Donald Rumsfeld. This is about changing course in Iraq and the President demonstrating to the American people he understands America cannot stay the course when the present course is taking our country in the wrong direction. The United States currently has about 140,000 soldiers serving in far away Iraq. Thousands have served coming from Nevada. Hundreds are there right now. They are bravely performing their jobs, but it is time for the President to do his and chart a new direction in that far away land called Iraq.

In the last month, scores of U.S. soldiers and marines have been killed. Hundreds of U.S. troops have been wounded. More than a thousand Iraqis have been killed. American taxpayers have lost another $12 billion to this mismanaged war. The totals for this conflict now approach 2,700 Americans killed and over 20,000 Americans wounded. A third of these wounded soldiers and marines are missing arms, legs, eyes. They are paralyzed or coping with brain injuries, and over $300 billion of debt already has been expended for which the American taxpayer must foot the bill.

Today, because of Iraq, the readiness of our troops has declined to levels not seen since Vietnam. There is not a single Army nondeployed combat brigade that is currently prepared to meet its wartime mission. I repeat, not a single nondeployed combat brigade is currently prepared to meet its wartime mission. And the Chief of the National Guard has said the Guard is ''even further behind or in an even more dire situation than the Army.''

In peacetime such a state of our military would be disturbing. At a time of war, this is unacceptable. The facts on the ground do not lie. All the speeches by President Bush, all the speeches by the Vice President, all the speeches by Secretary Rumsfeld do not change what is taking place on the ground in that desert called Iraq. The current course in Iraq is not working, not for our military, not for the Iraqi people, and not for our security.

Five years after the attacks of September 11, 2001, America is not as safe as it needs to be. Secretary Rumsfeld and the Bush White House have mastered the politics of national security, but as we have seen day after day, week after week, month after month, in Iraq they have failed to do what it takes to make America safe.

This is not a personal attack. I am not looking to pick a fight with Secretary Rumsfeld or the President of the United States, but it is about making America as safe as we can and should be. Secretary Rumsfeld's failed track record is well documented, and the consequences of his mismanagement on American national security are well known. Secretary Rumsfeld was a leading participant in the administration's cherry-picking and manipulation of intelligence in the run-up to the war, exaggerating Iraq's connections to al-Qaida and the threat posed by its weapons of mass destruction—which didn't exist.

As a result of his and others' actions, our Nation was rushed to war based on faulty facts, and the Pentagon is now spending $20 million on a public relations campaign to rebrand the war to the American people. New money, $20 million—public relations.

Secretary Rumsfeld was one of those who ignored the advice of the uniformed military and went into battle in Iraq with too few troops and no plan—no plan to win the peace. As a result, the insurgency was able to gain a foothold in Iraq, and now even the Pentagon is forced to conclude that civil and sectarian strife threatens our troops and the future of the country of Iraq. Secretary Rumsfeld was the one who directed disbanding the Iraqi Army and purging of all Baath Party officials from the Iraqi Government. His lack of preparation delayed the training of Iraqi security forces for untold time.

As a result, here we are, more than 3 years later, with not a single Iraqi Army battalion that can operate independently—not one. We should remember the Secretary's mistakes are not all buried in the past. Just last week he demonstrated again he is not the man for the job. As he spoke to the American Legion this became very clear. His remarks were wrong, they were unnecessary, and they were a slap in the face to every American.

Rumsfeld's speech was filled with reckless, irresponsible assertions, but the most insulting and misguided words compared the critics of the Bush administration's Iraq policy to those who appeased the Nazis, leading to World War II—a statement made by our Secretary of Defense. These assertions were offensive and indicative of a Secretary of Defense who has lost his way, who is not capable of overseeing America's defense or certainly a new direction in Iraq; who is more concerned, it seems, with the Bush administration's political fortunes than the safety and security of the American people; and who must be replaced.

Keith Olbermann of NBC observed, after Rumsfeld's comments, as follows:

[His speech] did not merely serve to impugn the morality or intelligence—indeed the loyalty—of the majority of Americans who oppose the transient occupants of the highest offices in the land. Worse, still, it credits those same transient occupants—our

employees—with a total omniscience; a total omniscience which neither common sense, nor this administration's track record abroad, suggests they deserve.

We need to change course, and it starts at the top with President Bush.

Before anyone dismisses this amendment as partisan politics, I would like to remind my colleagues that Democrats are not alone in criticizing the poor performance, the faulty performance, the unfortunate performance of Secretary Rumsfeld. In fact, on page 18 of the Hill newspaper today, there is a full story on all the Republicans who oppose Secretary Rumsfeld and say that he should leave.

From the military we have heard from at least eight retired generals have called for his resignation. These are some of the best of the best. Who are these eight? Are they fly-by-nighters? Do they have any ability to speak, to say Rumsfeld should go? Who are they?

Retired MG Charles Swannack, former commander of the Army's 82nd Airborne Division—that is a real soldier; retired MG John Batiste—whom we have all met; he used to come and brief us here—who commanded the Army's 1st Infantry Division in Iraq in 2003 and 2004. I would think he would know or have some idea of the competency of the Secretary of Defense.

Third, Marine LTG Greg Newbold; No. 4, MG Paul Eaton, who was in charge of training Iraqi troops in 2003 and 2004; Former NATO Commander Wesley Clark, a four-star general; Army MG John Riggs; Marine GEN Anthony Zinni, the former Commander of the United States Central Command; LTG Paul van Riper, United States Marine Corps, Director of the Command and Staff College, Quantico, VA.

Those are just eight. There are many more.

From the Republican side of the aisle, we not only have page 18 of the Hill—anyone within sound of my voice can read that. I am not going to go through all the names. We have heard, though, from Senators in this body—Senators MCCAIN and HAGEL, two war heroes from Vietnam. JOHN MCCAIN served in a prison war camp for years—not months, years. Senator HAGEL saved his brother from death in the battlefields of Vietnam. Both are highly decorated. I repeat, two heroes of Vietnam who have been harsh critics of the Secretary of Defense have said they have no confidence in Rumsfeld. Senator HAGEL said:

The concern I've had is, at a very dangerous time, (the) Secretary of Defense does not command the respect and confidence of our men and women in uniform . . . There is no real question about his capacity to lead at this critical time.

This is Senator HAGEL quoted in the Lincoln Journal Star.

In the House of Representatives, the list is very long. I will not name all of the Members. Longtime Congressman Chris Shays from Connecticut, who has been in Iraq 14 times, is quoted in today's New York Times as saying he would vote for an amendment of ''no confidence'' if it came to the House of Representatives.

These men are card-carrying conservatives. If we go out of Congress, we can find other leading conservatives. How about William Kristol?

Actually, we have a pretty terrific Army. It's performed a lot better in this war than the secretary of defense has . . . Surely Don Rumsfeld is not the defense secretary Bush should want to have for the remainder of his second term.

From the Washington Post, that is a direct quote.

Across the country and in my own State of Nevada, people from all walks of life have called for Donald Rumsfeld to step down, asking the President to make a change. This would be a start in the change of direction. There is a reason for this bipartisan groundswell: Having the right leadership to keep America safe is not a partisan issue; it is a national priority.

Today in the Senate, I hope we see similar bipartisan support for this amendment, this vote of no confidence. There is no better way for the Senate to show the American people and, indeed, the world that we are committed to success in Iraq and a more secure America than by demanding that President Bush find leadership from the Pentagon that matches the skill, determination, and commitment of our valiant troops. We need a vote on this amendment. It cannot fall to parliamentary tricks. Our troops and the American people must be given the opportunity to see that the Senate stands with them in seeking a new direction for our country.

This amendment, which I will send to the desk later, says:

SENSE OF THE SENATE ON THE NEED FOR A NEW DIRECTION IN IRAQ POLICY AND IN THE CIVILIAN LEADERSHIP OF THE DEPARTMENT OF DEFENSE

Findngs:

1. U.S. forces have served honorably and courageously in Iraq, with over 2,600 brave Americans having made the ultimate sacrifice and over 20,000 wounded.

2. The current ''stay the course'' policy in Iraq has made America less secure, reduced the readiness of our troops, and burdened America's taxpayers with over $300 billion in additional debt.

3. With weekly attacks against American and Iraqi troops at their highest levels since the start of the war, and sectarian violence intensifying, it is clear that staying the course in Iraq is not a strategy for success.

Therefore it is the sense of the Senate that:

1. Our troops deserve and the American people expect the Bush Administration to provide competent civilian leadership and a true strategy for success in Iraq.

2. President Bush needs to change course in Iraq to provide a strategy for success. One indication of a change of course would be to replace the current Secretary of Defense.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, the distinguished Senator, the Democrat leader, the Senator from Nevada, is a close friend. I am sad to disagree with him as violently as I do.

I have known Secretary Rumsfeld, Don Rumsfeld, for many years. He came to Washington with Congressman Jerry Ford. He has been in and out of Washington. He has done a great many things, committed a great portion of his life to the service of this country. He is highly intelligent. He is one of the first persons to serve as Secretary of Defense twice. He served previously as Secretary of Defense. He was a person who served in the White House. He has been a very impressive Secretary of Defense.

Since 1981, either Senator INOUYE or I have been the chairman of the Defense Appropriations Subcommittee. During that time, we have met with Secretaries of Defense. I met with them prior to that time, and I served in the Eisenhower administration and knew the Secretaries of Defense then and knew them personally. I can think of no one who has worked harder as Secretary of Defense than Don Rumsfeld.

I have been in meetings with him and members of the Joint Chiefs—with all of the Joint Chiefs—with other members of the defense and intelligence establishment. The rapport he has built up among those who serve this country in uniform and serve this country in the intelligence field is overwhelming. I have been to meetings he has held with the Chiefs, just quiet dinner meetings, to discuss basic subjects that were part of our jurisdiction, the Defense Appropriations Subcommittee jurisdiction. I have seen the way those people interact with Secretary Rumsfeld.

I know some people say there are dissidents in the Department of Defense. It would be surprising in a country as large as ours, with a Defense Department as large as ours, if there were not some. I do believe he has the support of those who are involved in managing our activities at home and abroad now in the defense area. He has a steady hand. I know he has the trust of the President. I admire the work he has done.

I find it unfortunate that this bill will be held up now for a period of time debating the future of Secretary Rumsfeld. I say categorically that this amendment is nongermane to this bill. It is subject to a point of order. I will make the point of order when the amendment is laid down. Everyone realizes that.

The time we take to discuss this subject is going to delay getting this bill to the President to be signed. I repeat what I have been saying for over a month: it must be to the President and signed and the money ready to be allocated on October 1. The funds are absolutely necessary this time. There will be no bridge for this period. These moneys must be available. I hope Members of the Senate will be brief. I will be reasonably brief in terms of what I am saying about my good friend, the Secretary of Defense, Donald Rumsfeld.

He has forged close relationships. He has earned senior military leaders' confidence. Just 2 weeks ago, I was in Fairbanks with him when he dedicated the Lend-Lease Memorial, the memorial to those Army Air Corps pilots who flew planes to Fairbanks and the Russian pilots who flew the planes on into Russia, going across the Bering Strait, going across Siberia, going across the Urals and into the area where they could be used in the defense of the Allies against the Nazi challenge to the world. Secretary Rumsfeld was overwhelming.

The interesting thing was our partner at the dinner table was the Secretary of Defense from Russia—a gentleman with a great deal of capability, by the way. He speaks English very well. We had a delightful conversation about the past, about the war.

It was my honor to serve in World War II as an Army Air Corps pilot. I was pleased to see so many of my colleagues. Everyone was delighted with Secretary Rumsfeld and was overwhelmed to have their pictures taken with him.

This man deserves the support of the Senate. He does not deserve the opposition, I am sad to say, in my opinion, on a purely political basis. There may be some on this side of the aisle who have lost confidence, but this Senator has not.

I hope and I pray that Members of the Senate will be reasonably brief in their comments on this proposal.

Mr. WARNER. Will the Senator yield?

Mr. STEVENS. I am happy to yield.

Mr. WARNER. Mr. President, I will eventually address my own remarks, but as the distinguished Democratic leader spoke, we had the majority leader here. It was his intention, of course, to follow the Democratic leader with his remarks. He was called to the White House, and therefore we will have to hear from our distinguished majority leader later in the day on this matter.

If I could ask my colleagues across the aisle, perhaps we could alternate. Senator STEVENS has spoken; perhaps I could follow your next speaker as a matter of comity.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

Mr. DURBIN. Mr. President, let me say initially——

Mr. STEVENS. I still have the floor. I am happy to yield. I want to have the consent entered into. If the Senator from Illinois is willing to enter into the agreement, we can go back and forth across the aisle. I am happy to agree to that unanimous consent with that understanding.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Illinois.

Mr. DURBIN. Let me say initially that I am sure during the course of the debate there will be many raising the question of whether we should spend this time on this debate. The fact that we might spend 4 hours on the debate over a war we are now facing for our fourth year indicates that it truly is appropriate.

What we would like to do is ask unanimous consent that the following Democratic Senators be recognized in the order as stated with the understanding that if a Republican Senator seeks recognition, they would be recognized in alternating fashion.

I will read the list of Democratic Senators in the order in which they will speak: Senators SCHUMER, DURBIN, LEVIN, REED of Rhode Island, KERRY, CLINTON, KENNEDY, HARKIN, BOXER, DAYTON, CARPER, DORGAN, MURRAY, and MIKULSKI.

Mr. WARNER. Mr. President, at this point in time, I reserve, with the understanding that I encourage it be agreed to, but the distinguished Senator from Texas, the Senator from Alaska, and others are going to work on the sequencing over here, so I wonder if we could just informally say we will follow that until such time as one of these two come over and agree.

Mr. DURBIN. In response to the Senator from Virginia, this only reflects the order of the Democratic speakers, but if the Senator would like to withhold the agreement of this until the Senator has his complete list——

Mr. WARNER. A list, thank you.

Mr. DURBIN.—I am happy to do that.

The PRESIDING OFFICER. Without objection, it is so ordered.

The request is withdrawn.

Mr. DURBIN. I ask unanimous consent that Senator SCHUMER from New York be recognized for this side of the aisle.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I will be brief. I know we have a long list of Members who wish to speak on this weighty and important matter.

First, I compliment the minority leader. The resolution he has put forward is well thought out and covers a range of issues for those who believe the war in Iraq needs a new direction; therefore, I am proud to support this resolution. I hope we can get bipartisan support for it. Most Americans—Democrats, Independents, and Republicans—believe we need a new direction in Iraq. That is what this resolution personifies.

Our troops on the ground and their loved ones here at home deserve a clear policy, a plan, from this administration—not rhetoric, not name-calling, not ''kneecapping''—a plan, a direction. We cannot continue to pour lives and resources into Iraq without a clear plan for transitioning the security of Iraq to Iraqis. With the insurgency diving into civil war, we need to come up with this plan now.

No Americans anticipated that the main goal of our troops would be to police a civil war, knowing the longtime hatred between the Shiites and the Sunnis, between the Shiites and the Kurds, and the Sunnis and the Kurds. Yet that is what this war is devolving into right now.

In sum, to fight a war on terror, we need to be both strong and smart. With Secretary Rumsfeld and this administration, you do see a great deal of strength, but we do not see enough of the smarts. We can have both. The two are not contradictory.

Furthermore, Secretary Rumsfeld's comments last month before the American Legion show he does not get it. The President's comments yesterday show he doesn't get it. We do not need to be reminded that Osama bin Laden is still alive. It is 5 years since September 11, and he is still alive. We will address that in an amendment both colleagues from North Dakota will bring up.

Certainly, when Secretary Rumsfeld tries to draw the analogy to World War II, the analogy is flawed. Back in the late 1930s, indeed, there were many Americans who wished to appease Hitler and thought he could be won over. I don't know of an American who thinks we can appease the terrorists, al-Qaida and the others who strike against us. It is a false analogy. I dare them to name a single Member of this Senate or the other body or anyone else who is seeking appeasements of the terrorists.

Secretary Rumsfeld's speech in Utah was a low point. We got a lot of name-calling, more slogans, but for all the hype, we did not get any new policies. One has to ask: Is the name-calling, is the hype—are there imperfect historical analogies made because there is no plan? That is what it seems to be.

When the American people—Democrats, Independents, and Republicans—are crying out, in droves, for a change in direction and a new policy, we hear none. We never get a plan. Unfortunately, we also often do not get straight answers.

When Secretary Rumsfeld was asked by a member of our Armed Forces about the lack of body armor, he could not give a direct and forthright answer. We must get answers on what has gone wrong. We need to hear a plan for getting it right. Unfortunately, we have heard neither from this administration, and particularly our Secretary of Defense.

This is not even about the end game because that is the President's responsibility. And we are going to be focusing on President Bush repeatedly on that issue. This is also about the implementation of the administration's own goals, and that falls on Secretary Rumsfeld's shoulders.

When a schoolteacher tells one of our colleagues, Senator DORGAN, that she had to pay for the body armor for her son who was in Iraq, something is wrong with the implementation. That does not go to the plan. That does not go to whether you are a hawk or dove. Everyone would think our troops would need body armor. Yet tens of thousands did not get it on Secretary Rumsfeld's watch.

When Iraq was supposed to have, by now, a self-sufficient army that could guard against a civil war, and it is not even close, the implementation of that falls on Secretary Rumsfeld's shoulders. Not even discussing whether democratization is right, it has not been done appropriately or properly.

So to say that Secretary Rumsfeld should be removed from office does not let the President off the hook. He is responsible for the policies, and those are not working. But Secretary Rumsfeld has not only gone along with those policies, he has been the lead figure in the failure of the actual implementation of those policies.

Democrats want new strategies and new ideas to fight a strong war on terror, to secure the peace in Iraq. We certainly do not want the continuation of the status quo, which is clearly not moving Iraq in the right direction.

There have been major tactical failures which Secretary Rumsfeld and the administration refuse to admit: failure to protect vital infrastructure, failure to protect the streets from looters and violence, failure to protect a strong Iraqi security force.

However, these failures are among many, and they are things that neither the President nor Secretary Rumsfeld will own up to, much less address.

People in this administration, this week, are giving a lot of speeches on this topic. But they never talk about a plan, a change in direction, what we are doing wrong, why it has not worked, and what has to change to make it right. If you ignore the realities and simply engage in a game of name-calling and sloganeering, you are never going to solve the very real problems.

In conclusion, Mr. President, the bottom line is very simple: The American people want some answers. What is the game plan in Iraq? How are we going to win the war on terror? We need answers to these questions and a new direction in Iraq. Removing Secretary Rumsfeld from office will be a first step to accomplishing that goal.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Thank you, Mr. President.

I am afraid if my Democratic colleagues spent half the time helping us fight this war on terror as they do attacking the administration we would be a lot closer to winning this war. But, unfortunately, they are very united in defeatism, in their negative attacks on the President, and, in the process, encouraging terrorists all around the world, sending the signal that America is frustrated and ready to quit.

America is not ready to quit.

As they continue their attacks, I would like to remind them of the progress we have made since President Bush took office. Before President Bush took office, after 8 years of President Clinton's administration, Afghanistan was a worldwide staging area for terrorism, where the training took place, communications were organized, financing took place. Iraq was sitting on multiple chemical weapons in defiance of the United Nations resolution. Numerous terrorist attacks had occurred against our warships, our embassies. And our administration, under President Clinton, did nothing.

Again, terrorism was unchallenged and undetected. President Clinton was doing exactly what our Democratic colleagues want President Bush to do now. They tried to stop the PATRIOT Act so that we would not have the tools to fight terrorism. They have tried to stop the interception of communications from terrorists into this country so we could not find out who they were and what they were planning. They have complained about tracing the financing of terrorism around the world—when this President took action.

We need to remind our Democratic colleagues that before President Bush took office, 9/11 had already been planned under the Clinton administration, been financed. The communication was set up. All the tools that the President needs and has used to protect us were not used then. So 9/11 has happened.

But since 9/11, this President took action. And with the support of this Congress, he along with his staff has changed Afghanistan. Afghanistan is no longer the staging area for terrorism. And a signal has been sent to any country that does it.

Afghanistan is now a democracy. Women can vote and go to school. Iraq no longer has control of their arsenal of chemical weapons. Iraq is moving toward a democracy, admittedly with many difficulties.

But if our Democratic colleagues had their way, Iraq would become the new staging area for terrorists. Being between Iran and Syria, if we leave before this country can stand up on its own, everyone knows it will be in the hands of terrorists.

We cannot retreat. We must fight this global war that has been declared on us. There is a reason there has been no attacks in this country since 9/11. It is because we have been attacking the terrorists all around the world.

The Democrats are united. They are united in the idea of retreat and defeatism. They attack this President with no ideas of their own. They are trying to take the tools to fight terrorism away from this President—the PATRIOT Act, the interception of communications, tracing finances. On every turn, the Democrats are obstructing the things that have changed with this President that allowed terrorism to grow unchallenged for 8 years under the Clinton administration.

Now my colleagues on the other side of the aisle have stooped to attacking members of the President's Cabinet. I think it is time to get this amendment off the table. It is not germane. We need to get back to the business of approving the resources that our soldiers need.

I would appeal to my Democratic colleagues to stop performing for an audience and help us fight this war on terror.

Mr. President, I yield back.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I am glad the Senator from South Carolina is still on the Senate floor because I want to make clear that debating the war in Iraq is not a performance. It is part of our responsibility. This is the world's, maybe the Nation's, greatest deliberative body. And if we do not take a few hours to address the policies and strategies in Iraq, then we are not living up to our responsibility.

The Senator from South Carolina went on to say that we tried to stop the PATRIOT Act. The Senator was not here when the PATRIOT Act was considered. He was still a Member of the House, and he may not know what happened. But with the exception of one Member on our side of the aisle, every Senator voted for the passage of the PATRIOT Act. It was a strong bipartisan vote. Also, for the reauthorization of the PATRIOT Act, it was a strong bipartisan vote.

When it came to obstructing the President's efforts in Iraq, I will concede I was 1 of 23 Senators who voted against the authorization of force. But I have voted for every penny this President has asked for to wage this war in Iraq. On a bipartisan basis, we have provided this President with every resource. So this version of the past which the Senator from South Carolina has recounted, I think, is deficient in many respects. I hope when he reviews the record he will realize that.

I will also tell you that I believe this is an important debate today, and it is, of course, focused on the Secretary of Defense but, more importantly, focused on our strategy in Iraq. The Democratic side of the aisle believes we need a strategy for success. We need to make certain that when we do leave Iraq, it is with our mission truly accomplished. And that means, of course, changing direction on our policies in Iraq.

As we pass this bill, which will add to the nearly $300 billion in our national security effort, we continue to make a great investment in Iraq—no greater investment than the human lives that have been lost by our brave American soldiers who have served there. Yet it is our responsibility, in fact I think it is our constitutional responsibility, to question the policies of the administration when we disagree with them.

Retired GEN Wesley Clark stated yesterday that our Nation made a strategic mistake in invading Iraq.

We went into that war on the basis of poor intelligence, with too few troops, and without the necessary equipment. Our troops paid a heavy price for those decisions.

Today, we face a situation in Iraq which the Pentagon told us last week is dangerously close to civil war. We cannot continue along this same pattern. Our soldiers deserve better.

If we are to change policy in Iraq, we need new leadership at the Department of Defense. We need a fresh start. We need a new team. We need a new direction when it comes to our strategy in Iraq.

Our Armed Forces have shown extraordinary courage. They have done everything we have asked of them. With courage and with dedication they have adapted to conditions on the ground with enormous skill and ingenuity. But decisions by the leadership at the highest levels of the Government—at the White House and at the Department of Defense—have magnified the challenges our troops face.

I listened as the Senator from South Carolina talked about nuclear weapons in Iraq and weapons of mass destruction. I am sure he did not mean to state that we found those weapons of mass destruction because, despite the best efforts of our Government, we have found no evidence of the weapons of mass destruction we were told were the reason we had to invade this country. We have found no evidence of the nuclear weapons program which we were told threatened the United States with mushroom clouds.

So to suggest today, as some still do, that there really were weapons of mass destruction when we invaded Iraq, we have never found them, and it is an indication that the American people were misled, misled from the highest levels of our Government as to the true threat against the United States. That is, indeed, unfortunate. And it is unfortunate, as well, that the President, the Vice President, as well as the Secretary of Defense, and others, made statements that misled us into believing that there were threats in Iraq that clearly did not exist.

But when we talk of the record of the Secretary of Defense, even beyond the misleading statements which led to our war, the fact is that at a moment in time the Secretary of Defense said to the President: We are ready to go to war.

We know now we were not ready to go to war.

Do you recall on February 25, 2003, Army Chief of Staff GEN Eric Shinseki testified before the Senate Armed Services Committee? He stated that, in an invasion of Iraq, ''any postwar occupying force would have to be big enough to maintain safety in a country with ethnic tensions that could lead to other problems.''

He was asked how many troops were needed. General Shinseki said:

> Something on the order of several hundred thousand soldiers.

And he added:

> Assistance from friends and allies would be helpful.

For his candor and his honesty, he was replaced. Instead of sending the necessary troops to make sure we lived up to the Powell doctrine with overwhelming force and responded to the possibilities that were ahead of us after Saddam Hussein was deposed, for his candor and honesty General Shinseki's command was replaced.

The administration was not about to stand still for someone in uniform telling them the stark, honest truth: that without enough soldiers, the ones we sent to war would be in danger.

So we invaded with too few troops to secure the peace. As a result of that decision, and the decision to disband the Iraqi Army, the initial insurgency took hold in Iraq. The miscalculation by the planners and the leaders made life more dangerous for our soldiers on the ground in Iraq.

Since then, sectarian violence has exploded, creating conditions that now approach civil war. And every one of us recalls the situation involving the equipment given our troops. I remember my first visit to Walter Reed Hospital, meeting a National Guardsman from Ohio who lost his right leg at the knee. He said:

> I was in one of those humvees that just had canvas on the side. A bomb went off and I lost my leg. You have to do more to protect those soldiers.

He wanted to go back, even with his amputation, just to show his commitment to our Nation. The leadership under Secretary Rumsfeld didn't show the same commitment when it came to protecting our troops as they road in humvees. I recall a friend of mine whose son is a member of the military police with the U.S. Army. He told me he and his wife went out to buy the body armor that his son wasn't given when he went to Iraq. Have we reached that point, spending billions of dollars, as we have, when individual families have to take up collections at churches or reach into their savings accounts to provide the most basic equipment?

The fact is that that happened, and it happened under the watch of Secretary Rumsfeld. Today, we know the situation with our military. Brave men and women are still willing to serve, but we understand that readiness is a serious issue. Bonuses are being given for those who will join the military or stay in uniform. We understand that the standards have changed because of the difficulty meeting enlistment goals. But these are reality. We know that the National Guard across the United States has 34 percent of the equipment they need to do their job.

Let me remind everybody that the decision to invade was the decision of this administration and this Secretary of Defense. They picked the date, the time, and they established when readiness would be adequate. Sadly, they were wrong. The administration chose to invade Iraq but failed to plan for its aftermath. You have heard about the generals who spoke out, calling for a change in the leadership at the Department of Defense, calling for Secretary Rumsfeld to go. As Senator REID said earlier, these generals were under his command. Many of them had important responsibilities and saw up close this Secretary in action.

I thought one of the most dramatic statements was made by retired LTG Gregory Newbold, a Marine Corps general. He said:

> We need fresh ideas and fresh faces. That means, as a first step, replacing Rumsfeld and many others unwilling to fundamentally change their approach. The troops in the Middle East have performed their duty. Now we need people in Washington who can construct a unified strategy worthy of them. It is time to send a signal to our Nation, our forces and the world that we are uncompromising on our security but are prepared to rethink how we achieve it.

General Newbold went on to say, in some of the most touching and dramatic words I have read:

> The cost of flawed leadership continues to be paid in blood. . . . They must be absolutely sure [speaking of our soldiers] that the commitment is for a cause as honorable as the sacrifice.

Here is what Lieutenant General Newbold of the Marine Corps said in closing:

> My sincere view is that the commitment of our forces to this fight was done with the casualness and a swagger that are the special province of those who have never had to execute these missions—or bury the results.

He is not alone in this assessment, nor is he alone calling for a change in leadership at the Pentagon. For those who stand before us and say that any time we are critical of the policy of this administration we are somehow not standing behind the troops, I will tell you these are words spoken by troops, by soldiers and marines who have been there, paid the price for swearing to stand by our Nation.

Now we have a report from the Pentagon that the situation on the ground in Iraq is deteriorating—a grim portrait last week of Iraq—saying violence has reached its highest level in the last 2 years, with executions, kidnappings, bombings, and torture killings of more than 3,000 Iraqis a month. Ninety percent of the bodies coming into the Baghdad morgue are execution victims. Many were gruesomely tortured before being killed.

According to that assessment, the number of attacks in Iraq over the last 4 months is up 15 percent, and the number of civilian casualties in the last 4 months is up 51 percent. Over 137,000 people have been internally displaced in Iraq since last February, pushed out of their homes. We know it is because of rising sectarian strife and violence. The report from the Pentagon, for the first time, concedes that ''conditions that could lead to civil war exist in Iraq.''

Today, we have about 140,000 troops in Iraq, and 2,657 brave Americans have given their lives in that conflict as of September 5. We owe it to those who gave their lives and who still serve, and their families who stay behind and pray for their safety, to make sure they have the right leadership.

This is not a question of will. This is a question of leadership and mission. Our soldiers deserve better. They deserve leadership from the Pentagon that will provide them with the equipment they need, the direction they need to make certain that they truly come home with their mission accomplished. We need to change the leadership in the Department of Defense, and we need to change the leadership of this Secretary.

The Pentagon's report makes it clear:

> Since the last report, the core conflict in Iraq has changed into a struggle between Sunni and Shia extremists. . . .

Is that something we bargained for when we voted for this? Did we bargain for the fact that our soldiers are standing in the crossfire of a civil war today? How many times have we been promised that the Iraqis will come to the rescue? We are spending billions to train them and replace our troops. It is not a credible statement until American soldiers start coming home.

Many of us believe that the Iraqis will not stand and fight and defend their own country as long as they believe the American soldiers will do the job. The best military in the world is there to protect them at no expense. We have to let the Iraqis know that this is their responsibility.

I will close by saying this debate makes one thing very clear to the people of America. Neither this Republican President nor this Republican Congress will challenge, nor will they change a policy that has cost us too many brave American lives, 2,657 sons and daughters, husbands and wives, cousins and friends—the people we love who have given their lives so far. Sadly, last week, 18 were added to that list. More were added yesterday.

We have now spent over $300 billion. We are in the fourth year of this fight. There is no end in sight. Suggesting a change in leadership so we can start to move forward in a new direction toward a real victory is long overdue.

Change may not take place in this Republican-controlled Senate. We have been told they will object to even taking a vote on this issue about whether we are confident in the leadership of Secretary Rumsfeld. But even if change will not take place in this Chamber, the American people will still have the last word on November 7.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia is recognized.

Mr. WARNER. Mr. President, at this time, we seek the benefit of the comments of the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CORNYN. Mr. President, listening to the comments of our friends across the aisle, you would think this is more about an election than it is about winning a war. The problem is not so much in the eyes of the critics or the Islamic extremists who attacked the United States time and time again, until we finally woke up on September 11, 2001, and realized we were at war. The problem is not them; the problem is us. It is America. It is America's leaders. We are the problem.

This is more important than any party. This is more important than any election. This is more important than any single person. This is about whether we will win this war that was declared against the United States that we finally woke up and realized was going on, on September 11. It dates back as long ago as 1979, when the U.S. embassy in Tehran was overcome and for 444 days American citizens were held captive by Islamic militants.

Our friends on the other side of the aisle would like to claim that this is all about Iraq and a mistake that was made going into Iraq, and but for that mistake the world would be rosy and we would be at peace. But that is revisionist history.

The fact is that in 1979, when our embassy was captured and Americans were kidnapped in Tehran, and in 1983, when 241 marines were killed in Beirut by Hezbollah, the same terrorist organization that has been lobbing Katyusha rockets, supplied by Iran through Syria, into Israel—yes, this is the same enemy that continued to attack American embassies in Africa in 2000, and killed 17 American sailors on the USS *Cole*. Yes, this is the same enemy that killed almost 3,000 Americans on September 11, 2001, in New York City and Washington, DC, and but for the brave actions of a few on Flight 93, perhaps thousands more would have been killed.

Recently, I attended a speech where the Deputy Secretary of Defense spoke. He asked the question:

> Do you know why it was that these Islamic extremists killed 3,000 people on September 11, 2001? It was because they could not kill 30,000, and because they could not kill 3 million. Is there any doubt in anyone's mind that an ideology that celebrates the murder of innocent civilians in order to accomplish their objective would stop at anything, use any weapon at its disposal to accomplish its ends?

Mr. President, I disagree with our colleagues on the other side of the aisle that this war is limited to Iraq and that if we were to withdraw our troops precipitously, the world would suddenly be a rosy place and we would live in peace.

Unfortunately, this debate seems to be more about criticizing those who are prosecuting the war. No, we are not going to be critical of the men and women in uniform, but our colleagues on the other side of the aisle are all too ready to criticize those who command them, the civilian leadership in the Department of Defense and the Commander in Chief. I am not saying they don't have a right to criticize them. I am not saying that they have been perfect and haven't made mistakes. But I think we need to keep our eye on the threat. The threat is not just Iraq, the threat is in Afghanistan, it is in Madrid, it is in Beslan, it is in London. It is a threat driven by an extreme ideology that celebrates the murder of innocent civilians to accomplish its goals. What would be the consequences of doing as our colleagues on the other side of the aisle suggest, leaving before the Iraqi security forces are able to provide security for their fragile and fledgling democracy? It would be the same mistake that we saw occur in Afghanistan. After the Soviet Union was defeated and Afghanistan became a failed state, we saw the rise of the Taliban and saw its partners in al-Qaida and Osama bin Laden.

Our friends on the other side of the aisle talk about a change in direction, fresh ideas, new direction. Those are campaign slogans. They are not about solving the problem. They are not about beating the enemy, defeating the enemy who declared war on us as far back as 1979.

I know that our colleagues have been critical. Again, they have every right to be. This is America. We believe in free speech. We believe in people being able to express their views no matter how mistaken, no matter how naive.

This administration and the Secretary of Defense have been criticized for saying we need to stay the course, we need to keep the faith, that what we are doing in Iraq and what we are doing in trying to fight and defeat this enemy of Islamic extremism is important to the security of this country because if we were to do as some of our friends on the other side of the aisle suggest and leave Iraq before the Iraqis are able to provide basic security, it would become another failed state. And, no, this is not George Bush's Vietnam because after Vietnam, the Vietcong did not follow us here. That is exactly the threat with which we are confronted today.

The Islamic extremists who have declared war on America and the West will follow us here unless we deal with them on the offensive there. And, yes, every time we seem to talk about the tools that are necessary to win this war, we run into a brick wall of opposition on the other side of the aisle, such as listening to international phone calls between al-Qaida operatives and their confederates here in the United States. Yet our friends on the other side of the aisle said: Foul; the President doesn't have the authority to do that. Only Congress has the authority to do that. So we get into a big food fight about who has the power, who has the authority, not about working together to solve the problem.

When it comes to the issue of how do we deal with those who have been captured on the battlefield and detained in Guantanamo Bay—sources of important intelligence that have disrupted and deterred terrorist attacks and saved American lives—it seems as if the focus is all too often on what should we be doing to make the detainee's life better rather than what should we be doing to get that intelligence which will allow us to detect, deter, and disrupt terrorist activities.

Now the world has turned an anxious eye toward Tehran once again, where the same radical ideology has caused them to supply, through Syria, weapons to Hezbollah, a terrorist organization that has killed more Americans than any other in the world, save and except al-Qaida.

Is there any doubt that if Iran had been able to supply biological, chemical or nuclear weapons to Hezbollah in order to achieve its stated goal of wiping Israel off the map, is there any question that they would have withheld their hand, that they would not have done so?

I have to say I think this must be a very strange picture to the civilized world, those who actually believe we are serious about fighting this enemy who has declared war against the West and against our way of life and against our values, that instead of focusing together on how do we defeat this enemy who declared war on us, we have somehow turned this into an election-year effort to discredit and vote no confidence for the Secretary of Defense. It is the wrong direction.

Our colleagues on the other side of the aisle say there is no plan for success and, of course, there is. It is to provide training to the Iraqi security forces so they can provide security, and we can bring our troops home, allow this new Government in Iraq to resolve its differences after 30 years of tyranny, try to work through the sectarian conflicts by creating a coalition government, and then to allow the Iraqi people to enjoy the prosperity so they can see the benefits of self-determination and free and fair elections.

But our colleagues on the other side of the aisle seem to be long on criticism, long on complaints, and short on plans. They have yet to offer a single concrete idea about what they would do differently to win this war and defeat this enemy. I, as one Senator, would welcome their ideas, if they have ideas, so we can work together to defeat the common enemy because, as I said, this is more important than any election, than any party or any person. This is about the safety and security of our Nation and our hope and dream that the values we represent can be exported—and the blessings of liberty along with it—to other nations that have never known anything but the boot heel of a tyrant.

I hope our colleagues will reconsider and will not pursue this distraction, will not pursue this unwise and inappropriate vote of no confidence against the Secretary of Defense.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. MARTINEZ). The Senator from Michigan.

Mr. LEVIN. Mr. President, our current policy in Iraq has not been working; it is not working. It is making us less secure against the common enemy which the Senator from Texas has correctly identified. It is, indeed, a common enemy. The question is whether the current course we are on is contributing to the defeat of that enemy or whether the current course we are on is making us less secure, as our resolution states.

It is long past time for a change in course. When you find yourself in a hole, the first thing you should do is stop digging. Unfortunately, President Bush and the administration just keep digging us into a deeper and deeper hole.

The President has given the Iraqis the impression that our commitment in Iraq is open ended. He reinforced that impression when he said last month: We are not leaving so long as I am President.

The Iraqi leadership needs a wakeup call, a dose of reality. They need to be told: If you don't get your political house in order, if you don't reach a political settlement that leads to the end of the Sunni insurgency and leads to the dismantling of the Shia militia, then we cannot save you from yourselves. It is in your hands, we must tell the Iraqis, not ours. Whether you want to put together a nation or whether you have a civil war is your choice. We have opened the door for you. We have given you an incredible opportunity which no other country would even consider giving but ours. We have paid for it in blood and treasure. But only the Iraqis can utilize that opportunity. We cannot force them through that door that we have opened for them.

The Iraqi leadership now is operating under the misconception that we are there as long as they want us or as long as they need us. That misconception must end. They must be told that they must make the political compromises, they must share resources, they must share political power, that only they can decide if they are going to, in fact, avoid an all-out civil war and defeat the insurgency. We cannot do that for them.

We have been there now longer than we fought the Korean war. They have had an opportunity to create a constitution. By now, they were supposed to consider amendments to that constitution. That apparently has been shelved by the Iraqi political leadership. That is unacceptable to us; it is unacceptable to the American people. The American people want the Iraqi leadership to make the compromises they need to make to avoid an all-out civil war. They must take hold of their country.

We must begin, I believe, a phased withdrawal of U.S. forces from Iraq this year, by the end of this year—and the Iraqis should be told by the end of this year that the phased withdrawal is going to begin. It is essential to do this in order to prod the Iraqis to reach the political settlement which, according to our top commander in Iraq, is essential if all-out civil war is going to be avoided.

This cannot be won militarily. The military piece has been done. We have 80 to 90 percent of the Iraqi military force now trained. It is the political will in Iraq which is lacking, and that will must be brought to bear. We must prod it, we must pressure it, we must push them to do what only they, again, can do.

I believe they must face an abyss. These decisions are obviously difficult, we know that. There is a long history there that needs to be overcome. But the Iraqi leaders must face the abyss. They must face a very stark choice: civil war or nationhood.

The American security blanket is now providing a negative incentive to reach those kinds of essential decisions. Instead, similar to a broken record, President Bush and members of his administration keep saying that the choice in Iraq is between staying the course or withdrawing, cutting and running. That is not the choice. There is a third choice: changing the course, changing the negative dynamic in Iraq, which is the best and, I believe, only hope of achieving our mission. Staying on this downward spiral in Iraq makes no sense.

Some of the President's recent comments on Iraq sound as if he is out of touch with the reality on the ground. For example, the President was extremely naive when he said at a recent press conference that the violence in Iraq, Lebanon, and Gaza was the result of ''groups of terrorists trying to stop the advance of democracy.'' But it is a terrorist group, Hezbollah, which is part of a democratically elected Government of Lebanon, and the democratically elected Government in Iraq supported and identified itself with Hezbollah, a terrorist group, and its attacks on Israel.

The President also said at that August 21 news conference that ''Saddam Hussein had relations with Zarqawi,'' a terrorist who was killed in Iraq. That simply is not true. It continues an administration's tactic of trying to link Saddam Hussein and al-Qaida, a link that our intelligence community has repeatedly said did not exist. It continues a pattern of this administration of falsely linking Saddam Hussein to the people who attacked us on 9/11 in an obvious effort to win public support for the administration's Iraq policy.

It is part of a continuing pattern of misleading and false statements, such as the effort which lasted over years of making the American people believe that there was a meeting in Prague between the head of the Iraqi Secret Service and Mohammed Atta prior to 9/11, Mohammed Atta being the lead hijacker and attacker on us on 9/11. That was false. The intelligence community did not believe that meeting took place. And yet month after month prior to the war and after the war, the administration kept pointing to reports of the meeting that suggested the link between the people who attacked us on 9/11 and Saddam Hussein, trying to create the impression that Saddam Hussein was part of that attack, to such an extent that over half the American people believed that, in fact, there was such a link.

Finally, the President recently insisted there be no withdrawal of American troops so long as he was President. He gave a long list of reasons for his statement, and one of those reasons was that it is what the Iraqi people want, to quote the President. The President is badly misinformed.

An April 2006 survey of Iraqi public opinion conducted by the University of Michigan and reported in U.S. News leads to the opposite conclusion. This survey found that almost 92 percent of Iraqis oppose the presence of coalition troops in Iraq. Even more disturbing than that is the fact that this number was an increase from the 74 percent of Iraqi people who opposed the presence of coalition troops in Iraq in 2004. So that in the 2 years from 2004 to 2006, the percentage of Iraqi people who oppose the presence of coalition troops in their country increased from 74 percent to 92 percent. And almost 85 percent of that 92 percent—almost 85 percent of Iraqis—are ''strongly opposed to the presence of coalition troops.''

So our open-ended commitment of troops is not supported even by the Iraqis, and it sends the wrong message to the Iraqi leadership.

Our strategy in Iraq is not succeeding. We need to change course. The longer we maintain our failed stay-the-course approach, the weaker we are in the war on terrorism. The Iraqis need to hear a wake-up call from the President instead of a soothing message that we will be there so long as he is the President.

President Bush has repeatedly said that as the Iraqis stand up, we will stand down. The Iraqi security forces are 85 percent stood up. Where is the Presidential promised response that there be at least the beginning of a standdown as the Iraqis have been standing up? Where is that commitment being kept, so critically important to the American people, so repeatedly made by the President of the United States: As the Iraqis stand up, we will stand down? It doesn't say after all the Iraqis have been fully trained, even though they are nearly there. It says as they stand up. And the reason that is so critically important is because as long as the present policy continues, that the Iraqis believe we will be there as a security blanket even though they do not make the political decisions and compromises which are essential to their success, our policy of staying the course, our open-ended commitment makes it less likely that we are going to succeed in Iraq.

I think every Member of this Chamber believes we have a common enemy, and that is the religious fanatics who terrorize innocents. They are a common enemy and we all want to see them defeated. But the current course that we are on makes it more difficult for us to defeat that enemy where they are, and it makes it less likely that we will have the ultimate success which is so essential to our own security.

The amendment that is being offered calls on the President to change course in Iraq. It also says that one important indication of that change would be the replacement of the current Secretary of Defense. I have said in the past that I would call for the changing of the Secretary of Defense if I thought it would represent a change in the administration's policies in Iraq. I have focused on the policies, not on the personalities. But, in my view, as the resolution says, replacing Secretary Rumsfeld would be an indication, finally, that the Bush administration recognizes the need to change course in Iraq, and because it is that policy change which is so essential, I will support the resolution and hope that the Senate is allowed to vote on it.

Mr. President, I ask unanimous consent to have printed in the RECORD the University of Michigan poll to which I made reference and which was referred to and utilized, I believe, in U.S. News and World Report.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 3

	Do you support or oppose the presence of coalition forces in Iraq				
	Strongly support	Somewhat support	Somewhat oppose	Strongly oppose	Total (percent)
Sunni Arabs:					
2004	1.8	3.8	5.5	89.0	100
2006	1.5	.4	.9	97.2	100
Shiiti Arabs:					
2004	5.8	13.0	17.7	63.5	100
2006	3.1	2.3	4.9	89.7	100
Sunni Kurds:					
2004	37.3	42.7	7.5	12.1	100
2006	10.6	26.1	32.7	30.6	100
All:					
2004	10.0	15.7	13.3	61.0	100
2006	3.6	4.7	7.2	84.5	100

Mr. WARNER. Mr. President, before my colleague departs, I wonder if I might engage in a colloquy with him. I am the next speaker on this side. I have allowed my colleagues to go ahead of me to accommodate them. If the Senator wants to recite his unanimous consent request, we have absolutely no objection, and I would simply add to it that following the speaker on the Democratic side who follows me, the distinguished Senator from New Hampshire be recognized to speak on our side.

The PRESIDING OFFICER (Mr. COBURN). Is there objection?

Mr. DURBIN. Mr. President, I made an earlier unanimous consent request that we were going to alternate. I could read the list that we currently have subject, of course, to the arrival of Senators. But it is our hope that we would have Senator KERRY followed by Senator KENNEDY, and then Senators JACK REED and HILLARY CLINTON, followed by Senators HARKIN, BOXER, DAYTON, CARPER, DORGAN, MURRAY, MIKULSKI, and LAUTENBERG.

Mr. WARNER. Mr. President, we have no objection. I would simply ask that it be amended such that following my taking the floor on our side, as I understand it, the distinguished Senator from Massachusetts will speak, and then the Senator from New Hampshire on our side will be recognized.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I say to my good friend and colleague, we have had 28 wonderful years together on the Armed Services Committee. Now, with the passage of time, the responsibility of the management of that committee rests on our two shoulders, I as chairman at the present time, incidentally succeeding my good friend as chairman before me for a brief period, and he is now a distinguished ranking member. But I would like to start my remarks with a question to my good friend by asking Senators as we participate in this debate to consider what I regard as a very interesting approach to this debate as characterized by our President in a news conference on August 21.

He said the following:

> You know, it is an interesting debate we are having in America about how we ought to handle Iraq. There is a lot of people—good, decent people—saying: Withdraw now. They are absolutely wrong. It would be a huge mistake for this country.

And I continue to quote the President:

> There are a lot of good, decent people saying, get out now. Vote for me. I will do everything I can, I guess, to cut off money, is what they will try to do to get our troops out. That, too—

The President said—

> is a big mistake. It would be wrong, in my judgment, for us to leave before the mission is completed in Iraq.

I will refer to this later. But this is the tenor. It seems to me that it is a very balanced and respectful tenor because the President went on to say:

> I will never question the patriotism of somebody who disagrees with me. This debate has nothing to do with patriotism.

I take my cues from his approach and the manner in which he addressed the importance of the debate and how those who participate in it hopefully will be guided by his impressions.

To my good friend from Michigan, I listened very carefully to much of what he said, and I commend him in the sense that he is consistent in his approach. But what I want to draw the Senator's attention to is, what are the consequences—to the whole region, to the people in Iraq, to the war we are waging against terrorism, to our people here at home—what are the consequences if this somewhat fragile and new Government struggling to put down its roots and exercise the full reigns of sovereignty, what are the consequences should it fail to be able to exercise the full spectrum of responsibilities of a sovereign nation that Iraq is now? It is a sovereign nation. I believe those consequences, of their inability to govern, the inability of those in control of their armed forces—we are not in control of their armed forces—they are a sovereign nation. It is the Prime Minister who will issue the orders to their armed forces, not General Abizaid or General Casey. We work in concert with them, but they are a sovereign nation.

What are the consequences if this Government were not able to exercise the reins of sovereignty because of such conditions of further deterioration in the security situation? What are the consequences, I ask my good friend?

I would name several, in my judgment. First and foremost, that nation is sitting on the second largest oil reserve in the world—the second largest oil reserve. There it is. It is not the property of the United States. It is not the property of the coalition forces. We are not there to fight over the oil. But we are there to try to elect a government—or not elect, but let a government handle those natural resources which can quickly, if properly extracted, turn into hard cash. If those reserves fall into the wrong hands, hands which are dealing with terrorism, which support terrorism, which are antithetical to every principle of free democracies in the world, ours or other free nations, it would give terrorists unlimited cash to pursue their goals on terrorism—unlimited. And you couple unlimited cash with the cruelest, yet regrettably most effective weapon of war of the terrorists; namely, the human bombers, who, regrettably, they can purchase for dollars—for Dinars—you are facing not only the coalition forces in Iraq but the forces of freedom the world over, a very dangerous combination of unlimited funding and the human bomber.

The world stood in awe as we watched the human bombers inflict time and time again disastrous consequences on Israel. Now we have watched how they inflict disastrous consequences on our coalition forces in Iraq and, unfortunately, in a growing number of instances in Afghanistan.

Secondly, if that Government were to fail after all of the courage that the coalition of nations, working with the United States, has shown in trying to give the Iraqi people a sequence of free elections, a freely elected government, a constitution; if that Government were to fail, it would seriously affect the credibility of the United States of America in that region and complicate the already complicated problem posed by Iran, a nation that is thus far manifesting an unrelenting intent to acquire the capabilities to manufacture and possess nuclear weapons.

I would love to hear this Chamber debate what would be the consequences to that region if Iran were to obtain that capability and put it in its arsenal. There is no chapter in world history to match that threat—not the Cold War that our Nation and other nations faced with the Soviet Union. We always knew the Soviet Union had a degree of rational, objective understanding of the consequences of the use of the nuclear weapon. I have not seen any manifestations of this current Government in Iran that they operate in any rational, objective way.

So I ask my friend, as you spell out your fervent belief that we should begin, as you said just now—I copied it down—a ''phased withdrawal,'' could that not trigger instability in that fragile Government? Take, for example, their legislative body which just convened again this week. Each of us travels to and from this Chamber with a sense of absolute security in this country that we can do so safely. But each member of that legislative body, as they traverse Iraq, given the instability of that country in many areas, questions the personal safety of individuals serving in this Government. If the message were that we are going to start to withdraw, it might well cause that individual legislator or member of the Cabinet of the Maliki government to say: Wait a minute. Am I going to take all these personal risks to myself and to my family if this Government is not going to succeed? And what if this withdrawal were to trigger, in the minds of many of those brave people stepping up to serve in public service in Iraq today—it might well trigger to them: I better consider my own personal safety rather than trying to continue this public service.

Mr. LEVIN. It will trigger exactly the opposite. If the Iraqis finally recognize that our commitment is not open-ended, we are not going to be their security blanket, if they finally recognize we cannot do for them what only they can do for themselves—share power, share resources, consider amendments to their Constitution, which were supposed to have been considered by now—that statement to them will trigger a reality in them that only they can save themselves; we cannot save them. We can give them an opportunity—and we have, at great cost of blood and treasure. As I said before, I know of no other country that would do what we did, what we have done for mankind, which is to give people an opportunity for freedom.

I didn't vote for this war. I thought it would unleash forces which would be very negative. But now that we are there, I have always believed—my dear friend from Virginia knows this—that we should maximize the chances for success. The road we are on now is not a road to success. We are on a downward spiral now. Sectarian violence is increasing, not decreasing. So the consequences are consequences which we both want to avoid. The consequences which the Senator from Virginia outlined are consequences which are clearly negative, and every person in this Chamber and in this land would want to avoid those consequences. But how do we best prod the Iraqis to take hold of their own situation and share power, share resources, recognize the rights of each other, become tolerant, give up the revenge slayings which are going on there? How do we force them to do that if we say we are here for some open-ended time?

The President says some people want to withdraw now—and some do. What I believe is we should give fair notice to the Iraqis that in a reasonable period of time, since their army is now almost fully stood up, we are going to begin a phased withdrawal, and that should begin by the end of the year so that it can be done in a way which is planned, thoughtful, but that it finally impress on the Iraqi leaders that: Folks, it has been 3 or 4 years. You have had elections. You have had an opportunity to pass the Constitution. You have a civil war some folks say is going on. You and you alone can address the issues which are driving that civil conflict.

We cannot as Americans solve their political disputes. That is what I believe is at stake. We all want to avoid the consequences. The issue is, How do we best avoid the consequences which the Senator from Virginia has outlined? Stay the course? Is that avoiding the consequences? I don't think so. We get deeper and deeper into that mire, and the very consequences, the consequences which the Senator from Virginia has outlined, are the consequences which are more likely to occur if we do not change that negative dynamic which exists in Iraq with a wake-up call which the President alone can give to the Iraqis. Only the President can tell the Iraqis: Folks, there is no open-ended commitment here. You have to take hold of this situation. I think only the President can do that.

We can try, and that is what we are doing. Some Senators believe we should try to send that message to the Iraqis. I think the good Senator from Virginia was present at the White House when I urged the President to stop counseling patience when the Iraqis should understand that the American people are impatient. We are impatient, and rightfully so, at the failure of the Iraqi political leadership to reach those political compromises

which are essential to avoiding an all-out civil war, and end the insurgency.

The Senator was present when I urged the President: Please, Mr. President, you know I voted against the war. I am not expecting you to grab on to my advice. I have been a critic. I have been a critic of the way the war has been handled. The Iraqi Army being disbanded was a tragic mistake. The failure to have a plan for the aftermath was a terrible mistake. There were a lot of mistakes. But to the extent you are willing to consider this message, Mr. President, let the Iraqis know the American people are impatient, instead of counseling patience.

The President looked me in the eye and said: That is a useful message. In other words, it is a useful message for a Senator to be delivering. But he implied—by implication—he is not willing to deliver that message himself to the Iraqis.

What this argument is about, in my judgment, is that the President needs to deliver that message to the Iraqis in order to help them recognize that is the only way they can succeed—if they take hold. They have to look into that abyss. They have to see some stark alternatives. They, the Iraqi leadership, have to see some very stark alternatives: settle the issues politically, defeat the insurgency thereby, avoid all-out civil war thereby. You have to do it, folks. We can't do it for you. I believe that has to be laid before the Iraqis as the best chance of avoiding those very negative consequences which the Senator from Virginia outlined.

Mr. WARNER. Mr. President, I respect my colleague's views. We have had this debate several times before. I recognize and feel, as do you, as do I and I think every Member of this Chamber, the extraordinary losses in this country of 2,600-some men and women who have given their lives and some over 20,000 who are trying to recover from wounds and the impact on their families. That is an enormous sacrifice.

But what I say to you, my dear friend: You pose a big gamble. If you are not right and this legislature interprets that as a signal, the public servants in Iraq interpret that as a signal, the members of the Iraqi security forces—namely, the army—hear that their support base, logistically and other ways, the United States, that we are beginning a phased withdrawal, this could trigger the opposite reaction. If that Government were not able to function because of the lack of security and they lose reins of sovereignty, I ask my good friend, what happens? If these oilfields—maybe not all at once but fractionally—what happens if this country begins to divide in three parts: the Kurds in the north, the Sunnis in al Anbar, and down south in the Bosra region, the Shia? Iran is flexing its muscles in various ways, and as you and I know their influence is being felt in that country. What happens if they see we are not there with the resolve that our President, time and time again, has stated?

Yesterday, I was privileged, along with others, to be in the audience when he delivered what I thought was one of his strongest and best speeches, sketching the whole history of the war on terrorism and with direct quotes of the principals who are fighting against our interests here in this country. I ask, what happens if that Government fails to exercise the full range of democracy? What is your anticipation?

Mr. LEVIN. I think it is more likely that the Government will succeed if they recognize that they are the ones who have to succeed and we can't do it for them. The gamble that we are now taking is greater, which is continuing on a course of action which is failing.

You know, the first argument which was used to go to Iraq was there were weapons of mass destruction. That was the first argument which was used. That didn't work out as the basis for the policy. The next one was we are going to promote democracy in Iraq. Now the argument is there were no weapons; we are not doing very well on the democracy side since that democratic Government is supporting at least one terrorist and probably two terrorist groups, in Lebanon and in Gaza, so the democratically elected Government is giving substance and support to what we believe is terrorism. So now there is a third argument used for this policy, that our leaving will create a huge problem.

First it was weapons of mass destruction. Then it was we were promoting democracy. Now it is we cannot leave because look what will happen if we leave.

Look at what is happening because we are staying in an open-ended way because they don't see that stark choice they face because they are relying on Uncle Sam's security blanket. That is what must be changed. That is the dynamic which I believe must be changed, and the only way to change it is in a reasonable way, a thoughtful way, a planned way, to say: Folks, we have to do what we said we would do—as you stand up, we are going to stand down. You have known that now for years. We are going to carry out that policy which the President has enunciated.

Mr. WARNER. Mr. President, I have one other question for my colleague, and let me preface it with the following. You are a signatory of a letter, dated September 4, to the President, along with a number of your colleagues and the distinguished Democratic leader and the distinguished House Democratic leader and others. In it, you say the following:

> In short, Mr. President, the current path for our military, for the Iraqi people and for our security is neither working nor making us more secure.

That is your basic thesis. And you list in here:

> Therefore, we urge you once again to consider changes to your Iraq policy. We propose a new direction, which would include: (1) transitioning the U.S. mission in Iraq to counter-terrorism, training, logistics and force protection; (2) beginning the phased redeployment of U.S. forces from Iraq before the end of this year; (3) working with Iraqi leaders to disarm the militias and to develop a broad-based and sustainable political settlement, including amending the Constitution to achieve a fair sharing of power and resources; and (4) convening an international conference and contact group to support a political settlement in Iraq, to preserve Iraq's sovereignty, and to revitalize the stalled economic reconstruction and rebuilding effort. These proposals were outlined in our July 30th letter and are consistent with the ''U.S. Policy in Iraq Act'' you signed into law last year.

In reply, a letter, a very respectful letter, was forwarded to all signatories on September 5. It was signed by the Chief of Staff of the President, Joshua B. Bolton. It is interesting, his observations. You say stay the course. Did you have an opportunity to look at this letter? Fine. Let me just read it. He cites as follows:

> Thank you for your September 4 letter to the President. I am responding on his behalf.
>
> A useful discussion of what we need to do in Iraq requires an accurate and fair-minded description of our current policy: As the President has explained, our goal is an Iraq that can govern itself, defend itself, and sustain itself. In order to achieve this goal, we are pursuing a strategy along three main tracks—political, economic, and security. Along each of these tracks, we are constantly adjusting our tactics to meet conditions on the ground. We have witnessed both successes and setbacks [acknowledging that, Senator] along the way, which is the story of every war that has been waged and won.
>
> Your letter recites four elements of a proposed ''new direction'' in Iraq.

This I think most important. He cites in this letter that three of those elements reflect well-established administration policy and the fourth is dangerously misguided.

I ask unanimous consent this be printed in the RECORD following this paragraph.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1)

Mr. WARNER. He recites the changes in the administration adaptation to the ever-changing situation on the ground and with the Government. He recites each of the four points raised in your letter and addresses how this administration is pursuing a revised strategy.

To say we are staying the course is an inaccurate statement.

Mr. LEVIN. But the President says we should stay the course.

Mr. WARNER. I understand.

Mr. LEVIN. But the President of the United States says we should stay the course.

Mr. WARNER. This outlines the course we will embark on at this point in time. I urge my colleagues to read this letter in the context of our debate today.

I thank my colleague.

EXHIBIT 1—RESPONSE FROM THE CHIEF OF STAFF JOSH BOLTEN TO A DEMOCRATIC LETTER

SEPTEMBER 5, 2006.

Senate Democratic Leader HARRY REID,
U.S. Senate, Washington, DC.

DEAR SENATOR REID: Thank you for your September 4 letter to the President. I am responding on his behalf.

A useful discussion of what we need to do in Iraq requires an accurate and fair-minded description of our current policy: As the President has explained, our goal is an Iraq that can govern itself, defend itself, and sustain itself. In order to achieve this goal, we are pursuing a strategy along three main tracks—political, economic, and security. Along each of these tracks, we are constantly adjusting our tactics to meet conditions on the ground. We have witnessed both successes and setbacks along the way, which is the story of every war that has been waged and won.

Your letter recites four elements of a proposed ''new direction'' in Iraq. Three of those elements reflect well-established Administration policy; the fourth is dangerously misguided.

First, you propose ''transitioning the U.S. mission in Iraq to counter-terrorism, training, logistics and force protection.'' That is what we are now doing, and have been doing for several years. Our efforts to train the Iraqi Security Forces (ISF) have evolved and accelerated over the past three years. Our military has had substantial success in building the Iraqi Army—and increasingly we have seen the Iraqi Army take the lead in fighting the enemies of a free Iraq. The Iraqi Security Forces still must rely on U.S. support, both in direct combat and especially in key combat support functions. But any fair-minded reading of the current situation must recognize that the ISF are unquestionably more capable and shouldering a greater portion of the burden than a year ago—and because of the extraordinary efforts of the United States military, we expect they will become increasingly capable with each passing month. Your recommendation that we focus on counter-terrorism training and operations—which is the most demanding task facing our troops—tracks not only with our policy but also our understanding, as well as the understanding of al Qaeda and other terrorist organizations, that Iraq is a central front in the war against terror.

Second, your letter proposes ''working with Iraqi leaders to disarm the militias and to develop a broad-based and sustainable political settlement, including amending the Constitution to achieve a fair sharing of power and resources.'' You are once again urging that the Bush Administration adopt an approach that has not only been embraced, but is now being executed. Prime Minister Nouri al-Maliki is pursuing a national reconciliation project. It is an undertaking that (a) was devised by the Iraqis; (b) has the support of the United States, our coalition partners and the United Nations; and (c) is now being implemented. Further, in Iraq's political evolution, the Sunnis, who boycotted the first Iraq election, are now much more involved in the political process. Prime Minister Maliki is head of a free government that represents all communities in Iraq for the first time in that nation's history. It is in the context of this broad-based, unity government, and the lasting national compact that government is pursuing, that the Iraqis will consider what amendments might be required to the constitution that the Iraqi people adopted last year. On the matter of disarming militias: that is precisely what Prime Minister al-Maliki is working to do. Indeed, Coalition leaders are working with him and his ministers to devise and implement a program to disarm, demobilize, and reintegrate members of militias and other illegal armed groups.

Third, your letter calls for ''convening an international conference and contact group to support a political settlement in Iraq, to preserve Iraq's sovereignty, and to revitalize the stalled economic reconstruction and rebuilding effort.'' The International Compact for Iraq, launched recently by the sovereign Iraqi government and the United Nations, is the best way to work with regional and international partners to make substantial economic progress in Iraq, help revitalize the economic reconstruction and rebuilding of that nation, and support a fair and just political settlement in Iraq—all while preserving Iraqi sovereignty. This effort is well under way, it has momentum, and I urge you to support it.

Three of the key proposals found in your letter, then, are already reflected in current U.S. and Iraqi policy in the region.

On the fourth element of your proposed ''new direction,'' however, we do disagree strongly. Our strategy calls for redeploying troops from Iraq as conditions on the ground allow, when the Iraqi Security Forces are capable of defending their nation, and when our military commanders believe the time is right. Your proposal is driven by none of these factors; instead, it would have U.S. forces begin withdrawing from Iraq by the end of the year, without regard to the conditions on the ground. Because your letter lacks specifics, it is difficult to determine exactly what is contemplated by the ''phased redeployment'' you propose. (One such proposal, advanced by Representative Murtha, a signatory to your letter, suggested that U.S. forces should be redeployed as a ''quick reaction force'' to Okinawa, which is nearly 5,000 miles from Baghdad).

Regardless of the specifics you envision by ''phased redeployment,'' any premature withdrawal of U.S. forces would have disastrous consequences for America's security. Such a policy would embolden our terrorist enemies; betray the hopes of the Iraqi people; lead to a terrorist state in control of huge oil reserves; shatter the confidence our regional allies have in America; undermine the spread of democracy in the Middle East; and mean the sacrifices of American troops would have been in vain. This ''new direction'' would lead to a crippling defeat for America and a staggering victory for Islamic extremists. That is not a direction this President will follow. The President is being guided by a commitment to victory—and that plan, in turn, is being driven by the counsel and recommendations of our military commanders in the region.

Finally, your letter calls for replacing Secretary of Defense Rumsfeld. We strongly disagree. Secretary Rumsfeld is an honorable and able public servant. Under his leadership, the United States Armed Forces and our allies have overthrown two brutal tyrannies and liberated more than 50 million people. Al Qaeda has suffered tremendous blows. Secretary Rumsfeld has pursued vigorously the President's vision for a transformed U.S. military. And he has played a lead role in forging and implementing many of the policies you now recommend in Iraq. Secretary Rumsfeld retains the full confidence of the President.

We appreciate your stated interest in working with the Administration on policies that honor the sacrifice of our troops and promote our national security, which we believe can be accomplished only through victory in this central front in the War on Terror.

Sincerely,

JOSHUA B. BOLTEN,
Chief of Staff.

Identical Letters Sent To:

The Honorable Harry Reid, Senate Democratic Leader.

The Honorable Nancy Pelosi, House Democratic Leader.

The Honorable Dick Durbin, Senate Assistant Democratic Leader.

The Honorable Steny Hoyer, House Minority Whip.

The Honorable Carl Levin, Ranking Member, Senate Armed Services Committee.

The Honorable Ike Skelton, Ranking Member, House Armed Services Committee.

The Honorable Joe Biden, Ranking Member, Senate Foreign Relations Committee.

The Honorable Tom Lantos, Ranking Member, House International Relations Committee.

The Honorable Jay Rockefeller, Vice Chairman, Senate Intelligence Committee.

The Honorable Jane Harman, Ranking Member, House Intelligence Committee.

The Honorable Daniel Inouye, Ranking Member, Senate Defense Appropriations Subcommittee.

The Honorable John Murtha, Ranking Member, House Defense Appropriations Subcommittee.

Mr. LEVIN. And I thank my friend.

Mr. WARNER. I return to the President's August 21 news conference. That sets the tenor for how we should address this debate not only in the Senate but across the land as we direct our attention to this important subject. The President concludes another paragraph in that news conference:

> And so we will continue to speak out in a respectful way, never challenging somebody's love for America when you criticize their strategies or their point of view.

That is the context in which I wish to address the Senate this afternoon and have tried to do so in a respectful way, just as the President said.

I turn to another part of the letter I referred to, written by the Democratic leadership, in which they say:

> We also think there is one additional measure you can take immediately to demonstrate that you recognize the problems your policies have created in Iraq and elsewhere, consider changing the civilian leadership at the Defense Department.

Everyone has a perfect right to do that. That has been stated in this letter.

We go back to the basic strategy of this great republic, as laid down by our forefathers in the Constitution. The President was given the responsibility as Commander in Chief, as President, to assemble the Cabinet of his choosing—or her, in the future, if we have a female President. He has exercised that. This Senate has given its advice and consent, as is required under the Constitution for each of the Members, including Secretary Rumsfeld.

I draw upon my distinguished colleague from Alaska, his comments about Secretary Rumsfeld. Similar to the Senator from Alaska, I, too, have known Secretary Rumsfeld for a very long time. When I was Secretary of the Navy, he was in the White House at that time. I had some contact with him. In the ensuing years, I served under three Secretaries of Defense in my 5 years in the Department of Defense. In the ensuing years, in my

years in the Senate, I have worked with each and every one of the Secretaries of Defense, so I have some understanding, modest though it be, with regard to that office and those who have served in that office.

I find in my dealings with Secretary Rumsfeld over the years he has been in office—I worked on his confirmation, as a matter of fact, at that time—I have found him, much like the Senator from Alaska, to be an individual with whom I could work very successfully. I have established a working relationship and a mutual respect. I believe it is a fundamental right of the President to make his choice.

This debate, in a way, is an attack on the President as to his choice and to his constitutional right to select his own Cabinet. In so doing, we must respect that Constitution and his right to do so. He has chosen Secretary Rumsfeld. Within the past day or two, he has reiterated his unwavering support. Consequently, we must recognize it comes down to the Constitution, the Presidential right to select members of his Cabinet.

I join my colleague from Alaska and other colleagues in resisting, in every way, any call by which to indicate a lack of confidence in the President's choice for the Office of Secretary of Defense.

I may have further remarks to deliver on this subject as the debate continues, but at this point I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I begin by saying, I have been listening to the debate for a good period of time. It is a pleasure to hear the Senator from Virginia, who is always civil in his approach to these debates and who always asks intelligent and probing questions. The colloquies I have had with him, and certainly the colloquy I listened to a moment ago, are what the Senate ought to be about. It has been an intelligent, healthy exchange with respect to policy in Iraq.

I will speak to the question of Secretary Rumsfeld in a few moments, but I share some thoughts. Regrettably, the debate that preceded the Senator from Virginia, without mentioning Senators specifically, is relatively insulting and is not worthy of the subject and its importance.

One colleague talked about how war was declared against the United States on September 11 and drummed up America's passion that we all share about opposing terrorists. However, he did exactly what a lot of people on the other side of the aisle have been doing for 4 or 5 years now, which is conflating the war on terror into Iraq.

Let me remind my colleagues on the other side of the aisle, I have not heard one person in this country who doesn't want to do everything in the power of our Nation in order to stand up to terrorists. We all voted to go to Afghanistan. We all voted to take on the Taliban and al-Qaida. If the President had kept his eye on the ball and done what was necessary in Afghanistan and not outsourced the job to Afghan mercenaries, we would have perhaps used the 101st Airborne, the 82nd Airborne, the 10th Mountain Division, or the 1st Marines to do what the CIA, it is now known publicly, was arguing adamantly we ought to be doing, which was surrounding Tora Bora and capturing or killing Osama bin Laden and those thousand or so people up there with him. The President wouldn't have had to quote Osama bin Laden yesterday if we had done the job at Tora Bora. That is what we voted to do, every single one of us.

We gave the money. We have consistently voted for the PATRIOT Act—the vast majority—and voted for the reorganization of our intelligence community and done everything in our power to fight terrorists.

Let me remind our colleague who wanted to drum up the passion of the Nation about being attacked on September 11, that it was not Saddam who attacked us. It was not anybody from Iraq. It was Osama bin Laden and other terrorists.

The fact is, there are more terrorists today in Iraq than there were on September 11. There are more terrorists in the world today who want to kill Americans than there were on September 11. Is that a policy that is working?

More terrorists today want to kill Americans than on September 11, when the whole world was united behind the United States of America, when newspapers across the world said, ''We are all Americans now,'' and everyone was ready to do what we needed to do in Afghanistan. We squandered that. This administration has squandered it. There has been a complete and total lack of accountability for what has happened in between.

I heard one of our colleagues come to the Senate and say it would be a mistake to leave before Iraq can provide its own security. We are not talking about leaving before they can provide their own security. I heard another colleague say what a mistake it would be to withdraw precipitously. Precipitously? What is precipitous about saying we are going to set a target for withdrawal a year from now? A whole year from now we are going to stand up their forces, to provide for the security of their nation. That is not precipitous.

I am tired of a whole bunch of people who want to conflate, distort, and mislead Americans with a phony debate about the war on terror.

Iraq was not the war on terror. Today it is not the center of the war on terror. Are there some terrorists in Iraq? You bet there are. It is the best training ground in the world for terrorists. It is a poster child for recruitment for terrorists. And they are coming. And where are they going? They are going to Europe. Europe is now the center of al-Qaida. I don't know how many people know that. There are cells in Germany and elsewhere in Europe. We are providing the training ground.

The fact is that Iraqis themselves do not want al-Qaida there. If we can provide them the capacity to provide for their own security, believe me, they will drive out whatever is left of the remnants of foreign tourists because the Shia don't like them, the Sunnis don't like them, the Kurds don't need them and don't like them, and they will not survive, except to the degree that they currently provide a convenient connection between the interests of the different parties in Iraq that can only be resolved politically.

Now, let's come back to that. Let's get away from this phony debate we have had in the Senate and this country. Secretary Rice said this can only be resolved politically and diplomatically. General Casey has said there is no military solution. If there is no military solution, what is the solution?

The Senator from Texas said: Give me a plan, give me an idea, one idea that is different. Well, we have done it. We have suggested, many of us, including distinguished people such as General Zinni, who knows the region. He is about as good and as tough and as patriotic as there is a soldier in America. He believes, as I and others do, the only way to resolve what is happening in the Middle East and Iraq is through diplomacy and political effort.

I suggested during the discussion of the amendment that I had several months ago we ought to have an international summit. The Secretary-General of the United Nations believes it. The King of Jordan believes it. The President of Egypt believes it. A whole bunch of people in the region believe that unless you get the full measure of all the parties together—the Sunni, the Shia, the Kurds, the factions of Iraq, the Iraqis themselves, obviously as a government, the Arab League, the neighbor states, including Syria and Iran—you cannot begin to resolve this problem.

Ask yourselves the simple question: How is this going to be resolved? How are American forces going to come back? They are going to come back if you provide the measure of stability to Iraq that it deserves and needs. How do you provide the measure of stability it deserves and needs? By providing confidence to the people and confidence to the parties that the differences between them are adequately resolved, that there is a level of investment, of a stakeholder investment in all of those parties.

How do you get there? You don't get there by not talking to each other. You don't get there by not having the kind of summitry and diplomacy that has guided the world through most of the last centuries of civilized behavior. That is not taking place. There is a total absence of the kind of effort that can help to resolve what is happening in Iraq.

Our soldiers have done their job. They have provided the opportunity for

democracy. They have provided for several elections, for the transfer of authority. And to measure plans—the Senator from Texas said: Give me a plan—what was the plan of the Republicans, of the administration? The plan is: As they stand up, we will stand down. What American has not heard those words from the President? ''As they stand up, we will stand down.''

Well, what has happened? Eighty-five percent of their forces are now supposedly trained. You cannot have it both ways. At some point the game has to stop. Either there really are 85 percent trained, and they are making progress—which they keep telling us—or they are not. If they are, then why aren't we able to withdraw a few troops? Either they are or they are not. And you ought to be able to withdraw some of those troops. The fact is, we are not standing down.

The violence over the last month was the worst. They have just upped the number of people in the morgue, tripled it. It is the worst month in the last months. And each month keeps on being a worse month than the month before.

Now, somewhere along the line, I learned in the military there is accountability. If a captain runs a ship aground, he is gone. That is it—usually with no questions asked. I noticed that the commander of the Cole was held responsible, even though it was not his fault for what happened in the bombing of the Cole, and he is not going to be promoted. These things affect careers and they affect your tenure. Ask General Shinseki. Ask the folks who were involved in Abu Ghraib, at least at the lower levels.

What happened to the accountability in this administration, particularly within the military branch, the Pentagon, for the decisions that have been made along the way?

Our plan says we will set a date by which time the Iraqis have to assume responsibility so that we leverage the Iraqis to assume that responsibility. Now, is that precipitous—a year from now? I do not think so, particularly when you read the language of what we laid out, which says the President has the discretion to leave troops there to complete the training. There is nothing precipitous about allowing the President to have the discretion to complete the training and leave troops there. That is not a withdrawal even, complete and total.

Secondly, we allow the President the discretion to keep sufficient special forces there to fight al-Qaida.

And, thirdly, we allow the President to be able to protect American facilities and forces.

Now, that is pretty broad, folks. It is time we had a real debate about what is going to empower the Iraqis to be able to take control over their own future, and we had a real debate that does not try to scare the American people. The way fear has been thrown around by this administration is disgraceful. And they keep drumming up terrorism and suggesting that Iraq is somehow the center of this war on terror, which it is not now today and never has been.

This administration has made our Nation less safe than it ought to be because they have focused so much time and energy and effort—and squandered it—in Iraq. They have lost allies and regional links that we ought to have traditionally because they have pushed people away from us. They do not have credibility in the region. It is extremely difficult for them to conduct diplomacy with people who, frankly, do not trust them.

In fact, they have empowered Iran. Iran is stronger today because of Iraq than it would have been without Iraq. And there is no expert on Iran who will not tell you that. Are we safer because Iran is stronger today? Because we are so bogged down in Iraq we do not have the ability to do what we need to do?

I listened to my colleagues talk about Secretary Rumsfeld. I heard them say that they have known him a long time, that they have a good working relationship, that there is a mutual respect, that they like him, that he is smart, and a whole host of things that are part of working with somebody through the years. I respect that.

But none of that goes to the fundamental question of whether you have confidence in his judgment. None of that goes to the question of whether he has made such a series of mistakes that he is a symbol, an emblem, of our failure in Iraq and is one of the reasons you cannot get other countries and other people to the table to help resolve the differences here.

I called for Secretary Rumsfeld to resign 3 years ago. Three years ago I felt that the level of the mistakes were so significant—in the deployment of troops, in the abandonment of a plan for postwar Iraq, in the choices that were made—that I thought that track record exhibited terrible judgment, poor planning, and ideologically driven decisionmaking, to which this administration has consistently turned a deaf ear.

I think the office of Secretary of Defense ought to be above politics. And I think it also ought to never be beyond accountability. But under Secretary Rumsfeld it has been profoundly political, as we saw last week reemphasized again, and it has been utterly unaccountable.

The Secretary's record says a lot about the question of accountability in this administration and certainly has not stopped him from speaking his mind.

A few days ago, Secretary Rumsfeld gave a low and ugly political speech, smearing those who dissent from a catastrophic policy. And then he spoke of moral confusion in our country. Well, there is some moral confusion around.

I think it is immoral for old men to send young Americans to fight and die in a conflict with a strategy that is failing and a mission that has not weakened terrorism but strengthened it.

I think it is immoral to not tell the truth to America about the progress in that war just to get through a new cycle or an election.

I think it is immoral to treat 9/11 as a political pawn and to continue to excuse the invasion of Iraq by exploiting the 3,000 mothers and fathers, sons and daughters who were lost on September 11. They were attacked and killed, I remind the Senate again, not by Saddam Hussein but by Osama bin Laden.

And it is deeply immoral to compare a majority of Americans—a majority of Americans—who oppose a failing policy and seek a winning one; we do not seek to quit, as one Senator suggested—we seek to win. And we have a better strategy for winning. And to compare those who seek a better strategy to win to appeasers of fascism and Naziism is an insult to the quality of debate we ought to have in this country. And it is overtly political.

The leaders in this administration have shown they will do anything, say anything, twist any truth, and even endanger our Nation's character as one America simply to execute a political strategy for the election.

I heard one Senator talk about political strategy. Karl Rove has been pretty open about expressing where the Republicans need to go in order to try to win; and it is to exploit security.

Americans, I believe, now see through this charade. They know the truth. They know we have a ''Katrina'' foreign policy, a succession of blunders and failures that have betrayed our ideals, killed and maimed soldiers, and widened the terrorist threat instead of defeating it.

In the place of accountability, we have vicious, partisan attacks on anyone who opposes those policies with a suggestion not for how you quit, not for how you run but for how you win—how you win.

We have watched Iraq sliding further and further into a bloody civil war, with too few troops and no plan. Who is responsible for too few troops and no plan? The President and Secretary of Defense.

I have heard Republican colleagues privately express their reservations about this policy and about this Secretary. Can we afford to trust our Pentagon to an individual who seems to be the last person to acknowledge the mistakes that have been made? Secretary Rice said there have been thousands of mistakes.

Who admits to the fiasco of hubris and mismanagement that falls largely at the Secretary's own doorstep, who can only reach for a sort of clumsy, rhetorical brick to hurl at the opponents, suggesting, without an ounce of shame, that they are soft on Hitler. Soft on Hitler?

We are too long overdue for some accountability. But instead of the pink slips that they so richly deserve, this

administration's worst foreign policy failures are instead rewarded. You get a Presidential Medal of Freedom. George Tenet, who presided over the intelligence failures leading up to 9/11, Medal of Freedom. Paul Bremer, who botched the occupation, Medal of Freedom. And somehow it seems the only people in this administration who are rewarded are those who make the mistakes, while those who tell the truth are punished.

According to Secretary of State Rice, we know this has to be resolved politically and diplomatically, but it is not.

Who is accountable for those mistakes? Who is accountable for young people dying as a result of mistakes? Who is accountable for billions of dollars being spent as a result of mistakes?

We are all human. We all make mistakes. We understand that. But there is a point of accountability in the carrying out of a high public job, where mistake compounded on mistake compounded on mistake begs for accountability.

On issue after issue, Secretary Rumsfeld has made the wrong decision. You may like him, respect him, admire his long years of public service, but he has been wrong, when he could have listened to General Shinseki, and other generals, and put in enough troops to maintain order. We have heard a whole group of other generals speak out about what happened over there. He chose not to listen. He chose not to listen. He was wrong.

When he could have implemented a detailed State Department plan for reconstructing post-Saddam Iraq—guess what—he ignored it, threw it away, would not have anything to do with it. He was wrong, again.

When he could have ordered the protection of American forces by guarding the ammo dumps and making sure a plan was in place to move efficiently through the territory that they were taking, where there were weapons of individual destruction, he chose not to. He was wrong. And he exposed our young men and women to the ammo that now maims and kills them because they chose not to act. Who is accountable for that?

When he could have imposed immediate order and structure in Baghdad after the fall of Saddam, do you know what he did? He shrugged his shoulders publicly on television and he said Baghdad was safer than Washington, DC, and he chose not to act. He was wrong.

When the administration could have kept an Iraqi Army selectively intact, they chose not to. He was wrong.

When they could have kept an entire civil structure functioning and provided basic services to Iraqi citizens, they chose not to. And they were wrong.

When they could have accepted the offers of the United Nations and individual countries that were provided at the time in order to give us on-the-ground peacekeepers to help us and reconstruction assistance to help us so the American taxpayer and soldier did not carry the whole burden, he chose not to. They were wrong.

When they should have leveled with the American people that the insurgency had grown—when many of us were on the floor of the Senate saying the insurgency is growing, it is out of control—they ignored the insurgency, chose to ignore it. And they were wrong.

Wrong decisions, wrong priorities, but, tragically, no accountability.

Some Republican Senators have had the courage to come to the floor and talk about this lack of accountability and talk about these judgments that were wrong. How did it get so wrong? It got so wrong because, in part, the Secretary became so enamored with ''new think'' and transformation at the Pentagon that he failed to see the limits. He believed the American military could operate lighter, smaller, leaner.

A lot of people spent a great deal of time in the 1990s thinking about this. They looked at the first Persian Gulf war, and they saw how the application of air power and stealth and precision munitions, combined with the latest information technology, could radically change the way wars are fought. And operationally they were right. But at the operational level, we had a military that emerged from the Clinton administration prepared to apply its technological advantage against any enemy.

Witness the fact that it was the Clinton buildup and capacity that, in effect, was used because the President had only been President for 10 months. They had not transformed the military. That was the military that succeeded in routing the Iraqi Army. It was that military that drove to Baghdad in 3 weeks. And that is an edge that we all want to maintain forever.

But Secretary Rumsfeld failed to understand that the wars of the future would not be fought only at the operational level. He fell in love with the vision of the Armed Forces of the future and lost track of the reality of the current threat.

He believed that a heavy dose of shock and awe was all it would take to break our adversary's will. That failure to see past the operational level was part and parcel of an administration that came to power with nothing but contempt for nation building. They scoffed at the lessons learned previously. That is why the Secretary began his tenure trying to slash Army end strength and boots on the ground to fund missile defense. He was betting, unwisely, that America would not find itself in anymore failed states.

So now we have the fifth summer of Mr. Rumsfeld's tenure coming to a close, and we find ourselves engaged in massive stability operations in two failed states, Iraq and Afghanistan. In short, Mr. Rumsfeld was wrong again and again and again. American troops have had to pay the price for that, as has the American taxpayer, and too many Americans have paid with their lives.

I believe personally that Secretary Rumsfeld should be held accountable for this job. When faced with widespread looting in Iraq, the Secretary quipped that freedom is messy. When he was asked by a soldier why they were sent in without the necessary armor, he said that you go to war with the Army you have, not the Army you want—despite the fact that parents were able to buy armor for their kids on the Internet and elsewhere. He has dismissed international law regarding military detainees and abuses at Abu Ghraib. He still refuses to acknowledge that the Army and Marine Corps are too small for the missions they face. Earlier this year, he even supported cuts to the National Guard.

Mr. President, I believe his stubbornness is our weakness. He likes to talk about the war on terror as the long war, but in this long war he is stretching the Army to its limits. Its officers and noncommissioned officers are sent on back-to-back deployments with inadequate resources. Despite their heroic service, they are leaving this military. It is costing us enormous extra sums of money to hold it together.

Mr. President, the Secretary's benefit of the doubt has come and gone. I think the moment of accountability is long overdue. Americans deserve leadership they can trust. We need to change the course in Iraq. We all want to be successful, but the current course is not leading to that success. And if it is, then there is no reason they cannot begin an adequate redeployment, as General Casey said—in fact, General Casy's own dates coincide with the dates of those of us who suggested to set a date about a year from now. You can always change a date if you have to. If the situation on the ground doesn't change adequately, you have flexibility. But unless you leverage the willingness of the Iraqis to assume responsibility for their own future, there is nothing that American troops can do except continue to be sent out on missions where they discover improvised explosive devices the hard way. We have too many young Americans who are in Bethesda and Walter Reed as a consequence of that policy. I believe there was a better policy to fight terror, to liberate us, and to fight broadly in some 65 countries around the world where al-Qaida is embedded. We need to fight that, and we need a greater troop level and capacity on the ground in Afghanistan.

All of these things are needed, and they are all suffering because of decisions made and not made. I believe on credibility and the track record of decisions based on ideology, this Secretary is not the person for the job.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, I have listened to the Senator from Massachusetts speaking. In many ways, I find it a bit disingenuous. I had planned to speak specifically about other points relative to this resolution. I think it is appropriate to respond to some of what he has said. Of course, he is the former standard bearer of the party in the prior election and, therefore, a voice of considerable import on policy in this Nation relative to the position of the Democratic Party.

The Senator gave a litany of what he deemed to be errors—some of which I agree were errors—that have occurred relative to the way we have pursued this battle in Iraq. It is a litany as if he is a Monday morning quarterback and had the answer now to what would have been the correct process. It sort of makes you think that if he were giving a discussion about the Red Sox, he would not have put Bill Buckner at first. He would not have picked Bucky Dent. He would have given Carlton Fisk his contract. Or he would not have traded Babe Ruth.

When you come to the Senate floor and pick out a series of events as unique items that flowed within the context of a major effort to confront the terrorist threat to this Nation—he uses the term ''hubris'' and mismanagement. I would say it is a bit of hubris to take that position on the Senate floor.

The Senator failed to mention, for example, that as a result of the initiatives of this administration, led by this President and this Secretary of Defense, over 50 million people today are free who were not free; that women in Afghanistan are no longer closeted in their homes and threatened with death if they wear the wrong garment on the street, or shot in soccer stadiums in Afghanistan, but women have the right to move about as they wish; that there have been elections in Afghanistan that have brought to power a democratic government, which is under pressure today, yes, because of those forces that represent our enemies, and our enemies seek to undermine that democracy. He failed to mention that Iraq, which has suffered for 20 years from a genocide executed by a homicidal leadership, is now free and that the people of Iraq no longer have to fear mass murder of the proportions that occurred under Saddam Hussein; that a government that was and had produced chemical weapons and used them against their own people—specifically the Kurds—was no longer in power; that we have had a series of democratic actions in Iraq that have led to a freely elected government, which involves a coalition of very disparate groups—Sunnis, Shiites, Kurds, and subdivisions within those various clans of political purpose; that that government is moving forward, and that it has stood up an army that is a responsible army, not one of threat to its people but an army of defense of its people. And it is in the process of taking responsibility or defending those people from forces in that nation who wish to return to chaos, to genocide, and to a government that is lawless in the name of fanaticism.

He failed to mention any of that as the results of the efforts of this administration. Those are pretty big things. Instead, he picks out the little events—fairly big in some instances—of error. Yes, there have been some errors, and nobody denies that for a second. But the purpose is to defeat our enemies, and we have set as a goal in that process setting up a government in the nation of Iraq that will speak to the basic values that are fundamentally western—individual liberty, democracy, rights for women, and a marketplace economy. And we have had considerable success in that effort. We are not there yet, and we do not know if we will accomplish the final goal because, obviously, there are forces at work who do not wish to have us accomplish that goal.

But to dismiss this as a failure and to point to a series of incidents as an example of failure and never acknowledge the 50 million free people, the fact that an entire half of the population that had been written out of the ability to participate in civilized life—specifically women—are now brought into the process of having a decent lifestyle, the fact that we have had elections, the fact that we have an army in place that is their army, the fact that we are moving toward a nation based on democracy and law—we have a long way to go, but we are moving that way—to dismiss that and say that because of a series of errors, which he deems to be errors—and in some instances I agree—we should call for the removal of the Secretary of Defense because of those events is just ignoring reality.

In fact, he used the terms on innumerable instances, saying he did not want to see a partisan fight; he thought the Secretary of Defense should be above politics. So how can you then come to the floor of the Senate and make the speech that was just made? It was ''overtly political,'' to use his term, which was for the purpose of exuding a political strategy that if you attack the Secretary of Defense, you weaken the Presidency and will do better in the election. It was, to use his term, ''a viciously partisan attack.''

There is inconsistency which cannot go uncalled. So let me point it out. This proposal is not an attack on Donald Rumsfeld. That is not the purpose of this attack. That is the politics of this attack. It generates a good press release, and it is a sound bite event to call for the Secretary of Defense to resign. But that is not what this is about. We all know that.

This is about the policy of fighting people who have determined that America should be extinguished from the face of the Earth, that Americans should be killed and our culture should be destroyed, and whether our efforts in Iraq are a legitimate part of that defense as we confront that threat.

It is the position of the other side, it appears, that Iraq is not part of the battle or essential to the battle against Islamic fascism, Islamic fundamentalism. I find that position to be untenable. That is hardly the position taken by our enemies. The words of Zarqawi and the words of bin Laden have been very specific: Iraq is where they see the war being waged. Their purpose is to use Iraq as a bootstrap to pursue their goals of basically undermining and destroying western culture and killing Americans. You need to believe their words. If your enemy tells you what they are going to do, and your enemy then does what they tell you they are going to do, you have to start taking them seriously when he tells you something else. And when Osama bin Laden and Zarqawi say Iraq is where the war is being fought, where the effort to pursue Islamic fundamentalism is being pursued and aggressively undertaken, then you have to take that seriously.

But it appears that the other side believes that Iraq is a distraction to our efforts. Well, the track record doesn't show that. Have we been attacked in the United States since 9/11? The reason we have not been attacked, in some measure, is good luck, good fortune, but it is also the fact that this administration has put into place an aggressive effort to fight terrorism not in America—Islamic fundamentalism and fascism—not on our soil but to take the fight to their soil and to meet them where they are.

That policy appears to be working. We can't take great solace, obviously, because who knows when they will attack us again and when they will breach our capacity to be secure.

I don't claim that we are anywhere near secure. In fact, I made it very clear that I have serious reservations about things we still need to do to make ourselves secure. But the fact is that the concept, the basic philosophy of pursuing the terrorists, the Islamic fundamentalists, the Islamic fascist movement, on their territory versus waiting for them to attack us and hoping to get them through our intelligence capability before they do that is a policy which is the correct policy.

Yet the other side of the aisle has had enough of it. They have had enough of it. So they want to use the stalking horse of attacking the Secretary of Defense as a process for basically undermining the policies and efforts which have led us at least to this point to some level of security as a nation. They don't appear, from what I have heard here so far, to really even have an offer of an alternative that is specific enough that it could be said to be a real alternative.

A letter was sent to the President outlining their alternative. They outlined four initiatives in this alternative. Three of them we are already pursuing and pursuing aggressively. The response from the administration was put in the RECORD earlier today by the Senator from Arizona.

The diplomatic process is going forward. I heard the Senator from Massachusetts talk extensively about the diplomatic need, that this should be resolved diplomatically, and I believe his words were that there is no military solution, there is only a diplomatic solution.

I only point out the obvious: You can't get to a diplomatic solution without having a military on the ground that makes things stable enough so that diplomacy can go forward. If you withdraw the military, you have chaos, and there is no diplomacy that is going to straighten that out. So that argument is a little disingenuous, to say the least.

Sure, there isn't a military solution in the sense that this is a war involving nationhood, nation against nation in the tradition of the wars of the 20th century, but there are military actions that can be taken and need to be taken which involve finding those people who wish to do us harm and eliminating them before they can do us harm. And a big part of that involves the intelligence and the on-the-ground capability which we gain by being in Iraq and having an influence in that nation which is leading toward a form of democracy.

Another big part of that which is again military based is allowing Iraq to evolve to the point where it can actually show the rest of the Islamic world that democracy is not an enemy, that democracy gives people good options; that giving people rights, especially women, is not bad for them but actually is good for them; that a culture which is open, which is market oriented, which has a reasonable level of freedom, is a better way of life than a culture which is closed and which denies people the rights to participate other than through some sort of extremist control, such as the Taliban had. It becomes a beacon of opportunity to look to. We are not there yet, but we are never going to get there if we don't make the effort.

So if we look at their proposals—and, as I said, three of them have already been met. What is the fourth one? The fourth one is to begin what they refer to as—I will quote this. This is actually not their fourth one, it is their second one—although the other three have been met—in their letter to the President:

> . . . beginning the phased redeployment of U.S. forces from Iraq before the end of this year.

This year. The Senator from Massachusetts kept saying a year from now to begin the redeployment. Their position is not a year from now; their position is this year to begin redeployment.

What does this term ''phased redeployment'' mean? I wonder how many focus groups they ran that one through before they decided to use that terminology, ''phased redeployment.'' I will tell you what it means. It is a phrase, the purpose of which is to give political cover to those who wish to stand in opposition to the administration relative to what is happening in the war against the Islamic fascists.

In practice, were it ever to be executed—in other words, if you were actually to start pulling down troops before the end of this year—you would have set an arbitrary date and you would start removing American troops. What would happen to the troops left there? We all know Iraq is not yet ready to defend itself. Would that not put at even greater risk American soldiers left on the ground? How could you look the people in the face who are in the divisions and who are in the brigades who have been left behind as you started to pull people out prematurely and said: Oh, good luck, you are now a bigger target because we aren't there to give you the cover you need.

Phased redeployment before the end of this year, arbitrary date set for the purposes of making a political statement as we head into an election—it is not very good policy, to say the least, even if it is policy. It isn't policy. It is just politics, a political statement.

With whom are they going to replace Donald Rumsfeld? Howard Dean? Ned Lamont? I mean, these are the standard bearers of the position of their party. They want to take out Donald Rumsfeld and I presume they want to put in Howard Dean and Ned Lamont, two people whose purpose it is to speak for the party—one being the chairman of the party, one being the most recent standard bearer of the party—to immediately withdraw, to take our troops out of there now and to let happen what happens.

I am not going to use the pejorative to describe that. I think the American people are sophisticated enough to recognize that policy makes no sense. Howard Dean as Secretary of Defense? Maybe we should amend this and say ''and we shall replace him with Howard Dean.''

Howard Dean was a pretty good Governor from Vermont. I enjoyed working with him when I was Governor of New Hampshire. He wouldn't be a very good person in the Defense Department. He is not a very good person on foreign policy, and he clearly does not understand the threat, in my opinion, that the Islamic fundamentalists reflect.

The Howard Dean-Ned Lamont policy is a policy based on naivete. It is a policy that rejects the reality of the situation, which is there are people out there who wish to kill us and destroy our culture, and there are a lot of them, unfortunately. They feed off weakness, and they believe we are weak and will believe we are truly weak and will be able to make that case should we begin a phased withdrawal this year when we have no military capability of covering that withdrawal and protecting our troops who are left behind. It is a policy that is firmly grounded in Birkenstocks and clearly not grounded in the reality of the world as it is but the world as they wish it were.

We have a truly extraordinary military. I recognize everybody on both sides of the aisle understands that. There isn't a Member in this Chamber who hasn't been to a funeral and tried to console a member of a family of someone who has been lost in this war, in this battle. These are exceptional people who defend us and who carry forward our flag. They need to understand that their purpose is good and their purpose is right. And it is. Their cause is to find the people who wish to do America harm and who have said they intend to do America harm and to eliminate them before they can attack us and do us further harm.

Iraq is an integral part of that cause. Have there been mistakes there? Absolutely. Absolutely. It is terribly unfortunate, and we all recognize that. But have there been successes there and very significant successes there? Yes, there have been. As I said before, 50 million people, between Iraq and Afghanistan, are now free, women brought from behind the closeted doors of their houses into society, press availability, elections, governments formed, security forces who report to a government. We have a long way to go, but these soldiers have served extraordinarily well, and they have accomplished a great deal. To use this attack on Donald Rumsfeld as a stalking horse as an attack on the policies of Iraq I don't believe does anybody any good.

If the other side of the aisle wishes to debate the Iraq issue in context of the policy, fine, but to personalize this in such a manner—to quote the Senator from Massachusetts—is viciously partisan and overtly political and is not constructive to our ability to pursue this war or to our need to assure our soldiers in the field that they fight for our right and just cause.

Under the leadership of this President and the Secretary of Defense, Secretary Rumsfeld, the military has received the largest increases in resources since World War II. We have taken an approach to the military which has been to essentially get them whatever they need to do the job and do it right and make sure our soldiers are safe. Errors have been made along the way in accomplishing that, but the attention and the commitment to resources have been there, and this President and this Secretary of Defense take a second seat to no one in our history relative to their commitment to the men and women who wear the uniform of the United States of America.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, like others, I have had the good opportunity to listen with great interest during the course of the afternoon about the nature of the resolution which is before us which questions the serious judgments of the Secretary of Defense in bringing us to where we are. He is the principal architect of the Iraq policy. I have listened to others talk

about the general nature of the threat in terms of our national security.

In most recent times, we have an excellent Department of Defense study, some 63 pages long. We referenced it yesterday. It talks about the principal challenges we are facing in Iraq. I will briefly mention parts of it.

It talks about sustained ethnosectarian violence is the greatest threat to security and stability in Iraq; breaking the cycle of violence is the most pressing immediate goal of the coalition in Iraqi operations; conditions that could lead to civil war exist in Iraq, specifically around Baghdad; concern about civil war with the Iraqi civilian population has increased in recent months.

It goes on and talks about both Shia and Sunni death squads are active in Iraq and responsible for the significant increase in sectarian violence; militias—small, illegally armed groups—operate openly and often with popular support; civilian casualties increased by approximately 1,000 per month since the previous quarter; executions in particular reached new highs in the month of July; and rising sectarian strife defines the nature of violence in mid-2006.

Now we have to ask ourselves: How could all of this come to pass? Who was the architect that brought us to this situation? Clearly, it is because of the persistent, stubborn insistence of those who believe that we ought to stay the course, the principal architects being the Secretary of Defense and the President of the United States.

As has been mentioned here time in and time out, America was struck by al-Qaida, not Saddam Hussein. All of us gathered together to support the attacks that took place in Afghanistan and the isolation of Osama bin Laden and the belief, as has been pointed out earlier in the course of the afternoon, we had a real opportunity to catch and to punish and to bring to justice the individual that was the principal architect of 9/11. But instead, the administration moved military units and moved focus out of that search for Osama bin Laden into Iraq—into Iraq. It was Osama bin Laden who was the architect, not Saddam Hussein, and as a result, we have effectively taken our eye off the principal author of terrorism.

Even as the President of the United States spoke yesterday, 17 times he mentions Osama bin Laden. He was the one who was the architect. We should have been after him for the last 4 years. Instead, we have been weighted down with the resulting conditions that I described earlier, and the principal architect of that is the Secretary of Defense. He was wrong when he represented that there were weapons of mass destruction in Iraq that threatened the United States. He was wrong about the connection of al-Qaida to 9/11, as was demonstrated by the 9/11 Commission. He was wrong about the insurgency being just a group of deadenders. He was wrong about the administration of Abu Ghraib. He has just been continuously wrong, and we have the current situation which is outlined not by those of us who are supporting this resolution but by the Department of Defense.

Let's look at what the military does to its soldiers when they have failures in the performance of their duty. Here we have just mentioned, and it has been discussed over the course of the afternoon, the series of blunders by the Secretary of Defense—a series of blunders. Let's look at how the military treats its people.

In 2003, the Navy fired 14 commanding officers. In October of that year, the commanding officer of a Prowler aircraft squadron lost his job after one of his jets skidded off a runway. The Navy cited a ''loss of confidence'' when they made the decision to dismiss him.

In December of 2003 and January of 2004, the commanding officers of the submarine *Jimmy Carter* and the frigate USS *Gary* were both fired because of ''loss of confidence.''

In 2004, the Navy fired the captain of the USS *John F. Kennedy* aircraft carrier for running over a small boat in the Persian Gulf. The Navy didn't hide the incompetence or gloss over the facts. It responded decisively. It stated plainly it had ''lost confidence'' in the captain's ability to operate the carrier safely. He was the eleventh commanding officer of the Navy to be fired that year.

In February 2004, the commanding officer of the frigate USS *Samuel B. Roberts* was fired for a ''loss of confidence'' after he spent a night off the ship during a port visit to Ecuador.

For military officers in the Navy, the message is clear: If you fail, you are fired. The message to the civilian leadership of this administration is equally clear: If you fail, there are no consequences, no accountability, even if more than 2,600 Americans lose their lives.

It is time for the Department of Defense to run a tighter ship at all levels of command, including the civilian leadership. Those leaders at the Pentagon should be held at least to the same standard of accountability to which military officers in the Navy are held.

Secretary Rumsfeld must be held accountable for the massive failures in Iraq. Civilian control of the military is one of the great cornerstones of our democracy. But what if the civilian leaders don't know what they are doing and mindlessly lead our troops into battle unprepared? Clearly, there must be accountability for this breathtaking incompetence which has put our soldiers in daily danger and weakened American national security.

In a hearing by the Senate Armed Services Committee in 2004, former Defense Secretary Harold Brown described the key to accountability:

> At each level, the question is a loss of confidence. And in the Navy, the loss of confidence goes with grounding your ship. At a higher level, the loss of confidence has to be determined on a basis that is somewhat broader, the full performance. And I think that applies at the highest military levels. And it applies at the level of the Secretary of Defense and his staff.

That is what this resolution is all about.

The Bush administration has had its chance, and it has failed the basic test of competence. It is more focused on the spin of war than the real war in Iraq.

There is broad agreement among military experts, Members of Congress of both parties, and the overwhelming majority of the American people that we need to change course in Iraq. We need this administration to face up to its mistakes and correct them. A good place to start would be for the President to replace Secretary Rumsfeld. It is long past time for Secretary Rumsfeld to go, and I urge the Senate to pass this resolution.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Another speaker on our side is coming. I wish to not make a statement in that queue, so to speak. I just want to speak as a manager of the bill. I was under the impression we would be able to get through this discussion prior to the submission of this resolution and be able to go ahead with the votes we have. We have at least three votes left tonight, and we have assurance that we are going to pass this bill tomorrow, and there are still quite a few other amendments out there.

So I would like to know—can I inquire, may we get a time agreement from the other side of when this bill will pass tomorrow? I would like to know what is going to happen to this bill now? We had the understanding—I agreed we could not finish it on Wednesday, as we initially agreed—that is today—and that we would finish it tomorrow. But we had not anticipated this prolonged discussion about a resolution that hasn't even been introduced yet.

Is the distinguished deputy leader willing to enter into some discussion about this?

Mr. DURBIN. Mr. President, if I could respond to the question of the Senator from Alaska, it is my understanding there was an attempt to reach a time agreement before this started and, unfortunately, there was objection on the other side of the aisle. But——

Mr. STEVENS. We have not had any request for a time agreement. I have been willing to enter into a time agreement from the very beginning—from the very beginning.

Mr. DURBIN. I would be happy to discuss this with Senator REID, and we will move quickly as our Members come to the floor prepared to speak. We have tried to alternate back and forth, and we are prepared to continue to do that. Our goal is to finish this bill by tomorrow.

Mr. STEVENS. I would suggest then—is the Senator from Delaware going to speak next?

Mr. DURBIN. The Senator from Minnesota.

Mr. STEVENS. Pardon me. It is my eyes. I am sorry. Let's just skip this space and we will have a speaker come and follow him when he is finished.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. DAYTON. Mr. President, I join today with many of my colleagues in expressing ''no confidence'' in Secretary of Defense Donald Rumsfeld and urging President Bush to replace him. I truly respect the Secretary's commitment to public service, and I recognize that he has one of the most difficult jobs here or anywhere in the world. He is a stand-up, tell-it-as-he-sees-it man, the kind we need more of in Washington. Unfortunately, the way he sees it has too often been wrong.

His disastrous failures in prosecuting the war in Iraq have left our courageous American troops mired in a quagmire there with no end in sight. And his shameful rhetoric last week comparing critics of his failed policies to the appeasers of Hitler was clearly a desperate attempt to divert attention away from his own failures.

Recent polls show the number of Americans who support the Administration's policies in Iraq is down to 39 percent compared to a high of 76 percent in April 2003.

That loss of public confidence has occurred not because Americans are appeasers—they most certainly are not—and not because Americans don't support our troops because they most certainly do support them and admire their incredible courage and patriotism as they persevere in the awful, deteriorating conditions there.

That loss of the public confidence in the Bush administration's war has occurred because Americans can tell the difference between success and failure. They can see that the President's policies are not succeeding in Iraq. They can see that the Iraqi Government and the Iraqi people are not winning against their own countrymen who oppose them. And the conditions in Iraq are getting still worse, not better.

All of the administration's rhetoric won't change their failed plans, policies, and practices that have created this mess.

Shortly before the invasion of Iraq, then-Army Chief of Staff Eric Shinseki testified before the Armed Services Committee that more than twice the number of U.S. troops that the Secretary was planning to commit to Iraq would be needed to secure the country after Saddam Hussein's overthrow.

For his foresight and his candor, General Shinseki was essentially dismissed by the Secretary, who preferred to believe the administration's favorite Iraqi exile, Ahmed Chalabi that the country would go back to work the day after Saddam's regime was toppled.

So when widespread looting and disorder occurred instead, the Secretary of Defense dismissed its significance. We now know that General Shinseki was right and President Bush, Secretary Rumsfeld, and Mr. Chalabi were wrong.

And that the initial civil disorder was a warning of much worse upheavals ahead, for which the Bush administration and its appointed Iraqi administrators were completely unprepared.

Even more tragically, they remain unprepared even today. Increasing violence, widespread corruption, nonexistent public services, failed improvement projects, delays, failures, and finger-pointing—those are the miseries that Iraqi citizens must endure today.

Democracy is a great thing, but democracy as we know means life, liberty, and the pursuit of happiness. Most Iraqis today fear for their lives, more and more are losing them, and reportedly almost 1 million Iraqi citizens have fled their country.

The New York Times today has an article about Iraqi citizens who are changing their names, something that is almost forbidden in the Iraqi culture, because it is the only way they know to save themselves from being pulled out of their cars or their homes and murdered simply because of their identity. The story states, and I will quote in part:

> Stories abound of Iraqi civilians being stopped at checkpoints by militia men or uniformed men and having their identification cards scrutinized. They are then taken away or executed on the spot if they have a suspect name or a hometown dominated by the rival sect. In Baghdad, Shiite death squads, sometimes in police uniform, operate many of the illegal checkpoints, Iraqi and American officials say. The most infamous episode of this kind took place in July when Shiite gunmen set up fake checkpoints and went on a daytime rampage through the Jihad neighborhood of Baghdad, dragging people from their cars and homes and shooting them after looking at their identification cards. Up to 50 people were killed.

Liberty, as we know, requires basic security, which the Bush administration and the Iraqi Government are failing to provide. And the chance to pursue happiness for many Iraqis is tragically even less possible now than it was under Saddam Hussein's evil regime.

This is the disaster for which over 2,600 heroic American soldiers have given their lives. Almost 20,000 have given their bodies, and for which Secretary Rumsfeld must accept responsibility—but won't.

Instead, what we are getting is another round of overheated and misleading rhetoric from the Secretary, the Vice President, and the President.

Last week was a repeat of some of the 2002 conventions where they first trotted out their overheated and misleading rhetoric to stampede Congress into supporting the Iraqi war resolution.

Saddam Hussein and his supposed weapons of mass destruction were then called urgent threats to our citizens' safety.

The Secretary of Defense, the Vice President, and the President all claimed proof positive that Saddam Hussein was developing nuclear weapons that would soon, if not already, present mortal danger to our national security.

Critics, skeptics, and even questioners were derided and dismissed as being appeasers of the then-Hitlerian menace of Saddam Hussein.

The administration offensive succeeded in persuading the majority of Congress and the American people. I was 1 of only 23 Members of the Senate to vote against the Iraq war resolution in October of 2002.

Yet even with bipartisan support for their war resolution, the President and others still used it politically to try to defeat Democrats in the 2002 midterm elections—just as they are now trying to do in this year's midterm elections.

Once again their rhetoric is misleading at best and blatantly wrong at worst.

Just yesterday the President repeated his claim that Iraq is the central battlefield where the war against terrorism will be decided.

There is no question that we must win the war in Iraq because we started that war, and once you are in it you must win it or suffer serious consequences.

But the worsening violence in Iraq, which the Bush administration and the Iraqi Government are failing to control or contain, is, by all rational accounts, primarily and mostly Iraqi-against-Iraqi sectarian violence.

To the extent that Al-Qaida and other terrorist organizations are operating in Iraq it is because of the openings and opportunities President Bush has provide them by creating a leaderless and lawless state.

Al-Qaida, as we have just witnessed, is not using Iraq as its central battlefield, but rather Heathrow Airport, or bombings in Spain, Jordan, and Egypt.

Osama bin Laden is by all accounts not masterminding his next assault against the United States from Iraq but rather from Pakistan or Afghanistan, where the al-Qaida allied Taliban is now resurgent due to other failed Bush administration policies, including their tragic and disastrous failures to meaningfully help rebuild that country.

Five years after 9/11, Osama bin Laden is still alive, unscathed, and plotting against the United States because the Bush administration has failed to devote the military personnel, the resources, and the diplomatic efforts necessary to find him and eliminate him.

Given the administration's attempts to exploit next month's fifth anniversary of 9/11 to its political benefit, it is a disgrace to the Americans Osama bin Laden murdered and to their families—this terrible criminal remaining alive and free to operate against the United States.

Let me conclude with excerpts from public statements made recently by

two U.S. generals with firsthand experience of the situation in Iraq. The first are excerpts from an article in the Washington Post by GEN John Batiste, a retired Army major general who commanded the First U.S. Infantry Division in Iraq. He wrote on Wednesday, April 19, 2006:

I had the opportunity to observe high-level policy formulation in the Pentagon and experience firsthand its impact on the ground. I have concluded that we need new leadership in the Defense Department because of a pattern of poor strategic decisions and a leadership style that is contemptuous, dismissive, arrogant and abusive . . .

We went to war with the wrong war plan. Senior civilian leadership chose to radically alter the results of 12 years of deliberate and continuous war planning, which was improved and approved, year after year, by previous secretaries of defense, all supported by their associated chairmen and Joint Chiefs of Staffs. Previous planning identified the need for up to three times the troop strength we committed to remove the regime in Iraq and set the conditions for peace there . . .

Our current leadership decided to discount professional military advice and ignore more than a decade of competent military planning . . .

We took down a regime but failed to provide the resources to build the peace. The shortage of troops never allowed commanders on the ground to deal properly with the insurgency and the unexpected. What could have been a deliberate victory is now a long, protracted challenge.

Defense Secretary Donald Rumsfeld claims to be the man who started the Army's transformation. This is not true. Army transformation started years before this administration came into office. The secretary's definition of transformation was to reduce the Army to between five and seven divisions to fund programs in missile defense, space defense and high-tech weapons . . . the Army remains under-resourced at a time when it is shouldering most of the war effort. Boots on the ground and high-tech weapons are important, and one cannot come at the expense of the other.

Civilian control of the military is fundamental, but we deserve competent leaders who do not lead by intimidation, who understand that respect is a two-way street, and who do not dismiss sound military advice. At the same time, we need senior military leaders who are grounded in the fundamental principles of war and who are not afraid to do the right thing, Our democracy depends on it. There are some who advocate that we gag this debate, but let me assure you that it is not in our national interest to do so. We must win this war, and we cannot allow senior leaders to continue to make decisions when their track record is so dismal . . .

Secondly, a statement in Time magazine on Sunday, April 9, 2006, by LTG Greg Newbold, who states:

From 2000 until October 2002, I was a Marine Corps lieutenant general and director of operations for the Joint Chiefs of Staff. . . . Inside the military family, I made no secret of my view that the zealots' rationale for war made no sense. And I think I was outspoken enough to make those senior to me uncomfortable. But I now regret that I did not more openly challenge those who were determined to invade a country whose actions were peripheral to the real threat—al-Qaeda . . . I am driven to action now by the missteps and misjudgments of the White House and the Pentagon, and by my many painful visits to our military hospitals . . .

What we are living with now is the consequences of successive policy failures. Some of the missteps include: the distortion of intelligence in the buildup to the war, McNamara-like micromanagement that kept our forces from having enough resources to do the job, the failure to retain and reconstitute the Iraqi military in time to help quell civil disorder, the initial denial that an insurgency was the heart of the opposition to occupation, alienation of allies who could have helped in a more robust way to rebuild Iraq, and the continuing failure of the other agencies of our government to commit assets to the same degree as the Defense Department. 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 . . .

The consequence of the military's quiescence was that a fundamentally flawed plan was executed for an invented war, while pursuing the real enemy, al-Qaeda, became a secondary effort. . . .

So what is to be done? We need fresh ideas and fresh faces. That means, as a first step, replacing Rumsfeld and many others unwilling to fundamentally change their approach. The troops in the Middle East have performed their duty. Now we need people in Washington who can construct a unified strategy worthy of them. It is time to send a signal to our nation, our forces and the world that we are uncompromising on our security but are prepared to rethink how we achieve it. . . .

This debate is long overdue on the Senate floor, and I thank our Democratic leader for it.

This debate is about how to finally win in Iraq, how to bring our courageous troops home as safely and as soon as possible, with their victory secured by the Iraqi Government, the Iraqi military and police, and the Iraqi people.

Our heroic soldiers deserve better than the President's apologies, again defending the failures of the past and the continuing failures of the present. They deserve a new strategy to win victory in Iraq and a new leader to achieve it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, we are here ostensibly debating a resolution that deals with the Secretary of Defense but, of course, the conversation has devolved into a discussion of the war against the radical Islamists and the battle in Iraq, a battlefront of that war.

Let me begin, though, by asking unanimous consent that at the end of my remarks we have printed in the RECORD a letter from Josh Bolton, of the administration, to the distinguished minority leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. KYL. Mr. President, that letter goes to one of the points of the resolution that we are ostensibly debating, a resolution which seems to mock the phrase ''stay the course,'' claiming that the current stay-the-course policy has made America less secure.

I guess it all depends on what you mean by stay the course because, if you mean by stay the course don't abandon the effort, then of course the administration and the Senate do not want to abandon the effort and therefore do want to stay the course. At least the people on this side of the aisle do not want to abandon the effort. But if it means don't change the way you are doing anything, obviously that is another matter. The problem is, it is a straw man for those on the other side to argue that the administration is not willing to change anything. The letter from Mr. Bolton to the distinguished minority leader will demonstrate the fact that, just as the enemy is agile and changes its tactics, so, too, has the United States changed the way that it deals with the enemy in Iraq.

So, yes, stay the course if by that we mean don't abdicate the mission; no, if it means don't ever change the way you operate.

The other part of the resolution I found rather odd was the condemnation of Secretary Rumsfeld, which for days now we heard is coming. I was rather bracing for an indictment of the Secretary of Defense who, of course, needs no one to defend him. He is an honorable and effective and totally self-sacrificing public servant who has served the President and the American people well. But I noted that the big indictment is that President Bush needs to change course in Iraq—undefined how that change in course might operate—to provide a strategy for success—the strategy was announced over and over by the President, reiterated in his speech yesterday—and one indication of a change of course would be to replace the current Secretary of Defense.

I suppose it would be. That is a bit of a tautology. But it doesn't suggest that it would do anything or accomplish anything except, perhaps, embarrass the President, perhaps undermine our credibility abroad, perhaps embolden our opponents and raise questions by our allies. That is not a very constructive proposition by our friends on the other side of the aisle. But, on the other hand, not much that they have offered is very constructive.

It is easy to criticize, easy to play Monday morning quarterback. It is a little more difficult when you are in the middle of the battle, charged with the responsibility of success. I shudder to think what these Monday morning quarterbacks would have done in World War II or World War I, a day after the landing on D-day or at Iwo Jima—10,000 casualties. Or the Civil War. It occurs to me we would not be here debating as a unified nation today if one of the greatest generals in the history of America, Robert E. Lee, hadn't made a monumental mistake at Gettysburg. The reality is mistakes are made in war and it is very difficult while the war is going on, and before the historians have the context in which to reflect on it, to debate the mistakes, especially when the enemy is listening and certainly our allies and our troops are listening as well.

But just to reflect on a couple of these, one comment by one of the Senators was the problem is we are trying to do a war without enough military. A lot of us on this side of the aisle have steadfastly supported a stronger more robust military. Sometimes we don't get a lot of support on the other side of the aisle for that. But the comment was we do need more troops, from a Senator who wants to withdraw our troops.

I happen to agree with my colleague, the senior Senator from Arizona, who has said we need more troops. The best way to do that, at least under current circumstances, is to not withdraw an American soldier for every Iraqi trained but combine the two armies as the Iraqis are trained up in order to go into a place like Baghdad and get control. That is not reducing troops, obviously; that is enhancing the total power there.

How do we get more troops if every time we train up an Iraqi an American has to leave? Or we set a timetable for leaving by the end of the year? I am at a loss to understand this notion: Our problem is we need more troops, so let's bring our troops home. I don't get it. Unless, of course, we are not concerned about the outcome—and that is the question.

That, unfortunately, is the question that must be in the minds of our allies. It must be in the minds of our enemies when they hear a debate like this and they hear: We need more troops, let's bring our troops home. They must ask: Okay, what does that mean? Does it mean America is in it for winning or does it mean we are going to be leaving, and the vacuum that is created will be an opportunity to move in and do our evil deeds?

The President, in his speech yesterday, was very clear about the nature of the enemy, an enemy that sees the Iraq battlefront as a central part of what he called World War III, their attempt to either make us bow down to their will or kill us or, if we succeed, they die trying. It is a win-win for them either way, according to them.

The reality is, this is a battle we cannot leave. This is a fight we cannot walk away from. If we are going to win the war against the terrorists, we have to win the battle in Iraq. There is no other way around that proposition. We cannot abdicate Iraq and still hope to win this war against these radical Islamists, at least not without taking horrendous casualties and losses in the meantime until our allies and some in America determine it is worth fighting, that it is a serious enemy, that we have to do whatever it takes to win, and that includes fighting in places such as Iraq.

I conclude with this notion, and the Senator from New Hampshire made the point earlier in a very eloquent way. After recounting all of the carping and criticism of what could have been done differently, he asked: Is there no credit for what we have achieved in Afghanistan, a country that was ruled by the Taliban, where women were beaten, where people were taken to the soccer stadium and shot, where little girls could not go to school and on and on, an altogether horrific place? Is there no credit for the fact that the people of Afghanistan are now free? Is there no credit for the fact that a brutal dictator who killed thousands and thousands of his own citizens, gassed many of them to death, killed hundreds of thousands of people in neighboring countries and was prepared to do battle with us, is there no credit for the fact that Saddam Hussein is gone, that his people have now been afforded the opportunity to freely elect their own government, and we are in the process of helping them secure that freedom? Is there no credit for the fact that Qadhafi decided America's will was pretty well demonstrated in Afghanistan, and he was not going to buck that will by continuing his evil way and developing nuclear weapons, so discretion being the better part of valor, he would get on the right side of history and be with us in this war? Is there no credit for any of these achievements?

No, no, not when you are discussing the President of the United States, who in some circles has to be vilified in the name of political discourse. This is not the way to conduct this debate. The way to conduct a debate over the strategy and over the course of history is to have a civil discussion that does not focus on an individual in the administration—who, after all, is only one person making the decisions and who has served this country ably—but, rather, on the strategic objectives over the goals.

Can anyone doubt what the goals in the war have to be? Can anyone doubt that the goal has to be to retain the ability of the country of Iraq to keep terrorists out and to ensure the safety and security of their own citizens in the future? I don't think there can be any doubt about what the goals ought to be.

Yet the President was right yesterday in reiterating those goals because there appear to be some who have lost sight or who have not ever realized the true evil nature of this enemy, who don't quite comprehend what it will take to defeat this enemy, who do not connect the dots to see we cannot walk away from Iraq and still be able to defeat this enemy, the radical Islamist, both the Sunni and the Shia Islamists, the people who would do us evil if we do not stand in that way. If you do not understand the enemy, I suppose it is not hard to conclude that, because the going is getting tough in Iraq, we ought to leave. The people who believe that are very strong, as the President said, maybe quite patriotic but very wrong.

It is the terrorist leaders themselves who believe that Iraq is a central battlefield in what we call the Third World War, a war that obviously the United States is leading. With our allies, we need to bring this to a successful conclusion.

I quote from the President's speech the words of Osama bin Laden who said:

> I now address the whole Islamic nation. Listen and understand. The most serious issue today for the whole world is this third world war that is raging in Iraq.

He calls it a war of destiny between infidelity and Islam and concludes that the whole world is watching this war, and it will end in victory and glory or misery and humiliation.

In the latter, I think he was correct. We have to make sure that it is his misery and humiliation and the terrorists' misery and humiliation that is the result of the conflict in Iraq and not that of the United States. In order to ensure that, it is incumbent upon us to prosecute this war to a successful conclusion and not leave this difficult battlefield prematurely—in the process, by the way, support those who are working very hard on our behalf, not denigrate them. It is fine to show the loyalty and the gratitude to our troops that the resolution does, and which I do, but it is also important to show that same kind of gratitude to other people who are trying very hard to protect the American people. That includes the President of the United States and the Secretary of Defense.

EXHIBIT 1

RESPONSE FROM THE CHIEF OF STAFF JOSH BOLTEN TO A DEMOCRATIC LETTER

SEPTEMBER 5, 2006.

Senate Democratic Leader HARRY REID,
U.S. Senate, Washington, DC.

DEAR SENATOR REID: Thank you for your September 4 letter to the President. I am responding on his behalf.

A useful discussion of what we need to do in Iraq requires an accurate and fair-minded description of our current policy: As the President has explained, our goal is an Iraq that can govern itself, defend itself, and sustain itself. In order to achieve this goal, we are pursuing a strategy along three main tracks—political, economic, and security. Along each of these tracks, we are constantly adjusting our tactics to meet conditions on the ground. We have witnessed both successes and setbacks along the way, which is the story of every war that has been waged and won.

Your letter recites four elements of a proposed ''new direction'' in Iraq. Three of those elements reflect well-established Administration policy; the fourth is dangerously misguided.

First, you propose ''transitioning the U.S. mission in Iraq to counter-terrorism, training, logistics and force protection.'' That is what we are now doing, and have been doing for several years. Our efforts to train the Iraqi Security Forces (ISF) have evolved and accelerated over the past three years. Our military has had substantial success in building the Iraqi Army—and increasingly we have seen the Iraqi Army take the lead in fighting the enemies of a free Iraq. The Iraqi Security Forces still must rely on U.S. support, both in direct combat and especially in key combat support functions. But any fair-minded reading of the current situation must recognize that the ISF are unquestionably more capable and shouldering a greater portion of the burden than a year ago—and because of the extraordinary efforts of the United States military, we expect they will

become increasingly capable with each passing month. Your recommendation that we focus on counterterrorism training and operations—which is the most demanding task facing our troops—tracks not only with our policy but also our understanding, as well as the understanding of al Qaeda and other terrorist organizations, that Iraq is a central front in the war against terror.

Second, your letter proposes ''working with Iraqi leaders to disarm the militias and to develop a broad-based and sustainable political settlement, including amending the Constitution to achieve a fair sharing of power and resources.'' You are once again urging that the Bush Administration adopt an approach that has not only been embraced, but is now being executed. Prime Minister Nouri al-Maliki is pursuing a national reconciliation project. It is an undertaking that (a) was devised by the Iraqis; (b) has the support of the United States, our coalition partners and the United Nations; and (c) is now being implemented. Further, in Iraq's political evolution, the Sunnis, who boycotted the first Iraq election, are now much more involved in the political process. Prime Minister Maliki is head of a free government that represents all communities in Iraq for the first time in that nation's history. It is in the context of this broad-based, unity government, and the lasting national compact that government is pursuing, that the Iraqis will consider what amendments might be required to the constitution that the Iraqi people adopted last year. On the matter of disarming militias: that is precisely what Prime Minister al-Maliki is working to do. Indeed, Coalition leaders are working with him and his ministers to devise and implement a program to disarm, demobilize, and reintegrate members of militias and other illegal armed groups.

Third, your letter calls for ''convening an international conference and contact group to support a political settlement in Iraq, to preserve Iraq's sovereignty, and to revitalize the stalled economic reconstruction and rebuilding effort.'' The International Compact for Iraq, launched recently by the sovereign Iraqi government and the United Nations, is the best way to work with regional and international partners to make substantial economic progress in Iraq, help revitalize the economic reconstruction and rebuilding of that nation, and support a fair and just political settlement in Iraq—all while preserving Iraqi sovereignty. This effort is well under way, it has momentum, and I urge you to support it.

Three of the key proposals found in your letter, then, are already reflected in current U.S. and Iraqi policy in the region.

On the fourth element of your proposed ''new direction,'' however, we do disagree strongly. Our strategy calls for redeploying troops from Iraq as conditions on the ground allow, when the Iraqi Security Forces are capable of defending their nation, and when our military commanders believe the time is right. Your proposal is driven by none of these factors; instead, it would have U.S. forces begin withdrawing from Iraq by the end of the year, without regard to the conditions on the ground. Because your letter lacks specifics, it is difficult to determine exactly what is contemplated by the ''phased redeployment'' you propose. (One such proposal, advanced by Representative Murtha, a signatory to your letter, suggested that U.S. forces should be redeployed as a ''quick reaction force'' to Okinawa, which is nearly 5,000 miles from Baghdad).

Regardless of the specifics you envision by ''phased redeployment,'' any premature withdrawal of U.S forces would have disastrous consequences for America's security. Such a policy would embolden our terrorist enemies; betray the hopes of the Iraqi people; lead to a terrorist state in control of huge oil reserves; shatter the confidence our regional allies have in America; undermine the spread of democracy in the Middle East; and mean the sacrifices of American troops would have been in vain. This ''new direction'' would lead to a crippling defeat for America and a staggering victory for Islamic extremists. That is not a direction this President will follow. The President is being guided by a commitment to victory—and that plan, in turn, is being driven by the counsel and recommendations of our military commanders in the region.

Finally, your letter calls for replacing Secretary of Defense Rumsfeld. We strongly disagree. Secretary Rumsfeld is an honorable and able public servant. Under his leadership, the United States Armed Forces and our allies have overthrown two brutal tyrannies and liberated more than 50 million people. Al Qaeda has suffered tremendous blows. Secretary Rumsfeld has pursued vigorously the President's vision for a transformed U.S. military. And he has played a lead role in forging and implementing many of the policies you now recommend in Iraq. Secretary Rumsfeld retains the full confidence of the President.

We appreciate your stated interest in working with the Administration on policies that honor the sacrifice of our troops and promote our national security, which we believe can be accomplished only through victory in this central front in the War on Terror.

Sincerely,

JOSHUA B. BOLTEN,
Chief of Staff.

The PRESIDING OFFICER. The Senator from New York.

Mr. DURBIN. Will the Senator from New York yield for a moment?

Mrs. CLINTON. Certainly.

Mr. DURBIN. I make a unanimous consent as to the remaining speakers on the Democratic side, if I might. I apologize for interrupting the Senator from New York.

I ask unanimous consent that the following speakers be recognized on the Democratic side in sequence, alternating with Republicans: Senator CLINTON for 10 minutes; Senator HARKIN for 15 minutes; Senator BOXER, 6 minutes; Senator CARPER, 5 minutes; Senator DORGAN, 10 minutes; Senator MURRAY, 5 minutes; Senator MIKULSKI, 5 minutes; and Senator LAUTENBERG, 10 minutes.

The sequence may be different, depending on who is in the Chamber, but those are the times allotted for which I ask unanimous consent.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New York is recognized for 10 minutes.

Mrs. CLINTON. Mr. President, we are debating this resolution for two simple reasons. First, no matter how the lily is gilded, things are not going well in our war against terrorism, and there is no doubt we need new leadership.

Second, this Congress has abdicated its constitutional responsibility to conduct oversight and hold the administration accountable for the decisions which it has made over the course of the last 5 years.

This is quite unusual in American history because ordinarily the Congress would play that role of check and balance.

In the middle of World War II, which really was a world war, then-Senator Harry Truman was the chair of a commission looking into war profiteering and other matters related to the conduct of the war. There was a Democratic Congress, a Democratic President. Yet the Congress, under then-Senator Truman's leadership, fulfilled its responsibility.

During the Vietnam war, which ripped this country apart, Senator Fulbright felt compelled to hold hearings about the conduct of that war. A Democratic Congress, a Democratic President, fulfilling its responsibility.

We have seen none of that, with very few exceptions. This Congress has been either intimidated or negligent in the fulfillment of its responsibilities to hold the administration accountable. Absolute power not only corrupts, but it can lead to bad decisions. This has been a very small group of decision-makers.

Recently, the President changed the leadership of his economic team because we all know the economy is not doing as well as advertised. Profits are up, productivity is up, but average wages and income aren't. It is getting harder and harder for the average American to make ends meet. So the President changed his economic leadership, changed his Chief of Staff in the White House. Yet there is no accountability with respect to his security team.

I just returned, as did my colleagues, from our recess. I visited throughout my State. In every kind of community, people are expressing deep concerns about the direction we are heading when it comes to the war in Iraq, when it comes to American security interests. New Yorkers, as most Americans, want things set right in Iraq, when so much both has gone wrong and seems to continue to go wrong.

We are asking for some accountability. There is no illusion on this side of the aisle that this resolution will pass. We know it will not. We may not even get a vote on it because, heaven forbid, the other side would have to stand up and actually vote. We know that many on the other side share our doubts. Privately, they will say some of the most harsh and critical comments about the Secretary of Defense, about the President, about the Vice President, and the conduct of this war. However, they abdicate their responsibility in public. We have no illusions we are going to get a vote. Yet we owe it to ourselves, our troops, our fellow citizens to raise these issues.

One doesn't have to read the recently published book ''Fiasco'' or the book before it, ''Cobra II,'' to see how badly things have gone. We know that. At the center of so many of the wrong calls, the misjudgments, the strategic blunders has been the Secretary of Defense. No one is questioning his patriotism,

his honorable service. We are questioning his judgment and his leadership.

We went to war with the Secretary of Defense we had. Now it is time to complete the mission with the new Secretary of Defense we need. It is past time.

Our friends on the other side will come forward and make the most impassioned arguments about how things are going, how we have to stay the course, and what has to be done in order to succeed. But under Secretary Rumsfeld's leadership, it has not happened. We have a full-fledged insurgency and full-blown sectarian conflict in Iraq. I don't care what you label it—civil war, sectarian violence—the fact is the Iraqis are losing hundreds and hundreds of lives. As of yesterday, 2,652 service men and women have been killed in Iraq; amongst them, 123 New Yorkers.

We didn't go with enough troops to establish law and order, to put down a marker as to our authority as we replaced an authoritarian dictatorship. We went with this dysfunctional bureaucracy known as the Coalition Provisional Authority, which disbanded the Iraqi Army which we are now trying to recreate.

Secretary Rumsfeld rejected virtually all of the planning that had been done previously to maintain stability when the regime was overthrown. He deliberately and repeatedly underestimated the nature and strength of the insurgency, the sectarian violence, and the spread of Iranian influence.

Let us not confuse the leadership's failures with either the remaining mission in Iraq, the war on terrorism or with our support for our troops. What we have is a failure of leadership to accomplish that mission. What was hailed as our shortest war has now become one of our longest.

What was hailed as a model of democracy teeters on the brink of complete anarchy. What was the leadership that quickly claimed credit for success has been lethargic in the face of misjudgments and setbacks. I do not see what other conclusions one can draw. We will have the same President and Vice President for the next 2 years. But why not ask the President to exercise his judgment to bring in new leadership, to send a new signal to our troops, to our military leadership, to our friends and our allies, and to our country that—guess what—we get it, we need new leadership.

When I confronted Secretary Rumsfeld a month ago, he continued to obfuscate and deny responsibility. He denied he ever painted a rosy picture in Iraq. In response, my office compiled a list of 13 statements, out of many he had made, which clearly painted a rosy scenario.

Mr. President, I ask unanimous consent that those statements be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATEMENT FOR THE RECORD BY SENATOR CLINTON

In the August 3 Armed Services Committee hearing, I had the following exchange with Secretary Rumsfeld:

CLINTON: Well, Mr. Secretary, I know you would, and I know you feel strongly about it, but there's a track record here. This is not 2002, 2003, 2004, '5, when you appeared before this committee and made many comments and presented many assurances that have, frankly, proven to be unfulfilled. And . . .

RUMSFELD: Senator, I don't think that's true. I have never painted a rosy picture. I've been very measured in my words. And you'd have a dickens of a time trying to find instances where I've been excessively optimistic. I understand this is tough stuff.

I ask unanimous consent that the following quotes from Secretary Rumsfeld be included in the Record:

CONGRESSIONAL HEARINGS

July 9, 2003: Senate Armed Services Committee hearing

''The residents of Baghdad may not have power 24 hours a day, but they no longer wake up each morning in fear wondering whether this will be the day that a death squad would come to cut out their tongues, chop off their ears, or take their children away for 'questioning,' never to be seen again.''

September 30, 2003: House Appropriations Committee hearing

''My impression is that the war was highly successful.''

Source: Transcript of Hearing of House Appropriations Committee, Subcommittee on Defense on President's FY '04 Supplemental Request for Iraq and Afghanistan, available online from FDCH Political Transcripts on Lexis-Nexis.

February 4, 2004: Senate Armed Services Committee hearing

''The increased demand on the force we are experiencing today is likely a 'spike,' driven by the deployment of nearly 115,000 troops in Iraq. We hope and anticipate that that spike will be temporary. We do not expect to have 115,000 troops permanently deployed in any one campaign.''

May 7, 2004: Senate Armed Services Committee hearing

''Senator BAYH. So my question, Mr. Secretary, my final question is just very simply, do you believe we're on the right course presently, or is dramatic action necessary to regain the momentum so that we can ultimately prevail in what is a very noble and idealistic undertaking?

Sec. RUMSFELD. I do believe we're on the right track.''

June 23, 2005: Senate Armed Services Committee hearing

''But terrorists no longer can take advantage of sanctuaries like Fallujah.''

June 23, 2005: House Armed Services Committee hearing

''The level of support from the international community is growing.''

March 9, 2006: Senate Appropriations Committee hearing

''Sen. ROBERT BYRD. Mr. Secretary, how can Congress be assured that the funds in this bill won't be used to put our troops right in the middle of a full-blown Iraqi civil war?

Sec. DONALD RUMSFELD. Senator, I can say that certainly it is not the intention of the military commanders to allow that to happen. The—and to repeat, the—at least thus far, the situation has been such that the Iraqi security forces could for the most part deal with the problems that exist.''

PRESS INTERVIEWS AND OTHER FORUMS

November 14, 2002: Infinity CBS Radio Connect, interview with Steve Kroft

''The Gulf War in the 1990s lasted five days on the ground. I can't tell you if the use of force in Iraq today would last five days, or five weeks, or five months, but it certainly isn't going to last any longer than that.''

December 18, 2002: CNN ''Larry King Live''

''The Taliban are gone. The al Qaeda are gone.''

February 7, 2003: Town hall meeting with U.S. troops in Aviano, Italy

''And it is not knowable if force will be used, but if it is to be used, it is not knowable how long that conflict would last. It could last, you know, six days, six weeks. I doubt six months.''

February 20, 2003: PBS ''NewsHour''

''Lehrer. Do you expect the invasion, if it comes, to be welcomed by the majority of the civilian population of Iraq?

RUMSFELD. There's obviously the Shia population in Iraq and the Kurdish population in Iraq have been treated very badly by Saddam Hussein's regime, they represent a large fraction of the total. There is no question but that they would be welcomed.''

March 30, 2003: ABC ''This Week with George Stephanopoulos''

''We know where [the WMD] are. They're in the area around Tikrit and Baghdad and east, west, south and north somewhat.''

February 1, 2006: Department of Defense News Briefing

''Q: One clarification on ''the long war.'' Is Iraq going to be a long war?

Sec. RUMSFELD. No, I don't believe it is.''

Mrs. CLINTON. It is time for the Senate to exercise our responsibility, for the Members of this Chamber to decide: What do we owe our constituents, our young men and women in uniform? What do we owe history in terms of our responsibility? We know the answer. Whether we stand up and deny it or not, we know the answer. History is going to judge this period harshly. And I wish we could, as a body, redeem ourselves and redeem this mission, give it a chance for success, with new eyes and ears, with a new way of thinking and leading.

I have no idea whom the President might ask to replace the Secretary were he to be asked to leave or resign, but I have to believe that some fresh thinking, some new ideas would make a difference. It is time we put our policy, our chance for success, ahead of politics, that we put wise decision-making and new leadership ahead of the status quo. When it is not working, why do we keep digging a deeper hole? So I hope this body would exercise responsibility in the only way open to us, since we cannot have the oversight and accountability the Congress should be demanding.

Thank you, Mr. President.

Ms. MIKULSKI. Mr. President, does the distinguished Senator from Alaska, the chairman of the Appropriations Subcommittee on Defense, wish to speak?

Mr. STEVENS. No. We are alternating speakers on each side, and Senator INHOFE is coming.

Ms. MIKULSKI. While we are waiting, my remarks are 5 minutes. May I proceed?

Mr. STEVENS. Yes, you may.

Ms. MIKULSKI. I thank the Senator.

The PRESIDING OFFICER. The Senator from Maryland is recognized for 5 minutes.

Ms. MIKULSKI. Thank you very much, Mr. President. I appreciate all the courtesy.

Mr. President, this is really a sad day for me. It is a very sad day, as we are coming up on the anniversary of September 11, as I remember the fear that gripped the Capitol and gripped the United States of America. I remember us being outside on the steps of the Capitol on the evening of September 11 when we stood together and sang ''God Bless America'' together, when we were one Nation indivisible and when we were united and we were so determined to fight that global war against terrorism.

I joined with all of my colleagues and I voted to give the President the power to use lethal force to pursue the terrorists and pursue the Taliban and take the fight to Afghanistan. And how pleased I was with the victory in Afghanistan and the way, then, that the Afghan people came together in their Loya Jurga to choose Mr. Karzai to be their leader and to lay the groundwork for a democratic Afghanistan. I thought we were going to make Afghanistan the jewel of the Middle East, where the Muslim community could flourish, a democratic community could emerge, and women would be able to exercise their rights. How joyful we were when those little girls were going to school the same way as the little boys. But it was not meant to be. Afghanistan did not get the backing and support it needed, and along the way there was the recommendation to go to war in Iraq.

In 2002, 1 year later, we were debating the war in Iraq. Well, on October 10, 2002, I disagreed with the resolution before the Senate, with the request to give the President the authority to wage war in Iraq, using a unilateral approach, and to engage in a preemptive war. I did not agree that the world and the United States of America faced a clear, present, immediate danger from weapons of mass destruction.

That information was coming from our CIA, and it was coming from our Department of Defense, which had cozied up to a dissident named Achmed Chalabi, the guy who hung around London, being paid $300,000 a week from the CIA, eating Dover sole, with no backing, no information. He sold us a bill of goods. There were no weapons of mass destruction in Iraq. Rumsfeld was one of the ones who made that argument, along with the CIA.

So where am I today? Today, I really do believe we need a fresh approach. One of the ways to get it is through new leadership. Ordinarily, I would not single out a personality. I would agree with my colleagues on the other side of the aisle, that this is about policies. But we have gotten nowhere. So I have joined with my colleagues to ask for Donald Rumsfeld's resignation.

I have been asking for his resignation since 2004 because I watched us go from being at war with Iraq to being at war within Iraq. Well, this dangerous incompetence has been wrong for America and wrong for our troops and wrong for our allies and wrong for the Iraqi people.

Rumsfeld was wrong about the Iraqi weapons of mass destruction, and he led us into war on inaccurate evidence. As a member of the Intelligence Committee, I know that Rumsfeld skewed, selected, and exaggerated information about weapons of mass destruction. And our men and women in uniform have been paying for this deception ever since.

Rumsfeld was wrong about what it would take to secure Iraq. We sent our troops to war without sufficient body armor, without armored humvees, and unprotected for the war in Iraq, where they face daily attacks by IEDs and RPGs. It was up to the Congress, and actually the Defense Appropriations Subcommittee, to add over $1 billion to make sure our troops have the protection they need.

Well, now they need to have new leadership, as well as new protection and new weapons. And along the way, when we hear we are going to listen to our generals in the field—what generals in the field? Those generals who said we need more troops or different strategies, who disagreed with Rumsfeld's rosy projections were muzzled. Warnings about lawlessness and looting were ignored. The State Department's reconstruction plan for Iraq was dismissed and laid aside.

DOD's own report says now sectarian violence is the dominant trend in Iraq. But the Secretary of Defense, Mr. Rumsfeld, refuses to admit what our generals can clearly see: Iraq is slipping into a civil war and sectarian violence. And whose side are we going to be on? We have said this must be a year of transition. And the transition must begin with Mr. Rumsfeld resigning.

Now, Mr. Rumsfeld also assured us about the cost of the war. I was in the meetings. I was in the hearings. He said: Don't worry, American taxpayers will not pay for the war. With our shock and awe, and this quick war, we are going to have a mission accomplished, that the war will be over, and the cost of rebuilding will be paid for by Iraqi oil. Well, Iraqi oil—drip, drip, drip. When do we get a chance to see it? There is no Iraqi oil coming to the United States. Why? Because the infrastructure is broken. Because of the corruption. And because we were once again oversold.

Finally, we need to hold Rumsfeld responsible for the prisoner abuse scandals. The abuse at Abu Ghraib is deplorable, despicable and dishonorable. It does not reflect the values of the United States, or the code of conduct that most of our Soldiers live by every day. Rumsfeld's leadership created a command atmosphere where terrible abuse of prisoners was not just tolerated, but encouraged. But only junior enlisted and young officers have been held accountable, while high level military and civilian leaders are let off the hook. This is unacceptable.

Rumsfeld is completely incapable of speaking the truth—or facing the truth—about Iraq. His dismal performance has undermined U.S. credibility in the world, and undermined the President's credibility with the American people. We face serious threats from terrorism and rogue regimes, and our brave troops are risking their lives every day around the world. We need a Secretary of Defense we can trust. Donald Rumsfeld should resign now.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. MIKULSKI. I think I made my point, and I am willing to yield my time. We need new leadership. We need a new Secretary of Defense.

I yield my time.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, first of all, let me say I have listened with some interest. Unfortunately, the committee I chair has had meetings all day, and I have not had a chance to really get involved in this discussion. But I have been listening to people criticizing Secretary Rumsfeld, talking about the war, and I just wonder what war they are talking about and what Secretary they are talking about because it certainly is not what is going on right now.

I can remember so many times during the 1990s when we had this euphoric attitude that somehow the Cold War was over and so we no longer needed a military and so we knew we could do some downgrading at that time. I can remember so many times on the floor saying we will rue the day we did this, we are going to have to rebuild, not knowing at that time that this would have to be during a time of war.

At that time, our Army divisions went down by about 50 percent. The tactical air wings went down by about 50 percent. Ships went down from 600 to 300. And again, people were thinking, there is no need to have this strong of a military. And they did not seem to think there was any kind of a threat out there. Nobody really thought about what we call today the asymmetric threat.

Now, that is what Secretary Rumsfeld inherited. I remember so well, about 6½ years ago, at his confirmation hearing, I asked a question. I said: Right now, we have downgraded the military to the point where we are going to have to build it up again. And as we try to anticipate the problems we will be facing that we must prepare for today, that will come 10 years from now, you are going to have all the four star generals, who are all smart people, but they are not going to guess it right.

I can remember one time, in 1994, I was in the House Armed Services Committee, and we had someone testify that in 10 years from then we would no longer need ground troops. That was in 1994. So I asked: What is the answer to this? If we are going to try to have our kids, our troops go into the field on some future date 10 years from now, how are we going to be sure they have the best of everything?

He said: Well—I am going from memory now, but he said—all throughout the 20th century the amount we spent on defense equaled 5.7 percent of GDP. At the end of the 1990s, we were down to 2.7 percent.

I said: Where should it be?

He said: Probably, in order to be prepared for any contingency in the future, we would have to be somewhere between 4 and 4.5 percent or maybe even 5 percent of GDP.

That is the problem he inherited. And he was hired because he has had the vision to restructure this and set about doing that job some 6½ years ago.

During his first month, he called for flowcharts to be created that would detail the interdepartmental relationships at the Pentagon. What he received back looked like a bowl of spaghetti.

It was totally disorganized. He had to expose this, and we all know now what he did. He started in on reforming the Pentagon. Nobody else did it prior to him. He was the one who did it. We know the big picture changes and takes time when we shake up the very foundation of the Pentagon, but he did it. We were shifting from a division-oriented force to a modular brigade combat force, from a conventional base enemy toward an asymmetric war, while maintaining our ability as a modernized nation. Much progress has been made in the Army's system of dealing with divisions and organizing them into modular brigades, combat teams that are more capable and faster to deploy. He increased force size from 33 brigades to 42 brigades. I didn't agree with him at first.

I remember that out in Oklahoma we were shocked when he made the announcement as to one of the programs that we had, that we were working on, the development of a modern nonline-of-sight cannon called the Crusader. It was going to take us out of the World War II technology. Right now, the best thing we have in terms of artillery is the Paladin, and that is World War II technology. It is one where you have to swab the breach after every shot. That is what we were faced with at that time. I criticized him for junking that program. He had a bigger picture in mind. It was a future combat system for the Army.

He looked at the Navy and said the biggest problem was spare parts. Donald Rumsfeld concentrated on that and now has ships ready to be deployable. Another change in the Navy was instead of bringing a ship all the way with a crew out to a battle area, he leaves the ship there and flies the crew back and forth and increases the ship's efficiency at sea by about 50 percent. That is common sense, but it is something that nobody else did. It took Donald Rumsfeld to come along with the idea to do that.

In the Air Force, he recognized at that time that—I think it was probably under his supervision that General Jumper had the courage to stand up and say: Now we are sending our airmen out with equipment that isn't as good, potentially, as the enemy's. He talked about our strike fighters, and the best that we had were the F–15 and the F-16. We slowed down the F–22 development, the joint strike fighter. But General Jumper stood up and said—and Rumsfeld agreed—that now the potential is that the enemy has better equipment than we do. What he was referring to was the SU series the Russians were making, SU–27s, SU–30s, and SU–35s were, in many ways, superior to what our airmen and women were flying.

So, anyway, we got this back on schedule and now we have some 66, 68 F–22s flying. I see a couple of the Senators on the floor who will join me in wanting to enhance that program of F–22s and move the joint strike fighter forward. That is something that this Secretary did, which others were not willing or capable of doing and didn't have the foresight to do.

I have to tell you this, Mr. President. I was there during the confirmation hearing, and I said publicly on the Senate floor that the liberals are not going to like Rumsfeld for one major reason: they cannot intimidate him. He is not one to be intimidated. He has stood up to them, and he tells the truth; he tells it like it is. People in politics, many times, don't like that.

Turning to Iraq, the positive things that have changed in Iraq are economic change, where the economy is recovering after 30 years of a bloody dictatorship that we are aware of. In 2005, the Iraqi economy grew an estimated 3 percent. It is estimated to be some 10 percent in 2006. The International Monetary Fund is anticipating that. Under Saddam Hussein's regime, the Iraqi standard of living deteriorated rapidly. The per capita income there dropped from $3,800 in 1980 to $715 in 2002. Today, the economic recovery is picking up, with GDP growing from $18.9 billion in 2002 to $33 billion in 2005.

I have to say this, also. So many of the people who criticize what is going on over there in the war don't go over there and see. If you watch CNN and the networks and read the New York Times, you will not get an accurate picture of what is going on. I have been there more than anybody else. I have been in the Iraqi AOR 11 times, during all of the elections. I was in Fallujah during that election. I recall very well a general there named Mahi, who had been the brigade commander for Saddam Hussein; he had hated Americans. He hated Americans until the Marines went into Fallujah and started this embedded training. He learned to love them so much that he looked across at me and he said, ''When they rotated the Marines out, we all cried.'' Then he renamed the Iraqi security forces in Fallujah to be the Iraqi Marines.

Then, up in Saddam's hometown, I was there when they blew up some of the Iraqi security forces who were training. Forty were either killed or near dead. What you didn't get in the media was the success story, the support from the Iraqis. Each family of the ones who were killed in Tikrit supplied another member of the family to take the place of the one who died. You don't see that in the news. I was fortunate to have arranged to be there at the same time that their Government took over. The Prime Minister, Defense Minister Jasim, and the National Security Advisor were there. I asked them basic questions. Some are talking about the civil war that is going on. A civil war is not going on. If you go there and sit down and talk to them, I believe it was Jasim who said that he is Shia and his wife is a Sunni. He didn't even know what some of the other members of the Cabinet were. I wasn't sure I believed this, I say to my friend from Alabama. I went out on my own with an interpreter and I saw an honor guard force, the very elite of the group; there were nine of them. One was the leader. I said to the leader: I would like to know about the civil war, about what is happening between the Shia and the Sunnis. He said: That is just not a real thing. I have been with these guys 8 days now, and I cannot tell you which are Shia and which are Sunni. He said—and this is interesting because he repeated what Dr. Rubai said—he said: That is a Western concept.

I wish that some of these people who are criticizing what is going on would hear the testimonials we hear. A woman told me ''now my daughter can get married.'' I said: Why couldn't she get married before? She said it was because the wedding celebrations take place outdoors. Many times, the forces would come by—and we know, of course, Saddam's sons would capture and rape all of the girls and bury them alive. That is not happening anymore. For the first time, we have women going to school there. You have to go there and talk to them before you realize it.

The security forces that we criticize on the floor of the Senate are up now to 275,000 trained and equipped. I have talked to them, visited with them. I was in Fallujah when they voted. They voted 2 days ahead of time because they were risking their lives to vote. They are looking forward to the day when they are going to be able to take care of their own security. It is difficult for people to say when that day is going to come. That is a military decision. Many of the military people tell me that when they have 10 divisions

trained and equipped, they will be able to do it. Now they have 275,000, so that would be about 325,000.

They are making great progress. I heard the distinguished minority leader of the Armed Services Committee talk about a poll taken about how the Iraqi people are responding to us. If a question is worded: Do you want to have the coalition forces here from now on? Of course, they don't. They are a very proud people. They want to take care of their own problems. But they are not ready for us to leave right now. In a poll taken about two trips ago, they said 94 percent of the Iraqis support a unity government. Now they have that unity government.

In the same poll, 78 percent of the Iraqis said they were opposed to Iraqis being segregated by religion or ethnicity. And so we can show you that the Iraqi people are so appreciative. It is spooky when they recognize you as an American and come running up to you. You never know for sure what they have with them. But they come up and embrace you and they are recognizing that what we and the coalition forces have done is a remarkable thing.

Also, what do a lot of these critics I heard on the floor have in common? They are all running for President of the United States. This is going to be their issue. If they can go to the Democrats and say, I am more liberal than anybody else, I am heading up the surrender, cut-and-run caucus, that is what they are going to try to do.

I suggest that we are very fortunate that Donald Rumsfeld was here at this time. I have thought often about what might have been the alternative. The greatest possible disservice we can do, not just to the Iraqi people but to our troops there, is to use Rumsfeld and the war for political advancement. I have spent time with them over there, and I assure you that we did the right thing.

People who say there is no connection between 9/11 and Iraq don't realize that three major terrorist camps were actually in Iraq at that time. They are not open for business anymore. So I am very proud to stand here and defend our Secretary of Defense, who has done a great job, and also to say that our troops are doing an incredible job under most difficult circumstances.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, the Senate really should not have to debate the need to replace Donald Rumsfeld, the Secretary of Defense. If the Bush administration believed in accountability, if it believed in performance standards, if it believed in demanding competence from senior officials, Mr. Rumsfeld would have been dismissed long ago.

Instead, as disaster after disaster has followed disaster after disaster, and as Iraq descended first into guerrilla war and into civil war, Mr. Rumsfeld has been allowed to cling to his job.

For the record, I was the first Senator to call for Mr. Rumsfeld's resignation. I did so nearly 2½ years ago, on May 6, 2004, in response to the revelations of torture and abuse at Abu Ghraib prison. As I said then:

> For the good of our country, the safety of our troops, and our image around the globe, Secretary Rumsfeld should resign. If he does not resign forthwith, the President should fire him.

I said that on May 6, 2004. However, the scandal at Abu Ghraib is not the only disaster that can be traced directly to Mr. Rumsfeld. The Secretary of Defense has become virtually synonymous with disastrous decision-making. The litany of his catastrophic mistakes is familiar to all of us.

Before the invasion of Iraq, Mr. Rumsfeld sidelined General Shinseki, then the Army Chief of Staff, for daring to state that hundreds of thousands of troops would be needed to secure Iraq. Instead, Mr. Rumsfeld insisted on going to war on the cheap, with the bare minimum number of troops needed to overthrow Saddam Hussein. Mr. Rumsfeld gave no thought to securing the country after Saddam's fall. Indeed, he threw out the State Department's plan for restoring order. It was Mr. Rumsfeld, remember, who dismissed the postwar anarchy in Baghdad and other places with the phrase ''stuff happens.'' That is a direct quote from Mr. Rumsfeld.

He was complicit in the decision to disband the Iraqi Army which fed the chaos and drove many former Iraqi soldiers into the arms of the insurgency.

Again and again, he refused to increase U.S. troop strength to a level that would allow law and order to be restored in Iraq.

He gave a green light to abusive practices that led to the scandal at Abu Ghraib prison.

He dismissed the insurgency as the work of just a few ''dead-enders'' who would soon be routed.

He failed to adequately equip our Armed Forces in Iraq, including basic items such as body armor and fortified humvees.

Most recently—just last week—Mr. Rumsfeld lashed out at critics of the war in Iraq. He accused them of ''moral and intellectual confusion'' and of appeasing ''a new type of fascism.'' Those are his exact words, ''moral and intellectual confusion,'' ''a new type of fascism.''

Wait a minute. This is the same Donald Rumsfeld who visited Baghdad in 1983 and was photographed warmly shaking hands with none other than Saddam Hussein. He had been sent on that mission to court Saddam Hussein and to communicate the Reagan administration's desire to help the Iraqi dictator in his war against Iran.

Mr. Rumsfeld went on that mission after we knew that Saddam Hussein had committed mass murders, after we knew he had used chemical weapons to gas the Iraqi Kurds and Iranians. Mr. Rumsfeld is the last person to be preaching about ''moral and intellectual confusion.''

I don't know of anyone else, I don't know of anyone on this side of the aisle who has criticized the President and his mismanagement of the war, and Rumsfeld and his mismanagement, who ever went to Iraq to shake hands with Saddam Hussein, who went to tell Saddam Hussein we would share information and intelligence and whatever weapons we might need. This was after we knew that he had gassed the Kurds and Iranians, after he committed mass murders. Yet for Mr. Rumsfeld in 1983, Saddam was our guy. Let me rephrase that, Saddam was his guy, not ours.

Now, for Mr. Rumsfeld to be talking about moral and intellectual confusion, let's get real here, folks. The only person who is morally and intellectually confused is Donald Rumsfeld.

The litany of Donald Rumsfeld's mistakes and misjudgments go on and on. He has become almost a legend in his own time as a Secretary of Defense who has been catastrophically wrong again and again but who arrogantly refuses to acknowledge any mistakes.

Earlier this year, when Secretary of State Condoleezza Rice said the United States made tactical errors in Iraq, Mr. Rumsfeld dismissed her, too. He said:

> If someone says, well, that's a tactical mistake, then I guess it's a lack of understanding of what warfare is about.

Maybe we should listen to those who truly do understand what warfare is about. Maybe we should listen to some of the generals.

In early April, LTG Greg Newbold, the former Director of Operations for the Joint Chiefs of Staff, wrote in Time magazine that the invasion of Iraq ''was done with a casualness and swagger that are the special provenance of those who have never had to execute these missions—or bury the results.''

He added:

> The cost of flawed leadership continues to be paid in blood.

About the same time, MG John Baptiste, who commanded the 1st Infantry Division in Iraq in 2004 and 2005, said:

> I believe we need a fresh start at the Pentagon. . . .We need leadership up there that respects the military as they expect the military to respect them.

Marine GEN Anthony Zinni, the former Chief of U.S. Central Command, accused Mr. Rumsfeld and his civilian advisers of ''dereliction of duty'' in failing to prepare adequately for war.

The remarkable thing about the debacle in Iraq is that nobody, aside from a few privates and sergeants, has been held accountable or dismissed. Isn't it the truth? It is always the grunts, it is always the noncoms and the privates who get the raw end of the deal. They were the ones who were thrown in prison for the scandals at Abu Ghraib. What about the people above them? No one is ever held accountable above them.

Incredible as it may seem, the four coarchitects of the Iraq debacle—Paul

Wolfowitz, George Tenet, GEN Tommy Franks, Paul Bremmer—have all been awarded the Medal of Freedom. They have all been awarded the Medal of Freedom. Paul Wolfowitz, who said we would pay for it with Iraqi oil, who said it would be over within 6 weeks, maybe 6 months at the most, was awarded the Medal of Freedom. Think about that, the architects of the debacle in Iraq. And Donald Rumsfeld has been rewarded with continued tenure as Secretary of Defense.

Meanwhile, our enterprise in Iraq continues to descend deeper and deeper into chaos, corruption, and crime. Who is surprised by this? The same Secretary of Defense whose decisions created the quagmire in Iraq is still in office, still in charge, still making key decisions.

It boggles the mind. I am reminded that the definition of insanity is doing the same thing over and over again and expecting a different result.

We have the same disastrous civilian leadership in place at the Pentagon. Why should we expect anything but the same disastrous results?

I saw a bumper sticker the other day that said ''Support our troops, not poor leadership.'' I agree. Our soldiers and marines on the ground in Iraq are putting their lives on the line every day. They are trying their best to salvage some kind of positive outcome in Iraq. They deserve our respect and our support. They also deserve competent civilian leadership at the Pentagon.

Donald Rumsfeld ought to have the decency to step aside and allow for fresh leadership at the Pentagon. Instead, he stubbornly refuses to admit any error. He stubbornly refuses to change course. He stubbornly refuses to go.

Quite frankly, Mr. Rumsfeld has a pre-9/11 mentality, a pre-9/11 mindset. He talks about World War II, fascists, and Nazis. That is World War II.

Then, he said we have to stop the terrorists in Iraq before they get into the Philippines, Indonesia, and other places. I remember as a staff aide to a committee in the House in 1970 going to Vietnam and sitting in a meeting with then-President Nguyen Van Thieu with a bunch of Congressmen. I remember him lecturing how the Communist goal was not South Vietnam; it was just a stepping stone to the Philippines and Indonesia. And the Congressmen there lapped it up. They lapped it up. Oh, yes, we have to stop the Communists in Vietnam before they get to America. This is Rumsfeld saying this about terrorists.

As it has been pointed out, there are more terrorists in Iraq now than prior to 9/11. It seems as though for every terrorist we kill, four or five spring up.

So Mr. Rumsfeld has a pre-9/11 mindset, that he is fighting World War II or maybe even fighting the Vietnam war. That is why we need a change at the Pentagon. His tenure at the Pentagon has been disastrous—disastrous for our economy, disastrous for Iraq, disastrous for the world, disastrous for so many of our troops now injured, now deceased, killed in Iraq.

It is unacceptable. It is time for the Senate to go on record saying that it is unacceptable. That is what the amendment is all about. It is about holding Mr. Rumsfeld accountable for his tragic mistakes. It is about giving our troops the credible, competent civilian leadership they deserve, someone with a post-9/11 mindset on the world, not a pre-9/11 mindset, such as Mr. Rumsfeld has.

It is about charting a new course in Iraq. It is also about charting a new course in the war against terrorists who attacked us on September 11, 2001.

It is time for Mr. Rumsfeld to go. It is time for new leadership at the Pentagon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I rise in opposition to this amendment that I understand is going to be filed. I want to be brief, but I want to make two quick points.

I listened with interest to my good friend from Iowa, and he is my dear friend. I understand there are reasons one can put hindsight glasses on and one can criticize somebody for failing to take action when something has been done over a course of weeks, months, and years in this case. But what I don't hear in addition to the criticism is what we could have done or what we ought to do. All I hear is blame being put on, in this case, one man for the situation that has developed in Iraq.

I happen to have a different opinion. I have been involved from the intelligence side, as well as from the Armed Services side in this body, as well as previously on the House side. Secretary Rumsfeld has been at the helm of the Department of Defense now for almost 6 years, and during that 6 years, we, first of all, saw a movement toward transformation of our military to a leaner, meaner, more mobile military. Under his leadership, we have been headed in that direction.

During the course of that, along comes the conflict in Afghanistan, followed by the conflict in Iraq, and the overall global war on terror, which is really what this is all about.

I heard the distinguished minority leader say this morning that this is not about Donald Rumsfeld. It goes well beyond that. He is exactly right because the criticism I hear now is not just specifically at the Secretary of Defense but the overall policy of this administration toward the global war on terrorism.

I am not a military expert. I don't pretend to be, and I don't think there is anybody in this body who is an expert on the type of conflict in which we are now engaged, particularly as much of an expert as those folks who wear the uniform of the United States. All of those who have worn it, all of those who do wear it are true heroes to all of us. But the fact is, when it comes to the leadership in the Army, the leadership in every other branch of the U.S. military—but most specifically the Army because, frankly, they have carried the brunt of this in Afghanistan as well as in Iraq—there is strong leadership over there, strong individuals, men who are well educated, men who are smart, men who are well schooled in the war on terrorism but who are principally schooled in military operations. We don't hear any one of those individuals jumping up and saying: I have told the Secretary this, he wouldn't do this, and therefore we suffered the consequences of his decision.

What we have heard from my good friend from Iowa, again, is comments made by former military individuals who probably didn't agree with what this Secretary did, but they didn't say it while they were in uniform. They waited until they were out of uniform.

It is awfully easy to look back and say what we should have done. But there has been no Secretary of Defense in modern times that has had to deal with as many complex military issues as this Secretary of Defense.

This Secretary of Defense is a tough boss. He is a very tough boss, but he has a tough job to do. When I look at the men who are making comments relative to what this Secretary of Defense should have done or should not have done, I start with GEN Tommy Franks. General Franks was there from day one as the Commander of CENTCOM. Tommy Franks was the man who was leading his men and women into battle under this Secretary of Defense. He is the man who was providing tactical information to this Secretary of Defense and who made the key decisions in Afghanistan and the decisions early on relative to Iraq. And what does Franks say about the leadership of Donald Rumsfeld? He couldn't say enough nice things or enough positive things about the leadership of Donald Rumsfeld. But as the minority leader said, this goes beyond that. What we are hearing in this debate is about the policy in Iraq and not about just the leadership of that one position. And this amendment goes to that.

My second point is when we talk about in this amendment that America is less secure today than we were prior to September 11, that statement could not be any more false. All of us in this body who were here on September 11—I happened to be in the other body on September 11, and all of us who were in both the House and the Senate who had any knowledge whatsoever of the intelligence situation and, for that matter, probably 100 percent of the Members of the House and the Senate, believed that at some point in time we were going to suffer another attack by the terrorists, who wake up every single morning with their sole purpose that day being to try to decide how they are going to kill and harm Americans. Yet we are going to celebrate next Monday

the fifth anniversary of September 11. And, gosh knows we hope it doesn't happen today, we hope it doesn't happen tomorrow, but if we get to Monday, it will be 5 years that the United States has gone without suffering another attack.

There are reasons for that, and Donald Rumsfeld is one of the reasons we have not suffered another attack on U.S. domestic soil since September 11. He is part of a team. There are a lot of people who deserve credit for it. Our intelligence community is doing a much better job. We had a briefing in the Intelligence Committee from the Director of the CIA, Mike Hayden, today to find out some additional things that we are doing now, all positive things, all continuing to move in the right direction. Mike Hayden is a part of that team. As we look out at all of our other intelligence agencies around the country, from a defense standpoint as well as a civilian standpoint, they are all doing a better job than they were on September 11. They are all a part of that team with Donald Rumsfeld and Mike Hayden to make sure that we are protected as citizens of the United States.

When you look at Director Mueller at the FBI, the FBI is doing a better job today than they were doing on September 11 of helping to gather intelligence and interrupting and disrupting potential terrorist operations inside the United States. They, again, are part of that team. Every single FBI agent, whether they are on domestic soil or whether they are on foreign operations, are doing a better job of making sure that as a team they are working to protect Americans and to help interrupt and disrupt terrorist activity.

So to say that we are not as safe today as we were on September 11, 2001, is simply an incorrect statement and shows a lack of understanding about what has happened in the 5 years since September 11.

Donald Rumsfeld is in a very unique position. He is in a position of making decisions relative to every single aspect of the war on terror. Donald Rumsfeld has a boss and he has to answer to that boss, and the boss is the President. I suspect that the underlying motive behind what we are debating today is not about Donald Rumsfeld; it is one more opportunity for those folks who came on the floor of the Senate and attacked the war in Iraq and said it was time to get out and made the arguments that we ought to get out of there now, we ought to get out of there in 6 months, we ought to be out in 9 months, whatever it is—let's set a timetable and tell the terrorists: You sit where you are, and in that period of time we are going to be out of there. And when the vote came on that particular issue, there was a resounding vote in opposition to that particular philosophy in this body. I hope the next vote that we take, which will be on this particular amendment, will be just as resounding in opposition and a defeat of this amendment.

I will say that I haven't always agreed with Donald Rumsfeld. He and I have had some very public and tough battles. But he has always been fair. He has always been straightforward.

In one instance, when he called me about a matter that I was involved in, frankly, he was right and I was wrong, and I had to admit that. I made a change in something we were doing, and we moved on. In other matters, he has told me that I was right, and he was wrong. That is the kind of leader he is. He is not one who says that you either agree with me or you are simply not on the team. Secretary Rumsfeld has been in a tough position since he has been there. He has dealt with very tough decisions in a very fair and favorable way.

If you look at the men who have served under him and you start with Tommy Franks, for whom I have such great respect and who I think everybody in this body would agree is not somebody who is going to get rolled over, Tommy Franks is not that kind of individual. If he believed in something, he would encourage the Secretary of Defense under his leadership to do exactly what he thought ought to be done. Donald Rumsfeld is the kind of person who would have listened to him, and he would have done whatever General Franks recommended. When General Franks says this is the kind of guy we need in the foxhole with us, as Tommy Franks has alluded to, then he is the kind of guy we want leading the Department of Defense.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey is recognized.

Mr. LAUTENBERG. Mr. President, it is interesting and amazing to me to listen to the critics of dissent in this democratic society. If you disagree with the administration, they try to insult you out of order and to create positions that describe you as insignificant, willing to retreat. We watched last week as the President continued his administration, as he began yet another campaign to convince Americans that its policy in Iraq is working. But much like the President's Iraq policy itself, this latest rhetorical campaign just isn't working. There have been five Bush administration campaigns to convince America that we should stay the course, and in each one of these administration claims they fail to convince the public. The public is smarter than they give them credit for. The American people understand what is happening in Iraq, and no wordsmithing is going to change that.

The administration rhetoric continues. Last month, in a speech in Arizona, Vice President CHENEY said:

> What these Democrats are pushing now is the very kind of retreat that has been tried in the past and has failed.

Is he implying that their mismanaged offense worked? Ask the 2,600 families who lost a son or a daughter there whether they think the plan has worked. It is insulting to suggest that those who disagree suggest a retreat. They are ugly, partisan, political comments by the Vice President.

What the Democrats want—and many Republicans—is a change in the direction in Iraq and new civilian leadership at the Pentagon to implement it. The stubborn Bush-Cheney-Rumsfeld approach is simply not working. The retreat the Republican administration should be concerned with is the retreat of their colleagues from this failed Iraq policy.

Some Republicans in Congress are happy to walk the plank and support the arguments that simply defy logic and others are jumping ship. We are seeing staunch Republicans, such as Representative GIL GUTKNECHT of Minnesota, saying that we lack strategic control of Baghdad and calling for a limited troop withdrawal. Representative MIKE FITZPATRICK of Pennsylvania has characterized the Bush stay-the-course strategy as extreme. We all know our principled colleague, Senator HAGEL, has spoken up in favor of changing course in Iraq from these failed policies.

But through it all, the Bush administration mantra is the same: Stay the course. Don't cut and run.

The alternative to that is stay and die. Critics are either unpatriotic or, as we heard from Secretary Rumsfeld last week, like Nazi appeasers.

It seems the more the Americans call on the President to change course in Iraq, the more adamant he is to continue his failed approach. President Bush and Secretary Rumsfeld are making the same speeches now that they were making a year ago and even 2 years ago. Most of the words and phrases are the same. Nothing has changed except the date and the stage of the time.

The reality is that this administration is incompetent, and those in this Congress who stand with them are endorsing this grievous incompetence. The administration's incompetence in Iraq has put our troops in danger. The administration's incompetence in Iraq is now empowering the terrorist regime in Iran. The administration's incompetence in Iraq has strengthened, not weakened, al-Qaida and other jihadists.

In summary, this administration's incompetence has made us less safe, and Americans feel it in poll after poll and in State after State.

I used to run a large company. Any successful CEO will tell you that if one of the top executives is making mistake after mistake after mistake, you have only one course: fire him. Get rid of him. There have been so many mistakes and miscalculations by Secretary Rumsfeld it is staggering to try to understand why he is still around, to be polite, why he is still on the job. It doesn't make sense. It doesn't make sense to me, and it doesn't make sense to millions across the country.

Before the war, Secretary Rumsfeld said:

We know where the weapons of mass destruction are.

But now we know that there was no real evidence that Iraqis had WMDs. He also said that the Iraqis would welcome U.S. troops and that Iraqi resistance would be limited. That was obviously wrong. He also failed to build coalitions with our allies. That doesn't stop him from referring to the coalition experience that we are having. There is virtually no coalition existence there, with the exception perhaps of the U.K. and Canada. In fact, Secretary Rumsfeld went out of his way to mock our allies when he should have been reaching out to them.

This administration's failure to build a real coalition has caused our troops to bear the vast majority of risk and to suffer the casualties. These casualties stand at 2,652 deaths and almost 20,000 wounded.

Secretary Rumsfeld said the war would be short. He said:

It is unknowable how long that conflict will last. It could last six days, six weeks. I doubt six months.

More than 3 years later, we know that assessment was tragically wrong.

Secretary Rumsfeld also ignored warnings that he wasn't committing enough personnel and resources to win the war. When Army Chief of Staff GEN Eric Shinseki suggested that we needed more troops to maintain order in postwar Iraq, he was forced out.

Secretary Rumsfeld also was way off on the cost of the war. He said it would cost no more than $100 billion. The war so far has cost a staggering $320 billion. He missed the mark. He said—insultingly:

You go to war with the Army you have, not the Army you might want.

Is that a suggestion that our troops are less competent, less brave, less courageous, less willing to do their job? I think it is a terrible reference:

If you think about it, you can have all of the armor in the world on a tank and a tank can be blown up.

Ask the parents of those who are in the tank corps how they feel about that.

And you can have an up-armored humvee and it can be blown up.

So it means, if you take it literally, well, that is what happens. If you don't have enough armor, they just get killed. Talk to the parents. I talked to them. I visited with them. Boy, they don't feel they were as protected as they should have been.

Despite all of the funds, all of the effort, all of the sacrifice devoted to the war, Secretary Rumsfeld has failed to fully equip our troops. As we know, a number of prominent retired generals have come forward to say what many in the military have been thinking for years—it is time for Secretary Rumsfeld to leave his post.

The generals who have spoken out: MG Paul D. Eaton, GEN Anthony Zinni, LTG Gregory Newbold, MG John Batiste, MG John Riggs, MG Charles Swannack, Jr., LTG Paul van Riper, GEN Wesley Clark—distinguished military leaders who served nobly, who served bravely. Now, when they say take a look and see where we are going, they are ignored.

General Eaton, who served in Iraq, said the following about Secretary Rumsfeld:

In sum, he has shown himself incompetent, strategically, operationally, and tactically, and is, far more than anyone else, responsible for what has happened to our important mission in Iraq. Mr. Rumsfeld must step down.

In summary, business as usual in Iraq has to stop. We need new leadership. Unless Secretary Rumsfeld is replaced, we are, unfortunately, destined for more of the same pain and casualties as we have in Iraq now.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Alabama.

Mr. SESSIONS. Mr. President, what we are having now is a rehash of people's complaints about the war, and they are focusing it on the Secretary of Defense in a political season. We all know we will soon have an election. So, everything anybody wants to complain about with regards to the war on terror, that they are unhappy about regarding the difficulties we now face in Iraq, is now dropped on the head of the Secretary of Defense.

The President of the United States took his case to the American people in the last election. We heard these same complaints from these same people, and they made them all over the country, and the President of the United States, George Bush, won that election. He won it with a majority of the votes of the American people. For the first time in over a decade, a President has won the majority of the votes in this country.

Now unfortunately, that is not enough.

I would just say a couple of things I think are important. This Senate, after months and weeks of debate and discussion and hearings—open hearings, secret hearings, briefings from the intelligence officers at lower rank, briefings from the CIA Director, from Defense intelligence—we came into this body and we had to do our duty. Our duty was to vote our conscience on whether to authorize military force in Iraq. That was a solemn duty. I do not think anyone here misunderstood the seriousness of that event. If they did, they are not very grown up because it was a grownup decision we were asked to make: whether we were going to commit our soldiers to military action against the Saddam Hussein regime, which had violated 16 U.N. resolutions. This regime had fired at our airplanes on a regular basis—we cannot forget that. And we were dropping bombs on him weekly and he was shooting missiles at our airplanes weekly. That had been going on for years. He was violating the resolutions, he was violating the weapons of mass destruction discovery and openness requirement that he had committed to, to the U.N.—all those things.

The situation was such that we, with many of our allies, gave him one last chance. He didn't take that chance, that one last chance to clear himself and demonstrate he had no weapons of mass destruction, and that is when we voted. There was no mystery about that.

The Secretary worked with GEN Tommy Franks, and GEN Tommy Franks approved and designed a military campaign that he believed would be successful. He moved with lightning speed and tremendous effectiveness, and it was a tremendously effective destruction of Saddam Hussein's regime in a time period far less than I would ever have thought possible and with a loss of life far less than I would have thought possible. It was a brilliant deal, and the Secretary of Defense, if you read GEN Tommy Franks' book, followed GEN Tommy Franks' decision, supported that decision and was praised by GEN Tommy Franks, the man who led this effort against Saddam Hussein and removed him from office.

Now what has happened? Many of the things that were predicted to happen didn't happen. We didn't have a humanitarian disaster. We didn't have to lose thousands or tens of thousands of soldiers in house-to-house fighting. We didn't have oil well fires. We didn't have a lot of things people projected. The people did welcome our soldiers, and they were happy to see the statue fall. You remember those scenes.

But look, we have difficulties now. There has been a persistent measure of violence in Iraq driven by a whole lot of forces. They are determined and striving every day to not allow a good and decent government to be formed and be sustained in Iraq. We have invested a lot of time and effort in that. It is tough.

I have a nephew there and the son of a good friend there in the Marines, in tough areas right now. My nephew is in the Marines. I have a sense for the effort and courage of our soldiers. It is a tough duty, and we are in a very tough struggle.

The struggle moved to Baghdad. An effort has been made to destabilize Baghdad and the Government there. We moved to counter that. That is the way, American people, it is always going to be when you deal with an enemy who has an ability to think. When you move in one direction, they will counter. When they move in another direction, you have to counter that. That is the way it will be. It is not a failure when an enemy moves in one direction for you to counter that and alter your tactics. In fact, I expect any good military commander would be altering tactics on a regular basis to stay one step ahead of the enemy. That is what we are in, and it is a tough battle.

I, therefore, ask, first and foremost, does the resolution suggest—I say the

resolution. It hasn't been offered because it is not appropriate, as I understand it, and it would not be appropriate to be offered. But any resolution to change the Secretary of Defense, is that going to help our soldiers in Iraq? Is that going to help them be successful? Is it going to make their lives better? Will it help us win this war, which we must do? We need to ask ourselves that.

It is ironic, I have to say, that some of the people who complain about Secretary Rumsfeld not having enough troops voted consistently for the reduction of the number of troops we had by 40 percent when President Clinton was in office.

I see Senator MCCAIN here. He has been a strong supporter of defense. He has been concerned about the number of troops and said so consistently. But there are many in the Chamber today who are saying we do not have enough troops and at the same time saying they must be withdrawn ahead of time; we ought to pull the number of troops down. How ironic is that.

They say Secretary Rumsfeld doesn't listen to the generals. I say he has listened to the generals.

Mr. MCCAIN. Will the Senator yield for a question?

Mr. SESSIONS. I will be pleased.

Mr. MCCAIN. The Senator, who is a strong supporter of the military men and women who are serving and with whom I have had the great privilege of serving on the Armed Services Committee, if I may be a bit cynical, may I ask, Does the Senator think we would be having this discussion if we were not in an even-numbered year in September?

Mr. SESSIONS. Unfortunately, I think the Senator's suggestion is correct. We are on the eve of an election. We have a motion here, a suggestion and an attack on the Secretary of Defense who is leading a war effort.

Let me ask the Senator from Arizona, who served in the military courageously and who has been actively engaged in trying to help us be successful in this war, is he troubled that the resolution and remarks that are made, even recognizing we are in an election cycle, could be such that they would add to the risk and difficulties our soldiers face?

Mr. MCCAIN. Mr. President, I ask unanimous consent to respond to the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. I say to my friend from Alabama, we have many pressing areas of the war on terror in Iraq. I think we should be engaged in discussions as to how we can better equip the men and women who are serving in Iraq. I think we could discuss the situation of the acquisition of nuclear weapons by Iran and North Korea. There are many pressing issues around the world this body could be discussing.

I would respond with one more question for my friend from Alabama. I do not want to take up too much of his time, but isn't it true that elections have consequences? The fact is, when we elect a President of the United States, one of the most important things is for him to have a team around him that he can trust and that he can rely on, and the President should be able to keep that team until such time as the President of the United States loses confidence in that team.

If we begin dictating who the team is around the President of the United States, it bodes ill for any President of the United States, whether it be a Democrat or Republican or whoever, because one of the important aspects of the Presidency is to have people around the President of the United States whom he or she can trust. Isn't that one of the most important predicates of capable government?

Mr. SESSIONS. I couldn't agree more. I think the Senator from Arizona has made a tremendously important point. This President is committed to a successful outcome in Iraq. He has chosen his Secretary of Defense, and his Secretary of Defense is his person in whom he has confidence, and he does not believe changing that Cabinet Member at this point in time would help him be successful in that effort. I agree. But regardless of whether you and I might agree, it is his call. He was elected after a full debate over the wisdom and the conduct of the war in Iraq. He was reelected. I think the American people, therefore, affirmed him and expect him to choose the type people he believes will be successful.

I think the Senator makes a good point.

I would just share a couple of thoughts before my time is up. To repeat, we made a decision in this body. A majority of the Democratic side and a large majority if not all the Republicans voted to authorize this military action. Many things went far better than we could have expected. But we are now facing very difficult, persistent violence that places at risk our soldiers, places at risk the new Iraqi Government, and it is something that should not be minimized. This is a very tough time. But we have to be successful.

I know my colleagues have filed a motion and had quite a number of votes on one or more resolutions to set a date and just withdraw, regardless of what is going on in the country—to just withdraw.

Just a few weeks ago, just before we recessed on August 3, we had an Armed Services Committee hearing on Iraq. Testifying before that committee was General Abizaid. General Abizaid followed Tommy Franks as CENTCOM Commander. That region of the world is under his control. We had just voted overwhelmingly to reject a pullout of the troops in Iraq without regard to the status of the military situation in Iraq. I asked him a question at that hearing.

I see the Senator from Alaska is here. I know he has had experience in these issues. He served our country in combat.

This is the question I asked General Abizaid:

> What kind of reaction, what kind of impact would there be with regard to the Islamic extremists in the Middle East? And you are a student, General Abizaid of that region. You spent time in that region as a young person. You speak Arabic and you have been with us, conducting this Iraq war, virtually from the beginning. What kind of impact would result if we were to precipitously withdraw? Would it mollify the extremists? Would it make them say, well, the United States is a nicer place now? We don't have to be so aggressive now? Or would they likely be emboldened, empowered, and more aggressive?

And just like that, General Abizaid said:

> Emboldened, empowered, more aggressive.

I said:

> In your opinion, would a failure in Iraq embolden and empower these radical extremists?
>
> Yes, it would.

I asked again:

> And, in your opinion, would setting a fixed date, regardless of the situation in Iraq, for a withdrawal, embolden or empower the extremist forces?
>
> Embolden.

Then I asked General Pace, Chairman of the Joint Chiefs of Staff, Marine Corps general:

> General Pace, this is a matter we've discussed. Unfortunately, it's had very little support in the Senate but there is a political election coming up and people float this idea that we should just pull out. You've heard General Abizaid's comments. He's been in the region for years and been leading this effort. Would you agree with his comments?

General Pace, Marine Corps general, Chairman of the Joint Chiefs of Staff, said:

> Sir, I agree with each of General Abizaid's responses to each of your questions.

Mr. REID. Will the Senator yield?

Mr. SESSIONS. I would, briefly.

Mr. REID. Senator STEVENS came to me and wanted to enter into an agreement that we will have two votes tonight. I am very inclined to agree to that, but I ask the Senator—we have specific times on our speakers. We need an idea as to how much longer the Senator will speak.

Mr. SESSIONS. I won't be speaking but just 3 or 4 minutes.

Mr. REID. That way we can work through there and have the votes the majority leader wants.

Mr. SESSIONS. Then he basically volunteered, he said:

> Senator Sessions, sir, what I'd like to say is that the troops that serve in the region are not afraid of what's happening there. They would be afraid of what would happen if we just precipitously left.

I would carry it a little bit further because I was talking to some soldiers. Basically, what they told me was they were worried the politicians wouldn't have the gumption to stay the course and be successful after we have committed so much of our resources and lives, when we have a new government

that has been up less than 6 months, trying to get itself established, and then we send signals with this kind of debate that we might just up and leave.

Fortunately, when we have had the votes, they have not been there. It is not helpful, in my view, to have this kind of debate. We have had it before. We have had our votes. The American people have elected the President again when he stated exactly what he intends to do to protect this country from the regimes and the terrorists that are gathering in Iraq.

We have an outstanding Secretary of Defense, a man who has the confidence of the President, a man who has listened to the generals.

I was on an airplane, a C–130, flying into Baghdad with General Abizaid. We could hardly hear anyone talk on the planes. Just the two of us were sitting on one side of the aircraft. He explained to me why he thought we should not send more troops there 2 years ago. He testified recently at the hearing that he does not believe we need to send more troops.

Is Secretary Rumsfeld dictating this policy or is he listening to the general? That is what they have advised him; that is what he is doing. He is following the advice of one of the most brilliant generals in the Army, General Abizaid, the commander in that region.

If we will continue to follow that advice, if we will show strength and courage, if we continue to alter our tactics to meet the changing tactics of the enemy, this mindless violence can be defeated and a good and decent government in Iraq can be established. We have invested so much in that effort.

We voted as a Congress to undertake this action. We need to see it through successfully. We can do that. We just do not need to lose our nerve. We must win this war.

I yield the floor.

The PRESIDING OFFICER (Mr. DEMINT). The Senator from Delaware.

Mr. CARPER. I have listened to my friend from Alabama assert that the Democrats are really interested in precipitous withdrawal from Iraq. For the most part, the debate I have heard from our side and in our own caucus is really more reflective of the words of some of our top military leaders in Iraq with whom I met who said, as recently as last December, it is time for America to move toward the door; not to go out the door, not to close the door behind us but, again, move toward the door.

That is a pretty good way to describe the way most feel. It is time to redeploy our forces, not to leave overnight, not to leave precipitously, but to move toward the door.

Senator MCCAIN asked: Would we be having this debate if it were not September of an election year? I remember voting in 1991 to authorize the use of force to invade Iraq and to force and compel the Iraqis out of Kuwait back into Iraq. Eighteen months or so after that, September 1992, we were not having a debate. There was an election year.

Mr. STEVENS. I ask my comments not interrupt the Senator's speech in the RECORD.

Could the Senator yield to me? We have a time agreement following the disposition of this.

Mr. CARPER. I am happy to yield.

Mr. STEVENS. I ask unanimous consent following the disposition of the Reid amendment there be a period of 30 minutes equally divided in relation to the Kennedy amendment, No. 4885, with no second-degree amendments in order prior to a vote in relation to the amendment; provided further, following the vote, there will be 10 minutes equally divided in the usual form prior to a vote in relation to the Mikulski amendment, No. 4895, with no second-degree in order prior to that vote.

Mrs. BOXER. We have no objection on our side.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I thank the Senator.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. What I was saying, responding and reflecting on Senator MCCAIN's question, would we be having this debate if it were not September of an election year, in 1991, we voted to authorize the use of force in Iraq. Eighteen months after a number of us voted to authorize the use of force to force the Iraqis out of Kuwait and to follow them into Iraq, 18 months later, in September of 1992, a Presidential election year, we were having debates. One of the things we were not debating was the wisdom of going out, getting the Iraqis out of Kuwait and forcing them far into Iraq, into Baghdad.

The reason we are having this debate today is not because it is an election year, not because it is September of an election year, but because of how badly too much of our effort in that part of the world has been managed. It is not a reflection of our troops. They have served us valiantly. They continue to do so.

I say to my friend on the other side, be honest with yourself. If the shoe were on the other foot, if we had a Democratic administration, Democratic President, a Secretary of Defense appointed by that Democratic President; if we were in a war that the Secretary of Defense had alleged would cost $50 billion to $60 billion, and in reality was costing 10 to 20 times that amount; if we were in a war that was expected to last maybe 6 months, and we are in it 3 years later, with no end in sight; if we were in a war where basically a Democratic administration had said to the Iraqi Army, go home, we don't need you; if we were in a situation where instead of fostering a situation where we had fewer insurgents, we had at least a fourfold increase in the number of insurgents holding forth in Iraq; if we had a Democratic administration in Afghanistan that was starting to slip away from us, and we were seeing a massive increase in drug production, growing enough poppies in Afghanistan today to meet the demands of the whole rest of the world, not just the U.S. heroin addiction but the rest of the world, I say to my friends on the other side, if the effort were mismanaged as badly by a Democratic administration, I bet we would be having this debate in September of 2006.

This is a reasonable debate. I say that as one who has voted for most of this administration's nominees who had to be confirmed, who tried to help a bunch of my old colleagues, including Secretaries Thompson, Ridge, Leavitt, Whitman, and others to put together their teams to help govern this country.

Every now and then the time comes to change course. We know what we are doing is not working. One of the keys to changing course, frankly, is to change leadership.

Secretary Rumsfeld, to his credit, in response to early criticism, I am told, actually came to the President and offered to resign. And the President, to his credit, being loyal to his team, declined that offer by his Secretary. I believe that to be true.

I would say, Mr. President, if Secretary Rumsfeld feels compelled to submit his resignation to you again, accept it. It is time to turn the page. It is not the time to turn our backs on Iraq. It is not the time to turn our backs certainly on the men and women who are serving there for us on behalf of the Iraqi people today, but it is time to change course. It is time to change the leadership. That begins with the civilian leadership of the Department of Defense.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, the Senate is debating a resolution that simply asks the question: Could the Bush administration be doing things better in Iraq, the global war on terror, and with homeland security?

I know we can do better. I know we need to change course if we want to be more secure. We can do better than sending our troops into war without the armor and equipment they need. We can do better than misleading the American people about the costs of this war. We can do better than completely misreading the insurgency, which the Vice President told us over a year ago was in its last throes. We can do better than a policy that leaves our troops without a clear mission and without a plan for success.

Our servicemembers deserve better. Frankly, our security demands better. It starts with this Senate simply saying we need to change the course. We cannot tolerate more of the same. We cannot have an administration that has gotten it wrong at every turn. It is time to send that message loudly and clearly.

We all want the same thing in Iraq: for our troops to complete their mission successfully and to come home safely. But today it is not even clear why our servicemembers are still there. What are they supposed to be accomplishing in Iraq today? Overthrowing Saddam Hussein? They accomplished that. Looking for weapons of mass destruction? They looked and there were no weapons to be found. Are they supposed to be setting up an Iraqi Government? We have done that. The Iraqi people have created a Constitution. They have elected their leaders. They filled their Cabinet. Our troops have done everything we have asked them to do. What is left? What are our troops supposed to be accomplishing today? And how will the President's policies get us there? That is the discussion we need to be having.

This administration's focus—solely on Iraq—has distracted us from the larger important war on terror and has left us vulnerable. Our country faces possible threats from terrorists around the world. We need a security strategy that ensures we can fight those threats wherever they are. But, instead, this administration has become increasingly focused on Iraq. The President took a detour from the war on terror and has invested a majority of our resources in Iraq, seemingly forever. That weakens our ability to fight the important war on terror. That is another mistake.

Bin Laden is still on the loose and our homeland security efforts are woefully inadequate. This resolution sends the message that we have to get back on track on the war on terror. We cannot continue to stay the course in Iraq indefinitely and expect to make progress in the global war on terror.

The war on terror extends far beyond the borders of Iraq, and unless we deal with all the threats we are facing, we are not going to have the security we deserve in this country. But this White House has put all our eggs in the baskets of Iraq, and we are slipping behind all the other challenges we face in Iran, in North Korea, in Afghanistan.

Yesterday, the New York Times showed us how bad things have gotten in Afghanistan. And I quote:

> Across Afghanistan, roadside bomb attacks are up by 30 percent; suicide bombings have doubled. Statistically it is now nearly as dangerous to serve as an American soldier in Afghanistan as it is in Iraq.

Today the Seattle Post-Intelligencer in my home State of Washington editorialized that we need to get back to work in Afghanistan. And I want to read to you what they said:

> The central government's control is weakening as warlords and the Taliban reassert themselves. Casualties for international troops are mounting, making Afghanistan almost as risky for U.S. soldiers as Iraq. Opium production is at a record. The head of the U.N. Office on Drugs and Crime said Afghanistan is now supplying a ''staggering'' 92 percent of the world's opium supply.

We entered Afghanistan because it had harbored al-Qaida and bin Laden—who are responsible for the terrorist attacks of September 11, which killed nearly 3,000 Americans. We still have not captured bin Laden, and the Taliban is reemerging in Afghanistan.

Iraq is not the only challenge we face, and if we do not recognize that, Americans will pay the price.

This administration has gotten it wrong in Iraq, the war on terror, and on homeland security time and again. Continuing the status quo is unacceptable, and that is the message I send with my support for this resolution.

The American people deserve straight answers and a real debate so we can get this right. Nothing is more important for our security, and nothing is more important for this country's future.

Thank you, Mr. President.

Mrs. FEINSTEIN. Mr. President, I rise today in support of a no-confidence resolution on the leadership of Secretary of Defense Donald H. Rumsfeld.

Secretary Rumsfeld has overseen a failed strategy, policy, and military tactics for Iraq that have weakened the state of our national and homeland defense.

Despite clear evidence that our current strategy is not working, he has stubbornly stuck to a deteriorating course.

We need a new direction. ''Staying the course'' is not the answer and Secretary Rumsfeld has been the key proponent of this failed policy.

I first publicly called for Secretary Rumsfeld's resignation 6 months ago, after watching 3 years of mismanagement of our war effort in Iraq.

And, since that time, I have become more convinced of the importance of changing the leadership at the top of the Department of Defense.

In truth, the Bush administration's failed strategy and tactics in Iraq have significantly diminished the United States' standing in the world and made waging the global war on terror more difficult.

Despite optimistic reports by Pentagon officials regarding the security situation near Baghdad over the past several weeks, it is clear that Iraq is on the edge of civil war.

For example, in recent days news agencies have reported that: 40 bodies, 25 of which had been blindfolded and executed by gunshot, were discovered in a mass grave in Baghdad—this from the New York Times.

The number of killings in and around Baghdad grew substantially last week despite an American-led security crackdown, with morgues receiving as many bodies as they had during the first three weeks of August combined—this from the Los Angeles Times.

Finally, the Iraqi parliament voted to extend a state of emergency throughout much of the country a strong indication that the security situation remains tenuous—this from the Associated Press.

Yet we are continuing down the same failed path, buttressing the Shiite-dominated government and preventing it from taking actions necessary to end the insurgency and prevent a full-scale civil war.

As a result of these failed policies under Secretary Rumsfeld's leadership, Iraq continues to be a nation in chaos.

Yes, there is a permanent government in place. But the ministries do not function properly; terror, kidnappings, and assassinations continue on a daily basis.

Iranian influence is growing, and Shiite militias dominate the police.

Civilian killings now top 3,000 a month, and a Sunni-Shiite civil war is emerging, with U.S. forces caught in the middle.

Despite spending almost $20 billion on reconstruction efforts, our plan for Iraq reconstruction has stalled as security requirements continue to tax our resources.

Unemployment may be as high as 50 percent, many utilities are not online, and demand for subsidized gasoline—U.S. $0.55/gallon—has led to a thriving black market and corruption. Oil production has yet to meet revenue goals.

The list of failures in our war policy in Iraq is comprehensive and long:

(1) Failed strategic, logistical, and financial planning for the Iraq war

Secretary Rumsfeld ignored suggestions early on by advisers like Army Chief of Staff General Shinseki, Senators such as John McCain, and reports by well-respected think tanks such as the RAND Corporation, that many more ground troops were needed.

For questioning Rumsfeld's plan, General Shinseki was effectively forced into early retirement.

White House economic adviser Lawrence Lindsey found himself out of a job after differing with Rumsfeld in suggesting that the Iraq war might cost up to $200 billion Rumsfeld initially argued that it would cost only $50 billion.

With the addition of emergency supplemental funding, the cost of the Iraq war has now reached $320 billion, with spending averaging $2 billion a week.

American troops went into combat without the proper equipment and protection. Hundreds of soldiers and marines were killed or maimed in the early stages of the war due to the lack of appropriate vehicle and body armor.

Yet in responding to these concerns, Secretary Rumsfeld famously quipped, ''You go to war with the Army you have.''

(2) Failed policy of de-Baathification, including abolishing the Iraqi Army with no severance pay or pensions for soldiers

Perhaps the biggest strategic mistake made by military planners, beyond the lack of adequate troop strength, was the decision to demobilize the standing Iraqi Army, while ''blacklisting'' other civilian professionals who had been members of the Baathist Party.

Many of these soldiers, government officials, doctors, lawyers, and other civilian workers, with their jobs eliminated and no money to feed their families chose to join the insurgency that has now grown to an estimated 20,000 individuals.

Remarkably, Rumsfeld until only recently tried to characterize the insurgency as a group of ''foreign fighters,'' failing to understand the deep resentment cultivated by American policies in post-Saddam Iraq.

(3) Faulty belief that capturing Baghdad meant controlling Iraq

As related in recent firsthand accounts of the initial invasion, commanders on the ground quickly identified the threat of a guerilla war, but after GEN William Wallace, who was leading the march toward Baghdad, recommended crushing the small insurgency along the way, he was nearly forced to resign.

While U.S. forces successfully captured Baghdad within 3 weeks, this strategy allowed an insurgency to grow within the Sunni triangle and hundreds of foreign fighters to stream across Iraq's unguarded borders.

(4) Failure to manage the chaos in the aftermath of the invasion

Some of the first signs that the U.S. lacked adequate troops were the pictures of Iraqis rioting and looting in several key cities immediately following the invasion.

Rumsfeld dismissed the chaos as a symbol of ''freedom and democracy,'' simply saying ''stuff happens.'' Sadly, it demonstrated to all Iraqis that American military resources were limited.

This shortage of U.S. troops also resulted in a failure to secure munition dumps and small arms that were stashed throughout the country.

The insurgency was able to thrive through access to these munitions and weapons caches, and many American troops have been killed or injured from bombs or RPGs that could have been secured in the initial invasion, had we had enough troops.

(5) Failure to stop abuse and torture

One of the greatest stains on America's reputation that will come out of the war effort is our failure to properly protect the rights of those detained by our military.

While most of our men and women have served honorably, it is clear that the Pentagon allowed a culture of abuse to develop in prisons such as Abu Ghraib, Guantanamo, and Camp Nama.

Yet despite the clear evidence of detainee abuse, no high-level official has been held accountable for these actions.

(6) Failure to maintain military readiness

The Iraq war has taken a significant toll on the state and preparedness of our military. Our armed forces are stretched thin; our men and women in uniform overburdened.

Last month, the Marine Corps was forced to issue call-up orders for 2,500 from its Individual Ready Reserve the first time it has had to do so since the war started.

Top Army commanders have suggested that two-thirds of all Army brigades do not meet the necessary state of readiness, and National Guard chief, LTG Steven Blum, estimates that two-thirds of the National Guard cannot even be deployed today.

Equipment is fast wearing out. It is estimated that the Army and Marines will need a combined $75 billion over the next 5 years for maintenance, repair, and replacement alone.

As a result of failed policies under Secretary Rumsfeld's leadership, we may well end up with a broken force and an Iraq held captive by civil war.

There must be a change in course and a change in those who have managed the war effort.

This is critical if we want to have any chance for success in Iraq.

Just last week, Secretary Rumsfeld employed truly shameful rhetoric by comparing those who have criticized the Iraq War with those who ''appease[d]'' the Nazis in the run-up to World War II.

In the speech at the American Legion conference in Salt Lake City, Rumsfeld stated:

> Once again, we face similar challenges in efforts to confront the rising threat of a new type of fascism but some seem not to have learned history's lessons.

Questioning the patriotism of those who might not support the war, he said:

> The struggle we are in is too important the consequences too severe to have the luxury of returning to the ''blame America first'' mentality.

These baseless, partisan attacks are simply over-the-top and are being used to fill a gaping vacuum created by the lack of a successful plan for Iraq.

It is clear to me that this administration, led by the President and Secretary Rumsfeld, has been wrong at almost every turn.

Still, Secretary Rumsfeld remains in place, despite a growing number of bipartisan calls for the President to replace him.

Consequently, I believe that now is the time for the Senate to assert its oversight role and move forward with a vote of no-confidence.

Ultimately, it is true that President Bush is responsible for the failures in Iraq, but no Bush administration official was closer to the war planning than Defense Secretary Rumsfeld.

Secretary Rumsfeld was and remains the chief architect of the strategy and policy in Iraq.

Consequently, it is time for President Bush to ask for Secretary Rumsfeld's resignation and pursue a course correction under new Pentagon leadership.

There must be accountability for the disastrous policy pursued in Iraq.

It is time to bring in a new team to run our military. Secretary Rumsfeld must step down.

Our men and women in uniform deserve better.

The PRESIDING OFFICER. The Senator's time has expired. The Senator from California.

Mrs. BOXER. Mr. President, I am going to be the last speaker. Senator DORGAN will not be using his time, so I am asking that I have 4 minutes of his time, since he has given me that.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Thank you. That will give me a total of 10 minutes.

Mr. President, I think it is a very sad day that the Republicans are not going to allow a vote on this Democratic resolution calling for a changed course in Iraq. And their reason—I sat here and listened—is that we are only doing this because it is an election year. Well, folks, I do not know how to break this to you, but every 2 years is an election year. Are we supposed to stop working in an election year? Are we supposed to stop talking about the issues that are on the minds of the American people because they may be difficult or they may be controversial or they may have consequences for us? Are we supposed to stop doing the people's business in an election year?

I do not know about my Republican friends, but I know Californians expect me to work every year—election year or not—every day, every week, every month. And I say to Senator MCCAIN, elections do have consequences. He said elections have consequences. Yes. And all of us were elected, too. Is he forgetting that? Does he think the only election that matters is the election of a President? I think our Founders would be very shocked. Our job is to provide oversight. Our job is to, in fact, advise and consent on many nominations, including the top levels of this administration. So I rise in strong support of this very important amendment Senator REID has carefully put together.

This amendment does three critically important things.

First, it is about this Congress conducting its constitutional responsibility to exercise oversight over the executive branch. It is our job, given to us by the Founders. It is our job not to be a rubberstamp Congress, not to be a compliant Congress, not to be a roll-over-and-play-dead Congress, but to challenge, to question, to push; and if things are not going well for our country—be it wages for our workers or be it education for our children or be it deficits as far as the eye can see and debt as far as the eye can see or the war in Iraq—we need to speak out. And that is what this carefully crafted amendment does.

Second, the amendment is about helping to chart a new path forward in Iraq and clearly states that we need a new direction. That is important. There are those on the other side who said this is all about Donald Rumsfeld. It is not all about Donald Rumsfeld. It talks about starting over, starting anew, getting a new strategy in place for success in Iraq.

Third, it is about calling for a new civilian leadership. As you know, in this

particular version, we do not even mention Donald Rumsfeld's name. We are basically saying it is time to change direction. Things are dangerously heading down the wrong path in Iraq.

Let's hear what the latest Pentagon report said. My friends are quoting the Pentagon, as well they should. Let's hear what the Pentagon itself is saying:

> Concern about civil war within the Iraqi civilian population and among some defense analysts has increased in recent months. Conditions that could lead to civil war exist in Iraq.

They pointed out that the average number of weekly attacks—against coalition forces, Iraqi security forces, the civilian population, and infrastructure—increased by 15 percent since last spring. The number of weekly attacks has increased from approximately 640 to nearly 800. July saw the highest level of weekly attacks since military operations began.

In California, we have bases that are sending our troops out for their fourth tour of duty—their fourth tour of duty. So we are supposed to sit back and be compliant because it is an election year? Because it is an election year? Just talk to the parents and the families who are losing their family members, who are losing their sons and daughters, who are losing their moms and dads, who are seeing them come back with post-traumatic stress disorder, severe brain injury. Talk to them about it. They could care less if it is an election year. They want us to change course and bring their kids home. The fact is, we could do it if the Iraqis wanted democracy and wanted freedom as much as we wanted it for them. You show me one country that survives that cannot take care of its own security.

Sectarian violence is what is going on over there. As a result of our flawed policy, we are shorting the war on terror. We are not protecting our ports. The money is going to Iraq. It is being sucked out of the Treasury, going onto the backs of our grandchildren, to the tune of over $300 billion. And where is the money for port security? Where is the money to protect our nuclear powerplants? Where is the money to protect our infrastructure? Where is the money to protect our aircraft from shoulder-fired missiles, when we know that at least two dozen terrorist organizations have those missiles and the FBI has warned us over and over that we need to do something about it? Oh, they have to slow-walk it because they do not have the money—except for tax cuts to billionaires. They have the money for that.

So the bottom line is, this flawed strategy is shorting the war on terror. Secretary Rumsfeld how wrong could he be? He said he doubted this war would even last even 6 months. But he cannot admit a mistake. The fact is, when we went into Iraq without a plan, we turned away from the war on terror. Every single Senator voted for the war on terror—every single Senator.

I remember writing a speech, coming to this floor, and giving strong support to this President to go get Osama bin Laden, to go break the backs of terrorists, to go break the backs of al-Qaida to do it—and I would give him everything he needed. The whole world was with us. Go back to those days. Everyone was with us. But, oh, no, he had this thing, he was going to go into Iraq, even though his own State Department showed there was not one al-Qaida cell in Iraq. There were more al-Qaida cells in America than in Iraq. Took the money, took the energy, took the military, spread them thin, thought this war would be over in a nanosecond. And we have been misled. We have been misled.

So this is a very sensible resolution. Let me just read you the operative language:

> Our troops deserve and the American people expect the Bush Administration to provide competent civilian leadership and a true strategy for success in Iraq.
>
> President Bush needs to change course in Iraq to provide a strategy for success. One indication of a change, of course, would be to replace the current Secretary of Defense.

Mr. President, this resolution is written with respect to the President. It does not demean anybody. I believe it is very carefully drawn, and I think it speaks for the American people. If you look at the polls today, they are begging us—begging us—to change course. And I will tell you, it has not been easy for the American people to make their feelings known because they have changed. In the beginning, they were all for this. But they have seen what has happened. We cannot close our eyes to what is happening. And then when the Secretary of Defense looks at those of us in America—a vast majority who oppose this war—and says we do not understand history and we are appeasers, that has gone just too far.

I say to the Secretary and to this President: Get with the current times.

I even heard Secretary Rice talk about how this was somehow akin to the people who did not want to fight the Civil War. Talk about drawing up analogies that do not make any sense, there is another one.

Let's change course now. And let's start by approving this resolution. At the minimum, I say to my friends on the Republican side, let us vote on this resolution. It is our job to speak out. It is our job to do oversight. And let the votes fall where they may. But the American people deserve this vote. I thank my leader for putting this resolution together.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, I will momentarily send an amendment to the desk. But my disappointment is that the majority, as they have done for years when a tough issue comes before the Senate, through technical means, is preventing Senators and preventing the Senate from expressing its will—in this instance on this resolution of no confidence. This is unfortunate. We should have the ability to vote on this amendment.

AMENDMENT NO. 4904

Mr. President, I send this amendment to the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

> The Senator from Nevada [Mr. REID], for himself, Mr. DURBIN, Mrs. BOXER, Mrs. FEINSTEIN, Mr. BAYH, Mr. KENNEDY, Mr. LAUTENBERG, Mr. CARPER, Ms. MIKULSKI, Mr. KERRY, Mr. SCHUMER, Mr. LEVIN, Mr. HARKIN, and Mrs. CLINTON, proposes an amendment numbered 4904.
>
> At the appropriate place insert the following:
>
> SENSE OF THE SENATE ON THE NEED FOR A NEW DIRECTION IN IRAQ POLICY AND IN THE CIVILIAN LEADERSHIP OF THE DEPARTMENT OF DEFENSE:
>
> Findings:
>
> 1. U.S. forces have served honorably and courageously in Iraq, with over 2,600 brave Americans having made the ultimate sacrifice and over 20,000 wounded.
>
> 2. The current ''stay the course'' policy in Iraq has made America less secure, reduced the readiness of our troops, and burdened America's taxpayers with over $300 billion in additional debt.
>
> 3. With weekly attacks against American and Iraqi troops at their highest levels since the start of the war, and sectarian violence intensifying, it is clear that staying the course in Iraq is not a strategy for success.
>
> Therefore it is the sense of the Senate that:
>
> 1. Our troops deserve and the American people expect the Bush Administration to provide competent civilian leadership and a true strategy for success in Iraq.
>
> 2. President Bush needs to change course in Iraq to provide a strategy for success. One indication of a change of course would be to replace the current Secretary of Defense

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I raise a point of order against this resolution on the basis of precedent of the Senate of May 17, 2000. It is not appropriate to raise this amendment as a sense of the Senate on this bill.

The PRESIDING OFFICER. In the opinion of the Chair, the amendment is not germane. The amendment falls under the criteria of the Senate.

AMENDMENT NO. 4885

Mr. STEVENS. Mr. President, there is now, for the Kennedy amendment, 30 minutes on a side, as I understand it; am I correct?

The PRESIDING OFFICER. It is equally divided.

Mr. STEVENS. Fifteen minutes on a side?

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. Thank you.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I yield myself 10 minutes. Just for the information of the Members, I intend to ask for the yeas and nays at the conclusion of the debate.

Mr. President, the Kennedy-Reid amendment requires the Secretaries of Defense and State to determine every 3 months whether Iraq is in a civil war and to outline a plan to protect our troops in the event of a civil war.

Under our amendment, if the administration determines that Iraq is not in a civil war, the amendment requires a description of the efforts by our Government to avoid civil war in Iraq, a plan to protect our troops in the event of a civil war, and a strategy to ensure that our troops don't take sides. If the determination is that Iraq is in a civil war, the amendment requires the Secretary of Defense to explain the mission of our troops and the duration, his plan to protect our troops, and a strategy to ensure that they don't take sides in a civil war.

At every step of the way, this administration has missed the threat to our troops, and the American people have seen it time and again. They saw it when the Bush administration disbanded the Iraqi Army after the fall of Saddam Hussein but allowed thousands to walk away with their weapons. They saw it when the Bush administration waited a full year to begin training the new Iraqi security forces. They saw it when the White House failed to see the insurgency spreading like a cancer throughout Iraq. They saw it when the Bush team failed to see the danger of roadside bombs and improvised explosive devices, yet sent our troops on patrol day after day, month after month, year after year. They saw it when the White House failed to provide the proper armor for our troops until the Congress demanded it.

Unfortunately, the administration's repeated failure to see each new threat in Iraq has put our troops and our security in greater peril. Today, once again, the administration refuses to recognize another seismic shift in Iraq—the dangerous prospect that we are drawn into a deadly and divisive civil war.

While the President and DICK CHENEY, Secretary Rumsfeld and Secretary Rice are out on the campaign trail claiming progress in Iraq, military leaders and experts are urging the White House to heed the disturbing warning signs in Iraq. General Abizaid acknowledged the clear danger when he told the Senate Armed Services Committee on August 3:

> I believe that the sectarian violence is probably as bad as I have seen it, in Baghdad in particular, and that if not stopped, it is possible that Iraq could move toward civil war.

General Pace, at the same hearing, agreed about the threat of the civil war. He said:

> I believe that we do have the possibility of devolving to a civil war, but that does not have to be the fact.

Others think that a civil war may have already begun. Former Iraqi Prime Minister Allawi said in March that Iraq is probably in ''an early stage of civil war.''

The British Ambassador to Iraq wrote in August:

> The prospect of a low-intensity civil war and a de facto division of Iraq is probably more likely at this stage than a successful and substantial transition to a stable democracy.

Our colleague from Nebraska, Senator CHUCK HAGEL, concurred, saying in August:

> We, in fact, are in probably a low-grade, maybe a very defined, civil war.

General William Nash, who commanded our troops in Bosnia after that country's civil war ended, stated on March 5:

> We are in a civil war now; it is just that not everybody has joined in.

These leaders see what is really happening in Iraq, not just the White House spin. Indeed, the September 1 report prepared by the Department of Defense on civility and security in Iraq reaffirms what the American people already understand, the conditions of civil war exist. Violence in Iraq is spiraling out of control, and staying the course is not a viable option.

This is what the Department of Defense report says:

> Concern about civil war within the Iraqi civilian population and among some defense analysts has increased in recent months. Conditions that could lead to civil war exist in Iraq.
>
> Rising sectarian strife defines the emerging nature of violence in mid-2006.
>
> Sustained ethnic and sectarian violence is the greatest threat to security and civility in Iraq.
>
> Sectarian tensions increased over the last 3 months, demonstrated by the increased number of executions, kidnappings, attacks on civilians, and internally displaced persons.
>
> Civilian casualties increased by approximately 1,000 per month since the previous quarter. Assassinations, in particular, reached new highs in the month of July. The Baghdad coroner's office reported that 1,600 bodies arrived in June, and more than 1,800 bodies in July, 90 percent of which were assessed to be the result of executions.
>
> Sectarian violence is gradually spreading north into Diyala Province and Kirkuk as Sunni, Shiite, and Kurdish groups compete for provincial influence.
>
> Both Shia and Sunni death squads are active in Iraq, and are responsible for the most significant increases in sectarian violence.
>
> Militias and small, illegally armed groups operate openly and often with popular support. The threat posed by Shiite illegal armed groups, filling perceived and actual vacuums, is growing.
>
> The security situation is currently at its most complex state since the initiation of Operation Iraqi Freedom.

That is all from the report prepared by the Defense Department. These facts are at odds with the administration's statement about civil war. Sectarian divisions are increasing. Militia violence and death squad activity is increasing. The number of Iraqis fleeing the violence is increasing. Yet the President, Vice President, Secretary of Defense, and Secretary of State continue to deny the possibility of civil war. As long as the administration continues to deny the plain truth, America will be behind the curve and unable to adjust to the current realities on the ground and protect our troops.

Most important, our amendment requires the administration to say what we are going to do about it. How are we going to advance America's interests in Iraq in a time of civil war? How are we going to protect our troops from getting drawn ever deeper into an endless sectarian conflict?

An article in Newsweek magazine on August 14 indicates that although the Bush administration insists that Iraq is a long way from civil war, some inside the White House and the Pentagon have begun some contingency planning. The American people and our men and women in uniform want to know what that means.

What is the role of our troops in a civil war? What is our mission? How long will it take? What are the rules of engagement? How do we prevent our troops from taking sides? As long as we are on the ground in the conflict, our troops run the risk that they will be perceived as helping one side against another.

The administration should level with the American people about their planning to protect our troops. We all agree that the Iraqis need to make political compromises necessary to stop the violence and civil war. That is plan A. But what is plan B? What is the contingency plan? What is the plan to protect our troops?

That is the purpose of our amendment this evening. The amendment is needed to ensure proper planning in the event of civil war.

Instead of attacking those who want to change our course, President Bush ought to deal with the hard, cold facts. This Defense Department report underscores the fundamental truth that our brave troops are being let down by the administration and we need to find a way to succeed.

The administration needs to look at all of the facts and honestly address the question of civil war for the sake of our military and the American people. This legislation creates a continuing obligation to ensure that analysis on civil war is done regularly. The facts in the administration's report say one thing about civil war, but the conclusion about civil war says another. We need an honest assessment about the conditions and a clear plan to protect our troops.

Our soldiers and the American people deserve more from the administration. Together, the Secretary of Defense and the Secretary of State need to set the White House political agenda aside and directly and thoughtfully address this ominous threat.

The administration acts as if the mere discussion of a civil war is defeatist. They have it exactly backward. This amendment is an effort to make sure that the administration confronts and deals with the facts on the ground in Iraq and recognizes the emerging threat before it consumes our troops.

We must do better. This administration owes it to the American people. Even more important, dealing with reality is essential and necessary to protect the lives of our brave soldiers.

Iraq's future and the lives of our troops are close to the precipice of a new disaster. The timebomb of civil war is ticking, and our most urgent priority is to defuse it.

For the sake of our men and women in uniform and the stability of Iraq, all Americans are anxious for success, but we need to be realistic and smart enough and humble enough to understand that even our best efforts may not prevent a civil war from overtaking events in Iraq.

We need to begin planning now for this possibility. Such planning is not an admission of defeat. It is essential and necessary for protecting the lives of our service men and women in Iraq who are performing so admirably today under such enormously difficult circumstances.

Benjamin Franklin said as long ago as the 18th century:

> By failing to prepare, you are preparing to fail.

This was sound advice then, it is sound advice now. I urge my colleagues to support this amendment.

I reserve the remainder of my time.

Mr. STEVENS. Mr. President, I yield such time as the Senator from Virginia may use.

Mr. WARNER. Mr. President, I rise in strong opposition to this initiative by my fellow colleague on the Armed Services Committee, Senator KENNEDY of Massachusetts. It is rather interesting, I went back and studied a lot of military treatises and precedents, trying to analyze what constitutes a civil war—Webster's Dictionary; Edward Luttwak, ''The Dictionary of Modern War''; Pennsylvania State University's ''The Classic International War''; and other treatises. It was interesting. There is another academic, with a last name spelled K-A-L-L-Y-V-A-S. He put out a treatise on warfare in civil wars. He talks about a conventional civil war, an irregular civil war, an asymmetric, nonconventional civil war.

This is an academic exercise that yields nothing. The one thing that comes out in this study is that there are no two civil insurrections alike. There is not a blueprint that can be put on this problem in Iraq to say definitively that it constitutes a civil war.

In fact, the situation in Iraq, no matter how disturbed all of us are about the rising number of deaths and the sectarian violence, it is very disturbing and I acknowledge that. It was never, in my judgment, foreseen that this level of insurrection would take place once we had a series of elections by the people of Iraq and a government put into place.

But the basic formula of civil war has the principle in it that if the government is still functioning and if the Armed Forces of that country are still acting in support of the government, then it does not constitute a civil war.

I urge my colleagues to turn their attention to the key fact here: What are the consequences if this government fails to have a security situation that enables it to exercise the full range of sovereignty? What are the consequences? What are the consequences if these valuable oilfields—maybe not all at once, but part of them—fall into the hands of terrorists who seize them? What are the consequences of the situation devolving to the point where the nations around it feel they must inject themselves into the situation? For example, those nations with Sunni populations, Jordan and Saudi Arabia and indeed Syria and Egypt; they are not going to stand on the sidelines.

So I say to my colleague, we better look at what happens if this Government fails to receive that measure of support from the coalition forces, principally the United States, to enable it to continue to exercise the reins of sovereignty and continue to have the allegiance and loyalty of the Armed Forces which we have painstakingly trained in large numbers now and equipped.

Therein is the debate we should have to let the American people know what are the consequences. If the oilfields were to fall into the wrong hands, they would provide an unlimited source of cash for the terrorists—terrorists who have the most frightful of all weapons today; namely, the human bomber. Couple that unlimited cash and what appears to be a number of human bombers and we have a serious problem. The Middle East would be thrown into a convulsive state. The credibility of our Nation, in the eyes of the world, would be tested, and we could no longer be a strong voice in trying to bring about order in this region and to contain the most serious problem, as I see it; that is, the possibility of Iran becoming a power enabling it to have nuclear weapons.

We must maintain a strong presence and we cannot let this Government be in a situation where it can no longer exercise the reins of sovereignty.

I yield the floor.

Mr. STEVENS. Mr. President, how much time remains on our side?

The PRESIDING OFFICER. The Senator has 10 minutes.

Mr. STEVENS. And how much time on Senator KENNEDY's side?

The PRESIDING OFFICER. Three minutes.

Mr. STEVENS. Mr. President, since 2005, the Defense Appropriations Committee has required the Department of Defense to report quarterly on the stability and security situation in Iraq. This is the most recent report. It was prepared in August and embargoed until September 1.

Six pages of the bill language is very detailed. Starting on page 233—my colleagues can look in the bill—it requires a comprehensive set of performance indicators and measures for progress and political stability in Iraq. In other words, we continue in our bill already, without the Kennedy amendment, the concept that every quarter the Department reports to us.

The first part of this report describes trends and progress toward meeting goals and political stability. That requirement is contained in section 9010 of our bill.

The second section of this report describes training development and readiness of the Iraqi security forces, including the forces of the Ministry of Defense and police and paramilitary forces of the Ministry of Interior.

The third section describes transfer of security responsibility from coalition forces to the Iraqi Government, including prerequisite conditions and criteria for assessing the readiness of provinces to assume responsibility for security.

As I said, this report is already prepared and was presented on September 1 and is on every desk in the Senate. The current report addresses the prospect of civil war on pages 33, 34, and 35. It is very clear. It has reviewed the concept of ethno-sectarian violence, and that is the greatest threat to security and stability. It also continues with regard to the concepts on page 34 and has a series of incident reports.

I can tell the Senate there is no question that the Department has discussed already in the report the concepts Senator KENNEDY wants to have discussed. It says this on page 33:

> Notwithstanding this concern, there is no generally agreed upon definition of civil war among academic or defense analysts. Moreover, the conflict in Iraq does not meet the stringent international legal standards for civil war.

In other words, they have already reported to us, as Senator KENNEDY would require. But Senator KENNEDY wants to add additional requirements now. The question he asks, for example, in section (G), subparagraph 3: is the strategy of the United States Government to ensure that the United States Armed Forces will not take sides in the event of a civil war in Iraq?

It may be that we are already taking sides. We are supporting the Government if the insurrection is there. We need to help the elected Government against the al-Qaida attacks. There is no question that should be done. But the Kennedy proposal presumes the United States must not take sides. In other words, he would prevent what we are doing right now.

The question for the strategy of the United States in taking sides is repeated in section 6 of Senator KENNEDY's amendment. I do not believe it is appropriate to direct foreign policy or military strategy through a reporting requirement on an appropriations bill.

Senator KENNEDY and Senator WARNER sit on the Armed Services Committee. That is where policy is discussed. I do not think this is the way the Senate should do business.

We are in a situation tonight where having had this discussion at length on

the other matter, I think too many Members of the Senate have not heard this debate and probably will come and say: What's going on?

The clear answer has to be that we should not dictate policy—particularly military policy—in an appropriations bill. We provide the funding for whatever policies are already established by law, by regulation, by the Commander in Chief. This is something that requires the determination of the Secretary of Defense, the Secretary of State, and the President to set military policy.

There is a constitutional question involved here, in my opinion, in terms of what Senator KENNEDY wants to do. He wants to set up a situation whereby the Department of Defense has to decide if there is a civil war going on and if there is, then it has a set of procedures that must be followed. If they decide a civil war is not going on, there is another set of procedures that must be followed.

As a practical matter, what he is saying is reports such as this should come to the Senate quarterly and they should tell us in advance what are they going to do for the next quarter. In terms of military strategy and what we are doing over there, for those of us who have been there repeatedly, it is not possible to do that.

I certainly believe Senator WARNER outlined the whole concept of civil war very clearly. You can call it a civil war if you want, but the question is, when you put it into an amendment that demands we have a report to assess a finding by the Department, which it must make whether or not there is a civil war going on, and then give it instructions based on how it makes that decision, I think, is micromanaging the Defense Department. If there is one thing we should not do on an appropriations bill is try to micromanage the Defense Department.

I urge the Senate not to support this amendment. I do believe the reports we are getting right now give us some measurement of what is going on, and on the basis of that let's make judgments which we should make. For instance, this bill measures progress toward a democratic Iraq.

It describes the obstacles toward political progress, and it gives us a comparison of the situation in individual Iraqi homes.

It tells us about the black market in Iraq and how it might affect what we are doing over there.

It discusses the al-Qaida influence in Iraq and the recent developments in the security environment.

This is a very extensive report. Like a lot of reports, it comes to us quarterly, Mr. President, but not a lot of people pay attention to it. We do. If you look at our bill, we prepared, on the basis of the last report, a continuation of the concept of what they should do in terms of improving these reports for the coming period.

I do hope the Senate will support our position that this is not the way to go, that this is not the thing to do.

Has my time expired?

The PRESIDING OFFICER. The Senator has 2½ minutes remaining.

Mr. STEVENS. I yield to my friend.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, one can argue about the definition of a civil war, but what I am talking about is the concern of the commanders on the ground in Iraq. This is what GEN Rick Sanchez, former commander of the multinational forces in Iraq, said on January 7:

> The country is on the verge of civil war.

GEN Peter Pace on March 13:

> Everything is in place if they want to have a civil war.

Ambassador Khalilzad is concerned about the threat, March 7:

> The potential is there for sectarian violence to become a civil war.

General Abizaid before the Armed Services Committee on August 3:

> I believe the sectarian violence is probably as bad as I have seen it in Baghdad, and if not stopped, it is possible Iraq could move toward civil war.

General Pace the same day:

> I do believe we have the possibility of devolving into civil war.

Here we have Newsweek magazine, August 14:

> The Bush administration insists Iraq is a long way from civil war but the contingency planning has already begun. . . .

Now, the Senator from Alaska says let's look at the most recent report from the Defense Department that we received September 1. Let's look at it. What does it say?

> Concern about civil war within the Iraqi civilian populations among defense analysts increased in recent months. Conditions that could lead to civil war exist in Iraq.

And it continues:

> Conditions that could lead to civil war exist in Iraq, specifically in and around Baghdad. Concerns about civil war within the Iraqi civilian populations increased in recent months.

All we are asking for is a plan to protect our troops. What are the rules of engagement if there is a civil war? That is the issue. That is the question. That is the information they ought to have, the families ought to have, and the American people ought to have. That is what this amendment is all about.

The White House evidently is concerned, according to news reports. Generals on the ground are concerned about it. The Defense Department's own report is concerned about it. All we want to do is let Congress know and let us have the kind of planning that is going to provide the greatest protection for American troops on the ground should there be a civil war. Rules of engagement—that is all this amendment does. And it does seem to me when we are talking about plans—we heard a great deal of debate about policy today. This is about a plan to protect American troops. That is what this amendment is.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I disagree. This amendment is about changing the report requirements we have had in the past and that we have in this bill now. And we have had a satisfactory report.

If one looks at the report, there is no question there are attitudes in Iraq that indicate this may turn into a civil war. There is no question that is one of the major problems facing us today. To put on the Secretary of Defense the burden of deciding if there is a civil war and giving instructions whether there is or not, changing the basis of things we require that are serving us right now—I urge Senators to look at this report. There are graphs in the report. Are you very or somewhat concerned that a civil war might break out? There is great worry that it might. We should have that worry. But to force the Department of Defense to decide when it has turned into a civil war and give specific instructions in case they do make that decision, and if they don't make the decision—of course, that is not what the Senator from Massachusetts wants. He wants the decision that there is a civil war, obviously, because that would force a withdrawal.

This is very much connected with the debate we just had about the amendment that was considered to be not in order.

I urge the Senate to reject the Senator's amendment. I move to table his amendment and ask for the yeas and nays. Time is up, is it not, Mr. President?

The PRESIDING OFFICER. The motion to table is not in order until all time has expired. The majority has 1 minute remaining, and the minority has 30 seconds remaining.

Mr. STEVENS. The Senator from Massachusetts has 30 seconds.

Mr. KENNEDY. Mr. President, in the 30 seconds, refer to page 3 of my amendment. If there is not a civil war, we are still asking for the strategy to protect American troops. If there is a civil war, the strategy ought to be how are we going to protect the Armed Forces of the United States. This is a plan about how to protect American troops if there is a civil war, plain and simple.

The White House is concerned about it. Newspapers have published that they are concerned about it. We ought to be able to get it, and the members of the Armed Forces ought to be entitled to that information. We missed too many opportunities in the past. Let's not miss this one.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. STEVENS. I yield back my time. I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

I further announce that if present and voting, the Senator from New Jersey (Mr. MENENDEZ) would vote ''nay.''

The PRESIDING OFFICER (Mr. THUNE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 44, as follows:

[Rollcall Vote No. 233 Leg.]

YEAS—54

Alexander	DeWine	McCain
Allard	Dole	McConnell
Allen	Domenici	Murkowski
Bennett	Ensign	Pryor
Bond	Enzi	Roberts
Brownback	Frist	Santorum
Bunning	Graham	Sessions
Burns	Grassley	Shelby
Burr	Gregg	Smith
Chambliss	Hagel	Specter
Coburn	Hatch	Stevens
Cochran	Hutchison	Sununu
Coleman	Inhofe	Talent
Collins	Isakson	Thomas
Cornyn	Kyl	Thune
Craig	Lott	Vitter
Crapo	Lugar	Voinovich
DeMint	Martinez	Warner

NAYS—44

Akaka	Durbin	Mikulski
Baucus	Feingold	Murray
Bayh	Feinstein	Nelson (FL)
Biden	Harkin	Nelson (NE)
Bingaman	Inouye	Obama
Boxer	Jeffords	Reed
Byrd	Johnson	Reid
Cantwell	Kennedy	Rockefeller
Carper	Kerry	Salazar
Chafee	Kohl	Sarbanes
Clinton	Landrieu	Schumer
Conrad	Lautenberg	Snowe
Dayton	Leahy	Stabenow
Dodd	Levin	Wyden
Dorgan	Lincoln	

NOT VOTING—2

Lieberman	Menendez

The motion was agreed to.

Mr. STEVENS. I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 4895

Mr. STEVENS. Senator MIKULSKI has an amendment.

The PRESIDING OFFICER. There is 10 minutes equally divided on the Mikulski amendment.

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, this is the Mikulski-Sarbanes amendment. It is very straightforward. It eliminates funding for the Army to carry out the A–76 effort that eliminates close to 400 jobs at Walter Reed, primarily little people, such as landscapers. Senator SARBANES and I objected to this contracting out because the process was flawed, unfair, and does not save the taxpayer any money.

Number 1, it started in the year 2000. It went on and cost $7 million to run the process.

The Federal employees won it in 2004. The Army changed the bar, reissued the solicitation, making up to 1,500 changes. After the Federal employees won the contract in September 2004, the Army changed the solicitation.

Having spent $7 million, it will now spend $5 million to implement it. The Army is about to spend $12 million to save $7 million. Even by Army accounting, that is a bad deal.

This process is flawed. It is unfair. It did not go by the rules. It does not save the taxpayers money. We urge the agreement of the Mikulski-Sarbanes amendment.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

The Senator from Wyoming.

Mr. THOMAS. Mr. President, very briefly, no one would argue there are activities which are inherently governmental and should be performed by the Government. However, the Government should not engage in activities which are already offered in the private sector.

I am here today to share my opposition to the Mikulski amendment. If agreed to, this amendment would roll back a completed public-private job competition at Walter Reed Army Hospital. This job competition was won fair and square by the private sector because it proved to be more efficient and will save the taxpayers $32 million over the next 5 years. Furthermore, it was subject to intense review and investigation by the Army and the GAO, all upholding the Army decision to move forward to award to the private sector.

Opponents are not happy with the outcome. They appealed and lost; they appealed again and lost. Now they have appealed the contract award to Congress by offering this amendment. Congress is not in the business of awarding contracts. This amendment is bad policy and bad precedent.

Competitive sourcing is not about outsourcing or offshoring. It is about competition. It is the useful tool that utilizes competition to allow Federal agencies to evaluate whether certain functions shall be performed in the future by Federal employees of the private sector. We ought to continue to evaluate programs and activities and whether the Federal Government should be doing these kinds of things. This is essentially true if the Government is involved in activities that are available to the private sector.

It is my longstanding view that if a service is available to the private sector, there better be a darn good reason why the Government is doing it. In most cases, it simply is not right for the Federal Government to be doing things that could be done by Main Street business.

But the Federal Government is engaged in activity already offered in small business.

If this language prevails, it will undermine a portion of the administration's competitive sourcing program. With the continuing war on terror, the Army must have extra savings to meet its daily needs. The private sector will be discouraged from bidding on future competitions if the Congress demonstrates an effort to reverse legitimate acquisition decisions.

I urge all of my colleagues to oppose this amendment.

I yield the floor.

Mr. SARBANES. How much time remains?

The PRESIDING OFFICER. There is 3½ minutes remaining.

Mr. SARBANES. I yield myself a minute and a half.

Mr. President, I listened very carefully to my able colleague from Wyoming. I don't quarrel with a lot of what he says, but this process was absolutely flawed. This was not a fair process. The rules were constantly being changed. If we are going to have competitive sourcing, it ought to be done according to the rules, with a respect for the competitive bidding process. That didn't happen here.

This was put out for bid in June of 2000. It is now September of 2006. Under current law, none of these competitions can go on for more than 3 years. In 2004, the Federal employees won this competition. And the Army came back and changed the solicitation and put in new requirements for the bids. It is totally unfair, what is happening here. I respect the competitive bidding process, but there has to be some integrity to it. It has to have some decency to it. That is totally lacking in this situation.

I urge my colleagues to support the Mikulski amendment.

Mr. STEVENS. How much time remains?

The PRESIDING OFFICER. The Senator has 2 minutes.

The Senator from Alaska.

Mr. STEVENS. Mr. President, I normally would agree with the Senator from Maryland, but the comments that were made are really not correct.

This has been reviewed by third-party entities, including the Government Accountability Office. We received a final report on May 30, 2006. The Department of Defense strongly opposes the amendment. If the language prevails, it will undermine the competitive sourcing program.

They have learned a lot about using A–76 on an enormous entity like the Walter Reed Hospital, but this amendment would preclude the Army from implementing a contract which has been reviewed three times and has been agreed to by the GAO.

Ms. MIKULSKI. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Maryland has 2 minutes.

Ms. MIKULSKI. Let's talk about taxpayers, since this is supposed to inherently do something or other, saving money to fight terrorism.

This started in 2000, as Senator SARBANES said. The Army spent $7 million

to defeat their own Federal employees. They spent $7 million in 6 years. Boy, how about that? These are the little people, the landscapers. Thank God they had the AFGE behind them.

Then, after spending $7 million and changing the rules—and with the last set of specs, they had 1,500 amendments; imagine if we had 1,500 amendments—what we now find is they are going to have to spend another $5 million to implement the savings. So they are going to spend $12 million when the original goal was to save $7 million. Come on. If we are fighting terrorism and saving money, let's leave Walter Reed alone. It is going to be closed in a couple years because of BRAC. Let the landscapers do their job. Let the doctors and nurses do their job. Let's do our job and pass the Mikulski-Sarbanes amendment.

Mr. STEVENS. The delay in this matter really came about—there is no question there is a serious delay—as it was reviewed and upheld on two occasions. These are third-party entities that did the review, including the GAO. We should not upset a process that has taken so long and is finalized now.

I yield back the remainder of my time and move to table the Senator's amendment. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

I further announce that, if present and voting, the Senator from New Jersey (Mr. MENENDEZ) would vote ''nay''.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 234 Leg.]

YEAS—50

Alexander	DeWine	Martinez
Allard	Dole	McCain
Allen	Domenici	McConnell
Bennett	Ensign	Murkowski
Bond	Enzi	Roberts
Brownback	Frist	Santorum
Bunning	Graham	Sessions
Burns	Grassley	Shelby
Burr	Gregg	Smith
Chambliss	Hagel	Stevens
Coburn	Hatch	Sununu
Cochran	Hutchison	Thomas
Coleman	Inhofe	Thune
Cornyn	Isakson	Vitter
Craig	Kyl	Voinovich
Crapo	Lott	Warner
DeMint	Lugar	

NAYS—48

Akaka	Cantwell	Dodd
Baucus	Carper	Dorgan
Bayh	Chafee	Durbin
Biden	Clinton	Feingold
Bingaman	Collins	Feinstein
Boxer	Conrad	Harkin
Byrd	Dayton	Inouye
Jeffords	Lincoln	Rockefeller
Johnson	Mikulski	Salazar
Kennedy	Murray	Sarbanes
Kerry	Nelson (FL)	Schumer
Kohl	Nelson (NE)	Snowe
Landrieu	Obama	Specter
Lautenberg	Pryor	Stabenow
Leahy	Reed	Talent
Levin	Reid	Wyden

NOT VOTING—2

Lieberman	Menendez

The motion was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 4883, AS MODIFIED

Mr. STEVENS. Mr. President, I have an amendment that we wish to adopt. As I understand it, the Allen-Durbin amendment No. 4883 has been cleared as modified. I ask unanimous consent that the amendment be agreed to.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The amendment (No. 4883), as modified, was agreed to.

MORNING BUSINESS

Mr. STEVENS. Mr. President, I ask unanimous consent that there be a period for morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

ARMY CORPORAL CHRISTOPHER SITTON

Mr. SALAZAR. Mr. President, I wish to speak for a moment to honor the memory of a fallen Coloradan: Army Cpl Christopher Franklin Sitton of Montrose.

Corporal Sitton was a medic with the 10th Mountain Division, serving in Afghanistan since March. He had just turned 21 and graduated from Montrose High School just 3 years ago. Now, instead of having his whole life ahead of him, he has been taken from his friends, family and country by a roadside bomb in Kunar, in eastern Afghanistan.

Chris Sitton was looking forward to a medical career. His interest in medicine reached back to his childhood, where as a young man in Quinlan, TX he would accompany his father, a volunteer with a rescue group, on emergency calls.

Corporal Sitton's time in the Army was marked by excellence, not unlike his time in high school. Secialist Sitton entered the Army nearly 3 years ago, in January 2004. In his service, Specialist Sitton received three commander's coins, recognizing his exemplary performance in the Army. One was personally handed to him by a four-star general.

This achievement is remarkable to many but not to those who knew Christopher Sitton. Chris was a natural leader. A standout track star, he is pictured mentoring a younger teammate in a photo that hangs in his high school track coach's office. Young people naturally gravitated to him, and Chris returned their enthusiasm with a smile one friend described as big as Texas itself.

As a young man, Chris Sitton was an accomplished Eagle Scout. He was an avid athlete, a musician and outdoorsman, enjoying his time hiking, skiing and camping. But perhaps most notable, Chris Sitton left a mark on those around him as someone who was always helping others, putting them before himself.

GEN Douglas MacArthur once reflected, ''The soldier, above all other people, prays for peace, for he must suffer and bear the deepest wounds and scars.'' Chris' legacy as a son, friend and mentor, his willingness to put others before himself, shows how fundamentally he understood this calling to find a better tomorrow. Corporal Sitton sought to make the world a better place in his every action, to bring us to a better understanding of the ties that bind humanity together.

To Corporal Sitton's parents, Judy and Steve Sitton, I know that no words can ease the grief you feel at the loss of your son. I and this entire Nation share, in some small way, your painful sorrow. Corporal Christopher Sitton and his entire family will reside in my prayers tonight and remain in my thoughts.

MARINE CORPORAL JORDAN C. PIERSON

Mr. LIEBERMAN. Mr. President, I rise today to pay tribute to Marine Cpl Jordan C. Pierson of Milford, CT.

Corporal Pierson, a member of Charlie Company, 1st Battalion, 25th Marine Regiment, 4th Marine Division 2nd Reconnaissance Battalion, was killed in action on August 24 while conducting combat operations against anti-Iraqi forces in Al Anbar Province. He was shot while on foot patrol. He had been previously awarded the Purple Heart for wounds to his arms and legs by shrapnel from an insurgent's grenade 3 months prior.

Having delayed his education at the University of Connecticut, Corporal Pierson joined the Marine Corps in December 2003. It seems to be apparent by the many recollections of his friends and family that Jordan had already proven himself a leader. They recount many of the high-spirited exploits that he both engineered and led. However, his wily deeds quickly gave way to an outstanding performance as a marine devoted to his comrades and mission.

He is fondly remembered as a brilliant light and strong leader with strength of character and self assurance, persistently watching out for his fellow marines. He is described best by his first sergeant: ''Corporal Pierson had been a bright spot in his platoon, in a place, that can take the softest of hearts into a void of darkness. Even when the gloom of combat reached deep in a man's soul, Corporal Pierson could bring the Marine back to a sense

of purpose, a sense of why we were here, and that we were making a difference. Corporal Pierson was destined not to only be a Marine, but a leader among Marines. He fostered a sense of caring for Marines while still embodying all it meant to be a Marine.''

Corporal Jordan Pierson was a true patriot and defender of our great Nation's principles of freedom of justice. He served as an example of the potent American spirit, which permeates this Nation's history. I am both proud and grateful that we have the kind of defender exemplified by Corporal Pierson serving our great Nation.

Our Nation extends its heartfelt condolences to his family. To his father Eric, his mother Beverly, and brother Ethan, we extend our profound gratitude for sharing this outstanding marine with us, and we offer our prayers and support.

COMMUNICATIONS ACT OF 2006

Mr. MARTINEZ. Mr. President, I would like to bring to the attention of my colleagues a bill that could have a significant impact on the family budgets of millions of American households. H.R. 5252, the Communications Act of 2006, passed by the Senate Commerce Committee in June is that bill.

H.R. 5252 is an important piece of proconsumer legislation. It reforms the cable franchising process to permit competition to incumbent cable companies. The result will be competition in the delivery of cable television services to all our constituents.

While prices for Internet access and wireless service continue to fall, cable bills continue to climb and climb—in fact, according to the Federal Communications Commission, those bills have shot up more than 86 percent over the past decade. Millions of Americans have no choice when it comes to their video provider.

H.R. 5252 will change that by bringing real competition and giving consumers the ability to choose who provides their video programming. This is something consumers want and deserve. Competition brings lower prices and consumers win. Competition brings improved customer service—and consumers win. Competition results in service providers seeking to serve narrower segments of the marketplace—and consumers win.

It is not an exaggeration to say that the enactment of this legislation will save consumers billions of dollars a year. In the few markets where video providers have successfully negotiated franchise agreements—for instance, in parts of Florida, Texas and Virginia—consumers have benefited greatly.

According to a recent Bank of America study, in those aforementioned areas, cable bills have fallen by 28 to 42 percent—a savings of as much as $264 per year for cable customers.

And a recent Phoenix Center report estimates that each year Congress delays cable franchise reform, it costs American consumers $8.2 billion in unrecoverable losses from increased cable rates. This is unacceptable.

Furthermore, according to the same report, this means that Florida consumers are losing $626 million each year. That is a significant amount of money coming out of the pockets of my fellow Floridians. We have the power to change this. Consumers in every State will continue to lose money if we do not act now.

This issue is too important for us to ignore. We all know and understand that technology is changing each and every day—and yet our Nation's telecom laws have not been updated in 10 years.

The United States is the world leader in creating new and innovative technologies and we are at the forefront of bringing these new technologies to the marketplace. Sadly though, when it comes to broadband deployment, the U.S. currently ranks 16th in the world.

We need to act today to update our Nation's telecom laws and bring more choice and competition to the marketplace. Our economy needs it and consumers are demanding it.

I know the Senate Calendar is packed with important legislation which we must complete prior to adjourning. But the video choice legislation will affect every single household in America. It will bring competition to the video programming marketplace, and bring the benefits of competition to all of our constituents, whether or not they subscribe to cable.

I urge my colleagues to support the efforts of Senator STEVENS to bring this legislation before us.

As far as this legislation is concerned, time is money. Change is long overdue, and we are eager to help our fellow Americans keep more of their hard earned money.

We in this Chamber have a responsibility to get this legislation passed sooner, rather than later, so that our constituents can start saving more today, not tomorrow.

TRIBUTE TO WAYNE S. FENTON, M.D.

Mr. DOMENICI. Mr. President, I rise today to pay tribute to Wayne S. Fenton, M.D., Director of the Division of Adult Translational Research and Associate Director for Clinical Affairs at the National Institute of Mental Health who was tragically murdered on September 3, 2006.

Dr. Fenton was a man truly passionate about working with the most severe mentally ill population. He was a compassionate and tireless advocate for people with mental illness and the families so desperately trying to help them. He went above and beyond the call of duty and continued a private practice outside of his work at the National Institute of Mental Health. In his private practice, Dr. Fenton readily treated patients with the most severe mental illnesses, very often ones that other psychiatrists refused to see. These are the patients who are most likely to commit horrific crimes when they do not take necessary medication.

Just last week, I participated in a panel discussion regarding whether the State of New Mexico should enact an assisted outpatient treatment, AOT, program that requires a court ordered treatment for those who are severely mentally ill. It is time we focus on this issue at a State and national level. Dr. Fenton's death should not be in vain; we cannot continue along a path that not only does not help the suffering, but continues to hurt the community. This is a challenging topic to take on and a hard discussion to have but we must start addressing the link between untreated mental illness and violence or we run the risk of seeing more horrific deaths.

Outside of his work and private practice, Dr. Fenton worked with many groups including the National Alliance of the Mentally Ill, the American Psychiatric Association, and the World Psychiatric Association. He served as Deputy Editor of Schizophrenia Bulletin and as a consultant to the Department of Justice, Civil Rights Division. On numerous occasions he was nominated as one of the Best Doctors in America. He was a leader in the field of mental health research, particularly relating to the study of schizophrenia. Dr. Fenton authored many textbook chapters and more than fifty scientific papers on diagnosing, treatment, and mental health service methods for individuals who suffer from schizophrenia. His central goal was to create a treatment system to allow even those suffering from the most severe mental illness to become functioning members of society.

Dr. Fenton's death truly is a great loss to the mental health community. In the words of Dr. Thomas Insel, Director of NIMH, ''It is difficult to grasp such a tragic, shocking loss; a loss not only for his many friends and family but for people with serious mental illness everywhere.'' As advocates for people with mental illness, and mental health policy, my wife Nancy and I had the pleasure to work with him over the years. I am extremely saddened by his tragic death. I want to extend my thoughts and prayers to his family, friends, and coworkers at this time. It is my hope they remember the great impact he made during his time with us. I express my deepest sympathy to them.

NOMINATION OF JAMES O'GARA

Mr. BIDEN. Mr. President, prior to the August recess, the Senate sent the nomination of James O'Gara to be the Deputy Director for Supply Reduction at the Office of National Drug Control Policy back to the White House for reconsideration. Mr. O'Gara's nomination was strongly opposed by Senators on both sides of the aisle, which prevented it even from being reported out

of the Judiciary Committee. Unfortunately, the White House has returned Mr. O'Gara's nomination for confirmation. As such, I am using this opportunity to, again, remind the President of the objections that law enforcement and many Members of this body have to the policies and the leadership at the Office of National Drug Control Policy. In so doing, it is my hope that the administration will change course and develop and implement strategies that will address the drug problems facing our communities, such as the spread of methamphetamine.

More than 20 years ago I began working to create an Office of National Drug Control Policy because I believed then, as I believe now, that we needed a Cabinet-level official who would coordinate Federal drug policy and be publicly accountable for developing and implementing an effective national strategy. I believe the Office of National Drug Control Policy is an important office, and I take matters related to it very seriously.

When our current drug czar, John Walters, came for a vote before this body in 2001, I opposed his nomination because I did not believe he was the right man for the job.

Unfortunately, my fears have been borne out. During his tenure, John Walters has been reticent to acknowledge the methamphetamine problem that is plaguing small communities nationwide, preferring to focus almost exclusively on marijuana. He recommended to the President that the highly popular and highly effective High Intensity Drug Trafficking Area Program, which funds drug enforcement task forces, be cut by 56 percent and relegated to the Department of Justice. And under his leadership, the Office of National Drug Control Policy has essentially walled itself off from consultation and dialogue with external drug policy experts including treatment professionals, prevention specialists, and State and local law enforcement officials.

Those are just a few of the many examples of Mr. Walters' missteps. Under him, the office operates like an ivory tower rather than the command center for our national drug control policy.

This past year, together with many of my Republican colleagues, I fought to prevent James O'Gara—a colleague of Mr. Walters since 1989—from becoming the Deputy Director for Supply Reduction. Together, they have coauthored policy articles expressing their shared drug policy views. Given the misgivings that many of us have about how Mr. Walters has run the Office of National Drug Control Policy, I would likely have a difficult time voting to give a promotion to any member of his inner circle. But that is not the only reason why many of us opposed Mr. O'Gara's nomination.

Perhaps most troubling is that Mr. O'Gara, who was nominated for a position which has authority over international drug control, foreign and domestic drug intelligence, and interdiction, does not have the confidence of law enforcement.

In letters to Senator SPECTER and Senator LEAHY expressing their strong opposition to the O'Gara nomination, law enforcement has expressed its strong opposition. The National Narcotics Officers Association wrote that:

> Mr. O'Gara lacks an operational understanding of a critical issue involved in supply reduction, has no operational background in supply reduction or drug control, and most importantly is not trusted by his constituents in the drug enforcement, prevention and treatment fields. All of this makes him unqualified and unable to effectively lead the coordination of supply reduction initiatives in accordance with the National Drug Control Strategy.

The letter from the HIDTA Directors states that:

> Based on our collective 1,000+ years of law enforcement experience, we believe Mr. O'Gara lacks the qualifications and abilities necessary to coordinate our nation's supply reduction initiatives effectively. We believe his lack of experience and inability and/or unwillingness to collaborate with a variety of stakeholders has resulted in the formulation of three National Drug Control Strategy documents that do not provide adequate guidance to law enforcement, treatment, and prevention professionals; lack specific and measurable objectives; and insufficiently address some of the most pressing drug threats facing our country today, including methamphetamine.

By returning this nomination, it is my hope—together with many of my Republican colleagues—that the administration will reconsider and rescind this nomination.

State and local law enforcement accounts for more than 90% of drug-related arrests. During a time when assistance for State and local law enforcement has been slashed, it is essential that the leadership of the Office of National Drug Control Policy have the confidence of local officials. Mr. O'Gara lacks this support. Moreover, Mr. Walters and Mr. O'Gara have alienated State and local law enforcement, drug prevention and treatment professionals, as well as many members of Congress.

As the scourge of methamphetamine continues to ravage middle America, it is essential that the policies adopted and the personnel appointed by the administration have the confidence of the drug enforcement community. President Bush could take a huge step in this direction by rescinding the nomination of Mr. O'Gara and consulting with local law enforcement to appoint an individual who could win the bipartisan support of the Senate.

ADDITIONAL STATEMENTS

RECOGNIZING THE CENTER FOR INDEPENDENT LIVING—FRESNO

• Mrs. BOXER. Mr. President, I ask my colleagues to join me in recognizing and congratulating the Center for Independent Living—Fresno for 30 years of dedicated service empowering people with disabilities in Fresno, Kings, Madera, and Merced counties. Since opening their doors in 1976, this organization has made significant contributions to the lives of the Central Valley's disabled community and their family members.

For the past three decades, the Center for Independent Living—Fresno has been a respected leader in advocating for people with disabilities to live independent lives. They strongly uphold the principle that everyone should be afforded the opportunity to thrive and live independently in their own communities. The dedicated staff of the Center of Independent Living—Fresno work tirelessly to ensure that those who are in need of their support are treated with the respect and dignity that all people deserve. Through the center, thousands of people have learned invaluable tools to help them become self-advocates and lead productive lives.

I congratulate the Center for Independent Living—Fresno on its 30th anniversary and wish its staff and supporters even greater success as they continue to provide important services to people with disabilities. You are not only a tremendous asset for your clients, but you perform a great service for the Central Valley community.•

RESTORATION OF THE COLONIAL THEATER IN PITTSFIELD, MA

• Mr. KENNEDY. Mr. President, last week, an excellent article in the New York Times of August 29 detailed the renaissance of Pittsfield, MA, which has adopted a bold economic revitalization strategy centered on the arts and historic preservation involving the restoration of the popular Colonial Theater of a century ago. Pittsfield mayor James Ruberto and the entire Pittsfield community came together behind this bold vision, which received major encouragement a decade ago when the theater was included as part of First Lady and now Senator HILLARY RODHAM CLINTON's highly effective Save America's Treasures tour.

The Colonial Theater certainly qualified as an American Treasure. The restored theater reopened on August 29 to wide acclaim, and I am proud of all that the mayor and the community have accomplished. This recognition of their efforts is eminently well-deserved, and I believe all of our colleagues in Congress will be interested in Pittsfield's extraordinary achievement. I commend Mayor Ruberto and the people of Pittsfield for a job well done, and I ask that the article be printed in the RECORD.

The article follows.

[From The New York Times, Aug. 29, 2006]

A CITY PLOTS ITS FUTURE BY REACHING INTO THE PAST

(By Hubert B. Herring)

Arts-minded visitors to the Berkshire Hills in western Massachusetts may think of Pittsfield as little more than an urban speed

bump on the way to Stockbridge, Williamstown and the glories of Tanglewood and Jacob's Pillow.

But the city is betting that, with the help of a long-neglected jewel of a theater, it too can make a place for itself on the region's arts map. After a two-year, $22 million restoration, the century-old Colonial Theater will reopen tonight for a year-round season that kicks off with a week's visit by a touring company of ''Rent.'' After that, there are more than 40 other events scheduled for the rest of the year.

For years, few outsiders were aware of what lay behind the neo-Classical yellow-brick facade on the Route 7 commercial strip. But inside was a grand Broadway-style theater, a Gilded Age monument designed by J.B. McElfatrick, who designed dozens of New York theaters, including the Theater Republic (now the New Victory) on 42nd Street.

From its opening in 1903 to the early 30s, the house, which seated about 1,400, was a regular stop for the likes of Sarah Bernhardt, the Barrymores, Rachmaninoff, Will Rogers and John Philip Sousa. Anna Pavlova danced by, as did the Ziegfeld Follies (100 strong).

In 1937, the Colonial was converted into a movie palace, but by 1952 it had gone dark. It was saved from demolition only because a local businessman, George Miller, bought it and housed his paint business inside.

The idea of transforming the city into a cultural center received a boost in 1998, when Hillary Rodham Clinton, then the first lady, visited the Colonial as part of a ''Save America's Treasures'' tour.

''Her visit said, 'You have a national treasure—it's worth fighting for,' '' said John Bissell, a senior vice president at the Greylock Federal Credit Union and a prominent figure in the move to revitalize Pittsfield.

In 2002, the city commissioned a study on the potential economic benefits of restoring the theater. The study, led by Stephen Sheppard, an economics professor at Williams College, forecast $2 million a year in direct economic benefits to Pittsfield and an increase in local property values of at least $23 million.

That study ''quantified what we felt instinctively, that the theater would indeed make economic sense,'' said James M. Ruberto, Pittsfield's mayor and a major force behind the renovation.

After Mrs. Clinton's visit and the study, of course, came the fund-raising. Ultimately, some $7 million came from donations, the rest from city, state and federal grants and tax credits.

''I have been amazed at the amount of money given to the Colonial,'' said Gary Scarafoni, a retired banker who is now the theater's president.

The theater itself was a shambles, said Tom Johnson of Martinez & Johnson, the Washington architects responsible for the restoration. In the half-darkness of the balcony, ''you could see the plaster detailing,'' big pieces of which were starting to fall.

Now, the curves and curlicues of the interior ornamentation—which Mr. Johnson describes as eclectic neo-Classical—have been restored to their original glory.

But the renovation remains a gamble. David W. Fleming, recently hired as the theater's executive director, said that the Colonial would have an annual overhead of at least $750,000 and expected artists' fees, marketing and stagehand costs collectively to fall in the same range.

That means, said Mr. Fleming, who previously ran the Grand Opera House in Wilmington, Del., and the New Brunswick Cultural Center in New Jersey, that the theater will need to fill about 60 percent of its seats if it is to pay half its annual expenses from ticket sales.

''Ideally,'' he said, ''I'd like to see us cover more like 65 percent''—with the rest coming from annual donations.

He said he hoped that within a few years, the theater, now reconfigured to seat 810, would be active 200 nights a year, with events that appeal to all tastes and budgets. This season's offerings include low-priced fare like Cirkus Inferno and the Inflatable Theater Company.

The theater will have to rely in part on out-of-town audiences. The city's population, roughly 57,000 in 1960, fell steadily after General Electric, which once employed more than 10,000 workers here, gradually shut down most of its operations, paring the workforce to less than 1,000. The population is now 43,000 and is projected to fall considerably further in the next two decades.

The city is betting that, if it can transform itself into an arts center, it can reverse that slide. It took a first step in that direction when the highly regarded Barrington Stage Company moved into a renovated 1912 music hall in downtown Pittsfield this month after working for years out of a high school auditorium in Sheffield, in the southwest corner of the state. The company plans spring, summer and fall productions.

Mr. Bissell of the credit union argues that people will come, not only to visit but also to live. He cites the rise of the local real estate market since the Colonial restoration project was announced.

''When new businesses come to town,'' he added, ''every single one cites the rebirth of the Colonial as a primary reason why they chose this location.''

Such optimism is not universal. Jonathan Levine, publisher of The Pittsfield Gazette, said that while he was ''thrilled to have a renovated theater,'' he questioned the business projections behind it.

''They've made all these economic development promises,'' Mr. Levine said, ''and there is no way, with their current programming, they can achieve those goals.''

But the Colonial can boast of something that half of every Broadway audience can only dream about. The theater bought an abutting property that will house, in addition to the main entrance, a gigantic ladies' room.●

IN MEMORY OF MATTHEW S. COSTA

● Mr. LIEBERMAN. Mr. President, I rise today in memory of Matthew S. Costa, an outstanding young man from Cheshire, CT who died tragically on September 3. I am very saddened to hear of Matthew's death and will be keeping his friends and family in my thoughts and prayers during this difficult time.

At the time of his death Matthew was serving in Mali as a volunteer for the U.S. Peace Corps. Matthew enrolled in the Peace Corps in 2003 and had been serving in the Malian village of Kati since November 2005, after teaching English in Chad for 2 years.

While in Kati, Matthew helped foster one of the Peace Corps core missions, fostering cultural exchange, by fully immersing himself in the local community. He taught English to local high school students and organized training for other teachers in the community. He was also widely known in the community as the host of a popular radio program that played popular American music and then worked with the radio station to improve its marketing strategy. Matthew also sought to involve himself with the village community by playing in a local soccer league and helping to distribute donations of sports equipment.

What I think was truly remarkable about Matthew is that after graduating from Tulane University in 2003, a time in which there must have been unlimited opportunities open for Matthew to pursue, he chose to delay any future career plans to help others and broaden his cultural understanding. Matthew volunteered to travel many miles from home and, if necessary, to give up many of the modern conveniences we often take for granted. Matthew liked it so much, that in 2005 he extended his service. Matthew's sacrifice and dedication is truly inspiring.

The passing of Matthew Costa is truly a loss for the Peace Corps, for the people of Mali, and for Connecticut. May his selfless devotion to helping others live on in the hearts and minds of those who knew him best and were served by his good works.●

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Williams, 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 nomination which was referred to the Committee on Finance.

(The nomination received today is printed at the end of the Senate proceedings.)

DRAFT OF PROPOSED LEGISLATION ENTITLED ''MILITARY COMMISSIONS ACT OF 2006''—PM 55

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Armed Services:

To the Congress of the United States:

I transmit for the consideration of the Congress draft legislation entitled the ''Military Commissions Act of 2006.'' This draft legislation responds to the Supreme Court of the United States decision in Hamdan v. Rumsfeld, 126 S. Ct. 2749 (2006), by establishing for the first time in our Nation's history a comprehensive statutory structure for military commissions that would allow for the fair and effective prosecution of captured members of al Qaeda and other unlawful enemy combatants. The Act also addresses the Supreme Court's holding that Common Article 3 of the Geneva

Conventions applies to the conflict with al Qaeda by providing definitions rooted in United States law for the standards of conduct prescribed by Common Article 3.

The military commission procedures contained in this draft legislation reflect the result of an extended deliberation both within the executive branch and between representatives of my Administration and Members of Congress. The draft legislation would establish a Code of Military Commissions that tracks the courts-martial procedures of the Uniform Code of Military Justice, but that departs from those procedures where they would be impracticable or inappropriate for the trial of unlawful enemy combatants captured in the midst of an ongoing armed conflict, under circumstances far different from those typically encountered by military prosecutors.

Five years after the mass murders of 9/11, it is time for the United States to begin to prosecute captured al Qaeda members for the serious crimes that many of them have committed against United States citizens and our allies abroad. As we provide terrorists the justice and due process that they denied their victims, we demonstrate that our Nation remains committed to the rule of law.

I ask that the Congress carefully consider this legislation and respectfully urge its speedy passage for enactment into law.

GEORGE W. BUSH.

THE WHITE HOUSE, *September 6, 2006*.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3861. A bill to facilitate bringing to justice terrorists and other unlawful enemy combatants through full and fair trials by military commissions, 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–8057. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Supplemental Standards of Ethical Conduct for Employees of the Department of Energy and Residual Department Standards Regulation'' ((RIN1990–AA19)(RIN3209–AA15)) received on August 18, 2006; to the Committee on Energy and Natural Resources .

EC–8058. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to plutonium storage at the Department of Energy's Savannah River Site; to the Committee on Energy and Natural Resources.

EC–8059. A communication from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''State Abandoned Mine Land Reclamation Plan'' (MS–016–FOR) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC–8060. A communication from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Topsoil Redistribution and Revegetation Success Standards'' (RIN1029–AC02) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC–8061. A communication from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Wyoming Regulatory Program'' (WY–034–FOR) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC–8062. A communication from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''West Virginia Regulatory Program'' (WV–109–FOR) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC–8063. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Special Rule for the Southwest Alaska Distinct Population Segment of the Northern Sea Otter'' (RIN1018–AU21) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC–8064. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Reclassification of the Gila Trout (Onchorhynchus gilae) From Endangered to Threatened; Special Rule for Gila Trout in New Mexico and Arizona'' (RIN1018–AH57) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC–8065. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Establishment of a Nonessential Experimental Population of Northern Aplomado Falcons in New Mexico and Arizona'' (RIN1018–AI80) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC–8066. A communication from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting a draft of a bill entitled ''Buffalo Soldiers in the National Parks Study Act''; to the Committee on Energy and Natural Resources.

EC–8067. A communication from the Secretary of Energy, transmitting, pursuant to law, a report relative to the status of Exxon and Stripper Well oil overcharge funds as of September 30, 2005; to the Committee on Energy and Natural Resources.

EC–8068. A communication from the Secretary of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Subsistence Management Regulations for Public Lands in Alaska, Subpart A; Makhnati Island Area'' (RIN1018–AU70) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC–8069. A communication from the Chief, Policy and Directives Management Division, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Revision of Federal Migratory Bird Hunting and Conservation Stamp (Duck Stamp) Contest Regulations'' (RIN1018–AU56) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC–8070. A communication from the Assistant Secretary for Land and Minerals Management, Minerals Management Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Service of Official Correspondence'' (RIN1010–AD22) received on September 5, 2006; to the Committee on Energy and Natural Resources.

EC–8071. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's quarterly report on the status of its licensing and regulatory duties; to the Committee on Energy and Natural Resources.

EC–8072. A communication from the Special Assistant to the Secretary, White House Liaison, Department of Veterans Affairs, transmitting, pursuant to law, the report of a vacancy in the position of Under Secretary for Health, received on August 24, 2006; to the Committee on Veterans' Affairs.

EC–8073. A communication from the Assistant to the Secretary for Regulations Policy and Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Veterans Benefits Act of 2003 and Veterans Benefits Improvement Act of 2004'' (RIN2900–AM27) received on September 5, 2006; to the Committee on Veterans' Affairs.

EC–8074. A communication from the Chief of Regulations Management, Veterans Benefits Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Definition of Psychosis for Certain VA Purposes'' (RIN2900–AK21) received on September 5, 2006; to the Committee on Veterans Affairs.

EC–8075. A communication from the Special Assistant to the Secretary, White House Liaison, Department of Veterans Affairs, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary for Policy and Planning, received on September 5, 2006; to the Committee on Veterans' Affairs.

EC–8076. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Michigan; Revised Format of 40 CFR Part 52 for Materials Being Incorporated by Reference'' (FRL 8214–1) received on September 6, 2006; to the Committee on Environment and Public Works.

EC–8077. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Reportable Quantity Adjustment for Isophorone Diisocyanate'' ((RIN2050–A632)(FRL 8217–4)) received on September 6, 2006; to the Committee on Environment and Public Works.

EC–8078. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''TSCA Inventory Update Reporting Rule; Electronic Reporting'' (FRL 7752–8) received on September 6, 2006; to the Committee on Environment and Public Works.

EC–8079. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality

Implementation Plans; Montana; Revisions to the Administrative Rules of Montana'' (FRL 8202–1) received on September 5, 2006; to the Committee on Environment and Public Works.

EC–8080. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; State of Iowa'' (FRL 8213–9) received on September 5, 2006; to the Committee on Environment and Public Works.

EC–8081. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Amendments to Regulations for Heavy-Duty Diesel Engines'' (FRL 8214–9) received on September 5, 2006; to the Committee on Environment and Public Works.

EC–8082. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Determination of Attainment, Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; Indiana; Redesignation of Allen County 8-hour Ozone Nonattainment Area to Attainment for Ozone'' (FRL 8214–5) received on September 5, 2006; to the Committee on Environment and Public Works.

EC–8083. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, South Coast Air Quality Management District'' (FRL 8207–9) received on September 5, 2006; to the Committee on Environment and Public Works.

EC–8084. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''2,6–DIPN; Time Limited Pesticide Tolerance'' (FRL 8081–9) received on September 5, 2006; to the Committee on Environment and Public Works.

EC–8085. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Connecticut; VOC Regulations and One-hour Ozone Attainment Demonstration Shortfall'' (FRL 8209–6) received on September 5, 2006; to the Committee on Environment and Public Works.

EC–8086. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Illinois; Ford Motor Company Adjusted Standard'' (FRL 8214–2) received on September 5, 2006; to the Committee on Environment and Public Works.

EC–8087. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plans; Kentucky: Air Permit Regulations'' (FRL 8216–7) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8088. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plans; Texas; Discrete Emission Credit Banking and Trading Program'' (FRL 8216-5) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8089. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plans; Texas; Emission Credit Banking and Trading Program'' (FRL 8216-3) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8090. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plans; Texas; Highly Reactive Volatile Organic Compound Emissions Cap and Trade Program for the Houston/Galveston/Brazoria Ozone Nonattainment Area'' (FRL 8216-6) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8091. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plans; Texas; Revisions for the Mass Emissions Cap and Trade Program for the Houston/Galveston/Brazoria Ozone Nonattainment Area'' (FRL 8216-4) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8092. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Texas; Revisions to the Ozone Attainment Plan for the Houston/Galveston/Brazoria Nonattainment Area'' (FRL 8216-1) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8093. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Texas; Rules for the Control of Highly Reactive Volatile Organic Compounds in the Houston/Galveston/Brazoria Ozone Nonattainment Area'' (FRL 8216-2) received on September 5, 2006; to the Committee on Environment and Public Works.

EC-8094. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the Nevada State Implementation Plan'' (FRL 8210-2) received on September 5, 2006; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SHELBY, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

S. 3850. An original bill to improve ratings quality for the protection of investors and in the public interest by fostering accountability, transparency, and competition in the credit rating agency industry (Rept. No. 109–326).

By Mr. STEVENS, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 3852. An original bill to enhance certain maritime programs of the Department of Transportation, and for other purposes (Rept. No. 109–327).

By Mr. CRAIG, from the Committee on Veterans' Affairs, with amendments:

S. 3421. A bill to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal years 2006 and 2007, and for other purposes (Rept. No. 109–328).

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. INHOFE (for himself and Mr. COBURN):

S. 3845. A bill to designate the facility of the United States Postal Service located at 301 Commerce Street in Commerce, Oklahoma, as the ''Mickey Mantle Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. CARPER (for himself and Mr. VOINOVICH):

S. 3846. A bill to provide for the establishment and maintenance of electronic personal health records for individuals and family members enrolled in Federal employee health benefits plans under chapter 89 of title 5, United States Code, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. CLINTON:

S. 3847. A bill to designate the facility of the United States Postal Service located at 110 Cooper Street in Babylon, New York, as the ''Jacob Samuel Fletcher Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KYL (for himself, Mr. DEWINE, and Mr. CORNYN):

S. 3848. A bill to amend title 18, United States Code, to support the war on terrorism, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 3849. A bill to require commercial airlines to make flight delay information available to the public, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. SHELBY:

S. 3850. An original bill to improve ratings quality for the protection of investors and in the public interest by fostering accountability, transparency, and competition in the credit rating agency industry; from the Committee on Banking, Housing, and Urban Affairs; placed on the calendar.

By Ms. MURKOWSKI:

S. 3851. A bill to provide for the extension of preliminary permit periods by the Federal Energy Regulatory Commission for certain hydroelectric projects in the State of Alaska; to the Committee on Energy and Natural Resources.

By Mr. STEVENS:

S. 3852. An original bill to enhance certain maritime programs of the Department of Transportation, and for other purposes; from the Committee on Commerce, Science, and Transportation; placed on the calendar.

By Mr. SCHUMER:

S. 3853. A bill to designate the facility of the United States Postal Service located at

39–25 61st Street in Woodside, New York, as the ''Thomas J. Manton Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WYDEN (for himself and Mr. SMITH):

S. 3854. A bill to designate certain land in the State of Oregon as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CONRAD (for himself, Mr. COLEMAN, Mr. NELSON of Nebraska, Mr. TALENT, Mr. DORGAN, Mr. BAUCUS, Mr. SALAZAR, Mr. JOHNSON, Ms. CANTWELL, Mr. DURBIN, Mr. OBAMA, Mr. DAYTON, Mr. THUNE, Mrs. LINCOLN, and Mr. BURNS):

S. 3855. A bill to provide emergency agricultural disaster assistance, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. MENENDEZ (for himself, Mr. ENSIGN, and Mr. LAUTENBERG):

S. 3856. A bill to authorize Congress to award a gold medal to Jerry Lewis, in recognition of his outstanding service to the Nation; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SMITH (for himself and Mrs. LINCOLN):

S. 3857. A bill to amend the Internal Revenue Code of 1986 to provide incentives to small businesses; to the Committee on Finance.

By Mr. SMITH (for himself and Mr. WYDEN):

S. 3858. A bill to authorize the Secretary of Interior to cancel certain grazing leases on land in Cascade-Siskiyou National Monument that are voluntarily waived by the lessees, to provide for the exchange of certain Monument land in exchange for private land, to designate certain Monument land as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS:

S. 3859. A bill to provide incentive for employers to hire service-connected disabled veterans and to improve adjustment assistance and job-training transition for injured and disabled veterans, and for other purposes; to the Committee on Finance.

By Mr. BURNS:

S. 3860. A bill to provide emergency wildfire and agricultural disaster assistance, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. FRIST (for himself, Mr. MCCONNELL, and Mr. INHOFE):

S. 3861. A bill to facilitate bringing to justice terrorists and other unlawful enemy combatants through full and fair trials by military commissions, and for other purposes; read the first time.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DEWINE:

S. Res. 557. A resolution designating September 10 through September 16, 2006, as ''National Polycystic Kidney Disease Awareness Week'' and supporting the goals and ideals of a National Polycystic Kidney Disease Awareness Week to raise public awareness and understanding of polycystic kidney disease and to foster understanding of the impact polycystic kidney disease has on patients and future generations of their families; to the Committee on the Judiciary.

By Mr. MCCONNELL (for himself and Mr. BUNNING):

S. Res. 558. A resolution honoring the lives and memory of the victims of the crash of Comair Flight 5191, and extending the most sincere condolences of the citizens of the United States to the families and friends of those individuals; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 370

At the request of Mr. LOTT, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 370, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 389

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 389, a bill to provide for fire safety standards for cigarettes, and for other purposes.

S. 604

At the request of Mr. CRAIG, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 604, a bill to amend title XVIII of the Social Security Act to authorize expansion of medicare coverage of medical nutrition therapy services.

S. 755

At the request of Mr. BUNNING, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 755, a bill to authorize the Secretary of Health and Human Services to make grants to nonprofit tax-exempt organizations for the purchase of ultrasound equipment to provide free examinations to women needing such services, and for other purposes.

S. 1173

At the request of Mr. DEMINT, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1173, a bill to amend the National Labor Relations Act to ensure the right of employees to a secret-ballot election conducted by the National Labor Relations Board.

S. 1522

At the request of Mr. CHAMBLISS, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 1522, a bill to recognize the heritage of hunting and provide opportunities for continued hunting on Federal public land.

S. 1800

At the request of Ms. SNOWE, the name of the Senator from Missouri (Mr. TALENT) was added as a cosponsor of S. 1800, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit.

S. 1915

At the request of Mr. ENSIGN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1915, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 1934

At the request of Mr. SPECTER, the names of the Senator from Minnesota (Mr. COLEMAN), the Senator from Massachusetts (Mr. KERRY), the Senator from Washington (Ms. CANTWELL), the Senator from Washington (Mrs. MURRAY) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1934, a bill to reauthorize the grant program of the Department of Justice for reentry of offenders into the community, to establish a task force on Federal programs and activities relating to the reentry of offenders into the community, and for other purposes.

S. 2010

At the request of Mr. HATCH, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 2010, a bill to amend the Social Security Act to enhance the Social Security of the Nation by ensuring adequate public-private infrastructure and to resolve to prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation, and for other purposes.

S. 2075

At the request of Mr. DURBIN, the names of the Senator from Indiana (Mr. BAYH), the Senator from New Mexico (Mr. BINGAMAN), the Senator from California (Mrs. BOXER), the Senator from Washington (Ms. CANTWELL), the Senator from Minnesota (Mr. DAYTON), the Senator from Massachusetts (Mr. KERRY) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 2075, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 2123

At the request of Mr. ALLARD, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2123, a bill to modernize the manufactured housing loan insurance program under title I of the National Housing Act.

S. 2154

At the request of Mr. OBAMA, the name of the Senator from Missouri (Mr. TALENT) was added as a cosponsor of S. 2154, a bill to provide for the issuance of a commemorative postage stamp in honor of Rosa Parks.

S. 2392

At the request of Mrs. BOXER, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2392, a bill to promote the empowerment of women in Afghanistan.

S. 2491

At the request of Mr. CORNYN, the names of the Senator from Maine (Ms.

SNOWE), the Senator from Vermont (Mr. JEFFORDS), the Senator from Ohio (Mr. VOINOVICH), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Louisiana (Mr. VITTER), the Senator from Michigan (Mr. LEVIN), the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 2491, a bill to award a Congressional gold medal to Byron Nelson in recognition of his significant contributions to the game of golf as a player, a teacher, and a commentator.

S. 2590

At the request of Mr. COBURN, the names of the Senator from Colorado (Mr. SALAZAR), the Senator from Wyoming (Mr. THOMAS), the Senator from Wyoming (Mr. ENZI) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. 2590, a bill to require full disclosure of all entities and organizations receiving Federal funds.

At the request of Mr. BAUCUS, his name was added as a cosponsor of S. 2590, supra.

S. 2663

At the request of Mr. DODD, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 2663, a bill to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes.

S. 2990

At the request of Mr. VITTER, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 2990, a bill to amend title XVIII of the Social Security Act to restore financial stability to Medicare anesthesiology teaching programs for resident physicians.

S. 3128

At the request of Mr. BURR, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 3128, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes.

S. 3325

At the request of Mr. BUNNING, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 3325, a bill to promote coal-to-liquid fuel activities.

S. 3456

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 3456, a bill to ensure the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States.

S. 3519

At the request of Mr. HATCH, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 3519, a bill to reform the State inspection of meat and poultry in the United States, and for other purposes.

S. 3529

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 3529, a bill to ensure that new mothers and their families are educated about postpartum depression, screened for symptoms, and provided with essential services, and to increase research at the National Institutes of Health on postpartum depression.

S. 3570

At the request of Mr. ENZI, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 3570, a bill to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 2007 through 2011, and for other purposes.

S. 3623

At the request of Mr. BUNNING, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 3623, a bill to promote coal-to-liquid fuel activities.

S. 3656

At the request of Mrs. FEINSTEIN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 3656, a bill to provide additional assistance to combat HIV/AIDS among young people, and for other purposes.

S. 3681

At the request of Mr. DOMENICI, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 3681, a bill to amend the Comprehensive Environmental Response Compensation and Liability Act of 1980 to provide that manure shall not be considered to be a hazardous substance, pollutant, or contaminant.

S. 3685

At the request of Mr. BOND, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 3685, a bill to establish a grant program to provide vision care to children, and for other purposes.

S. 3744

At the request of Mr. DURBIN, the names of the Senator from Montana (Mr. BAUCUS), the Senator from Delaware (Mr. BIDEN), the Senator from Michigan (Mr. LEVIN), the Senator from Michigan (Ms. STABENOW), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Rhode Island (Mr. CHAFEE) were added as cosponsors of S. 3744, a bill to establish the Abraham Lincoln Study Abroad Program.

S. 3754

At the request of Mr. MARTINEZ, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 3754, a bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and for other purposes.

S. 3768

At the request of Mr. SPECTER, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 3768, a bill to prohibit the procurement of victim-activated landmines and other weapons that are designed to be victim-activated.

S. 3771

At the request of Mr. HATCH, the names of the Senator from New Hampshire (Mr. SUNUNU), the Senator from Utah (Mr. BENNETT), the Senator from Florida (Mr. NELSON), the Senator from Illinois (Mr. DURBIN), the Senator from California (Mrs. BOXER), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 3771, a bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act.

S. 3788

At the request of Mr. BROWNBACK, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 3788, a bill to clarify Federal law to prohibit the dispensing, distribution, or administration of a controlled substance for the purpose of causing, or assisting in causing, the suicide, euthanasia, or mercy killing of any individual.

S. 3791

At the request of Mrs. HUTCHISON, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. 3791, a bill to require the provision of information to parents and adults concerning bacterial meningitis and the availability of a vaccination with respect to such disease.

S. 3795

At the request of Mr. SMITH, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 3795, a bill to amend title XVIII of the Social Security Act to provide for a two-year moratorium on certain Medicare physician payment reductions for imaging services.

S. 3801

At the request of Mr. SMITH, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 3801, a bill to support the implementation of the Darfur Peace Agreement and to protect the lives and address the humanitarian needs of the people of Darfur, and for other purposes.

S. 3837

At the request of Mr. AKAKA, the names of the Senator from Tennessee (Mr. FRIST), the Senator from Colorado (Mr. SALAZAR), the Senator from Washington (Ms. CANTWELL) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 3837, a bill to authorize the establishment of the Henry Kuualoha Giugni Kupuna Memorial Archives at the University of Hawaii.

S.J. RES. 7

At the request of Mr. MENENDEZ, his name was added as a cosponsor of S.J. Res. 7, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women.

S.J. RES. 35

At the request of Mr. BYRD, the name of the Senator from North Carolina (Mrs. DOLE) 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. CON. RES. 20

At the request of Mr. COCHRAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. Con. Res. 20, a concurrent resolution expressing the need for enhanced public awareness of traumatic brain injury and support for the designation of a National Brain Injury Awareness Month.

S. CON. RES. 84

At the request of Mr. KYL, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. Con. Res. 84, a concurrent resolution expressing the sense of Congress regarding a free trade agreement between the United States and Taiwan.

S. CON. RES. 113

At the request of Mrs. CLINTON, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Con. Res. 113, a concurrent resolution congratulating the Magen David Adom Society in Israel for achieving full membership in the International Red Cross and Red Crescent Movement, and for other purposes.

S. RES. 407

At the request of Mr. MENENDEZ, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Michigan (Mr. LEVIN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. Res. 407, a resolution recognizing the African American Spiritual as a national treasure.

S. RES. 448

At the request of Mr. NELSON of Nebraska, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. Res. 448, a resolution supporting the goals and ideals of ''National Life Insurance Awareness Month''.

S. RES. 551

At the request of Mr. REID, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. Res. 551, a resolution expressing the sense of the Senate that illegal immigrants should not receive Social Security benefits and that this prohibition should be strictly enforced.

AMENDMENT NO. 4883

At the request of Mr. ALLEN, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Idaho (Mr. CRAIG) were added as cosponsors of amendment No. 4883 proposed to H.R. 5631, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes.

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of amendment No. 4883 proposed to H.R. 5631, supra.

At the request of Mr. DURBIN, the names of the Senator from California (Mrs. BOXER) and the Senator from Florida (Mr. NELSON) were added as cosponsors of amendment No. 4883 proposed to H.R. 5631, supra.

AMENDMENT NO. 4885

At the request of Mr. KENNEDY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of amendment No. 4885 proposed to H.R. 5631, a bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INHOFE (for himself and Mr. COBURN):

S. 3845. A bill to designate the facility of the United States Postal Service located at 301 Commerce Street in Commerce, Oklahoma, as the ''Mickey Mantle Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

Mr. INHOFE. Mr. President, I rise today along with my colleague, TOM COBURN, to proudly introduce legislation to designate the facility of the United States Postal Service located at 301 Commerce Street in Commerce, OK as the ''Mickey Mantle Post Office.''

Mickey Mantle emulates the Oklahoma spirit of hard work, charity, and sportsmanship. He is a shining example of how commitment and dedication can lead to great success. I seek to name the post office in Commerce, OK, in Mickey Mantle's honor. He is still known to Commerce by the nicknames ''Commerce Comet'' or ''Commerce Kid''.

At age 4 Mickey Mantle moved with his family to Commerce where he grew up, having been born in Spavinaw, OK. By his father who was an amateur player and fervent fan, Mickey Mantle was named in honor of Mickey Cochrane, the Hall of Fame catcher from the Detroit Tigers.

Signing with the New York Yankees in 1949, Mantle made his Major League Debut in 1951. He played his entire Major League career with the Yankees. He was a twenty-time All Star and named American League MVP three times. Mantle was a part of 12 pennant winners and 7 World Championship clubs. Some of Mantle's records still hold today. He holds the record for most World Series home runs (18), runs batted in (40), runs (42), walks (43), extra-base hits (26), and total bases (123).

Mantle announced his retirement on March 1, 1969. He actually retired on Mickey Mantle Day, June 8, 1969. In addition to the retirement of his uniform number 7, Mantle was given a plaque that would hang on the center field wall at Yankee Stadium, near the monuments to Babe Ruth, Lou Gehrig and Miller Huggins. In 1974, as soon as he was eligible, he was inducted into the Baseball Hall of Fame demonstrating his importance to baseball and community.

Sadly, Mickey Mantle's father died of cancer at the age of 39, just as his son was starting his career. Mantle said one of the great heartaches of his life was that he never told his father he loved him.

After a bout with liver cancer himself, Mickey Mantle was given a few precious extra weeks of life due to a liver transplant. The baseball great was overwhelmed by the selfless gift of a liver from a stranger; therefore, Mickey became determined to give something back at the end of his life. Thus, in 1995, the year he died, the Mickey Mantle Foundation was established to promote organ and tissue donation, and Mickey Mantle will be remembered for something more than his heroic baseball career.

I encourage my colleagues to join me in support of this legislation as we commemorate an outstanding athlete so that future generations will be as inspired by his example of sportsmanship and charity as we have been.

By Mr. CARPER (for himself and Mr. VOINOVICH):

S. 3846. A bill to provide for the establishment and maintenance of electronic personal health records for individuals and family members enrolled in Federal employee health benefits plans under chapter 89 of title 5, United States Code, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. CARPER. Mr. President, I rise today to announce the introduction of a piece of legislation that Senator VOINOVICH of Ohio and I have worked on for a while. It is called the Federal Employees Electronic Personal Health Records Act of 2006. This bill makes available—or would make available—electronic personal health records for every enrollee of a Federal health benefits plan who wishes to have one. That is, potentially, as many as 8 million people. That includes those of us who work in Federal agencies, large and small, across the country and, actually, around the world. It includes their families and includes Federal retirees and their families as well.

Our health care sector is the most innovative in the world, but it has not kept up with the information age. Our excessive reliance on paper record keeping makes our health care system less efficient, more costly, and more prone to mistakes. Expanding the use of health information technology shows promise as a way to improve both the cost and the quality of health care in our country.

In 2004, the United States spent some $1.9 trillion on health care costs.

That is more than any other industrialized country on this planet. In 2005, health care premiums continued their upward trend, increasing by an average, I am told, of some 9 percent. We are literally spending trillions of dollars on health care, but I am sorry to say we are not getting the gold standard of treatment or results.

A 2005 survey conducted by the Commonwealth Fund, a private foundation that focuses on improving health care, found that medical error reports rates in the United States far exceed those of western countries. In that survey, one in three Americans reported getting the wrong dosage of medication, incorrect test results, mistakes in treatment, or late notification of test results. That is nearly 15 percent higher than similar results in Britain and Germany.

I believe some of the problems—though certainly not all of them—can be blamed on the fact that health care providers don't have full and real-time access to patients' medical records. Doctors in this country wait days sometimes for couriers to deliver lab tests or x rays. They diagnose patients without knowing their full medical history, what they are allergic to, what kinds of surgeries they have had, or whether they have complained about similar symptoms before.

Time constraints, or medical necessity, often force doctors to perform a quick diagnosis. Sometimes that diagnosis wrong. Sometimes those errors prove to be costly. The widespread use of health information technology, the ability to immediately access one's full medical history from a computer, can help doctors and nurses provide better care less expensively. It has the potential to dramatically transform the way we provide health care in America—saving lives, saving costs.

If we are looking for success stories on how health care professionals have integrated the use of electronic health care records into their daily routines, we don't have to look any further than our own Department of Defense and our Department of Veterans Affairs.

Times have changed since I retired from the Navy some 15 years ago. I remember that as an ensign I used to carry my medical health records in a brown manila folder from duty station to duty station—from the time I left Ohio State, on to Pensacola, Corpus Christi Naval Air Station, out to California, across the seas and back again, and, finally, getting off of active duty and coming to Delaware to enroll in graduate school, on the GI bill, at the University of Delaware in the business school. I went up the road to the VA hospital. I still had my folder with the records. I turned them in and asked: What kind of benefits am I eligible for?

Over a decade ago, the Department of Defense and VA decided there was a better way, and the results have been nothing short of phenomenal. Today, when a patient enrolls in the Department of Defense's military health system, they no longer need the kind of brown manila folder I carried all those years. Instead, we have electronic health care records to keep track of the medical histories of those who serve our country in the military. This health record is managed electronically, and you don't have to remember to pack it up on your next tour of duty, whether it is in Southeast Asia, or Iraq, or Afghanistan.

Instead, one's electronic health care record follows them wherever they go—both during the time they are in the military and when they leave and join our veterans community as a veteran.

The result is that the Department of Defense and VA have been impressive, especially when you consider that they have only used these electronic health records for about a decade or so.

The VA health system has transformed itself from a troubled, sometimes bloated and inefficient operation to one of the best health care operations in the country.

Researchers and doctors now laud the VA for having the foresight to use electronic health records to improve patient care.

What is the cost? That is a good question. It is about $78 per patient. That is roughly the cost of not repeating one blood test. In other words, it is money well spent.

The VA now regularly outperforms Medicare and other private health plans when it comes to providing patient care for diabetes, high blood pressure, and heart attack victims.

In January, the National Quality Research Center concluded that for the sixth consecutive year, the VA health care system outranks the private sector for customer satisfaction.

I have witnessed that new-found satisfaction in my own backyard, at the Veterans Medical Center in Elsmere, DE. That is the place I went in 1973 fresh out of the Navy. Veterans from neighboring States are now coming to our hospital in Elsmere to seek care instead of going to regular civilian hospitals near them.

In 2004, the Elsmere facility, as well as popular satellite clinics in Millsboro and Seaford, DE, served more than 22,000 veterans and had more than 150,000 outpatient visits. Both totals are about 20 percent higher than just 4 years ago.

Normally, you would think the busier a hospital is, the less satisfied customers are because of longer waits and other hassles. But it turned out that the opposite is true. As the workload has climbed, so has patient satisfaction. I might add, so has the satisfaction of those providing the care to the patients.

More than 85 percent of Delaware's VA outpatients said they were ''highly satisfied'' with the care they received. Planning is now underway to open a third outpatient clinic for veterans in Kent County next spring—probably in Dover where we have another 15,000 veterans.

What is keeping the rest of our Nation's health care system from following the lead of the Department of Defense and the VA? The answer is the high cost of implementing the latest information technologies, as well as the lack of uniformity among various technology products.

A physician can spend up to $30,000 implementing an electronic health records system. A hospital can spend up to five times that amount. If that weren't enough of a reason to say no thanks, there is one more reason; that is, we don't have a set of national standards in place to make sure that once health care providers have made the switch, their new system can communicate with the hospital or doctor on the other side of town. The result: Only 15 percent of doctors and about 30 percent of hospitals have fully functional electronic health care systems today.

A new study by a number of health care scholars estimates there will be another 20 years before the majority of physicians are using an electronic health care system.

Let me say this. Our Presiding Officer is from Louisiana where they went through a terrible situation a year ago with Katrina. The folks who happened to be civilians and were in hospitals or nursing homes, for the most part, they had paper health records and they were destroyed. The veterans who were on the gulf coast when Katrina struck—either in nursing homes, VA nursing homes, or VA hospitals—were evacuated from the area as civilians were; but when the veterans got to another VA facility inland, or a nursing home, or a VA hospital, their electronic health records were available immediately, and whoever provided care for them had access to the records and were able to provide excellent care.

I am sorry to say that the same wasn't true for the civilians whose paper records were largely destroyed at the time of the evacuation.

As a nation, we cannot afford to rely solely on health care providers to bring the health care industry into the 21st century. We must think outside of the box and build on the health information technology issues already underway in other areas of our health care industry.

The Federal Employee Electronic Personal Health Records Act of 2006—the legislation Senator VOINOVICH and I introduce today—does just that. How? By requiring all carriers that contract with the Federal Employees Health Benefits Program to make available an electronic personal health record for those of us who are enrolled in that program. As I said earlier, it is some 8 million people.

Electronic personal health records will provide enrollees with a tool to better access and control their health information. Via the Internet, an enrollee will be able to log on to their

electronic personal health record to keep track of such things as their medications, cholesterol, glucose levels, allergies, and immunization records.

An enrollee will also be able to review a comprehensive, easily understood listing of their health care claims. Health care providers, payers, and enrollees will be able to add this information onto the electronic personal health record. Enrollees will benefit, I believe, significantly from such a tool.

An enrollee can easily share sections of the electronic personal health record with their health care provider, ensuring that their provider has the most up-to-date and accurate health information when making clinical decisions.

In the case of an emergency, an enrollee can also grant others the ability to access their electronic personal health record. Again, it is the decision of the patient, the enrollee in the Federal Employee Health Benefits Program, to decide what kind of access to grant to a provider or a member of the family or another person in the wake of an emergency.

Having health information readily available will increase the efficiency and safety of health care for enrollees by eliminating unwarranted tests, procedures, and prescriptions.

Most important, the legislation ensures that the electronic personal health records provided for through this act are kept private and secure.

The electronic personal health records are required to include a number of security features. They include, among other things, user authentication and audit trails.

The legislation also requires that carriers comply with all privacy and security regulations outlined in the Health Insurance Portability and Accountability Act, which we call HIPAA.

Mr. President, what Senator VOINOVICH and I are introducing today will help demonstrate the importance and utility of health information technology—not just the importance of the technology but the importance of harnessing the technology—in the delivery of health care in this country today. In this case, the potential is as many as 8 million additional Americans.

This bill is designed to jumpstart this new technology by requiring some of the largest health insurance companies to offer these electronic personal health records, which many are beginning to do today. As more insurance companies, health care providers, and consumers use this new technology, I am convinced that more people will recognize its advantages, and we can more quickly move America's health care industry into the 21st century.

We view this initiative as the next necessary step for the Nation's largest employer-sponsored health insurance program that prides itself on being a model for best practices in health care.

I invite my colleagues to join Senator VOINOVICH and me as we introduce this legislation. We look forward to talking with our colleagues about it. With luck, maybe we will have a hearing. Senator VOINOVICH may hold one in his subcommittee this month.

Mr. VOINOVICH. Mr. President, I rise to speak about a bill my colleague Senator CARPER and I introduced today, the Electronic Personal Health Records Act. The purpose of this legislation is to provide for the establishment and maintenance of electronic personal health records for individuals and family members enrolled in the Federal Employee Health Benefits Plan, FEHBP.

The widespread adoption of health information technology, such as electronic health record, (EHR), will revolutionize the health care profession. In fact, the Institute of Medicine, the National Committee on Vital and Health Statistics, and other expert panels have identified information technology as one of the most powerful tools in reducing medical errors and improving the quality of care. Unfortunately, our country's health care industry lags far behind other sectors of the economy in its investment in IT.

The Institute of Medicine estimates that there are nearly 98,000 deaths each year resulting from medical errors. Many of these deaths can be directly attributed to the inherent imperfections of our current paper-based health care system. This statistic is startling and one that I hope will motivate my colleagues to take a close look at the goals of our legislation.

The voluntary EHRs that would be established through the Electronic Personal Health Records Act will provide clinicians with real-time access to their patient's health history. Each EHR would contain claims data, contact information for providers of health care services, and other useful information for diagnosis and treatment. The records will be available cost-free to FEHBP participants and will maintain strict adherence to HIPAA.

Under the bill, the Office of Personnel Management, OPM, would be required to ensure that all carriers who participate in FEHBP educate their members about the implementation of the EHR, as well as give timely notice of the establishment of the record and an opportunity for each individual to elect not to participate in the program.

OPM, through their carriers, would also have to ensure that all records would be available for electronic access through Internet, fax, or printed method for the use of the individual, and that to the extent possible, records could be transferred from one plan to another. The bill would require EHRs to be made available two years after the passage of the legislation or earlier at the discretion of OPM in consultation with the Office of the National Coordinator for Health Information Technology within HHS.

Not only can EHRs save lives and improve the quality of health care, they also have the potential to reduce the cost of the delivery of health care. According to Rand Corporation, the health care delivery system in the United States could save approximately $160 billion annually with the widespread use of electronic medical records. As a result, the private market is already moving toward implementing electronic medical records.

This bill, simply encourages the health care industry to continue in that direction and take their use of technology in the delivery of care to the next step. I urge my colleagues to consider not only the benefit it will provide to the eight million individuals who receive their health care through the FEHBP, but also to our Nation's overall health care system.

By Mrs. CLINTON:

S. 3847. A bill to designate the facility of the United States Postal Service located at 110 Cooper Street in Babylon, New York, as the ''Jacob Samuel Fletcher Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

Mrs. CLINTON. Mr. President, I am pleased to introduce legislation which would designate the facility of the United States Postal Service located at 110 Cooper Street in Babylon, NY, as the ''Jacob Samuel Fletcher Post Office Building.''

Jacob Samuel Fletcher sent his first application for military enlistment to the Marines when he was 8 years old. Young Jacob had completed an application he found in a magazine and submitted it through the mail. Though his mother told the Marines recruiter to call back in a few years, it wouldn't be long before Fletcher was wearing a uniform.

Fletcher enlisted in the Army soon after the September 11 terrorist attacks. He told family members that he felt he had a duty to serve his country. This service was nothing new to his family, as both his father and his stepfather served in Vietnam.

His story, however, ends in a tragically different manner than his father's or stepfather's. On November 14, 2003, PFC Jacob Samuel Fletcher was killed when a road side bomb exploded near a bus he was riding in Samara, Iraq. It was 11 days before his 29th birthday. He was posthumously awarded the Bronze Star and the Purple Heart.

While he was close to finishing his tour of duty at the time of his death, Jacob told family and friends that he was not finished serving; he hoped to become a state trooper upon completion of his tour in the military.

I ask that the Senate come together and honor this brave American for his service to our Nation.

By Mr. KYL (for himself, Mr. DEWINE, and Mr. CORNYN):

S. 3848. A bill to amend title 18, United States Code, to support the war

on terrorism, and for other purposes; to the Committee on the Judiciary.

Mr. KYL. Mr. President, I rise today to introduce the Terrorism Prevention Act of 2006. This Act will enhance and improve the statutes governing material support for terrorism, protection of classified information, terrorist hoaxes, and terrorist murders and assaults. Specifically, the TPA expands the reach of statutes punishing material support for terrorism, making it a crime to reward the family of a suicide bomber or other terrorist with the intent to facilitate terrorism, and increases penalties for existing material support offenses; clarifies and improves the Classified Information Procedures Act in light of the lessons learned in the Moussaoui trial; expands the reach of the terrorist hoax statute, and increases penalties for hoaxes about the deaths of U.S. soldiers during wartime; increases penalties for terrorist murders, kidnappings, and assaults committed overseas against U.S. nationals, and increases penalties for terrorist crimes resulting in death; and improves the United States's ability to investigate terrorist crimes by protecting the confidentiality of FISA investigations, authorizing multi-district search warrants in terrorism cases, and increasing penalties for obstruction of justice in terrorism cases.

I ask unanimous consent that a section by section analysis of the Terrorism Prevention Act be printed in the RECORD.

There being no objection, the text of the analysis was ordered to be printed in the RECORD, as follows:

THE TERRORISM PREVENTION ACT OF 2006

SECTION BY SECTION ANALYSIS

SECTION 2. MATERIAL SUPPORT

Subsection (a) creates a new offense, 18 U.S.C. §2339E, of giving material benefits to the family or associates of someone who has committed a terrorist act, if the benefit is given with the intent to reward, encourage, or facilitate terrorism. Section 2339E applies overseas to the extent that the offenses are linked to interstate or foreign commerce, are targeted at the United States or its people or property, or the offender is a U.S. national or resident. The offense is punishable by imprisonment for ten years to life. This new offense would punish those individuals who encourage or embolden suicide bombers by rewarding their families after such bombings occur.

Subsection (b) increases penalties for existing material support offenses as follows: §2339A, giving material support to aid a terrorist act, 10 years to life; §2339B, giving material support to a designated terrorist organization, 5 to 25 years; and §2339D, receiving military-type training from a terrorist organization, 3 to 15 years. The §2339A and B penalties have not been increased since the terrorist attacks of September 11, 2001.

Subsection (c) eliminates a loophole in current law that would allow an individual to give an unlimited amount of medical or religious supplies to a designated terrorist organization. This loophole, which was recently criticized by a judge of the U.S. Court of Appeals, could allow a terrorist organization to receive large amounts of supplies that it could either resell in exchange for cash or distribute in its local area in order to build support and gain recruits.

Subsection (d) amends §2339D to bar attempts or conspiracies to obtain military-type training from a terrorist organization.

Subsection (e) bars convicted terrorist from receiving federal benefits.

SECTION 3. IMPROVEMENTS TO CIPA

This section implements a number of lessons learned during the use of the Classified Information Procedures Act during the trial of suspected 20th hijacker Zacarias Moussaoui. Subsection (b) authorizes interlocutory appeals of any order for access to classified information. In the Moussaoui case, the Fourth Circuit determined that CIPA allows interlocutory appeals only of orders entered under CIPA itself, not orders entered under other authority. One judge of that Court noted that, although compelled by the text of CIPA, this result frustrates Congress's intent to allow prompt review of disputes over disclosure of classified information.

Subsection (c) allows requests for CIPA protection to be made ex parte. Sometimes a request for protection of classified information cannot be made publicly without itself compromising classified information. This subsection also ensures that requests for CIPA protection shall remain sealed, regardless of whether they are accepted or denied, and codifies the current practice of allowing such requests to be made orally.

Subsection (d) clarifies that CIPA applies to evidence obtained from nondocumentary sources, such as depositions of witnesses. In the Moussaoui case, the Fourth Circuit determined that CIPA technically only applies to documentary information and information that the defense might disclose during trial. The Court nevertheless looked to CIPA to develop a framework for protecting classified information during depositions. This subsection effectively codifies the Fourth Circuit's approach by formally applying CIPA to nondocumentary sources of evidence, such as depositions.

SECTION 4. TERRORIST HOAXES

This section amends the terrorist hoax statute so that it punishes hoaxes relating to terrorist offenses that inexplicably were excluded from the current hoax law. For example, current law does not punish hoaxes related to the taking of hostages in order to coerce the federal government (18 U.S.C. 1203), hoaxes related to blowing up an energy facility (18 U.S.C. 1366(a)), hoaxes related to terrorist attacks on military bases aimed at undermining national defense (18 U.S.C. 2156), or hoaxes related to attacks on railways and mass-transportation facilities, such as the recent London bombings (18 U.S.C. 1992–93). This section adds these terrorist crimes to the predicates for the terrorist hoax statute.

This section also increases the penalties for hoaxes about the death, injury, or capture of a U.S. soldier during wartime. Unfortunately, there have been a number of incidents in which individuals have contacted the families of US. soldiers serving in Iraq, pretended to represent the military or other official organizations, and falsely told the family that their son, brother, or other relative had been killed. This section would punish such hoaxes with imprisonment for 2 to 10 years. If the hoax resulted in serious bodily injury, it would be punished by 5 to 25 years, and if it resulted in death, 10 years to life.

This section also clarifies that the offense of mailing threatening communications applies to threats made against organizations as well as individuals.

SECTION 5. TERRORIST MURDERS, KIDNAPPINGS, AND ASSAULTS

This section expands 18 U.S.C. §2332, which punishes murder or assault of U.S. nationals overseas for terrorist purposes, to also include kidnappings of U.S. nationals overseas that are carried out for terrorist purposes, and clarifies that sexual assault qualifies as serious bodily injury for purposes of the section's assault prohibitions. This section also increases penalties for terrorist murders and assaults, such that a murder of a U.S. national overseas that is carried out for terrorist purposes would be punished by imprisonment for at least 30 years, and an assault resulting in serious bodily injury would be punished by imprisonment for 10 years to life. ''Serious bodily injury'' is defined by federal statute to mean bodily injury accompanied by a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

This section also creates a new offense of committing a terrorist crime while engaging in conduct that results in death. This new offense is punishable by death or imprisonment for 20 years up to life. This section also makes eligible for capital punishment existing offenses resulting in death that involve the use of nuclear weapons, anti-aircraft missiles, radiological bombs, and variola (smallpox) virus, and increases to 15 years to life the penalties for aiding a foreign terrorist organization or state sponsor of terrorism's WMD program or developing, possessing, using, or threatening to use a radiological weapon.

SECTION 6. INVESTIGATION OF TERRORIST CRIMES

Subsection (a) limits FISA notification requirements so that the government is not required to inform an individual seeking an immigration benefit if FISA information was used to deny their application. Such notice effectively informs such an individual that he or his associates have been the target of an intelligence investigation. The United States should not be required to compromise an intelligence investigation in order to exclude a foreign national with ties to terrorism from the United States.

Subsection (b) authorizes federal judges to authorize search warrants that may be used in multiple judicial districts for purposes of terrorism investigations. Such investigations often require searches to be conducted in different parts of the country at the same time.

Subsection (c) increases the potential penalties for obstruction of justice in the course of a terrorism investigation by making the maximum penalty ten years' imprisonment.

By Ms. MURKOWSKI:

S. 851. A bill to provide for the extension of preliminary permit periods by the Federal Energy Regulatory Commission for certain hydroelectric projects in the State of Alaska; to the Committee on Energy and Natural Resources.

Ms. MURKOWSKI. Mr. President, I rise to introduce legislation to give private developers more time to complete planning and financing for a complex of three high-mountain lake-tap hydroelectric projects that promise to provide at an electric power for Southeast Alaska and for the Pacific Northwest.

Today, I introduce legislation to extend by a total of six years the time for developers to secure data necessary to determine the feasibility and prepare a development application for three individual hydroelectric projects, all located up Thomas Bay in Southeast

Alaska, near Petersburg, AK. This legislation will give time for construction of the estimated $75 million, 45-megawatt Cascade Creek project, the $56 million, 30-megawatt Scenery Creek, and the $40 million, 20-megawatt Delta Creek hydroelectric projects to be built.

The extensions are needed and justified since the three renewable energy projects can only proceed after a $30 million, 27-mile high-voltage transmission line is constructed in Alaska to the U.S.-Canada border, after another $130 million is spent for 150 miles of new line are built in Canada, after $120 million is spent for 140 miles of transmission line upgrades are finished on the Canadian side of the border to move the excess power to Skeena near Terrace in Canada, and after portions of the proposed Southeast Alaska, Electric, Intertie are finished to also permit excess power from the existing Swan Lake and Tyee Lake hydroelectric projects, and the proposed Mahoney Lake project near Ketchikan, AK, to be shared among Panhandle communities and to connect to export transmission lines.

The developers of the Thomas Bay project, Cascade, LLC., deserve a time extension since the company, so far, has focused all of its planning efforts on winning approval and financing for the vital electrical interconnection between Southeast Alaska and Canada, not on finishing the three individual power projects. The State of Alaska only in early summer 2006 approved a grant of $3.2 million to pay for planning to develop a comprehensive plan and review the economic feasibility of using several of Southeast Alaska's nearly 100 potential hydroelectric sites to provide power for both local needs and for export of the surplus power to the Pacific Northwest power grid to help with financing of the 95 megawatts of installed capacity, 410 gigawatt, power project.

These hydroelectric projects all involve tapping high mountain lakes for power. They do not require the damming of fish streams, so they have no negative environmental impacts. They will produce electricity at substantial savings over the 40- to 50-cents per kilowatt hour cost of generating power from expensive diesel fuel in the region and they will also reduce the effects of local air pollution and reduce carbon dioxide generation through the avoidance of fossil fuel combustion.

Congress routinely extends the three-year deadline for worthy potential FERC-licensed power projects to provide additional time for completion of preliminary planning, financing and design. It is certainly appropriate to grant these three projects that are so interconnected this additional time to work out the contractual and financial planning and to finish the environmental studies needed for construction permits to be obtained.

Developing renewable energy that can be produced without any environmental impacts on streams and the fish and wildlife they support is an increasingly important task of government. This bill will help such environmentally-sensitive development occur and will help reduce the nation's dependence on foreign fossil fuels. I hope for speedy passage of this measure.

By Mr. WYDEN (for himself and Mr. SMITH):

S. 3854. A bill to designate certain land in the State of Oregon as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, Mount Hood is a cherished wild place that is often photographed, visited and enjoyed by scores of Oregonians and many non-Oregonians as well. Today, I am introducing, along with my colleague Senator SMITH, a new bipartisan Oregon Wilderness bill: the ''Lewis and Clark Mount Hood Wilderness Act of 2006.'' In tribute to the great river-dependent journey of Lewis and Clark, our legislation adds nine free-flowing stretches of rivers to the National Wild and Scenic River System. This reflects the Oregonian wish to protect but also actively experience our State's treasures.

This bill contains many elements of the bill I introduced two years ago while incorporating many of the provisions adopted in the House-passed version of Mount Hood Wilderness protections, HR 5025. My bill builds upon the House version by adding more wilderness, more wild and scenic rivers, and providing a recreation area to allow diverse recreational opportunities. It protects the lower elevation forests surrounding Mount Hood and the Columbia River Gorge as Lewis and Clark saw them. These forests embody the natural beauty of Oregon. They provide the clean water necessary for the survival of threatened steelhead, Coho and Chinook salmon. These forests provide critical habitat and diverse ecosystems for elk, deer, lynx and the majestic bald eagle. And these are the forests that provide unparalleled recreational opportunities for Oregonians and our visitors.

But the bill I introduce today differs from the bill I introduced two years ago because it responds to the many comments I heard in the ensuing years. I received thousands of comments on proposed Mount Hood legislation. Some comments came as a result of the general public meetings I held in Oregon. Many of the meetings lasted over 3 hours, and everyone who wanted to speak was given an opportunity to do so. Other comments came from the second Mount Hood Summit held at Timberline Lodge hosted by Representatives WALDEN and BLUMENAUER. I and my staff met with over 100 community groups and local governments, the members of the Oregon congressional delegation, the Governor, and the Bush administration. And still more comments came from letters and phone calls from Oregonians.

Overwhelmingly, these comments urged me to protect and build on Oregon's Wilderness system. This goal is as important today as it was in 1804, 1964 or 1984—if not more so. To succeed, we must provide the tools that help us create a planned future on Mount Hood. This bill does both.

The Mount Hood National Forest is the seventh most visited National Forest in the United States. In the 22 years that have elapsed since any new wilderness has been designated in the Mount Hood area, the population in local counties has increased significantly—25 percent in Multnomah County, 24 percent in Hood River County, and 28 percent in Clackamas County.

The predominant public use of this urban forest is non-mechanized activity like hiking, camping, and fishing. With increasing emphasis on wild scenery, unspoiled wildlife habitats, free flowing rivers, wilderness and the need for opportunities for diverse outdoor recreation sometimes it seems we are in jeopardy of ''loving our wild places to death.''

A few years ago, the Forest Service made a proposal to limit the number of people that could hike the south side of Mount Hood and the public outcry was enormous. Seems to me, rather than tell people that they are going to be restricted from using our public lands, part of the solution for the future of the Mountain lies in providing more opportunities for them to enjoy the Mountain's great places. We should ensure the Mount Hood National Forest can meet the increased use and demand for outdoor experiences—my bill will provide those opportunities.

Of the hundreds of people who attended the meetings I held throughout the State of Oregon, the vast majority spoke in favor of more wilderness. Additionally, I have received more than 2,500 written comments supporting additional wilderness for Mount Hood.

This is what I have heard: More Wilderness: First and foremost, I heard that Oregonians in astonishing numbers support protecting Mount Hood and the Columbia River Gorge with additional wilderness. A large number of Oregonians didn't think that enough wilderness areas had been included in the House proposal.

Mountain Biking: Some mountain bikers expressed concerns that their recreation opportunities not be unfairly curtailed.

Fire Protection and Forest Health: Some people were worried about forest health and those living in towns on the mountain and in the gorge were concerned about fire protection for their communities.

Developed Recreation: Some people were worried about maintaining a role for developed recreation, like skiing, on Mt. Hood.

This is what my bill does to address those concerns: More Wilderness: There are currently 189,200 acres of designated wilderness on the Mount Hood National Forest. The House legislation

would have added approximately 77,200 acres of new wilderness on the Mountain. The bill I am introducing today increases wilderness on Mount Hood by designating approximately 128,385 new acres of wilderness—incorporating all the areas the House bill included and building upon them.

This bill adds the areas surrounding the oldest Mt. Hood Wilderness—the mountain itself—which was designated in the original Wilderness Act of 1964. These additions include cathedral old growth forests, the historic Tilly Jane trail, lava beds that were created during the Mt. Hood eruptions, and much of the legendary route that Oregon's pioneers used when they were settling our great state. To the north and west of the mountain, I would add the viewshed of the Columbia Gorge to the current Mark O. Hatfield wilderness. These areas encompass the spectacular ridges framing the Gorge that we all marvel at from I–84 and include perhaps the greatest concentration of waterfalls in North America. To the southwest of the mountain I add lands to the current Salmon Huckleberry Wilderness to conserve their diverse wildlife and protect unique recreational areas like those around popular Mirror Lake. These lands include Alder Creek, the source of drinking water for the City of Sandy, which unanimously endorsed the draft proposal. Over to the east are proposed additions to the Badger Creek Wilderness. These areas provide a critical link between Westside forests and Eastside ecosystems. This area is known for beautiful fall color and the best deer and elk hunting in the entire Mount Hood National Forest. Among the areas we are protecting is the newly designated Richard L. Kohnstamm Memorial Area. It is dedicated in honor of Mr. Kohnstamm who restored the historic Timberline Lodge—built originally by the Works Progress Administration in 1937—to its former grandeur.

Wild and Scenic Rivers: My proposal seeks to protect over 81 miles of wild and scenic rivers on nine free flowing rivers. This includes some of the most pristine and beautiful rivers in Oregon. Among those proposed rivers are the picturesque waterfalls and glacial outwash of the East Fork of the Hood River, and the ancestral hunting and fishing grounds of Fish Creek. Over 17 miles of superb salmon and steelhead habitat on the Collowash River have also been proposed for protection. My bill again incorporates all the House proposed protections and builds upon them.

Mountain Biking: I believe that local riders raised some valid concerns, so I did two things. I have proposed Mount Hood National Recreation Area. It will offer greater, permanent environmental protections to those beautiful areas, while providing mountain bikers, and other recreational users, an opportunity to continue to recreate in these areas. Additionally, I made boundary adjustments to ensure all open mountain biking trails were not included in my proposed wilderness.

Fire Protection and Forest Health: I protect wilderness, where there are healthy, older trees that should never be harvested on Mount Hood or in the Gorge. Older, healthy stands are the most resistant to fire and disease. However, there is an enormous backlog of over-crowded, plantation, second-growth that should be thinned. My bill incorporates House provisions that would give the Forest Service a mandate to prepare an assessment for promoting forests resilient to fire, insects and disease. This also includes provisions to study and encourage the development of biomass in conjunction with forest health work. In addition, I added fire safe community zones so that the Secretary will construct a system of fire safe buffer zones around the communities of Cascade Locks and Government Camp.

Developed Recreation: In order to facilitate developed recreation opportunities I have adopted the House provisions establishing a ''fee-retention'' provision that will establish an account for the Mount Hood National Forest. In addition, in order to help address growth while ensuring access to recreational opportunities, I have adopted House provisions directing the Secretary and the State of Oregon to develop an integrated transportation plan for the Mount Hood region.

Local and Tribal Relationships: I have also incorporated the House provisions on local and tribal relationships emphasizing the rich history of the Mount Hood region and affirming the rights of Native peoples to access the mountains resources, as they have for generations.

The protection of these important Oregon places will depend on the hard work and dedication of all Oregonians and particularly that of my Oregon colleagues here in the Congress. I am especially pleased that Senator SMITH has joined me in developing this bipartisan legislation and putting forth our proposal for wilderness. I am hopeful everyone will pull together: county Commissioners, environmentalists, entrepreneurs, chambers of commerce, state elected officials, the Governor, and the Oregon delegation here in the Capitol. I look forward to perfecting legislation together in the coming weeks, and seeing its swift adoption by Congress thereafter. Then the grandeur of Mount Hood and other Oregon treasures can be assured for future generations.

Soda Mountain Wilderness: In addition, I wish to offer my cosponsorship of legislation to be presented by Senator SMITH, creating the Soda Mountain Wilderness and authorizing the voluntary cancellation of grazing leases in the Cascade-Siskiyou National Monument. This bill would establish a 23,000-acre Soda Mountain Wilderness in the backcountry of the Cascade-Siskiyou National Monument. In addition, it provides for the negotiated voluntary grazing permit lease buyout in the Monument. This proposed wilderness area lies at the intersection of the Siskiyou and Cascade mountain ranges, and the Oregon Desert, California chaparral, High Cascade and coastal Westside forests. It is truly where east meets west meets north meets south. This makes it a truly unique and biodiverse ecosystem and a key wildlife corridor—one that is used by ten rare, threatened or endangered species, including the northern spotted owl, Ashland thistle, and the Siskiyou fritillary. It is also home to populations of trout, elk, bobcats, black bears and falcons. The grazing buyout in this bill also provides a win-win situation. It provides a good deal for the ranchers—the negotiated agreement between the Bureau of Land Management grazing lessees and the conservationists includes an agreed-upon conservationist premium to be paid to the lessees. This premium enhances the compensation lessees receive from the federal government as part of the legislation. It also ensures this special place will be protected. I commend Senator SMITH for introducing this legislation and am happy to join him in introducing this bill.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3854

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Lewis and Clark Mount Hood Wilderness Act of 2006''.

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

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Definitions.

TITLE I—DESIGNATION OF WILDERNESS AREAS

Sec. 101. Findings and purpose.
Sec. 102. Lewis and Clark Mount Hood wilderness areas.
Sec. 103. Map and legal descriptions.
Sec. 104. Administration.
Sec. 105. Buffer zones.
Sec. 106. Fire safe community zones.
Sec. 107. Gateway communities.
Sec. 108. Fish and wildlife; hunting and fishing.
Sec. 109. Trail restoration and study.
Sec. 110. Fire, insects, and diseases.
Sec. 111. Land reclassification.
Sec. 112. Valid existing rights and withdrawal.
Sec. 113. Maintenance and replacement of foot bridges in wilderness areas.
Sec. 114. Richard L. Kohnstamm Memorial Area.

TITLE II—DESIGNATION OF STREAMS FOR WILD AND SCENIC RIVER PROTECTION IN THE MOUNT HOOD AREA

Sec. 201. Finding and purpose.
Sec. 202. Wild and scenic river designations, Mount Hood National Forest.
Sec. 203. Impact on water rights and flow requirements.

TITLE III—MOUNT HOOD NATIONAL RECREATION AREA

Sec. 301. Designation.

TITLE IV—TRANSPORTATION AND COMMUNICATION SYSTEMS
Sec. 401. Definition of Mount Hood region.
Sec. 402. Transportation plan.
Sec. 403. Study relating to gondola connection and intermodal transportation center.
Sec. 404. Burial of power lines.
Sec. 405. Culvert replacement.
Sec. 406. Clarification of treatment of State highways.
TITLE V—LAND EXCHANGE
Subtitle A—Cooper Spur-Government Camp Land Exchange
Sec. 501. Purpose.
Sec. 502. Cooper Spur-Government Camp land exchange.
Subtitle B—Other Land Exchanges
Sec. 511. Land exchange, Port of Cascade Locks-Pacific Crest National Scenic Trail.
Sec. 512. Hunchback Mountain land exchange, Clackamas County.
TITLE VI—MOUNT HOOD NATIONAL FOREST AND WATERSHED STEWARDSHIP
Sec. 601. Findings and purpose.
Sec. 602. Forest stewardship assessment.
Sec. 603. Sustainable biomass utilization study.
Sec. 604. Watershed management memoranda of understanding.
Sec. 605. Termination of authority.
TITLE VII—CRYSTAL SPRINGS WATERSHED SPECIAL RESOURCES MANAGEMENT UNIT
Sec. 701. Findings and purpose.
Sec. 702. Establishment of Crystal Springs Watershed Special Resources Management Unit.
Sec. 703. Administration of Management Unit.
Sec. 704. Acquisition of lands.
Sec. 705. Effective date.
TITLE VIII—LOCAL AND TRIBAL RELATIONSHIPS
Sec. 801. Findings and purpose.
Sec. 802. First foods gathering areas.
Sec. 803. Forest Service coordination with State and local governments.
Sec. 804. Savings provisions regarding relations with Indian tribes.
Sec. 805. Improved natural disaster preparedness.
TITLE IX—RECREATION
Sec. 901. Findings and purpose.
Sec. 902. Retention of Mount Hood National Forest land use fees from special use authorizations.
Sec. 903. Use of funds in special account to support recreation.
Sec. 904. Annual reporting requirement.
Sec. 905. Mount hood national forest recreational working group.
Sec. 906. Consideration of conversion of forest roads to recreational uses.
Sec. 907. Improved trail access for persons with disabilities.
TITLE X—AUTHORIZATION OF APPROPRIATIONS
Sec. 1001. Authorization of appropriations.

SEC. 2. FINDINGS.

Congress finds that—

(1) long before the arrival of Lewis and Clark, Native Americans in the Oregon country lived amid the wild splendor of the Cascade Mountains and the Columbia River, where the waters teemed with fish, game roamed the forests, and fruits and berries were abundant;

(2) the Native Americans arrived in this bountiful land from Asia by way of the Bering Sea and inhabited the land in and around Mount Hood and the Columbia Gorge;

(3) some of the tribes along the Columbia River were part of the Chinook family;

(4) many of the people of the tribes—

(A) used canoes made from cedar logs;

(B) were expert fisherman;

(C) told fire legends about the mid-Columbia volcanic peaks that featured warrior heroes, fair ladies, and numerous gods; and

(D) Mount Hood as Wy'East, the warrior whose passionate love caused the region to be transformed as he hurled powerful volcanic fire in his quest for the love of the gentle maiden Loo-wit, known today as Mount St. Helens;

(5) traveling down the Columbia River in 1805, the Lewis and Clark Corps of Discovery expedition was awed by the unspoiled scenic splendors of the Cascade Mountains and the Columbia River Gorge cutting through the mountain rampart;

(6) on October 18, 1805, Clark recorded in his journal: ''I ascended a high cliff, about 200 feet above the water, from the top of which is a level plain, extending up the river and off for a great extent. From this place I discovered a mountain of immense height, covered with snow.'';

(7) following Lewis and Clark, settlers came to the Oregon territory by way of the Oregon Trail, transforming more accessible portions of the wild landscape into farms, orchards, and small communities using the old growth forests;

(8) in 1845, Oregon Trail pioneers Samuel K. Barlow and Joel Palmer and their parties opened the Barlow Trail across Barlow Pass, high on the south slopes of Mount Hood, with Palmer writing on October 11, 1845: ''I had never seen a sight so nobly grand.'';

(9) even as the settlers transformed the wilderness, that frontier land helped develop in the settlers the characteristics of self-reliance, fortitude, hard work, independence, and love of the land, which the people of Oregon and the entire United States cherish to this day and wish to inculcate in their children;

(10) the unprotected wilderness that remains in the Mount Hood and Columbia River Gorge region provides easily accessible outdoor recreation for the descendants of the early settlers and more recent arrivals;

(11) Mount Hood is home to the historic Timberline Lodge, which—

(A) is a National Historic Landmark;

(B) was built as a project by the Federal Works Progress Administration in 1937; and

(C) was restored to its former grandeur by the dedication and stewardship of Richard L. Kohnstamm;

(12) preserving wilderness assures the integrity of the background and scenic views that enrich more developed forms of recreational use, including downhill skiing and roadside enjoyment of sweeping wilderness scenery;

(13) designation as wilderness provides the strongest congressional protection of scientific, cultural, educational, environmental, scenic, and recreational values that contribute long-term quality of life and economic benefits to the people of Oregon, visitors to Oregon, and local communities in and around the Mount Hood National Forest, including the wilderness-dependent wildlife, high water quality, and resident and anadromous fish that thrive in undisturbed ecosystems;

(14) the Mount Hood National Forest is the seventh most visited National Forest in the United States;

(15) wilderness management is interrelated with and will interface with the established activities and management of adjacent land, particularly when the land is high-density recreation land;

(16) Mount Hood National Forest is predominantly used by the public for mechanized and non-mechanized activities, such as hiking, camping, and fishing, which according to the Mount Hood National Forest Management Plan, are projected to increase dramatically over time;

(17) the Land and Resource Management Plan for Mount Hood National Forest provides that ''the present capability to supply recreational opportunities such as hiking on trails in primitive and semi-primitive nonmotorized areas is predicted to fall short of satisfying demand'';

(18) according to the plan described in paragraph (17), the Mount Hood National Forest—

(A) provides resources for nearly 2 times the current demand for developed recreation such as skiing, power boating, and sightseeing by car; but

(B) meets less than ⅔ of the demand for back country recreation;

(19) the Management Plan for Mount Hood National Forest projects that by 2040, the Mount Hood National Forest will only meet 16 percent of the demand for wilderness recreation, while meeting more than 100 percent of the demand for mechanized recreation;

(20) because the Mount Hood National Forest provides drinking water for more than 16 communities and over 40 percent of Oregon residents, management of the Mount Hood National Forest needs to take into consideration plans developed by local watershed councils in managing the forest; and

(21) the management of the Mount Hood National Forest should address practical, site-specific situations in a manner that supports wilderness and the general environmental, economic, and community-related welfare of the mountain.

SEC. 3. DEFINITIONS.

In this Act:

(1) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(2) MOUNTAIN BIKE.—The term ''mountain bike'' does not include a motorized vehicle.

(3) OLD GROWTH.—The term ''old growth'', with respect to a tree or grove of trees, means a tree or grove that is—

(A) at last 120 years old; or

(B) previously unmanaged.

(4) SECRETARY.—The term ''Secretary'' means—

(A) when used in reference to Forest Service land, the Secretary of Agriculture; and

(B) when used in reference to Bureau of Land Management land, the Secretary of the Interior.

(5) STATE.—The term ''State'' means the State of Oregon.

TITLE I—DESIGNATION OF WILDERNESS AREAS

SEC. 101. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the most recent designation of wilderness in the Mount Hood National Forest occurred in 1984; and

(2) the designation of an additional 128,400 acres as a wilderness area by this title will increase the amount of wilderness designated as a wilderness area in the Mount Hood National Forest by 68 percent.

(b) PURPOSE.—The purpose of this title is to designate approximately 128,400 acres of National Forest System land in the Mount Hood National Forest as a wilderness area.

SEC. 102. LEWIS AND CLARK MOUNT HOOD WILDERNESS AREAS.

(a) DESIGNATIONS.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) BADGER CREEK WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest

Service, comprising approximately 3,700 acres, as generally depicted on the maps entitled ''Badger Creek'' and ''Bonnie Butte'', dated September 2006, which are incorporated in, and considered to be a part of, the Badger Creek Wilderness, as designated by section 3(3) of the Oregon Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 273).

(2) BULL OF THE WOODS WILDERNESS ADDITION.—Certain Federal land managed by the Forest Service, comprising approximately 6,870 acres, as generally depicted on the map entitled ''Bull of the Woods'', dated June 2006, which is incorporated in, and considered to be a part of, the Bull of the Woods Wilderness, as designated by section 3(4) of the Oregon Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 273).

(3) CLACKAMAS WILDERNESS.—Certain Federal land managed by the Forest Service and Bureau of Land Management, comprising approximately 11,900 acres, as generally depicted on the maps entitled ''Clackamas Canyon'', ''Big Bottom'', ''Memaloose Lake'', ''South Fork Clackamas'', ''Sisi Butte'', and ''Upper Big Bottom'', dated September 2006, which shall be known as the ''Clackamas Wilderness''.

(4) LOWER WHITE RIVER WILDERNESS.—Certain Federal land managed by the Forest Service and Bureau of Land Management, comprising approximately 2,850 acres, as generally depicted on the map entitled ''Lower White River'', dated September 2006, which shall be known as the ''Lower White River Wilderness''.

(5) MARK O. HATFIELD WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service, comprising approximately 26,000 acres, as generally depicted on the maps entitled ''Gorge Ridgeline'' and ''Larch Mountain'', dated September 2006, which shall be known as the ''Mark O. Hatfield Wilderness Additions''.

(6) MOUNT HOOD WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service, comprising approximately 21,580 acres, as generally depicted on the maps entitled ''Elk Cove/Mazama Addition'', ''Sandy Additions'', ''Tilly Jane'', ''Sand Canyon'', ''Lost Lake'', ''Twin Lakes'', ''Barlow Butte'', ''White River'', and ''Richard L. Kohnstamm Memorial Area'', dated September 2006, which are incorporated in, and considered to be a part of, the Mount Hood Wilderness as designated under section 3(a) of the Wilderness Act (16 U.S.C. 1132(a)), and enlarged by section 3(d) of the Endangered American Wilderness Act of 1978 (16 U.S.C. 1132 note; 92 Stat. 43).

(7) ROARING RIVER WILDERNESS.—Certain Federal land managed by the Forest Service, comprising approximately 37,750 acres, as generally depicted on the map entitled ''Roaring River Wilderness'', dated September 2006, which shall be known as the ''Roaring River Wilderness''.

(8) SALMON-HUCKLEBERRY WILDERNESS ADDITIONS.—Certain Federal land managed by the Forest Service, comprising approximately 17,720 acres, as generally depicted on the maps entitled ''Alder Creek Addition'', ''Eagle Creek Addition'', ''Mirror Lake'', ''Inch Creek'', ''Salmon River Meadows'', and ''Hunchback Mountain'', dated September 2006, which are incorporated in, and considered to be a part of, the Salmon-Huckleberry Wilderness, as designated by section 3(2) of the Oregon Wilderness Act of 1984 (16 U.S.C. 1132 note; 98 Stat. 273).

(b) EFFECT OF DESIGNATIONS.—

(1) ELECTRIC UTILITIES.—The areas in the State that are designated as wilderness areas and as components of the National Wilderness Preservation System under subsection (a) shall not—

(A) include any land that on the date of enactment of this Act is—

(i) licensed for a hydroelectric project by the Federal Energy Regulatory Commission; or

(ii) located within 200 feet of an electric power line in the White River Unit of the Mount Hood Wilderness Additions under subsection (a)(6); or

(B) affect any activity relating to the operation, maintenance, or construction of a project described in clause (i) or (ii) of subparagraph (A).

(2) COLUMBIA GORGE AIRSHED.—The area depicted on the maps entitled ''Gorge Ridgeline Wilderness'' and ''Large Mountain'', dated September 2006, that is designated as a wilderness area and as a component of the National Wilderness Preservation System under subsection (a) shall not result in the designation of a Class I airshed in the Columbia Gorge through Federal regulatory action.

SEC. 103. MAP AND LEGAL DESCRIPTIONS.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map entitled ''Lewis and Clark Mount Hood Wilderness Additions of 2006'', dated September 2006, and a legal description of each wilderness area designated by this title, with—

(1) the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Resources of the House of Representatives.

(b) FORCE OF LAW.—The map and legal descriptions filed under subsection (a) shall have the same force and effect as if included in this Act, except that the Secretary may correct typographical errors in the map and each legal description.

(c) PUBLIC AVAILABILITY.—Each map and legal description filed under subsection (a) shall be on file and available for public inspection in—

(1) the office of the Chief of the Forest Service;

(2) the office of the Director of the Bureau of Land Management; and

(3) the applicable local Forest Service and Bureau of Land Management offices.

SEC. 104. ADMINISTRATION.

(a) IN GENERAL.—Subject to valid rights in existence on the date of enactment of this Act, each wilderness area designated under this title shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.).

(b) CONSISTENT INTERPRETATION TO THE PUBLIC.—Notwithstanding their separate jurisdictions, the Secretary of Agriculture and the Secretary of the Interior shall collaborate to ensure that the wilderness areas designated by this title, if appropriate, are interpreted for the public as an overall complex related by—

(1) common location in the Mount Hood-Columbia River Gorge region;

(2) the abundant history of Native American use;

(3) the epic journey of Lewis and Clark;

(4) the pioneer settlement and growth of the State; and

(5) water sources for more than 40 percent of the residents of the State.

(c) INCORPORATION OF ACQUIRED LAND AND INTERESTS.—Any land or interest in land located within the boundaries of an area designated as a wilderness area by this title that is acquired by the United States after the date of enactment of this Act shall be added to, and administered as part of, the wilderness area within which the acquired land or interest is located.

SEC. 105. BUFFER ZONES.

(a) IN GENERAL.—As provided in the Oregon Wilderness Act of 1984 (16 U.S.C. 1132 note; Public Law 98–328), Congress does not intend for designation of wilderness areas in the State under this title to lead to the creation of protective perimeters or buffer zones around each wilderness area.

(b) ACTIVITIES OR USES UP TO BOUNDARIES.—The fact that nonwilderness activities or uses can be seen or heard from within a wilderness area shall not, of itself, preclude the activities or uses up to the boundary of the wilderness area.

SEC. 106. FIRE SAFE COMMUNITY ZONES.

Consistent with the Mount Hood National Forest Management Plan and the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 et seq.), the Secretary shall construct a strategic system of defensible fuel profile zones (including shaded fuelbreaks, thinning, individual tree selection, and other methods of vegetation management) between the wilderness boundary and the community boundary around Cascade Locks and Government Camp.

SEC. 107. GATEWAY COMMUNITIES.

(a) IN GENERAL.—The Secretary may provide grants to communities that are gateways to Mount Hood Wilderness areas, including the Hoodland Fire District, Government Camp, and the villages surrounding Mount Hood, and the appropriate county governments in the State, to be administered through the Forest Service State and Private Forestry program.

(b) LIMITATION OF FUNDS.—The total amount of funds provided by the Secretary to gateway communities under subsection (a) shall not exceed $10,000,000.

SEC. 108. FISH AND WILDLIFE; HUNTING AND FISHING.

(a) FISH AND WILDLIFE.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), the Secretary may carry out management activities to maintain or restore fish and wildlife populations and fish and wildlife habitats on the National Forest System land designated as wilderness by section 102 if those activities are—

(1) consistent with applicable wilderness management plans; and

(2) carried out in accordance with applicable guidelines and policies.

(b) BULL TROUT RESTORATION PROJECT.—

(1) IN GENERAL.—Nothing in this Act affects the authority of the Secretary to carry out the Bull Trout restoration project underway as of the date of enactment of this Act in Clear Branch Creek.

(2) MINIMUM TOOL POLICIES.—The Secretary shall carry out the Bull Trout restoration project under paragraph (1) in accordance with the minimum tools policies of the Forest Service.

SEC. 109. TRAIL RESTORATION AND STUDY.

(a) PALMETEER TRAIL RESTORATION.—

(1) IN GENERAL.—It is the intent of Congress that nothing in this title shall prevent the Secretary from conducting the planned Palmateer Trail restoration project underway as of the date of enactment of this Act in the Twin Lakes area of the Mount Hood National Forest to restore the quality of the Trail.

(2) MINIMUM TOOLS POLICIES.—The Secretary shall carry out the Palmateer Trail restoration project described in paragraph (1) in accordance with the minimum tools policies of the Forest Service.

(b) STUDY OF COOL CREEK TRAIL 794.—The Secretary shall conduct a study of the appropriate public use of Cool Creek Trail 794.

SEC. 110. FIRE, INSECTS, AND DISEASES.

As provided in section 4(d)(1) of the Wilderness Act (16 U.S.C. 1133(d)(1)), within the wilderness areas designated by this Act, the Secretary of Agriculture (in collaboration with the Secretary of the Interior, where appropriate) may take such measures as are necessary to control fire, insects, and diseases, subject to such conditions as the Secretary of Agriculture (in collaboration with

the Secretary of the Interior where appropriate) determines to be desirable.

SEC. 111. LAND RECLASSIFICATION.

(a) OREGON AND CALIFORNIA RAILROAD LAND.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture and the Secretary of the Interior shall identify any Oregon and California Railroad Land that is subject to section 201 of the Act of August 28, 1937 (43 U.S.C. 1181f), within the boundary of the Clackamas Wilderness, as generally depicted on the map entitled ''South Fork Clackamas'', dated September 2006.

(b) PUBLIC DOMAIN LAND.—

(1) DEFINITION OF PUBLIC DOMAIN LAND.—In this section, the term ''public domain land''—

(A) has the meaning given the term ''public land'' in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702); and

(B) does not include any land managed under the Act of August 28, 1937 (43 U.S.C. 1181a et seq.).

(2) IDENTIFICATION.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall identify public domain land within the State that is approximately equal in acreage of land described in subsection (a), but is not subject to the Act of August 28, 1937 (43 U.S.C. 1181a et seq.).

(3) MAPS.—Not later than 180 days after the date of enactment of this Act, the Secretary of the Interior shall submit to Congress and publish in the Federal Register, 1 or more maps depicting the land identified under subsections (a) and this subsection.

(4) RECLASSIFICATION.—After providing an opportunity for public comment, the Secretary of the Interior shall administratively reclassify—

(A) the land described in subsection (a) as public domain land that is not subject to section 201 of the Act of August 28, 1937 (43 U.S.C. 1181f); and

(B) the land described in this subsection as Oregon and California Railroad Land that is subject to the Act of August 28, 1937 (43 U.S.C. 1181a et seq.).

SEC. 112. VALID EXISTING RIGHTS AND WITHDRAWAL.

(a) VALID EXISTING RIGHTS.—Nothing in this Act affects any valid existing right.

(b) WITHDRAWAL.—Subject to valid rights existing on the date of enactment of this Act, the Federal land referred to in section 102 is withdrawn from all forms of—

(1) appropriation;

(2) disposal under public law;

(3) location, entry, and patent under mining law; and

(4) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

SEC. 113. MAINTENANCE AND REPLACEMENT OF FOOT BRIDGES IN WILDERNESS AREAS.

(a) IN GENERAL.—In the case of each wilderness area designated or expanded by section 102, it is the intent of Congress that the Secretary be able to provide for—

(1) the maintenance of any foot bridge crossing located in a wilderness area; and

(2) when needed, the replacement of the foot bridge crossings to ensure public access and safety.

(b) MINIMUM TOOL POLICIES.—The Secretary shall carry out foot bridge replacement work under subsection (a) in accordance with the minimum tools policies of the Forest Service.

SEC. 114. RICHARD L. KOHNSTAMM MEMORIAL AREA.

(a) DESIGNATION.—Certain Federal land managed by the Forest Service, comprising approximately 30 acres, as generally depicted on the map entitled ''Richard L. Kohnstamm Memorial Area'', dated September 2006, and approximately 157 acres of designated wilderness, as generally depicted on the map entitled ''Richard L. Kohnstamm Memorial Area'', dated September 2006, shall be known and designated as the ''Richard L. Kohnstamm Wilderness''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to an area described in subsection (a) shall be deemed to be a reference to the Richard L. Kohnstamm Wilderness.

(c) BOUNDARY.—

(1) IN GENERAL.—The memorial area shall consist of land located within the boundary depicted on the map entitled ''Richard L. Kohnstamm Memorial Area'', dated September 2006.

(2) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the Forest Service.

TITLE II—DESIGNATION OF STREAMS FOR WILD AND SCENIC RIVER PROTECTION IN THE MOUNT HOOD AREA

SEC. 201. FINDING AND PURPOSE.

(a) FINDING.—Congress finds that the addition of 81 miles of waterways to the National Wild and Scenic River System in the Mount Hood National Forest would increase the total length of the portion of the National Wild and Scenic River System that is located in the Mount Hood National Forest by approximately 47 percent.

(b) PURPOSE.—The purpose of this title is to designate approximately 81 miles of waterways in the Mount Hood National Forest as additions to the National Wild and Scenic Rivers System.

SEC. 202. WILD AND SCENIC RIVER DESIGNATIONS, MOUNT HOOD NATIONAL FOREST.

Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended—

(1) by designating the undesignated paragraph relating to the White Salmon River as paragraph (167); and

(2) by adding at the end the following:

''(168) MOUNT HOOD NATIONAL FOREST, OREGON.—The following segments in the Mount Hood National Forest in the State of Oregon, to be administered by the Secretary of Agriculture:

''(A) The 4.1-mile segment of the South Fork of the Clackamas River from its confluence with the East Fork of the South Fork of the Clackamas to the its confluence with the Clackamas River, as a scenic river.

''(B) The 8.5-mile segment of Eagle Creek from its headwaters to the Mount Hood National Forest boundary, of which—

''(i) the 6.7-mile segment from its headwaters to the west section line of T. 3 S., R. 6 E., sec. 20, as a wild river; and

''(ii) the remaining 1.8-mile segment from that section line, as a recreational river.

''(C) The 3.7-mile segment of the Middle Fork of the Hood River from the confluence of Clear and Coe Branches to the Mount Hood National Forest boundary of sec. 11 and 12 in T. 1 S., R. 9 and 10 E., as a scenic river.

''(D) The 4.6-mile segment of the South Fork Roaring River from its headwaters to its confluence with Roaring River, as a wild river.

''(E) The 4.3-mile segment of the Zig Zag River from its headwaters to the Mount Hood Wilderness boundary, as a wild river.

''(F) The 11.1-mile segment of Fifteenmile Creek from its source at Senecal Spring to the Mount Hood National Forest boundary, including—

''(i) the 2.6-mile segment from its source at Senecal Spring to the Badger Creek Wilderness boundary, as a wild river;

''(ii) the 0.4-mile segment from the Badger Creek Wilderness boundary to the point 0.4 miles downstream, as a scenic river;

''(iii) the 7.9-mile segment from the point 0.4 miles downstream of the Badger Creek Wilderness boundary to the western edge of sec. 20, T. 2 S., R. 12 E., WM, as a wild river; and

''(iv) the 0.2-mile segment from the western edge of section 20, T. 2 S., R. 12 E., WM to the Mount Hood National Forest boundary, as a scenic river;

''(G) The 13.5-mile segment of the East Fork Hood River from Oregon State Highway 35 to the Mount Hood National Forest boundary, as a recreational river.

''(H) The 17.8-mile segment of the Collawash River from the headwaters of the East Fork Collawash to the confluence with the Clackamas River, of which—

''(i) the 11.0-mile segment from the headwaters of the East Fork Collawash River to Buckeye Creek, as a scenic river; and

''(ii) the 6.8-mile segment from Buckeye Creek to the Clackamas River, as a recreational river.

''(I) The 13.6-mile segment of Fish Creek from its headwaters to the confluence with the Clackamas River, as a recreational river.''.

SEC. 203. IMPACT ON WATER RIGHTS AND FLOW REQUIREMENTS.

(a) RELATION TO EXISTING REQUIREMENTS.—Congress does not intend for the designation of any portion of the Hood River under section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), as amended by this Act, to have any impact on any water right or flow requirement relating to—

(1) the Middle Fork Irrigation District;

(2) the East Fork Irrigation District; or

(3) the Mt. Hood Meadows Ski Resort.

(b) EXCLUSION OF OPERATIONAL AREAS.—Congress does not intend for the designation of any portion of the Hood River under section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)), as amended by this Act, to include any portion of the operational area of—

(1) the Middle Fork Irrigation District;

(2) the East Fork Irrigation District; or

(3) the Mt. Hood Meadows Ski Resort.

TITLE III—MOUNT HOOD NATIONAL RECREATION AREA

SEC. 301. DESIGNATION.

(a) DESIGNATION.—The Mount Hood National Recreation Area shall be known and designated as the ''Mount Hood National Recreation Area''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Mount Hood National Recreation Area shall be deemed to be a reference to the Mount Hood National Recreation Area.

(c) BOUNDARY.—

(1) IN GENERAL.—The Mount Hood National Recreation Area shall consist of land located within the boundary depicted on the map entitled ''Mount Hood National Recreation Area'', dated September 2006.

(2) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

(d) ADMINISTRATION.—The Secretary shall administer the Mount Hood National Recreation Area in accordance with the laws, rules, and regulations applicable to the national forests for public outdoor recreation—

(1) in a manner that—

(A) protects and maintains—

(i) the diverse recreational opportunities of the Mount Hood National Recreation Area for public use; and

(ii) fish and wildlife habitats;

(B) conserves the scenic, recreational, cultural, scientific, spiritual, and other values

of the Mount Hood National Recreation Area that contribute to the benefit of the public;

(C) preserves each feature and peculiarity of the Mount Hood National Recreation Area believed to be biologically significant, including—

(i) rare and endemic plant species;

(ii) rare combinations of aquatic, terrestrial, and atmospheric habitats; and

(iii) rare combinations of outstanding and diverse ecosystems and parts of associated ecosystems;

(D) protects archeological and paleontological sites and interprets those sites for the benefit of the public;

(E) maintains and enhances the desired structural components consistent with Standards and Guidelines of the Northwest Forest Plan; and

(F) prevents any cutting, sale, or removal of timber except where the cutting, sale, or removal of timber—

(i) improves the health of the forest and—

(I) maximizes the retention of large trees as appropriate to the forest type, to the extent that those trees promote stands that are fire-resilient and healthy;

(II) improves the habitats of threatened, endangered, proposed, or sensitive species; and

(III) maintains or restores the composition and structure of the ecosystem by reducing the risk of uncharacteristic wildfire effects;

(ii) is incidental to the accomplishment of an approved management activity not otherwise prohibited; or

(iii) is for personal or administrative use; and

(2) to prevent the new or temporary construction or reconstruction of roads, except when the new or temporary construction or reconstruction of roads is required—

(A) to protect the health and safety of individuals in cases of an imminent threat of flood, fire, or any other catastrophic event that, without intervention, would cause the loss of life or property;

(B) to conduct environmental cleanup required by the Federal Government;

(C) to allow for reserved or outstanding rights provided for by a statute or treaty;

(D) to prevent irreparable resource damage by an existing road;

(E) to rectify a hazardous road condition;

(F) as part of a Federal-aid highway project; or

(G) in conjunction with—

(i) the continuation, extension, or renewal of a mineral lease on land that is under lease; or

(ii) a new mineral lease that is issued immediately after the expiration of an existing mineral lease.

(e) CHAINSAWS.—The Secretary may use chainsaws to maintain existing trails in the Mount Hood National Recreation Area.

TITLE IV—TRANSPORTATION AND COMMUNICATION SYSTEMS

SEC. 401. DEFINITION OF MOUNT HOOD REGION.

In this title, the term ''Mount Hood region'' means—

(1) Mount Hood and the other land located adjacent to the mountain;

(2) any segment of the Oregon State Highway 26 corridor that is located in or near Mount Hood National Forest;

(3) any segment of the Oregon State Highway 35 corridor that is located in or near Mount Hood National Forest;

(4) each other road of the Forest Service, State, or county that is located in and near Mount Hood National Forest; and

(5) any gateway community located adjacent to any highway or road described in paragraph (2), (3), or (4).

SEC. 402. TRANSPORTATION PLAN.

(a) IN GENERAL.—The Secretary shall collaborate with the State to develop an integrated, multimodal transportation plan for the Mount Hood region to achieve comprehensive solutions to transportation challenges in the Mount Hood region—

(1) to promote appropriate economic development;

(2) to preserve the landscape of the Mount Hood region; and

(3) to enhance public safety.

(b) PLANNING PROCESS.—The transportation plan under subsection (a) shall—

(1) conform with Federal and Oregon transportation planning requirements; and

(2) be developed through a collaborative process, preferably through the use of a commission composed of interested persons appointed by the State, with representation from the Forest Service and local governments in the Mount Hood region.

(c) SCOPE OF PLAN.—The transportation plan under subsection (a) shall address issues relating to—

(1) the transportation of individuals to and from areas outside the Mount Hood region on major corridors traversing that region; and

(2) the transportation of individuals to and from locations that are located within the Mount Hood region.

(d) CONTENTS OF PLAN.—At a minimum, the transportation plan under subsection (a) shall consider—

(1) transportation alternatives between and among recreation areas and gateway communities that are located within the Mount Hood region;

(2) establishing park-and-ride facilities that shall be located at gateway communities;

(3) establishing intermodal transportation centers to link public transportation, parking, and recreation destinations;

(4) creating a new interchange on Oregon State Highway 26 that shall be located adjacent to or within Government Camp;

(5) designating, maintaining, and improving alternative routes using Forest Service or State roads for—

(A) providing emergency routes; or

(B) improving access to, and travel within, the Mount Hood region;

(6) reconstructing the segment of Oregon State Highway 35 that is located between Mineral Creek and Baseline Road to address ongoing debris flow locations; and

(7) creating mechanisms for funding the implementation of the transportation plan under subsection (a), including—

(A) funds provided by the Federal Government;

(B) public-private partnerships;

(C) incremental tax financing; and

(D) other financing tools that link transportation infrastructure improvements with development.

(e) COMPLETION OF PLAN.—Not later than 2 years after the date on which funds are first made available to carry out this section, the Secretary shall complete the transportation plan under subsection (a).

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $2,000,000.

SEC. 403. STUDY RELATING TO GONDOLA CONNECTION AND INTERMODAL TRANSPORTATION CENTER.

(a) FEASIBILITY STUDY.—The Secretary shall carry out a study of the feasibility of establishing—

(1) a gondola connection that—

(A) connects Timberline Lodge to Government Camp; and

(B) is located in close proximity to the site of the historic gondola corridor; and

(2) an intermodal transportation center to be located in close proximity to Government Camp.

(b) CONSIDERATION OF MULTIPLE SITES.—In carrying out the feasibility study under subsection (a), the Secretary may consider 1 or more sites.

SEC. 404. BURIAL OF POWER LINES.

Because of the incongruent presence of power lines adjacent to or within wilderness areas, the Secretary may provide to Cascade Locks and Hood River County $3,200,000 through the Forest Service State and Private Forestry program to bury ground power lines adjacent to or within Mount Hood Wilderness areas, including wilderness areas designated by this Act.

SEC. 405. CULVERT REPLACEMENT.

(a) IN GENERAL.—The Secretary may provide $1,000,000 to Clackamas County to replace or remove culverts on the wild and scenic river segments in Clackamas County, Oregon, designated by title II.

(b) LIMITATION.—Culvert replacement carried out by the Forest Service and Clackamas County to improve fish passage and the ecology of the wilderness designated by this Act shall not be considered water and resource development.

SEC. 406. CLARIFICATION OF TREATMENT OF STATE HIGHWAYS.

(a) EXCLUSION.—Any part of Oregon State Highway 35 or other any other State highway in existence on the date of enactment of this Act (including all existing rights-of-way and 150 feet on each side of the centerline, whichever is greater, that is adjacent to or within wilderness areas in the Mount Hood National Forest, including wilderness areas designated by this Act) shall be excluded from wilderness under this Act.

(b) NO NET EFFECT.—The designation of wilderness or wild and scenic rivers under this Act or an amendment made by this Act shall not limit or restrict the ability of the State—

(1) to operate, maintain, repair, reconstruct, protect, or make any other improvement to Oregon State Highway 35 or any other State highway in existence on the date of enactment of this Act;

(2) to use any site that is not within a highway right-of-way to operate, maintain, repair, reconstruct, protect, or make any other improvement to those highways; or

(3) to take any action outside of a highway right-of-way that is necessary to operate, maintain, repair, reconstruct, protect, or make any other improvement to those highways.

(c) FLOOD PLAIN.—Congress encourages the carrying out of projects that will reduce the impact of Oregon State Highway 35 on the flood plain of the East Fork Hood River.

TITLE V—LAND EXCHANGE

Subtitle A—Cooper Spur-Government Camp Land Exchange

SEC. 501. PURPOSE.

The purpose of this subtitle is to recognize the years of work by local residents and political and business leaders from throughout the States of Oregon and Washington to protect the north side of Mount Hood and bring to culmination the land exchange authorized by section 502.

SEC. 502. COOPER SPUR-GOVERNMENT CAMP LAND EXCHANGE.

(a) CONVEYANCE REQUIRED.—With the exception if the Retained Conservation and Trail Easements under subsection (j), the Secretary shall convey to Mt. Hood Meadows Oreg., Limited Partnership (in this subtitle referred to as 'Mt. Hood Meadows'), all right, title, and interest of the United States in and to—

(1) a parcel of National Forest System land in Mount Hood National Forest consisting of approximately 80 acres in Government Camp, Clackamas County, Oregon, as depicted on the map entitled ''Cooper Spur-Government Camp Land Exchange'' and dated September

2006 (in this subtitle referred to as the ''official map''); and

(2) a parcel of National Forest System land in Mount Hood National Forest consisting of approximately 40 acres in Government Camp, as depicted on the official map.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), Mt. Hood Meadows, Meadows North, LLC, and North Face Inn, LLC, shall convey to the United States all right, title, and interest of these entities in and to—

(1) a parcel of private land consisting of approximately 770 acres at Cooper Spur, as depicted on the official map;

(2) all buildings, furniture, fixtures, and equipment at the Inn at Cooper Spur covered by the appraisal described in subsection (c)(1);

(3) the 1,350 acre special use permit for the Cooper Spur Ski Area, as depicted on the official map; and

(4) all buildings, furniture, fixtures, and equipment at the Cooper Spur Ski Area covered by the appraisal described in subsection (c)(1).

(c) APPRAISALS.—

(1) IN GENERAL.—The values of the lands to be exchanged under this Act shall be determined by appraisals using nationally recognized appraisal standards, including as appropriate—

(A) the Uniform Appraisal Standards for Federal Land Acquisitions (1992); and

(B) the Uniform Standards of Professional Appraisal Practice.

(2) EXISTING APPRAISALS.—The Secretary shall review the appraisals of the land and other property to be conveyed under subsections (a) and (b) performed in 2005 by Appraiser Steven A. Hall, MAI, CCIM, for accuracy and compliance with paragraph (1). If the Secretary determines that the appraisals are accurate and meet the requirements of paragraph (1), then the Secretary may approve the appraisals.

(3) TREATMENT OF EXCESS CONSIDERATION.—Should the appraisal determine a difference in values between the properties exchanged, in favor of the government, excess value donated to the United States will not be deemed a donation for tax purposes. Donation of non-federal land may exceed 25% of the value of the federal land.

(d) EQUAL VALUE EXCHANGE.—The values of the land to be exchanged under this section shall be determined pursuant to an appraisal acceptable to the Secretary of Agriculture, the County and Mt. Hood Meadows Oreg., Limited Partnership. If the values are not equal, they shall be equalized in the manner provided in section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(e) COMPLIANCE WITH EXISTING LAW.—Except as otherwise provided in this section, the Secretary shall carry out the land exchange under this section in the manner provided in section 206 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1716).

(f) CONDITIONS ON ACCEPTANCE.—Title to the non-Federal land to be acquired by the Secretary of Agriculture under this section must be acceptable to the Secretary, and the conveyances shall be subject to valid existing rights of record. The non-Federal land shall conform with the title approval standards applicable to Federal land acquisitions.

(g) LEGAL DESCRIPTIONS.—The exact acreage and legal description of the land to be exchanged under this section shall be determined by surveys satisfactory to the Secretary of Agriculture. The costs of any such survey, as well as other administrative costs incurred to execute the land exchange, shall be negotiated between the Secretary and the County.

(h) EXISTING RIGHTS.—The conveyance of Federal land under this section shall be subject to valid existing rights of third parties. In the alternative, the Secretary of Agriculture may grant substitute permit rights of equivalent utility to use other Federal land.

(i) COMPLETION OF LAND EXCHANGE.—The Secretary of Agriculture shall complete all legal and regulatory processes required in connection with the land exchange under this section and complete the closing of the land exchange not later than 16 months after the date of the enactment of this Act.

(j) RETAINED CONSERVATION AND TRAIL EASEMENTS.—In conjunction with the conveyance of title to Mt. Hood Meadows, the Secretary of Agriculture shall reserve a Conservation Easement to protect existing wetlands on the conveyed parcels, as determined by the Oregon Department of State Lands. Alternative equivalent wetland mitigation measures shall be allowed to compensate for minor wetland encroachments necessary for the orderly development of the parcels. In addition, the Secretary of Agriculture shall reserve a Trail Easement which allows the non-motorized functional use by the public of identified existing trails located on the conveyed parcels as depicted on the map entitled ''Government Camp Trail Map'' and dated September 2006 as such trails may be improved or relocated to accommodate development of the property. The Trail Easement shall provide that roads, utilities and infrastructure facilities may cross such trails.

Subtitle B—Other Land Exchanges

SEC. 511. LAND EXCHANGE, PORT OF CASCADE LOCKS-PACIFIC CREST NATIONAL SCENIC TRAIL.

(a) CONVEYANCE REQUIRED.—The Secretary of Agriculture shall convey to the Port of Cascade Locks, Cascade Locks, Oregon (in this section referred to as the ''Port''), all right, title, and interest of the United States in and to a parcel of National Forest System land in the Columbia River Gorge National Scenic Area consisting of approximately 10 acres, as depicted on the map entitled ''Port of Cascade Locks-Pacific Crest National Scenic Trail Land Exchange'' and dated June 2006.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the Port shall convey to the United States all right, title, and interest of the Port in and to a parcel of land consisting of approximately 40 acres, as depicted on the map referred to in subsection (a). The acquisition of this land will ensure the continued integrity of the Pacific Crest National Scenic Trail in the vicinity of Cascade Locks and the public's ability to access the north Oregon entrance of the trail.

(c) EQUAL VALUE EXCHANGE.—The values of the land to be exchanged under this section shall be determined pursuant to an appraisal acceptable to the Secretary of Agriculture and the Port. If the values are not equal, they shall be equalized in the manner provided in section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(d) COMPLIANCE WITH EXISTING LAW.—Except as otherwise provided in this section, the Secretary shall carry out the land exchange under this section in the manner provided in section 206 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1716).

(e) CONDITIONS ON ACCEPTANCE.—Title to the non-Federal land to be acquired by the Secretary of Agriculture under this section must be acceptable to the Secretary, and the conveyances shall be subject to valid existing rights of record. The non-Federal land shall conform with the title approval standards applicable to Federal land acquisitions.

(f) LEGAL DESCRIPTIONS.—The exact acreage and legal description of the land to be exchanged under this section shall be determined by surveys satisfactory to the Secretary of Agriculture. The costs of such survey, as well as other administrative costs incurred to execute the land exchange, shall be negotiated between the Secretary and the Port.

(g) EXISTING RIGHTS.—The conveyance of Federal land under this section shall be subject to valid existing rights of third parties. In the alternative, the Secretary of Agriculture may grant substitute permit rights of equivalent utility to use other Federal land.

(h) COMPLETION OF LAND EXCHANGE.—The Secretary of Agriculture shall complete all legal and regulatory processes required in connection with the conveyances under this section and complete the closing of the conveyances within 16 months after the date of the enactment of this Act.

SEC. 512. HUNCHBACK MOUNTAIN LAND EXCHANGE, CLACKAMAS COUNTY.

(a) CONVEYANCE REQUIRED.—The Secretary of Agriculture shall convey to Clackamas County, Oregon (in this section referred to as the ''County''), all right, title, and interest of the United States in and to a parcel of National Forest System land in the Mount Hood National Forest consisting of approximately 160 acres, as depicted on the map entitled ''Hunchback Mountain Land Exchange-Clackamas County'' and dated June 2006.

(b) CONSIDERATION.—As consideration for the conveyance under subsection (a), the County shall convey to the United States all right, title, and interest of the County in and to a parcel of land consisting of approximately 160 acres, as depicted on the map referred to in subsection (a). The acquisition of this parcel will ensure the continued integrity of the forested land, a substantial portion of which exceeds 120 years in age, and the public's access to the parcel.

(c) EQUAL VALUE EXCHANGE.—The values of the land to be exchanged under this section shall be determined pursuant to an appraisal acceptable to the Secretary of Agriculture and the County. If the values are not equal, they shall be equalized in the manner provided in section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)).

(d) COMPLIANCE WITH EXISTING LAW.—Except as otherwise provided in this section, the Secretary shall carry out the land exchange under this section in the manner provided in section 206 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1716).

(e) CONDITIONS ON ACCEPTANCE.—Title to the non-Federal land to be acquired by the Secretary of Agriculture under this section must be acceptable to the Secretary, and the conveyances shall be subject to valid existing rights of record. The non-Federal land shall conform with the title approval standards applicable to Federal land acquisitions.

(f) LEGAL DESCRIPTIONS.—The exact acreage and legal description of the land to be exchanged under this section shall be determined by surveys satisfactory to the Secretary of Agriculture. The costs of any such survey, as well as other administrative costs incurred to execute the land exchange, shall be negotiated between the Secretary and the County.

(g) EXISTING RIGHTS.—The conveyance of Federal land under this section shall be subject to valid existing rights of third parties. In the alternative, the Secretary of Agriculture may grant substitute permit rights of equivalent utility to use other Federal land.

(h) COMPLETION OF LAND EXCHANGE.—The Secretary of Agriculture shall complete all legal and regulatory processes required in connection with the land exchange under

this section and complete the closing of the land exchange not later than 16 months after the date of the enactment of this Act.

TITLE VI—MOUNT HOOD NATIONAL FOREST AND WATERSHED STEWARDSHIP

SEC. 601. FINDINGS AND PURPOSE.

The purpose of this title is to direct the Forest Service to prepare an assessment to promote forested landscapes resilient to catastrophic fire, insects, and disease, to protect homes and communities from property damage and threats to public safety, and to protect and enhance existing community or municipal watersheds. It is the intent of Congress that site-specific forest health projects undertaken pursuant to this assessment shall be completed in accordance with existing law.

SEC. 602. FOREST STEWARDSHIP ASSESSMENT.

(a) PREPARATION OF ASSESSMENT.—The Secretary of Agriculture shall prepare an assessment to identify the forest health needs in those areas of the Mount Hood National Forest with a high incidence of insect or disease infestation (or both), heavily overstocked tree stands, or moderate-to-high risk of unnatural catastrophic wildfire for the purpose of improving condition class, which significantly improves the forest health and water quality. The Secretary may utilize existing information to complete the assessment. The assessment shall also identify specific projects to address these issues.

(b) IMPROVED MAPPING.—The assessment will include peer reviewed mapping of condition class 2 and condition class 3 areas and other areas identified in subsection (a) in Mount Hood National Forest.

(c) COMPLETION.—The Secretary of Agriculture shall complete the assessment not later than 1 year after the date of enactment of this Act.

(d) DURATION OF STUDY.—The assessment shall cover a 10-year period.

(e) IMPLEMENTATION.—Not later than 1 year after completion of the assessment, the Secretary shall commence implementation of projects to address the needs identified in the assessment. These projects shall be implemented using authorities available to the Secretary to manage the Mount Hood National Forest to achieve the purpose specified in subsection (a).

(f) DELAY.—During development of the assessment under this section, a forest management project that is unaffiliated with the assessment and has completed review as required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in accordance with existing law, need not be delayed in the event the Secretary fails to meet the deadline specified in subsection (c).

(g) RELATION TO EXISTING LAW AND PLANS.—Nothing in this section grants the Secretary any authority to manage the Mount Hood National Forest contrary to existing law. The assessment conducted by the Secretary under this section shall not supersede, be considered a supplement or amendment to, or in any way affect the legal or regulatory authority of the Mount Hood National Forest Land and Resource Management Plan or the collection of documents entitled ''Final Supplemental Environmental Impact Statement and Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl'' and ''Standards and Guidelines for Management of Habitat for Late-Successional and Old-Growth Forest-Related Species Within the Range of the Northern Spotted Owl''.

(h) PUBLIC PARTICIPATION.—The Secretary shall provide an opportunity for interested persons to be involved in development of the assessment conducted by the Secretary under this section.

SEC. 603. SUSTAINABLE BIOMASS UTILIZATION STUDY.

(a) STUDY REQUIRED.—The Secretary of Agriculture shall conduct a study to assess the amount of long-term sustainable biomass available in the Mount Hood National Forest that, consistent with applicable law, could be made available as a raw material for—

(1) the production of electric energy, sensible heat, transportation fuel, or substitutes for petroleum-based products;

(2) dimensional lumber, fencing, framing material, poles, firewood, furniture, chips, or pulp for paper; or

(3) other commercial purposes.

(b) DEFINITION.—In this section, the term ''biomass'' means small diameter trees and understory vegetation that is removed from forested land as a by-product of forest restoration efforts.

SEC. 604. WATERSHED MANAGEMENT MEMORANDA OF UNDERSTANDING.

(a) COMPLETION OF MEMORANDA OF UNDERSTANDING.—To the extent that memoranda of understanding or other legal agreements involving watersheds of Mount Hood National Forest do not exist between irrigation districts or municipalities and the Forest Service, the Secretary of Agriculture may complete memoranda of understanding that outline stewardship goals to manage the watersheds for water quality and water quantity.

(b) ELEMENTS OF MEMORANDUM.—A memorandum of understanding involving a watershed of Mount Hood National Forest shall encourage adaptability, establish benchmarks regarding water quality and water quantity, and require monitoring to determine progress in meeting such benchmarks. The memorandum of understanding may restrict public access to areas of the watershed where appropriate.

(c) PUBLIC PROCESS REQUIRED.—

(1) COLLABORATION AND CONSULTATION.—The Secretary of Agriculture shall ensure that the process by which the Secretary enters into a memorandum of understanding with an irrigation district, local government, or other entity involving a watershed of Mount Hood National Forest is based on collaboration and cooperation between the Forest Service and local jurisdictions and other interested persons.

(2) PUBLIC MEETING REQUIRED.—The Secretary and the other party or parties to the proposed memorandum of understanding shall hold at least 1 joint public meeting before completing a final draft of the memorandum of understanding.

(3) PUBLIC COMMENT.—A draft memorandum of understanding shall also be open to public comment before being finalized.

SEC. 605. TERMINATION OF AUTHORITY.

The authority provided by this title shall terminate on the date that is 10 years after the date of enactment of this Act.

TITLE VII—CRYSTAL SPRINGS WATERSHED SPECIAL RESOURCES MANAGEMENT UNIT

SEC. 701. FINDINGS AND PURPOSE.

The purpose of this title is to establish a special resources management unit to ensure protection of the quality and quantity of the Crystal Springs watershed as a clean drinking water source for the residents of Hood River County, Oregon, while also allowing visitors to enjoy its special scenic, natural, cultural, and wildlife values.

SEC. 702. ESTABLISHMENT OF CRYSTAL SPRINGS WATERSHED SPECIAL RESOURCES MANAGEMENT UNIT.

(a) ESTABLISHMENT.—Effective as provided by section 705, the Secretary of Agriculture shall establish a special resources management unit in the State consisting of all National Forest System land that is located within 200 yards from any point on the perimeter of the Crystal Springs Zone of Contribution, as determined by the Crystal Springs Water District, and other National Forest System land in and around the Inn at Cooper Spur and the Cooper Spur Ski Area, as depicted on the map entitled ''Crystal Springs Watershed Special Resources Management Unit'' and dated June 2006 (in this subtitle referred to as the ''official map'').

(b) DESIGNATION.—The special resources management unit established pursuant to subsection (a) shall be known as the Crystal Springs Watershed Special Resources Management Unit, in this title referred to as the ''Management Unit''.

(c) EXCLUSION OF CERTAIN LAND.—The Management Unit does not include any National Forest System land otherwise covered by subsection (a) that is designated as wilderness by title I.

(d) WITHDRAWAL.—Subject to valid existing rights, National Forest System land included in the Management Unit are permanently withdrawn from all forms of appropriation under the public land laws, including the mining laws and mineral and geothermal leasing laws.

(e) MAPS AND LEGAL DESCRIPTION.—

(1) SUBMISSION OF LEGAL DESCRIPTIONS.—As soon as practicable after the effective date specified in section 705, the Secretary shall prepare and submit to Congress a legal description of the Management Unit.

(2) FORCE OF LAW.—The map referred to in subsection (a) and the legal descriptions prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct technical errors in the map and legal descriptions. The map of the Crystal Springs Zone of Contribution is incorporated in this Act to delineate the boundaries of the Management Unit, and the delineation of these boundaries is not intended to affect the specific uses that may occur on private land within the boundaries of the Management Unit.

(3) PUBLIC AVAILABILITY.—The map referred to in subsection (a) and the legal descriptions prepared under paragraph (1) shall be filed and made available for public inspection in the appropriate offices of the Forest Service.

SEC. 703. ADMINISTRATION OF MANAGEMENT UNIT.

(a) GENERAL APPLICABILITY OF EXISTING LAWS.—Except as provided in this title, all other laws and regulations affecting National Forest System lands shall continue to apply to the National Forest System lands included in the Management Unit.

(b) AUTHORIZED ACTIVITIES.—

(1) PROCESS FOR ALLOWING ACTIVITIES.—Only activities described in this subsection may occur in the Management Unit, and the Secretary of Agriculture may permit an activity described in this subsection to occur in the Management Unit only after the Secretary—

(A) obtains the review and opinions of the Crystal Springs Water District regarding the effect of the activity on the purposes of the Management Unit;

(B) complies with all applicable Federal law regarding development and implementation of the activity; and

(C) when appropriate, provides to the general public advance notice of the activity, an opportunity to comment on the activity, and appeal rights regarding the activity.

(2) RECREATION.—The Secretary may—

(A) continue to maintain recreational opportunities and trails, in existence in the Management Unit as of the effective date specified in section 705, within their existing and historic footprints or at an alternative location; and

(B) develop new footpaths or cross-county skiing trails in the Management Unit.

(3) LEASE OF CERTAIN IMPROVEMENTS.—The Secretary may lease improvements and facilities, in existence in the Management Unit as of the effective date specified in section 705, within their existing and designated footprints to 1 or more concessionaires.

(4) ROAD MAINTENANCE.—Subject to subsection (d), the Secretary may maintain National Forest System roads, in existence in the Management Unit as of the effective date specified in section 705 or as directed by the management plan required by subsection (d). Maintenance may include the installation of culverts and drainage improvements and other similar activities.

(5) FUEL REDUCTION IN PROXIMITY TO IMPROVEMENTS AND PRIMARY PUBLIC ROADS.—To protect the water quality, water quantity, scenic, cultural, historic, natural, and wildlife values of the Management Unit, the Secretary may permit fuel reduction on National Forest System land in the Management Unit—

(A) extending up to 400 feet from structures on National Forest System land or structures on adjacent private land; and

(B) extending up to 400 feet from the Cooper Spur Road, the Cloud Cap Road, and the Cooper Spur ski area loop road.

(6) OTHER FUEL REDUCTION AND FOREST HEALTH ACTIVITIES.—The Secretary may conduct fuel reduction and forest health management activities in the Management Unit, with priority given to activities that restore previously harvested stands, including the removal of logging slash, smaller diameter material, and ladder fuels. The purpose of any fire risk reduction or forest health management activity conducted in the Management Unit shall be the maintenance and restoration of fire-resilient forest structures containing late successional forest structure characterized by large trees and multi-storied canopies (where ecologically appropriate) and the protection of the water quality, water quantity, scenic, cultural, historic, natural, and wildlife values of the Management Unit.

(c) SPECIFICALLY PROHIBITED ACTIVITIES.—The following activities may not occur on National Forest System land in the Management Unit, whether separately or, except as provided in paragraph (2), as part of an activity authorized by subsection (b):

(1) New road construction or renovation of existing non-System roads.

(2) Projects undertaken for the purpose of harvesting commercial timber. The harvest of merchantable products that are by-products of activities conducted pursuant to subsection (b)(6) and carried out pursuant to a stewardship contract are not prohibited by this subsection.

(3) Commercial livestock grazing.

(4) The placement or maintenance of fuel storage tanks.

(5) The application of any toxic chemicals, including pesticides, rodenticides, herbicides, or retardants, for any purpose, except with the consent of the Crystal Springs Water District.

(d) MANAGEMENT PLAN.—

(1) PLAN REQUIRED.—Within 9 months after the effective date specified in section 605, the Secretary of Agriculture shall adopt a management plan for the Management Unit that, while providing for the limited activities specifically authorized by subsection (b), protects the watershed from illegal dumping, human waste, fires, vandalism, and other risks to water quality.

(2) CONSULTATION AND PUBLIC PARTICIPATION.—The Secretary shall prepare the management plan in consultation with the Crystal Springs Water District, the Cooper Spur Wild and Free Coalition, and Hood River County and provide for public participation as described in subsection (b)(1)(C).

(e) FOREST ROAD CLOSURES.—As part of the management plan required by subsection (d), the Secretary of Agriculture may provide for the closure or gating to the general public of any Forest Service road within the Management Unit, except for the road commonly known as Cloud Cap Road.

(f) PRIVATE LAND.—Nothing in this section affects the use of, or access to, any private property within the Crystal Springs Zone of Contribution by the owners of the private property and their guests. The Secretary is encouraged to work with interested private landowners who have voluntarily agreed to cooperate with the Secretary to further the purposes of this title.

(g) RELATIONSHIP WITH WATER DISTRICT.—Except as provided in this section, the Crystal Springs Water District has no authorities over management or use of National Forest System land included in the Management Unit.

SEC. 704. ACQUISITION OF LANDS.

(a) ACQUISITION AUTHORITY.—The Secretary of Agriculture may acquire from willing landowners any lands located in the Crystal Springs Zone of Contribution within the boundaries of Mount Hood National Forest. Lands so acquired shall automatically be added to the Management Unit.

(b) PROHIBITION ON SUBSEQUENT CONVEYANCE.—The Secretary may not sell, trade, or otherwise transfer ownership of any land within the Management Unit, including any of the land acquired under subsection (a) or received by the Secretary as part of the Cooper Spur-Government Camp land exchange authorized by subtitle A of title VIII and included within the Management Unit, to any person.

SEC. 705. EFFECTIVE DATE.

The Secretary of Agriculture shall establish the Management Unit as soon as practicable after the final closing of the Cooper Spur-Government Camp land exchange authorized by subtitle A of title VIII, but in no case later than 30 days after the date of the final closing of such land exchange. The Management Unit may not be established before final closing of the land exchange.

TITLE VIII—LOCAL AND TRIBAL RELATIONSHIPS

SEC. 801. FINDINGS AND PURPOSE.

The purpose of this title is to recognize and support the ability of Native Americans to continue to gather first foods in the Mount Hood National Forest using traditional methods and the central role of the State and local governments in management of issues dealing with natural and developed environments in the vicinity of the national forest.

SEC. 802. FIRST FOODS GATHERING AREAS.

(a) PRIORITY USE AREAS.—The Secretary of Agriculture shall identify, establish, develop, and manage priority-use areas in Mount Hood National Forest for the gathering of first foods by members of Indian tribes with treaty-reserved gathering rights on lands encompassed by the national forest. The priority-use areas shall be identified, established, developed, and managed in a manner consistent with the memorandum of understanding entered into between the Department of Agriculture, the Bureau of Land Management, the Bureau of Indian Affairs, and the Confederated Tribes of the Warm Springs Reservation of Oregon (in this section referred to as the ''Warm Springs Tribe'') and dated April 23, 2003, and such further agreements as are necessary between the Secretary of Agriculture and the Warm Springs Tribe to carry out the purposes of this section.

(b) PRIORITY USE.—Members of Indian tribes with treaty-reserved gathering rights on lands encompassed by Mount Hood National Forest shall have exclusive rights to gather first foods in the priority-use areas established pursuant to subsection (a).

(c) APPLICABLE LAW.—In considering and selecting National Forest System land for inclusion in a priority-use area under subsection (a), the Secretary of Agriculture shall comply with the land and resource management plan for Mount Hood National Forest and applicable laws.

(d) DEFINITION.—In this section, the term ''first foods'' means roots, berries, and plants on National Forest System land in Mount Hood National Forest that have been gathered for traditional and cultural purposes by members of Indian tribes with treaty-reserved gathering rights on lands encompassed by Mount Hood National Forest.

SEC. 803. FOREST SERVICE COORDINATION WITH STATE AND LOCAL GOVERNMENTS.

Congress encourages the Secretary of Agriculture to cooperate with the State, local communities, counties, and Indian tribes in the vicinity of Mount Hood National Forest, and the heads of other Federal agencies to identify common ground, coordinate planning efforts around the national forest, and make the Federal Government a better partner in building cooperative and lasting solutions for management of Mount Hood National Forest and non-Federal land in the vicinity of the national forest.

SEC. 804. SAVINGS PROVISIONS REGARDING RELATIONS WITH INDIAN TRIBES.

(a) TREATY RIGHTS.—Nothing in this Act is intended to alter, modify, enlarge, diminish, or extinguish the treaty rights of any Indian tribe, including the off-reservation reserved rights established by the Treaty of June 25, 1855, with the Tribes and Bands of Middle Oregon (12 Stat. 963). Section 702 is consistent with and intended to implement the gathering rights reserved by such treaty.

(b) TRIBAL LANDS.—Nothing in this Act is intended to affect lands held in trust by the Secretary of the Interior for Indian tribes or individual members of Indian tribes or other lands acquired by the Army Corps of Engineers and administered by the Secretary of the Interior for the benefit of Indian tribes and individual members of Indian tribes.

(c) HUNTING AND FISHING.—Nothing in this Act is intended to affect the laws, rules, and regulations pertaining to hunting and fishing under existing State and Federal laws and Indian treaties.

SEC. 805. IMPROVED NATURAL DISASTER PREPAREDNESS.

(a) IMPOSITION OF STANDARDS.—New development occurring on land conveyed by the Secretary of Agriculture under title V or undertaken or otherwise permitted by the Secretary of Agriculture on National Forest System land in Mount Hood National Forest after the date of the enactment of this Act shall be constructed or altered in compliance with 1 of the nationally recognized model building codes or wildland-urban interface codes and with other applicable nationally recognized codes.

(b) INCLUSION OF STANDARDS IN LAND CONVEYANCES.—In the case of each of the land conveyances described in title V, the Secretary shall impose the requirements of subsection (a) as a condition on the conveyance of the Federal land under the conveyance.

(c) EFFECT ON STATE AND LOCAL LAW.—To the maximum extent feasible, the codes imposed pursuant to subsection (a) shall be consistent with the nationally recognized codes adopted by the State or political subdivisions of the State. This section shall not be construed to limit the power of the State or a political subdivision of the State to implement or enforce any law, rule, regulation, or standard concerning fire prevention and control.

(d) ENFORCEMENT.—The codes imposed pursuant to subsection (a) may be enforced by the same entities otherwise enforcing building codes regarding new development occurring on land conveyed by the Secretary of Agriculture under title V.

TITLE IX—RECREATION

SEC. 901. FINDINGS AND PURPOSE.

The purpose of this title is to recognize and support recreation as a dynamic social and economic component of the legacy and future of the Mount Hood National Forest.

SEC. 902. RETENTION OF MOUNT HOOD NATIONAL FOREST LAND USE FEES FROM SPECIAL USE AUTHORIZATIONS.

(a) SPECIAL ACCOUNT.—The Secretary of the Treasury shall establish a special account in the Treasury for Mount Hood National Forest.

(b) DEPOSITS.—Except as provided in section 7 of the Act of April 24, 1950 (commonly known as the Granger-Thye Act; 16 U.S.C. 580d), the National Forest Organizational Camp Fee Improvement Act of 2003 (title V of division F of Public Law 108–107; 16 U.S.C. 6231 et seq.), Public Law 106–206 (commonly known as the Commercial Filming Act; 16 U.S.C. 460l–d), and the Federal Lands Recreation Enhancement Act (title VIII of division J of Public Law 108–477; 16 U.S.C. 6801 et seq.), all land use fees received after the date which is 6 months after the date of enactment of this Act from special use authorizations, such as recreation residences, resorts, winter recreation resorts, communication uses, and linear rights-of-way, and all other special use types issued with regard to Mount Hood National Forest shall be deposited in the special account established under subsection (a).

(c) AVAILABILITY.—Subject to subsection (d), amounts in the special account established under subsection (a) shall remain available, without further appropriation and until expended, for expenditure as provided in section 903. Upon request of the Secretary of Agriculture, the Secretary of the Treasury shall transfer to the Secretary of Agriculture from the special account such funds as the Secretary of Agriculture may request. The Secretary shall accept and use the funds in accordance with section 903.

(d) TERMINATION OF SPECIAL ACCOUNT.—The special account required by subsection (a) shall terminate at the end of the 10-year period beginning on the date of enactment of this Act. Any amounts remaining in the special account at the end of such period shall be transferred to the general fund of the Treasury.

SEC. 903. USE OF FUNDS IN SPECIAL ACCOUNT TO SUPPORT RECREATION.

(a) AUTHORIZED USES.—The Secretary of Agriculture shall use funds received from the special account under section 902(c) for the following purposes related to Mount Hood National Forest:

(1) Installation, repair, maintenance, and facility enhancement related directly to visitor enjoyment, visitor access, and health and safety, such as—

(A) the improvement and maintenance of trails, including trails used for hiking, biking, snowmobiling, horseback riding, cross-country skiing, and off-highway vehicles;

(B) water system improvements; and

(C) personal sanitation facilities improvements.

(2) Interpretive programs, visitor information, visitor services, visitor needs assessments, mapping, signage, Leave-No-Trace materials, and wilderness rangers.

(3) Habitat restoration directly related to recreation.

(4) Cooperative environmental restoration projects with non-Federal partnership groups and associations, including groups and associations that work with youth.

(5) Law enforcement and rescue and recovery efforts related to public use and recreation, such as law enforcement at recreation events, search and rescue operations, illegal recreation activities investigations, and enforcement.

(6) Improving administration of special use authorizations.

(7) Preparation of documents required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) in connection with the improvement or development of recreational opportunities.

(8) Other projects or partnerships recommended by the Mount Hood National Forest Recreation Working Group established by section 905.

(b) ALLOCATION REQUIREMENTS.—Of the total funds received by the Secretary of Agriculture from the special account under section 902(c) for a fiscal year, the Secretary shall allocate the funds as follows:

(1) 95 percent of the funds to Mount Hood National Forest.

(2) 5 percent of the funds to the Regional Office for the Pacific Northwest Region of the Forest Service to develop needed policy and training to support programs in wilderness areas, special uses, trails, developed and dispersed recreation, and interpretation related to Mount Hood National Forest.

SEC. 904. ANNUAL REPORTING REQUIREMENT.

The Secretary of Agriculture shall submit to Congress an annual report specifying—

(1) the total funds received by the Secretary from the special account under section 902(c) for the preceding fiscal year;

(2) how the funds were allocated and expended; and

(3) the results from such expenditures.

SEC. 905. MOUNT HOOD NATIONAL FOREST RECREATIONAL WORKING GROUP.

(a) ESTABLISHMENT AND PURPOSE.—The Secretary of Agriculture shall establish the Mount Hood National Forest Recreational Working Group for the purpose of providing advice and recommendations to the Forest Service on planning and implementing recreation enhancements in Mount Hood National Forest, including advice and recommendations regarding how the funds in the special account established under section 902 should be requested and expended.

(b) DUTIES.—The Working Group shall—

(1) review projects proposed by the Secretary for Mount Hood National Forest under section 903(a);

(2) propose projects under section 903(a) to the Secretary;

(3) recommend the amount of funds from the special account established under section 902 to be used to fund projects under section 903; and

(4) provide opportunities for citizens, organizations, Indian tribes, the Forest Service, and other interested parties to participate openly and meaningfully, beginning at the early stages of the development of projects under section 903(a).

(c) APPOINTMENT.—

(1) APPOINTMENT AND TERM.—The Regional Forester, acting on behalf of the Secretary of Agriculture, shall appoint the members of the Working Group for a term of 3 years beginning on the date of appointment. A member may be reappointed to subsequent 3-year terms.

(2) INITIAL APPOINTMENT.—The Regional Forester shall make initial appointments to the Working Group not later than 180 days after the date of enactment of this Act.

(3) VACANCIES.—The Regional Forester shall make appointments to fill vacancies on the Working Group as soon as practicable after the vacancy has occurred.

(4) COMPENSATION.—Members of the Working Group shall not receive any compensation for their service on the Working Group.

(5) NOMINATIONS.—The State and county governments for each county directly adjacent to or containing any portion of Mount Hood National Forest may submit a nomination to the Regional Forester for each activity or interest group category described in subsection (d).

(6) BROAD AND BALANCED REPRESENTATION.—In appointing the members of the Working Group, the Regional Forester shall provide for a balanced and broad representation from the recreation community.

(d) COMPOSITION OF WORKING GROUP.—The Working Group shall be composed of 15 members, selected so that the following activities and interest groups are represented:

(1) Summer non-mechanized recreation, such as hiking.

(2) Winter non-motorized recreation, such as snowshoeing and backcountry skiing.

(3) Mountain biking.

(4) Hunting and fishing.

(5) Summer motorized recreation, such as off-highway vehicle use.

(6) Local environmental groups.

(7) Winter motorized recreation, such as snowmobiling.

(8) Permitted ski areas.

(9) Forest products industry.

(10) Affected Indian tribes.

(11) Local holder of a recreation residence permit.

(12) Local government interests, such as a county commissioner or city mayor in an elected position representing a county or city directly adjacent or containing any portion of Mount Hood National Forest.

(13) A resident of Government Camp.

(14) The State.

(15) Operators of campground facilities open to the general public.

(e) CHAIRPERSON.—The chairperson of the Working Group shall be selected by a majority of the Working Group.

(f) OTHER WORKING GROUP AUTHORITIES AND REQUIREMENTS.—

(1) STAFF ASSISTANCE.—The Secretary of Agriculture shall provide staff assistance to the Working Group from Federal employees under the jurisdiction of the Secretary.

(2) MEETINGS.—All meetings of the Working Group shall be announced at least 1 week in advance in a local newspaper of record and shall be open to the public.

(3) RECORDS.—The Working Group shall maintain records of the meetings of the Working Group and make the records available for public inspection.

(g) LIMITATION ON ADMINISTRATIVE ASSISTANCE.—Not more than 5 percent of the funds allocated under section 903(b) to Mount Hood National Forest for a fiscal year may be used to provide administrative assistance to the Working Group during that fiscal year.

(h) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Working Group.

(i) TERMINATION OF WORKING GROUP.—The Working Group shall terminate at the end of the 10-year period beginning on the date of enactment of this Act.

SEC. 906. CONSIDERATION OF CONVERSION OF FOREST ROADS TO RECREATIONAL USES.

(a) EVALUATION OF CURRENTLY CLOSED ROADS.—

(1) CONSIDERATION FOR RECREATIONAL USE.—The Secretary of Agriculture may make a determination regarding whether the Forest Service roads in Mount Hood National Forest that were selected before the date of enactment of this Act for closure and decommissioning, but have not yet been decommissioned, should be converted to recreational

uses to enhance recreational opportunities in the national forest, such as conversion to single-track trails for mountain bikes and trails for snowmobiling, off-road vehicle use, horseback riding, hiking, cross-country skiing, and other recreational uses.

(2) CONSIDERATION OF ENVIRONMENTAL AND ECONOMIC IMPACTS.—In evaluating the feasibility and suitability of converting Forest Service roads under this subsection to recreational uses, and the types of recreational uses to be authorized, the Secretary shall take into account the environmental and economic impacts of implementing the conversion and of the resulting recreational uses.

(3) PUBLIC PROCESS.—The consideration and selection of Forest Service roads under this subsection for conversion to recreational uses, and the types of recreational uses to be authorized, shall be a public process, including consultation by the Secretary of Agriculture with the Mount Hood National Forest Recreational Working Group.

(b) FUTURE CLOSURE CONSIDERATIONS.—Whenever the Secretary of Agriculture considers a Forest Service road in Mount Hood National Forest for possible closure and decommissioning after the date of enactment of this Act, the Secretary shall include, as an alternative to decommissioning the road, consideration of converting the road to recreational uses to enhance recreational opportunities in the Mount Hood National Forest.

SEC. 907. IMPROVED TRAIL ACCESS FOR PERSONS WITH DISABILITIES.

(a) CONSTRUCTION OF TRAIL.—The Secretary of Agriculture may enter into a contract with a partner organization or other person to design and construct a trail at a location selected by the Secretary in Mount Hood National Forest suitable for use by persons with disabilities.

(b) PUBLIC PROCESS.—The selection of the trail location under subsection (a) and the preparation of the design of the trail shall be a public process, including consultation by the Secretary of Agriculture with the Mount Hood National Forest Recreational Working Group.

(c) FUNDING.—The Secretary of Agriculture may use funds in the special account established under section 902 to carry out this section.

TITLE X—AUTHORIZATION OF APPROPRIATIONS

SEC. 1001. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

By Mr. MENENDEZ (for himself, Mr. ENSIGN, and Mr. LAUTENBERG):

S. 3856. A bill to authorize Congress to award a gold medal to Jerry Lewis, in recognition of his outstanding service to the Nation; to the Committee on Banking, Housing, and Urban Affairs.

Mr. MENENDEZ. Mr. President, I rise today with my colleagues Senator ENSIGN and Senator LAUTENBERG to introduce legislation to award Jerry Lewis with the Congressional Gold Medal of Honor. This well-deserved recognition pays tribute to the many outstanding and enduring contributions Jerry Lewis has made throughout his career.

Born in 1926 in Newark, NJ, this gifted comedian has been a fixture in the entertainment community for more than five decades keeping spirits high and Americans laughing during some of the most turbulent periods in our history—World War II, the Cold War, and the assassinations of President John F. Kennedy and Dr. Martin Luther King Jr. But in addition to his comic persona, Lewis is also an active champion of charitable causes with an undying commitment to finding a cure for muscular dystrophy. Mr. Lewis has served for five decades as the National Chairman of the Muscular Dystrophy Association, which is an incredible organization dedicated to making a difference in the lives of countless families dealing with the challenges associated with muscular dystrophy. Forty years ago, he began the ''Jerry Lewis MDA Labor Day Telethon,'' an annual television program that benefits children and adults affected by muscular dystrophy and related neuromuscular diseases. This year, Mr. Lewis achieved an amazing accomplishment. His annual Labor Day telethon raised a record $61 million to fight this disease.

In September of 1976, this great body adopted a resolution expressing their appreciation of Jerry Lewis' philanthropic endeavors, in particular, his fight to find a cure for muscular dystrophy. Today, I believe a fitting accolade to this larger than life individual would be for him to join the ranks of distinguished Congressional Gold Medal recipients. I urge my colleagues to join me in congratulating Jerry Lewis, supporting the fight to end muscular dystrophy, and co-sponsoring this important legislation.

By Mr. SMITH (for himself and Mrs. LINCOLN):

S. 3857. A bill to amend the Internal Revenue Code of 1986 to provide incentives to small businesses; to the Committee on Finance.

Mr. SMITH. Mr. President, I rise today to introduce the ''Bringing Opportunity to Our Small Business Taxpayers Act,'' or ''BOOST Act.'' I am pleased to be joined by my colleague Senator Blanche Lincoln of Arkansas.

Small businesses represent over 99 percent of all employers and create approximately three-fourths of the new jobs added to the economy. The approximately 23 million small businesses truly are the backbone of our economy.

However, this important engine of job creation and growth for our economy is subjected to unnecessary and unfair financial burdens inflicted by Federal tax policy and other laws. My bill will extend expensing provisions, eliminate tax inequities and encourage retirement plans for small businesses, as well as provide a health insurance tax deduction for the self-employed.

Current law allows small businesses to expense up to $100,000 of the cost of property per year and invest up to $400,000 per year and still be eligible for expensing. My bill will make these expensing provisions, which are set to expire in 2009, permanent.

My legislation also addresses inequitable provisions in the law that affect the approximately 3.2 million S-corporations in the United States. Today, businesses that convert from C-corporation to S-corporation status are penalized for a period of ten years if they sell assets that were held prior to the conversion, even if the proceeds are driven right back into the business. By reducing the holding period subjected to built-in gains tax from ten years to seven years, S-corporations will be able to unload unneeded assets and improve cash flow and create more jobs.

Known as the ''sting tax,'' S-corporations that have converted from C-corporation status are taxed at the maximum corporate tax rate for passive investment income in excess of 25 percent of their gross receipts. This law is burdensome and unfair and needs to be revised. My bill will decrease the amount of income subjected to the tax. The adjustment will relieve S-corporations from an unnecessary tax burden and level the playing field with C-corporations and LLCs.

Saving for retirement is important for all Americans and access to retirement plans is critical in order to build wealth for an individual's golden years. Unfortunately, high costs and taxes discourage many small businesses from providing retirement plans to their employees. Through tax equity and tax credit measures, my bill encourages small businesses to offer retirement benefits to employees so they will have the necessary tools to prepare for their financial future.

I look forward to working with my colleagues on issues affecting small businesses and urge their support of my legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3857

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 ''Bringing Opportunities to Our Small Business Taxpayers Act'' or ''BOOST Act''.

TITLE I—TAX FAIRNESS FOR SMALL BUSINESSES

SEC. 101. PERMANENT EXTENSION OF EXPENSING FOR SMALL BUSINESSES.

(a) DOLLAR LIMITATION.—Paragraph (1) of section 179(b) of the Internal Revenue Code of 1986, as amended by the Tax Increase Prevention and Reconciliation Act of 2005, is amended by striking ''$25,000 ($100,000 in the case of taxable years beginning after 2002 and before 2010)'' and inserting ''$100,000''.

(b) REDUCTION IN LIMITATION.—Paragraph (2) of section 179(b) of such Code, as amended by the Tax Increase Prevention and Reconciliation Act of 2005, is amended by striking ''$200,000 ($400,000 in the case of taxable years beginning after 2002 and before 2010)'' and inserting ''$400,000''.

(c) INFLATION ADJUSTMENTS.—Subparagraph (A) of section 179(b)(5) of such Code, as amended by the Tax Increase Prevention and Reconciliation Act of 2005, is amended by striking ''and before 2010''.

(d) ELECTION.—Paragraph (2) of section 179(c) of such Code, as amended by the Tax Increase Prevention and Reconciliation Act of 2005, is amended by striking ''and before 2010''.

(e) COMPUTER SOFTWARE.—Clause (ii) of section 179(d)(1)(A), as amended by the Tax Increase Prevention and Reconciliation Act of 2005, is amended by striking ''and before 2010''.

SEC. 102. MODIFICATION OF CONSTRUCTION CONTRACTS EXCEPTION TO PERCENTAGE OF COMPLETION METHOD OF ACCOUNTING.

(a) IN GENERAL.—Clause (ii) section 460(e)(1)(B) of the Internal Revenue Code of 1986 is amended by striking ''$10,000,000'' and inserting ''$25,000,000''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to contracts entered into after the date of the enactment of this Act.

SEC. 103. MODIFICATION OF LOOK-BACK METHOD FOR CERTAIN CONSTRUCTION CONTRACTS.

(a) IN GENERAL.—Subparagraph (B) of section 460(b)(3) of the Internal Revenue Code of 1986 is amended to read as follows:

''(B) LOOK-BACK METHOD NOT TO APPLY TO CERTAIN CONTRACTS.—Paragraph (1)(B) shall not apply to—

''(i) any construction contract which is—

''(I) entered into by a taxpayer whose average annual gross receipts for the 3 taxable years preceding the taxable year in which such contract is completed do not exceed $25,000,000, and

''(II) completed within 3 years of the contract commencement date, or

''(ii) any other contract—

''(I) the gross price of which (as of the completion of the contract) does not exceed the lesser of $1,000,000 or 1 percent of the average annual gross receipts of the taxpayer for the 3 taxable years preceding the taxable year in which the contract was completed, and

''(II) which is completed within 2 years of the contract commencement date.

For purposes of this subparagraph, rules similar to the rules of subsections (e)(2) and (f)(3) shall apply.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to contracts completed in taxable years ending after the date of the enactment of this Act.

SEC. 104. USE OF CASH METHOD OF ACCOUNTING FOR CERTAIN SMALL BUSINESSES.

(a) IN GENERAL.—Section 446 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(g) USE OF CASH METHOD OF ACCOUNTING BY CERTAIN TAXPAYERS.—

''(1) IN GENERAL.—Notwithstanding section 471 and subject to such regulations as the Secretary may provide, a qualifying small business taxpayer may use the cash receipts and disbursements method of accounting.

''(2) QUALIFYING SMALL BUSINESS TAXPAYER.—For purposes of this subsection, the term 'qualifying small business taxpayer' means a taxpayer which—

''(A) meets the gross receipts test under section 448(c) (determined by substituting '$10,000,000' for '$5,000,000' each place it appears therein),

''(B) is not prohibited from using the cash receipts and disbursement method of accounting under section 448, and

''(C) meets the requirements described in section 4.01 of Revenue Procedure 2002-28.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

TITLE II—S CORPORATION PARITY

SEC. 201. REDUCED RECOGNITION PERIOD FOR BUILT-IN GAINS.

(a) IN GENERAL.—Paragraph (7) of section 1374(d) of the Internal Revenue Code of 1986 (relating to definitions and special rules) is amended to read as follows:

''(7) RECOGNITION PERIOD.—The term 'recognition period' means the 7-year period beginning with the 1st day of the 1st taxable year for which the corporation was an S corporation. For purposes of applying this section to any amount includible in income by reason of distributions to shareholders pursuant to section 593(e), the preceding sentence shall be applied without regard to the duration of the recognition period in effect on the date of such distribution.''.

(b) EFFECTIVE DATE.—

(1) GENERAL RULE.—The amendment made by this section shall apply to any recognition period in effect on or after the date of the enactment of this Act.

(2) SPECIAL APPLICATION TO EXISTING PERIODS EXCEEDING 7 YEARS.—Any recognition period in effect on the date of the enactment of this Act, the length of which is greater than 7 years, shall end on such date.

SEC. 202. MODIFICATION TO S CORPORATION PASSIVE INVESTMENT INCOME RULES.

(a) INCREASED PERCENTAGE LIMIT.—Paragraph (2) of section 1375(a) of the Internal Revenue Code of 1986 is amended by striking ''25 percent'' and inserting ''60 percent''.

(b) REPEAL OF EXCESSIVE PASSIVE INVESTMENT INCOME AS A TERMINATION EVENT.—

(1) IN GENERAL.—Section 1362(d) of the Internal Revenue Code of 1986 is amended by striking paragraph (3).

(2) CONFORMING AMENDMENT.—Subsection (b) of section 1375 of such Code is amended by striking paragraphs (3) and (4) and inserting the following new paragraph:

''(3) PASSIVE INVESTMENT INCOME DEFINED.—

''(A) IN GENERAL.—Except as otherwise provided in this paragraph, the term 'passive investment income' means gross receipts derived from royalties, rents, dividends, interest, and annuities.

''(B) EXCEPTION FOR INTEREST ON NOTES FROM SALES OF INVENTORY.—The term 'passive investment income' shall not include interest on any obligation acquired in the ordinary course of the corporation's trade or business from its sale of property described in section 1221(a)(1).

''(C) TREATMENT OF CERTAIN LENDING OR FINANCE COMPANIES.—If the S corporation meets the requirements of section 542(c)(6) for the taxable year, the term 'passive investment income' shall not include gross receipts for the taxable year which are derived directly from the active and regular conduct of a lending or finance business (as defined in section 542(d)(1)).

''(D) TREATMENT OF CERTAIN DIVIDENDS.—If an S corporation holds stock in a C corporation meeting the requirements of section 1504(a)(2), the term 'passive investment income' shall not include dividends from such C corporation to the extent such dividends are attributable to the earnings and profits of such C corporation derived from the active conduct of a trade or business.

''(E) EXCEPTION FOR BANKS, ETC.—In the case of a bank (as defined in section 581), a bank holding company (within the meaning of section 2(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1841(a))), or a financial holding company (within the meaning of section 2(p) of such Act (12 U.S.C. 1841(p))), the term 'passive investment income' shall not include—

''(i) interest income earned by such bank or company, or

''(ii) dividends on assets required to be held by such bank or company, including stock in the Federal Reserve Bank, the Federal Home Loan Bank, or the Federal Agricultural Mortgage Bank or participation certificates issued by a Federal Intermediate Credit Bank.

''(F) COORDINATION WITH SECTION 1374.—The amount of passive investment income shall be determined by not taking into account any recognized built-in gain or loss of the S corporation for any taxable year in the recognition period. Terms used in the preceding sentence shall have the same respective meanings as when used in section 1374.''.

(c) OTHER CONFORMING AMENDMENTS.—

(1) Subparagraph (J) of section 26(b)(2) of the Internal Revenue Code of 1986 is amended by striking ''25 percent'' and inserting ''60 percent''.

(2) Clause (i) of section 1042(c)(4)(A) of such Code is amended by striking ''section 1362(d)(3)(C)'' and inserting ''section 1375(b)(3)''.

(3) Subparagraph (B) of section 1362(f)(1) of such Code is amended by striking ''or (3)''.

(4) Clause (i) of section 1375(b)(1)(A) of such Code is amended by striking ''25 percent'' and inserting ''60 percent''.

(5) The heading for section 1375 of such Code is amended by striking ''25 percent'' and inserting ''60 percent''.

(6) The item relating to section 1375 in the table of sections for part III of subchapter S of chapter 1 of such Code is amended by striking ''25 percent'' and inserting ''60 percent''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 203. NONRESIDENT ALIENS ALLOWED TO BE SHAREHOLDERS.

(a) NONRESIDENT ALIENS ALLOWED TO BE SHAREHOLDERS.—

(1) IN GENERAL.—Paragraph (1) of section 1361(b) of the Internal Revenue Code of 1986 (defining small business corporation) is amended—

(A) by adding ''and'' at the end of subparagraph (B),

(B) by striking subparagraph (C), and

(C) by redesignating subparagraph (D) as subparagraph (C).

(2) CONFORMING AMENDMENTS.—

(A) Paragraph (4) and (5)(A) of section 1361(c) of such Code (relating to special rules for applying subsection (b)) are each amended by striking ''subsection (b)(1)(D)'' and inserting ''subsection (b)(1)(C)''.

(B) Clause (i) of section 280G(b)(5)(A) of such Code (relating to general rule for exemption for small business corporations, etc.) is amended by striking ''but without regard to paragraph (1)(C) thereof''.

(b) NONRESIDENT ALIEN SHAREHOLDER TREATED AS ENGAGED IN TRADE OR BUSINESS WITHIN UNITED STATES.—

(1) IN GENERAL.—Section 875 of the Internal Revenue Code of 1986 is amended—

(A) by striking ''and'' at the end of paragraph (1),

(B) by striking the period at the end of paragraph (2) and inserting '', and'', and

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

''(3) a nonresident alien individual shall be considered as being engaged in a trade or business within the United States if the S corporation of which such individual is a shareholder is so engaged.''.

(2) PRO RATA SHARE OF S CORPORATION INCOME.—The last sentence of section 1441(b) of such Code (relating to income items) is amended to read as follows: ''In the case of a nonresident alien individual who is a member of a domestic partnership or a shareholder of an S corporation, the items of income referred to in subsection (a) shall be treated as referring to items specified in this subsection included in his distributive share of the income of such partnership or in his

pro rata share of the income of such S corporation.''.

(3) APPLICATION OF WITHHOLDING TAX ON NONRESIDENT ALIEN SHAREHOLDERS.—Section 1446 of such Code (relating to withholding tax on foreign partners' share of effectively connected income) is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

''(f) S CORPORATION TREATED AS PARTNERSHIP, ETC.—For purposes of this section—

''(1) an S corporation shall be treated as a partnership,

''(2) the shareholders of such corporation shall be treated as partners of such partnership,

''(3) any reference to section 704 shall be treated as a reference to section 1366, and

''(4) no withholding tax under subsection (a) shall be required in the case of any income realized by such corporation and allocable to a shareholder which is an electing small business trust (as defined in section 1361(e)).''.

(4) CONFORMING AMENDMENTS.—

(A) The heading of section 875 of such Code is amended to read as follows:

''SEC. 875. PARTNERSHIPS; BENEFICIARIES OF ESTATES AND TRUSTS; S CORPORATIONS.''.

(B) The heading of section 1446 of such Code is amended to read as follows:

''SEC. 1446. WITHHOLDING TAX ON FOREIGN PARTNERS' AND S CORPORATION SHAREHOLDERS' SHARE OF EFFECTIVELY CONNECTED INCOME.''.

(5) CLERICAL AMENDMENTS.—

(A) The item relating to section 875 in the table of sections for subpart A of part II of subchapter N of chapter 1 of such Code is amended to read as follows:

''Sec. 875. Partnerships; beneficiaries of estates and trusts; S corporations''.

(B) The item relating to section 1446 in the table of sections for subchapter A of chapter 3 of such Code is amended to read as follows:

''Sec. 1446. Withholding tax on foreign partners' and S corporation shareholders' share of effectively connected income''.

(C) PERMANENT ESTABLISHMENT OF PARTNERS AND S CORPORATION SHAREHOLDERS.—Section 894 of such Code (relating to income affected by treaty) is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

''(c) PERMANENT ESTABLISHMENT OF PARTNERS AND S CORPORATION SHAREHOLDERS.—If a partnership or S corporation has a permanent establishment in the United States (within the meaning of a treaty to which the United States is a party) at any time during a taxable year of such entity, a nonresident alien individual or foreign corporation which is a partner in such partnership, or a nonresident alien individual who is a shareholder in such S corporation, shall be treated as having a permanent establishment in the United States for purposes of such treaty.''.

(c) APPLICATION OF OTHER WITHHOLDING TAX RULES ON NONRESIDENT ALIEN SHAREHOLDERS.—

(1) SECTION 1441.—Section 1441 of the Internal Revenue Code of 1986 (relating to withholding of tax on nonresident aliens) is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

''(g) S CORPORATION TREATED AS PARTNERSHIP, ETC.—For purposes of this section—

''(1) an S corporation shall be treated as a partnership,

''(2) the shareholders of such corporation shall be treated as partners of such partnership, and

''(3) no deduction or withholding under subsection (a) shall be required in the case of any item of income realized by such corporation and allocable to a shareholder which is an electing small business trust (as defined in section 1361(e)).''.

(2) SECTION 1445.—Section 1445(e) of such Code (relating to special rules relating to distributions, etc., by corporations, partnerships, trusts, or estates) is amended by redesignating paragraph (6) as paragraph (7) and by inserting after paragraph (5) the following new paragraph:

''(6) S CORPORATION TREATED AS PARTNERSHIP, ETC.—For purposes of this section—

''(A) an S corporation shall be treated as a partnership, and

''(B) the shareholders of such corporation shall be treated as partners of such partnership, and

''(C) no deduction or withholding under subsection (a) shall be required in the case of any gain realized by such corporation and allocable to a shareholder which is an electing small business trust (as defined in section 1361(e)).''.

(d) ADDITIONAL CONFORMING AMENDMENTS.—

(1) Section 1361(c)(2)(A)(i) of the Internal Revenue Code of 1986 is amended by striking ''who is a citizen or resident of the United States''.

(2) Section 1361(d)(3)(B) of such Code is amended by striking ''who is a citizen or resident of the United States''.

(3) Section 1361(e)(2) of such Code is amended by inserting ''(including a nonresident alien)'' after ''person'' the first place it appears.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 204. EXPANSION OF S CORPORATION ELIGIBLE SHAREHOLDERS TO INCLUDE IRAS.

(a) IN GENERAL.—Clause (vi) of section 1361(c)(2)(A) of the Internal Revenue Code of 1986 (relating to certain trusts permitted as shareholders) is amended to read as follows:

''(vi) A trust which constitutes an individual retirement account under section 408(a), including one designated as a Roth IRA under section 408A.''.

(b) SALE OF STOCK IN IRA RELATING TO S CORPORATION ELECTION EXEMPT FROM PROHIBITED TRANSACTION RULES.—Paragraph (16) of section 4975(d) of the Internal Revenue Code of 1986 (relating to exemptions) is amended to read as follows:

''(16) a sale of stock held by a trust which constitutes an individual retirement account under section 408(a) to the individual for whose benefit such account is established if—

''(A) such sale is pursuant to an election under section 1362(a) by the issuer of such stock,

''(B) such sale is for fair market value at the time of sale (as established by an independent appraiser) and the terms of the sale are otherwise at least as favorable to such trust as the terms that would apply on a sale to an unrelated party,

''(C) such trust does not pay any commissions, costs, or other expenses in connection with the sale, and

''(D) the stock is sold in a single transaction for cash not later than 120 days after the S corporation election is made.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

TITLE III—PENSION PLAN INCENTIVES AND PARITY

SEC. 301. CREDIT FOR QUALIFIED PENSION PLAN CONTRIBUTIONS OF SMALL EMPLOYERS.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to business related credits) is amended by adding at the end the following new section:

''SEC. 45N. SMALL EMPLOYER PENSION PLAN CONTRIBUTIONS.

''(a) GENERAL RULE.—For purposes of section 38, in the case of an eligible employer, the small employer pension plan contribution credit determined under this section for any taxable year is an amount equal to 50 percent of the amount which would (but for subsection (f)(1)) be allowed as a deduction under section 404 for such taxable year for qualified employer contributions made to any qualified retirement plan on behalf of any employee who is not a highly compensated employee.

''(b) CREDIT LIMITED TO 3 YEARS.—The credit allowable by this section shall be allowed only with respect to the period of 3 taxable years beginning with the first taxable year for which a credit is allowable with respect to a plan under this section.

''(c) QUALIFIED EMPLOYER CONTRIBUTION.—For purposes of this section—

''(1) DEFINED CONTRIBUTION PLANS.—In the case of a defined contribution plan, the term 'qualified employer contribution' means the amount of nonelective and matching contributions to the plan made by the employer on behalf of any employee who is not a highly compensated employee to the extent such amount does not exceed 3 percent of such employee's compensation from the employer for the year.

''(2) DEFINED BENEFIT PLANS.—In the case of a defined benefit plan, the term 'qualified employer contribution' means the amount of employer contributions to the plan made on behalf of any employee who is not a highly compensated employee to the extent that the accrued benefit of such employee derived from employer contributions for the year does not exceed the equivalent (as determined under regulations prescribed by the Secretary and without regard to contributions and benefits under the Social Security Act) of 3 percent of such employee's compensation from the employer for the year.

''(d) QUALIFIED RETIREMENT PLAN.—

''(1) IN GENERAL.—The term 'qualified retirement plan' means any plan described in section 401(a) which includes a trust exempt from tax under section 501(a) if the plan meets—

''(A) the contribution requirements of paragraph (2),

''(B) the vesting requirements of paragraph (3), and

''(C) the distribution requirements of paragraph (4).

''(2) CONTRIBUTION REQUIREMENTS.—

''(A) IN GENERAL.—The requirements of this paragraph are met if, under the plan—

''(i) the employer is required to make nonelective contributions of at least 1 percent of compensation (or the equivalent thereof in the case of a defined benefit plan) for each employee who is not a highly compensated employee who is eligible to participate in the plan, and

''(ii) allocations of nonelective employer contributions, in the case of a defined contribution plan, are either in equal dollar amounts for all employees covered by the plan or bear a uniform relationship to the total compensation, or the basic or regular rate of compensation, of the employees covered by the plan (and an equivalent requirement is met with respect to a defined benefit plan).

''(B) COMPENSATION LIMITATION.—The compensation taken into account under subparagraph (A) for any year shall not exceed the limitation in effect for such year under section 401(a)(17).

''(3) VESTING REQUIREMENTS.—The requirements of this paragraph are met if the plan satisfies the requirements of either of the following subparagraphs:

''(A) 3-YEAR VESTING.—A plan satisfies the requirements of this subparagraph if an employee who has completed at least 3 years of service has a nonforfeitable right to 100 percent of the employee's accrued benefit derived from employer contributions.

''(B) 5-YEAR GRADED VESTING.—A plan satisfies the requirements of this subparagraph if an employee has a nonforfeitable right to a percentage of the employee's accrued benefit derived from employer contributions determined under the following table:

''Years of service:	The nonforfeitable percentage is:
1	20
2	40
3	60
4	80
5	100.

''(4) DISTRIBUTION REQUIREMENTS.—In the case of a profit-sharing or stock bonus plan, the requirements of this paragraph are met if, under the plan, qualified employer contributions are distributable only as provided in section 401(k)(2)(B).

''(e) OTHER DEFINITIONS.—For purposes of this section—

''(1) ELIGIBLE EMPLOYER.—

''(A) IN GENERAL.—The term 'eligible employer' means, with respect to any year, an employer which has no more than 25 employees who received at least $5,000 of compensation from the employer for the preceding year.

''(B) REQUIREMENT FOR NEW QUALIFIED EMPLOYER PLANS.—Such term shall not include an employer if, during the 3-taxable year period immediately preceding the 1st taxable year for which the credit under this section is otherwise allowable for a qualified employer plan of the employer, the employer or any member of any controlled group including the employer (or any predecessor of either) established or maintained a qualified employer plan with respect to which contributions were made, or benefits were accrued, for substantially the same employees as are in the qualified employer plan.

''(2) HIGHLY COMPENSATED EMPLOYEE.—The term 'highly compensated employee' has the meaning given such term by section 414(q) (determined without regard to section 414(q)(1)(B)(ii)).

''(f) SPECIAL RULES.—

''(1) DISALLOWANCE OF DEDUCTION.—No deduction shall be allowed for that portion of the qualified employer contributions paid or incurred for the taxable year which is equal to the credit determined under subsection (a).

''(2) ELECTION NOT TO CLAIM CREDIT.—This section shall not apply to a taxpayer for any taxable year if such taxpayer elects to have this section not apply for such taxable year.

''(3) AGGREGATION RULES.—All persons treated as a single employer under subsection (a) or (b) of section 52, or subsection (n) or (o) of section 414, shall be treated as one person. All eligible employer plans shall be treated as 1 eligible employer plan.

''(g) RECAPTURE OF CREDIT ON FORFEITED CONTRIBUTIONS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), if any accrued benefit which is forfeitable by reason of subsection (d)(3) is forfeited, the employer's tax imposed by this chapter for the taxable year in which the forfeiture occurs shall be increased by 35 percent of the employer contributions from which such benefit is derived to the extent such contributions were taken into account in determining the credit under this section.

''(2) REALLOCATED CONTRIBUTIONS.—Paragraph (1) shall not apply to any contribution which is reallocated by the employer under the plan to employees who are not highly compensated employees.''.

(b) CREDIT ALLOWED AS PART OF GENERAL BUSINESS CREDIT.—Section 38(b) of the Internal Revenue Code of 1986 (defining current year business credit) is amended by striking ''plus'' at the end of paragraph (29), by striking the period at the end of paragraph (30) and inserting '', plus'', and by adding at the end the following new paragraph:

''(31) in the case of an eligible employer (as defined in section 45E(e)), the small employer pension plan contribution credit determined under section 45M(a).''

(c) CONFORMING AMENDMENTS.—

(1) Subsection (c) of section 196 of the Internal Revenue Code of 1986 is amended by striking ''and'' at the end of paragraph (12), by striking the period at the end of paragraph (13) and inserting '', and'', and by adding at the end the following new paragraph:

''(14) the small employer pension plan contribution credit determined under section 45E(a).''

(2) The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 45M. Small employer pension plan contributions''

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to contributions paid or incurred in taxable years beginning after December 31, 2006.

SEC. 302. DEDUCTION FOR PENSION CONTRIBUTIONS ALLOWED IN COMPUTING NET EARNINGS FROM SELF-EMPLOYMENT.

(a) IN GENERAL.—Section 1402(a) of the Internal Revenue Code of 1986 (defining net earnings from self-employment) is amended by striking ''and'' at the end of paragraph (15), by striking the period at the end of paragraph (16) and inserting '', and'', and by inserting after paragraph (16) the following new paragraph:

''(17) any deduction allowed under section 404 by reason of section 404(a)(8)(C) shall be allowed, except that the amount of such deduction shall be determined without regard to this paragraph.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

TITLE IV—HEALTH INSURANCE COSTS PARITY

SEC. 401. DEDUCTION FOR HEALTH INSURANCE COSTS ALLOWED IN COMPUTING NET EARNINGS FROM SELF-EMPLOYMENT.

(a) IN GENERAL.—Section 1402(a) of the Internal Revenue Code of 1986 (defining net earnings from self-employment), as amended by section 302, is amended by striking ''and'' at the end of paragraph (16), by striking the period at the end of paragraph (17) and inserting '', and'', and by inserting after paragraph (17) the following new paragraph:

''(18) any deduction allowed under section 162(l) shall be allowed.''.

(b) CONFORMING AMENDMENT.—Section 162(l) of the Internal Revenue Code of 1986 (relating to special rule for health insurance costs of self-employed individuals) is amended by striking paragraph (4) and by redesignating paragraph (5) as paragraph (4).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

By Mr. FRIST (for himself, Mr. MCCONNELL, and Mr. INHOFE):

S. 3861. A bill to facilitate bringing to justice terrorists and other unlawful enemy combatants through full and fair trials by military commissions, and for other purposes; read the first time.

Mr. FRIST. In 5 days we will observe the fifth anniversary of the most vicious act of terror ever perpetrated on American soil. Nearly 3,000 fellow Americans lost their lives on September 11.

We have worked tirelessly to make America safer from terrorist attacks and to honor the sacrifices of the victims of 9/11 and their families. But the fact remains that we still have more to do.

That is why Senator MCCONNELL and I are proud to introduce legislation on behalf of the President to bring terrorists to justice. The bill authorizes military commissions to prosecute terrorist detainees and addresses the concerns raised by the Supreme Court in the Hamdan decision.

Today, we are a nation at war. Our enemies are terrorists who do not value democracy, freedom, or innocent life.

When we capture them on the battlefield, we have a right to prosecute them for war crimes. And we must establish a system that protects our national security while ensuring a full and fair trial for the detainees.

That is why it is imperative that we quickly move forward on this bill. By formally establishing military commissions to prosecute terrorist detainees, we are creating another tool in the war on terror—and providing a measure of justice to the victims of 9/11.

Under these commissions, terrorist detainees will get a fair trial. They will be tried before impartial military judges. They will have the right to be presumed innocent until proven guilty, the right to counsel, the right to present exculpatory evidence, the right to exclude evidence obtained through torture or coercion, and the right to appeal.

However, these procedures also recognize that because we are at war, we should not try terrorist detainees in the same way as our uniformed military or common civilian criminals. The procedures take great care to protect our national security interests by preventing disclosure of classified information to the detainees themselves.

I urge my colleagues to review this bill carefully. I will consult Chairman Warner and the Armed Services Committee members to ensure the Senate moves expeditiously to meet its responsibility to the American people.

I hope we can move forward in a spirit of bipartisanship even though we are in the middle of a partisan election season. And I hope we can remain focused on the goal of making America safer and continuing to honor the victims of 9/11.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

(The bill will be printed in a future edition of the RECORD.)

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 557—DESIGNATING SEPTEMBER 10 THROUGH SEPTEMBER 16, 2006, AS ''NATIONAL POLYCYSTIC KIDNEY DISEASE AWARENESS WEEK'' AND SUPPORTING THE GOALS AND IDEALS OF A NATIONAL POLYCYSTIC KIDNEY DISEASE AWARENESS WEEK TO RAISE PUBLIC AWARENESS AND UNDERSTANDING OF POLYCYSTIC KIDNEY DISEASE AND TO FOSTER UNDERSTANDING OF THE IMPACT POLYCYSTIC KIDNEY DISEASE HAS ON PATIENTS AND FUTURE GENERATIONS OF THEIR FAMILIES

Mr. DEWINE submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 557

Whereas polycystic kidney disease (known as ''PKD'') is the most prevalent life-threatening genetic disease in the United States, is a severe, dominantly inherited disease that has a devastating impact, in both human and economic terms, on people of all ages, and affects equally people of all races, sexes, nationalities, geographic locations, and income levels;

Whereas, based on prevalence estimates by the National Institutes of Health, it is estimated that about 600,000 patients in the United States have a genetic inheritance from 1 or both parents called polycystic kidney disease, and that countless additional friends, loved ones, spouses, and caregivers must shoulder the physical, emotional, and financial burdens that polycystic kidney disease causes;

Whereas polycystic kidney disease, for which there is no cure, is 1 of the 4 leading causes of kidney failure in the United States;

Whereas the vast majority of polycystic kidney disease patients reach kidney failure at an average age of 53, causing a severe strain on dialysis and kidney transplantation resources and on the delivery of health care in the United States, as the largest segment of the population of the United States, the ''baby boomers'', continues to age;

Whereas end stage renal disease is one of the fastest growing components of the Medicare budget, and polycystic kidney disease contributes to that cost by an estimated $2,000,000,000 annually for dialysis, kidney transplantation, and related therapies;

Whereas polycystic kidney disease is a systemic disease that causes damage to the kidney and the cardiovascular, endocrine, hepatic, and gastrointestinal organ systems and instills in patients a fear of an unknown future with a life-threatening genetic disease and apprehension over possible genetic discrimination;

Whereas the severity of the symptoms of polycystic kidney disease and the limited public awareness of the disease causes many patients to live in denial and forego regular visits to their physicians or to avoid following good health management which would help avoid more severe complications when kidney failure occurs;

Whereas people who have chronic, life-threatening diseases like polycystic kidney disease have a predisposition to depression (7 times the national average) and its resultant consequences due to their anxiety over pain, suffering, and premature death;

Whereas the Senate and taxpayers of the United States desire to see treatments and cures for disease and would like to see results from investments in research conducted by the National Institutes of Health and from such initiatives as the NIH Roadmap to the Future;

Whereas polycystic kidney disease is a verifiable example of how collaboration, technological innovation, scientific momentum, and public-private partnerships can generate therapeutic interventions that directly benefit polycystic kidney disease sufferers, save billions of Federal dollars under Medicare, Medicaid, and other programs for dialysis, kidney transplants, immunosuppressant drugs, and related therapies, and make available several thousand openings on the kidney transplant waiting list;

Whereas improvements in diagnostic technology and the expansion of scientific knowledge about polycystic kidney disease have led to the discovery of the 3 primary genes that cause polycystic kidney disease and the 3 primary protein products of the genes and to the understanding of cell structures and signaling pathways that cause cyst growth that has produced multiple polycystic kidney disease clinical drug trials;

Whereas there are thousands of volunteers nationwide who are dedicated to expanding essential research, fostering public awareness and understanding of polycystic kidney disease, educating polycystic kidney disease patients and their families about the disease to improve their treatment and care, providing appropriate moral support, and encouraging people to become organ donors; and

Whereas these volunteers engage in an annual national awareness event held during the third week of September and such a week would be an appropriate time to recognize National Polycystic Kidney Disease Week: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 10 through September 16, 2006, as ''National Polycystic Kidney Disease Awareness Week'';

(2) supports the goals and ideals of a National Polycystic Kidney Disease Awareness Week to raise public awareness and understanding of polycystic kidney disease (known as ''PKD'');

(3) recognizes the need for additional research into a cure for polycystic kidney disease; and

(4) encourages the people of the United States and interested groups to support National Polycystic Kidney Awareness Week through appropriate ceremonies and activities to promote public awareness of polycystic kidney disease and to foster understanding of the impact of the disease on patients and their families.

SENATE RESOLUTION 558—HONORING THE LIVES AND MEMORY OF THE VICTIMS OF THE CRASH OF COMAIR FLIGHT 5191, AND EXTENDING THE MOST SINCERE CONDOLENCES OF THE CITIZENS OF THE UNITED STATES TO THE FAMILIES AND FRIENDS OF THOSE INDIVIDUALS

Mr. MCCONNELL (for himself and Mr. BUNNING) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 558

Whereas, on August 27, 2006, the Commonwealth of Kentucky suffered a tragic loss when Comair Flight 5191 crashed shortly after takeoff at Blue Grass Airport in Lexington, Kentucky;

Whereas 49 individuals perished in that tragic accident;

Whereas that event brought grief not only into the communities of Kentucky, such as Lexington, Georgetown, Somerset, London, Harrodsburg, and Richmond, but also to homes throughout the United States, Canada, and Japan; and

Whereas local volunteers and government officials responded quickly to rescue a survivor, James Polehinke, investigate the accident, and provide relief and recovery to the families and friends of the victims: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the victims of the crash of Comair Flight 5191, including—

Rebecca Adams;
Christina Anderson;
Lyle Anderson;
Arnold Andrews;
Anne Marie Bailey;
Bobbie Benton;
Jesse Clark Benton;
Carole Bizzack;
George Brunacini;
Brian Byrd;
Jeffrey Clay;
Diane Combs;
Homer Combs;
Fenton Dawson;
Thomas Fahey;
Mike Finley;
Clarence Wayne (''C.W.'') Fortney II;
Wade Bartley (''Bart'') Frederick;
Hollie Gilbert;
Erik Harris;
Kelly Heyer;
Jonathan Walton Hooker;
Scarlett Parsley Hooker;
Priscilla Johnson;
Nahoko Kono;
Tetsuya Kono;
Charles Lykins;
Dan Mallory;
Steve McElravy;
Lynda McKee;
Bobby Meaux;
Kaye Craig Morris;
Leslie Morris II;
Cecile Moscoe;
Judy Ann Rains;
Michael N. Ryan;
Mary Jane Silas;
Pat Smith;
Timothy K. Snoddy;
Marcie Thomason;
Greg Threet;
Randy Towles;
Larry Turner;
Victoria Washington;
Jeff Williams;
Paige Winters;
Bryan Woodward;
JoAnn Wright; and
Betty Young;

(2) conveys the most sincere condolences of the citizens of the United States to the families, friends, and communities of the victims;

(3) recognizes the rescue and safety workers, medical personnel, and Federal, State, and local officials who—

(A) responded to the tragedy; and

(B) are working—

(i) to uncover the causes of that tragedy; and

(ii) to prevent future accidents; and

(4) commends the volunteers, counselors, and clergy who provided support to families during the difficult days that followed August 27, 2006.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4890. Mr. NELSON of Nebraska submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table.

SA 4891. Mr. NELSON of Nebraska submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4892. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4893. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4894. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4895. Ms. MIKULSKI (for herself, Mr. SARBANES, and Mr. DAYTON) proposed an amendment to the bill H.R. 5631, supra.

SA 4896. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4897. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4898. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4899. Mr. VITTER (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4900. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4901. Mr. LIEBERMAN (for himself and Mr. DODD) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4902. Mr. CONRAD (for himself, Mr. DORGAN, and Mr. SALAZAR) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4903. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4904. Mr. REID (for himself, Mr. DURBIN, Mrs. BOXER, Mrs. FEINSTEIN, Mr. BAYH, Mr. KENNEDY, Mr. LAUTENBERG, Mr. CARPER, Ms. MIKULSKI, Mr. KERRY, Mr. SCHUMER, Mr. LEVIN, Mr. HARKIN, Mrs. CLINTON, Mr. ROCKEFELLER, Mr. OBAMA, Mr. DORGAN, Mr. MENENDEZ, Ms. STABENOW, Mr. DAYTON, and Mr. DODD) proposed an amendment to the bill H.R. 5631, supra.

SA 4905. Mr. STEVENS (for Mr. LEVIN) proposed an amendment to the bill H.R. 2066, to amend title 40, United States Code, to establish a Federal Acquisition Service, to replace the General Supply Fund and the Information Technology Fund with an Acquisition Services Fund, and for other purposes.

SA 4906. Mr. ROCKEFELLER proposed an amendment to the bill H .R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes.

TEXT OF AMENDMENTS

SA 4890. Mr. NELSON of Nebraska submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. (a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2007 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) JANUARY 1, 2007, INCREASE IN BASIC PAY.—Effective on January 1, 2007, the rates of monthly basic pay for members of the uniformed services are increased by 2.7 percent.

SA 4891. Mr. NELSON of Nebraska submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense 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. ___. TRANSPARENCY IN FEDERAL FUNDING.

(a) SHORT TITLE.—This section may be cited as the ''Transparency in Federal Funding Act of 2006''.

(b) FINDINGS.—Congress finds that—

(1) our system of Government has checks and balances, and it has come to the attention of Congress that executive branch departments and their component agencies occasionally retain a portion of funds appropriated by Congress to non-Federal entities;

(2) Members of Congress are required to provide justification for earmarks and, likewise, the executive branch should provide justification as to why earmarked funds are used for another purpose;

(3) our constituents are entitled to know, in advance, whether they will receive the full amount of an appropriation, so they can plan accordingly;

(4) the practice of skimming results in increased and unintentional spending in the Federal bureaucracy;

(5) the practice of widespread and unaccountable skimming is likely to result in artificially inflated appropriations requests in order to account for this skimming;

(6) full transparency with respect to skimming will lead to better decision-making by Members and staff when allocating constituent request amongst departments, agencies, and accounts; and

(7) accountability and transparency are vitally important to the legislative process.

(c) EARMARK.—In this section—

(1) the term ''assistance'' means budget authority, contract authority, loan authority, and other expenditures; and

(2) the term ''earmark'' means a provision that specifies the identity of a non-Federal entity to receive assistance and the amount of the assistance.

(d) DISCLOSURE AND REPORTING.—

(1) IN GENERAL.—Not later than January 31 of each year, each cabinet-level department and independent agency that administers a program for which funds are provided by this Act that contained an earmark in the preceding year shall report to Congress disclosing whether any portion of the earmarked funds in the preceding year were retained by the agency or any other organization tasked with distributing them.

(2) CONTENTS.—A report required by this subsection shall include an accounting of all funds retained including—

(A) how much money and the percentage retained;

(B) the purpose for which these retained funds were used;

(C) a justification for the purpose for which these funds were spent; and

(D) the authority by which the agency retained the funds.

SA 4892. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY'', up to $1,000,000 may be available for the Nanotechnology Program (Pe #0601103).

SA 4893. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 206, strike lines 10 through 16.

SA 4894. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Of the amount appropriated or otherwise made available by title III under the heading ''OTHER PROCUREMENT, ARMY'', up to $1,500,000 may be available for a Convoy Training Simulator for the Montana Army National Guard.

SA 4895. Ms. MIKULSKI (for herself, Mr. SARBANES, and Mr. DAYTON) proposed an amendment to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; as follows:

On page 218, between lines 6 and 7, insert the following:

SEC. 8109. None of the funds appropriated or otherwise made available by this Act may be used to enter into or carry out a contract for the performance by a contractor of any base operation support service at Walter Reed Army Medical Hospital pursuant to a private-public competition conducted under Office of Management and Budget Circular A–76 that was initiated on June 13, 2000, and has the solicitation number DADA 10–03–R–0001.

SA 4896. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Of the amount appropriated or otherwise made available by title IV under

the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY'', up to $1,000,000 may be available for legged mobility robotic research.

SA 4897. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. (a) ADDITIONAL AMOUNT FOR DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES.—The amount appropriated by title VI under the heading ''DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES'' is hereby increased by $700,000,000, with the amount of the increase designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent resolution on the budget for fiscal year 2007, as made applicable in the Senate by section 7035 of Public Law 109–234.

(b) AVAILABILITY.—Of the amount appropriated or otherwise made available by title VI under the heading ''DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES'', as increased by subsection (a), up to an additional $700,000,000 may be available to combat the growth of poppies in Afghanistan, to eliminate the production and trade of opium and heroin, and to prevent terrorists from using the proceeds for terrorist activities in Afghanistan, Iraq, and elsewhere.

(c) SUPPLEMENT NOT SUPPLANT.—The amount available under subsection (b) for the purpose set forth in that subsection is in addition to any other amounts available in this Act for that purpose.

SA 4898. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. (a) ADDITIONAL AMOUNT FOR DEPARTMENT OF DEFENSE.—The amount appropriated by this Act for the Department of Defense is hereby increased by $706,956,000, with the amount of the increase designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent resolution on the budget for fiscal year 2007, as made applicable in the Senate by section 7035 of Public Law 109–234.

(b) TRANSFER TO DEPARTMENT OF HOMELAND SECURITY.—The Secretary of Defense shall transfer the amount appropriated by the Act by reason of the increase made by subsection (a) to the Secretary of Homeland Security, who shall deposit the amount so transferred to the Research, Development, Acquisition and Operations subaccount of the Science and Technology account of the Department of Homeland Security. The amount so transferred shall be merged with amounts in that subaccount, and shall be available for the same purposes, and subject to the same conditions and limitations, as the amounts with which merged.

(c) AVAILABILITY OF CERTAIN FUNDS.—Of the amount transferred under subsection (b), not less than $100,000,000 shall be available for purposes of explosives detection and countermeasures.

SA 4899. Mr. VITTER (for himself and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense 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, add the following:

SECTION .

''None of the funds appropriated in this Act, or any other Act, may be used for the modernization of Naval and Marine Corps manpower, personnel, and pay information technology systems, including legacy systems, until the Department of Defense and the Department of the Navy have certified and validated that such systems selected by the Department of Defense and Department of the Navy for modernization are certified and validated by the General Accounting Office, with notification to the Congressional defense committees, that the funding baseline and milestone schedules for each of these systems covered by such a certification and validation shall include, at a minimum, the following with respect to each system: (1) business process reengineering; (2) an analysis of alternatives, including a detailed cost comparison versus the use of the Defense Integrated Military Human Resources Systems (DIMHRS); (3) an economic analysis that includes a calculation of the return on investment; (4) performance measures; and, (5) an information assurance strategy consistent with the Department's Global Information Grid.''

SA 4900. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Of the amounts appropriated or otherwise made available by this Act, up to $2,000,000 may be available for infrastructure for the Afghanistan military legal system.

SA 4901. Mr. LIEBERMAN (for himself and Mr. DODD) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE'', up to $1,500,000 may be available for the development of a field-deployable hydrogen fueling station.

SA 4902. Mr. CONRAD (for himself, Mr. DORGAN, and Mr. SALAZAR) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 230, beginning on line 15, strike ''$19,265,000'' and all that follows through line 16 and insert the following: ''$39,265,000, to remain available until September 30, 2008: *Provided*, That $20,000,000 of such funds is available only for the establishment of a unit dedicated to bringing to justice Osama bin Laden and other key leaders of al Qaeda: *Provided further*, That the Secretary of Defense shall, not later than 60 days after the date of the enactment of this Act, and every 90 days thereafter, submit to the congressional defense committees, the Committee on International Relations of the House of Representatives, and the Committee on Foreign Relations of the Senate a classified report on progress made by the operations in the global war on terrorism for which funding is provided in this Act, including an assessment of the likely current location of terrorist leaders, including Osama bin Laden and other key leaders of al Qaeda, a description of ongoing efforts to bring to justice such terrorists, a description of the cooperation provided by the governments of any countries assessed as likely locations of top leaders of al Qaeda and by other relevant countries, a description of diplomatic efforts currently being made to improve the cooperation of any such governments, and a description of the status of, and strategy for bringing to justice, perpetrators of terrorism including the top leadership of al Qaeda: *Provided further*, That the Secretary of Defense shall prepare such reports in consultation with other appropriate officials with regard to funds appropriated under this chapter: *Provided further*, That the amount provided under this heading is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress), as made applicable to the House of Representatives by H. Res. 818 (109th Congress) and is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent resolution on the budget for fiscal year 2007, as made applicable in the Senate by section 7035 of Public Law 109–234.''

SA 4903. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Of the amount appropriated or otherwise made available by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE'', up to $6,000,000 may be available as follows:

(1) $3,000,000 for bioterrorism protection research (PE #0601384BP).

(2) $3,000,000 for advanced protective gear for small-arms threats (PE #0601101E).

SA 4904. Mr. REID (for himself, Mr. DURBIN, Mrs. BOXER, Mrs. FEINSTEIN, Mr. BAYH, Mr. KENNEDY, Mr. LAUTENBERG, Mr. CARPER, Ms. MIKULSKI, Mr. KERRY, Mr. SCHUMER, Mr. LEVIN, Mr. HARKIN, Mrs. CLINTON, Mr. ROCKEFELLER, Mr. OBAMA, Mr. DORGAN, Mr. MENENDEZ, Ms. STABENOW, Mr. DAYTON, and Mr. DODD) proposed an amendment to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; as follows:

At the appropriate place insert the following:

SENSE OF THE SENATE ON THE NEED FOR A NEW DIRECTION IN IRAQ POLICY AND IN THE CIVILIAN LEADERSHIP OF THE DEPARTMENT OF DEFENSE

Findings

(1) U.S. forces have served honorably and courageously in Iraq, with over 2,600 brave Americans having made the ultimate sacrifice and over 20,000 wounded.

(2) The current ''stay the course'' policy in Iraq has made America less secure, reduced the readiness of our troops, and burdened America's taxpayers with over $300 billion in additional debt.

(3) With weekly attacks against American and Iraqi troops at their highest levels since the start of the war, and sectarian violence intensifying, it is clear that staying the course in Iraq is not a strategy for success.

Therefore it is the Sense of the Senate that:

(1) Our troops deserve and the American people expect the Bush Administration to provide competent civilian leadership and a true strategy for success in Iraq.

(2) President Bush needs to change course in Iraq to provide a strategy for success. One indication of a change of course would be to replace the current Secretary of Defense.

SA 4905. Mr. STEVENS (for Mr. LEVIN) proposed an amendment to the bill H.R. 2066, to amend title 40, United States Code, to establish a Federal Acquisition Service, to replace the General Supply Fund and the Information Technology Fund with an Acquisition Services Fund, and for other purposes; as follows:

At the end of the bill add the following:

SECTION 6. DISPOSAL OF FEDERAL SURPLUS PROPERTY TO HISTORIC LIGHT STATIONS.

Section 549(c)(3)(B) of title 40, United States Code, is amended—

(1) in clause (vii), by striking ''or'' after the semicolon;

(2) in clause (viii), by striking the period and inserting ''or''; and

(3) by adding at the end the following:

''(ix) a historic light station as defined under section 308(e)(2) of the National Historic Preservation Act (16 U.S.C. 470w–7(e)(2)), including a historic light station conveyed under subsection (b) of that section, notwithstanding the number of hours that the historic light station is open to the public.''.

SA 4906. Mr. ROCKEFELLER proposed an amendment to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; as follows:

On page 206, strike lines 10 through 16.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, September 6, 2006, at 10 a.m., to receive a briefing on the Army Field Manual on Interrogation.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 6, 2006, at 10 a.m., to conduct a hearing on ''Stock Options Backdating.''

The PRESIDING OFFICER. Without objection it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. STEVENS. Mr. President, I ask unanimous consent that on Wednesday, September 6, 2006, at 9:30 a.m. the Committee on Environment and Public Works be authorized to hold an oversight hearing to examine Federal renewable fuels programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Wednesday, September 6, 2006, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony at a hearing entitled, ''Executive Compensation: Backdating to the Future/Oversight of current issues regarding executive compensation including backdating of stock options; and tax treatment of executive compensation, retirement and benefits.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''Examining Competition in Group Health Care'' on Wednesday, September 6, 2006, at 11 a.m., in Dirksen Senate Office Building room 226.

Witness List

Panel I: The Honorable Tom Coburn, United States Senator, R–OK.

Panel II: Mr. Bruce McDonald, Deputy Assistant Attorney General, Antitrust Division, Department of Justice, Washington, DC; Mr. David Wales, Deputy Director, Bureau of Competition, Federal Trade Commission, Washington, DC; Dr. Mark Piasio, President, Pennsylvania Medical Society, Harrisburg, PA; Ms. Stephanie Kanwit, American Association of Health Plans, Washington, DC; Dr. Edward Langston, Chair-Elect, Board of Trustees, American Medical Association, Chicago, IL; Professor David Hyman, Professor of Law, Gallowich-Huizenga Faculty Scholar, University of Illinois College of Law, Champaign, IL.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''Judicial Nominations'' on Wednesday, September 6, 2006, at 2 p.m., in Dirksen Senate Office Building room 226.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 6, 2006, at 10:30 a.m., to hold a closed briefing.

THE PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Brianna Rodriguez of my staff be granted floor privileges for the duration of today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—S. 3861

Mr. STEVENS. Mr. President, I understand there is a bill at the desk, S. 3861, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (S. 3861) to facilitate bringing justice to terrorists and other unlawful enemy combatants through full and fair trials by military commissions, and for other purposes.

Mr. STEVENS. Mr. President, I ask for a second reading, and in order to place the bill on the calendar under rule XIV, I object to my own request.

The PRESIDING OFFICER. The bill will receive its second reading on the next legislative day.

GENERAL SERVICES ADMINISTRATION MODERNIZATION ACT

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 449, H.R. 2066.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2066) to amend title 40, United States Code, to establish a Federal Acquisition Service, to replace the General Supply Fund and the Information Technology Fund with an Acquisition Services Fund, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with amendments, as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

H.R. 2066

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 ''General Services Administration Modernization Act''.

SEC. 2. FEDERAL ACQUISITION SERVICE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Section 303 of title 40, United States Code, is amended to read as follows:

"§ 303. Federal Acquisition Service

''(a) ESTABLISHMENT.—There is established in the General Services Administration a Federal Acquisition Service. The Administrator of General Services shall appoint a Commissioner of the Federal Acquisition Service, who shall be the head of the Federal Acquisition Service.

''(b) FUNCTIONS.—Subject to the direction and control of the Administrator of General Services, the Commissioner of the Federal Acquisition Service shall be responsible for carrying out functions related to the uses for which the Acquisition Services Fund is authorized under section 321 of this title, including any functions that were carried out by the entities known as the Federal Supply Service and the Federal Technology Service and such other related functions as the Administrator considers appropriate.

''(c) REGIONAL EXECUTIVES.—The Administrator may appoint [up to five] Regional Executives in the Federal Acquisition Service, to carry out such functions within the Federal Acquisition Service as the Administrator considers appropriate.''.

(2) CLERICAL AMENDMENT.—The item relating to section 303 at the beginning of chapter 3 of such title is amended to read as follows:

''303. Federal Acquisition Service.''.

(b) EXECUTIVE SCHEDULE COMPENSATION.—Section 5316 of title 5, United States Code, is amended by striking ''Commissioner, Federal Supply Service, General Services Administration.'' and inserting the following:

''Commissioner, Federal Acquisition Service, General Services Administration.''.

(c) REFERENCES.—Any reference in any other Federal law, Executive order, rule, regulation, reorganization plan, or delegation of authority, or in any document—

(1) to the Federal Supply Service is deemed to refer to the Federal Acquisition Service;

(2) to the GSA Federal Technology Service is deemed to refer to the Federal Acquisition Service;

(3) to the Commissioner of the Federal Supply Service is deemed to refer to the Commissioner of the Federal Acquisition Service; and

(4) to the Commissioner of the GSA Federal Technology Service is deemed to refer to the Commissioner of the Federal Acquisition Service.

SEC. 3. ACQUISITION SERVICES FUND.

(a) ABOLISHMENT OF GENERAL SUPPLY FUND AND INFORMATION TECHNOLOGY FUND.—The General Supply Fund and the Information Technology Fund in the Treasury are hereby abolished.

(b) TRANSFERS.—Capital assets and balances remaining in the General Supply Fund and the Information Technology Fund as in existence immediately before this section takes effect shall be transferred to the Acquisition Services Fund and shall be merged with and be available for the purposes of the Acquisition Services Fund under section 321 of title 40, United States Code (as amended by this Act).

(c) ASSUMPTION OF OBLIGATIONS.—Any liabilities, commitments, and obligations of the General Supply Fund and the Information Technology Fund as in existence immediately before this section takes effect shall be assumed by the Acquisition Services Fund.

(d) EXISTENCE AND COMPOSITION OF ACQUISITION SERVICES FUND.—Subsections (a) and (b) of section 321 of title 40, United States Code, are amended to read as follows:

''(a) EXISTENCE.—The Acquisition Services Fund is a special fund in the Treasury.

''(b) COMPOSITION.—

''(1) IN GENERAL.—The Fund is composed of amounts authorized to be transferred to the Fund or otherwise made available to the Fund.

''(2) OTHER CREDITS.—The Fund shall be credited with all reimbursements, advances, and refunds or recoveries relating to personal property or services procured through the Fund, including—

''(A) the net proceeds of disposal of surplus personal property; and

''(B) receipts from carriers and others for loss of, or damage to, personal property; and

''(C) receipts from agencies charged fees pursuant to rates established by the Administrator.

''(3) COST AND CAPITAL REQUIREMENTS.—The Administrator shall determine the cost and capital requirements of the Fund for each fiscal year and shall develop a plan concerning such requirements in consultation with the Chief Financial Officer of the General Services Administration. Any change to the cost and capital requirements of the Fund for a fiscal year shall be approved by the Administrator. The Administrator shall establish rates to be charged agencies provided, or to be provided, supply of personal property and non-personal services through the Fund, in accordance with the plan.

''(4) DEPOSIT OF FEES.—Fees collected by the Administrator under section 313 of this title may be deposited in the Fund to be used for the purposes of the Fund.''.

(e) USES OF FUND.—Section 321(c) of such title is amended in paragraph (1)(A)—

(1) by striking ''and'' at the end of clause (i);

(2) by inserting ''and'' after the semicolon at the end of clause (ii); and

(3) by inserting after clause (ii) the following new clause:

''(iii) personal services related to the provision of information technology (as defined in section 11101(6) of this title);''.

(f) PAYMENT FOR PROPERTY AND SERVICES.—Section 321(d)(2)(A) of such title is amended—

(1) by striking ''and'' at the end of clause (iv);

(2) by redesignating clause (v) as clause (vi); and

(3) by inserting after clause (iv) the following new clause:

''(v) the cost of personal services employed directly in providing information technology (as defined in section 11101(6) of this title); and''.

(g) TRANSFER OF UNCOMMITTED BALANCES.—Subsection (f) of section 321 of such title is amended to read as follows:

''(f) TRANSFER OF UNCOMMITTED BALANCES.—Following the close of each fiscal year, after making provision for a sufficient level of inventory of personal property to meet the needs of Federal agencies, the replacement cost of motor vehicles, and other anticipated operating needs reflected in the cost and capital plan developed under subsection (b), the uncommitted balance of any funds remaining in the Fund shall be transferred to the general fund of the Treasury as miscellaneous receipts.''.

(h) CONFORMING AND CLERICAL AMENDMENTS.—

(1) Section 322 of such title is repealed.

(2) The heading for section 321 of such title is amended to read as follows:

"§ 321. Acquisition Services Fund".

(3) The table of sections for chapter 3 of such title is amended by striking the items relating to sections 321 and 322 and inserting the following:

''321. Acquisition Services Fund.''.

(4) Section 573 of such title is amended by striking ''General Supply Fund'' both places it appears and inserting ''Acquisition Services Fund''.

(5) Section 604(b) of such title is amended—

(A) in the heading, by striking ''**GENERAL SUPPLY FUND**'' and inserting ''**ACQUISITION SERVICES FUND**''; and

(B) in the text, by striking ''General Supply Fund'' and inserting ''Acquisition Services Fund''.

(6) Section 605 of such title is amended—

(A) in subsection (a)—

(i) in the heading, by striking ''**GENERAL SUPPLY FUND**'' and inserting ''**ACQUISITION SERVICES FUND**''; and

(ii) in the text, by striking ''General Supply Fund'' and inserting ''Acquisition Services Fund''; and

(B) in subsection (b)(2)—

(i) by striking ''321(f)(1)'' and inserting ''321(f)''; and

(ii) by striking ''General Supply Fund'' and inserting ''Acquisition Services Fund''.

SEC. 4. PROVISIONS RELATING TO ACQUISITION PERSONNEL.

Section 37 of the Office of Federal Procurement Policy Act (41 U.S.C. 433) is amended by adding at the end the following new subsections:

''(i) PROVISIONS RELATING TO REEMPLOYMENT.—

''(1) POLICIES AND PROCEDURES.—The head of each executive agency, after consultation with the Administrator and the Director of the Office of Personnel Management, shall establish policies and procedures under which the agency head may reemploy in an acquisition-related position (as described in subsection (g)(1)(A)) an individual receiving an annuity from the Civil Service Retirement and Disability Fund, on the basis of such individual's service, without discontinuing such annuity. The head of each executive agency shall keep the Administrator informed of the agency's use of this authority.

''(2) SERVICE NOT SUBJECT TO CSRS OR FERS.—An individual so reemployed shall not be considered an employee for the purposes of chapter 83 or 84 of title 5, United States Code.

''(3) CRITERIA FOR EXERCISE OF AUTHORITY.—Polices and procedures established pursuant to this subsection shall authorize the head of the executive agency, on a case-by-case basis, to continue an annuity if—

''(A) the unusually high or unique qualifications of an individual receiving an annuity from the Civil Service Retirement and Disability Fund on the basis of such individual's service, [or

''(B) a special need of the agency for the services of an employee,]

''(B) the exceptional difficulty in recruiting or retaining a qualified employee, or

''(C) a temporary emergency hiring need,

makes the reemployment of an individual essential.

''(4) REPORTING REQUIREMENT.—The Administrator shall submit annually to the Committee on Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the use of the authority under this subsection, including the number of employees reemployed under authority of this subsection.

''(5) SUNSET PROVISION.—The authority under this subsection shall expire on [December 31, 2011.] *December 31, 2011.*''.

[''(j) RETENTION BONUSES.—

[''(1) IN GENERAL.—The head of each executive agency, after consultation with the Administrator, shall establish policies and procedures under which the agency head may pay retention bonuses to employees holding acquisition-related positions (as described in subsection (g)(1)(A)) within such agency, except that the authority to pay a bonus under this subsection shall be available only if—

[''(A) the unusually high or unique qualifications of an employee or a special need of the agency for the services of an employee makes the retention of such employee essential; and

[''(B) the agency determines that, in the absence of such a bonus, it is likely that the employee would leave—

[''(i) the Federal service; or

[''(ii) for a different position in the Federal service under conditions described in regulations of the Office.

[''(2) SERVICE AGREEMENTS.—(A) Payment of a bonus under this subsection shall be contingent upon the employee entering into a written agreement with the agency to complete a period of service with the agency in return for the bonus.

[''(B)(i) The agreement shall include—

[''(I) the length of the period of service required;

[''(II) the bonus amount;

[''(III) the manner in which the bonus will be paid (as described in paragraph (3)(B)); and

[''(IV) any other terms and conditions of the bonus, including the terms and conditions governing the termination of an agreement.

[''(3) TERMS AND CONDITIONS.—A bonus under this subsection—

[''(A) may not exceed 50 percent of the basic pay of the employee;

[''(B) may be paid to an employee—

[''(i) in installments after completion of specified periods of service;

[''(ii) in a single lump sum at the end of the period of service required by the agreement; or

[''(iii) in any other manner mutually agreed to by the agency and the employee;

[''(C) is not part of the basic pay of the employee; and

[''(D) may not be paid to an employee who holds a position—

[''(i) appointment to which is by the President, by and with the advice and consent of the Senate;

[''(ii) in the Senior Executive Service as a noncareer appointee (as such term is defined under section 3132(a) of title 5, United States Code); or

[''(iii) which has been excepted from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character.''.]

SEC. 5. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect 60 days after the date of the enactment of this Act.

Mr. STEVENS. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to, the Levin amendment be agreed to, the bill as amended be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendments were agreed to.

The amendment (No. 4905) was agreed to, as follows:

At the end of the bill add the following:

SECTION 6. DISPOSAL OF FEDERAL SURPLUS PROPERTY TO HISTORIC LIGHT STATIONS.

Section 549(c)(3)(B) of title 40, United States Code, is amended—

(1) in clause (vii), by striking ''or'' after the semicolon;

(2) in clause (viii), by striking the period and inserting ''; or''; and

(3) by adding at the end of the following:

''(ix) a historic light station as defined under section 308(e)(2) of the National Historic Preservation Act (16 U.S.C. 470w–7(e)(2)), including a historic light station conveyed under subsection (b) of that section, notwithstanding the number of hours that the historic light station is open to the public.''.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 2066), as amended, was read the third time and passed; as follows:

(The bill will be printed in a future edition of the RECORD.)

NATIONAL LIFE INSURANCE AWARENESS MONTH

Mr. STEVENS. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 448 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk report will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 448) supporting the goals and ideals of ''National Life Insurance Awareness Month''.

There being no objection, the Senate proceeded to consider the resolution.

Mr. STEVENS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to the resolution be printed in the RECORD, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 448) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 448

Whereas life insurance is an essential part of a sound financial plan;

Whereas life insurance provides financial security for families by helping surviving members meet immediate and long-term financial obligations and objectives in the event of a premature death in their family;

Whereas approximately 68,000,000 United States citizens lack the adequate level of life insurance coverage needed to ensure a secure financial future for their loved ones;

Whereas life insurance products protect against the uncertainties of life by enabling individuals and families to manage the financial risks of premature death, disability, and long-term care;

Whereas individuals, families, and businesses can benefit from professional insurance and financial planning advice, including an assessment of their life insurance needs; and

Whereas numerous groups supporting life insurance have designated September 2006 as ''National Life Insurance Awareness Month'' as a means to encourage consumers to—

(1) become more aware of their life insurance needs;

(2) seek professional advice regarding life insurance; and

(3) take the actions necessary to achieve financial security for their loved ones: Now therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of ''National Life Insurance Awareness Month''; and

(2) calls on the Federal Government, States, localities, schools, nonprofit organizations, businesses, and the citizens of the United States to observe the month with appropriate programs and activities.

ORDERS FOR THURSDAY, SEPTEMBER 7, 2006

Mr. STEVENS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 9:30 a.m. on Thursday, September 7. I further ask that following the prayer and pledge, 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 the Senate then resume consideration of H.R. 5631, the Department of Defense appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. STEVENS. Mr. President, speaking for the leader, he believes we had a full day debating the Department of Defense appropriations bill. Tomorrow we will finish this bill. Therefore, Senators should expect rollcall votes throughout the day. The managers should be consulted about any outstanding amendments Senators would like to have considered. Senator CONRAD will be here first thing in the morning to offer an amendment.

Again, we will finish this bill tomorrow, and Members should anticipate a long day if needed to complete our work on this spending bill.

ORDER FOR RECESS

Mr. STEVENS. Mr. President, it is my understanding that Senator ROCKEFELLER has an amendment and a statement. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess under the previous order, following the remarks of Senator ROCKEFELLER.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007—Continued

Mr. ROCKEFELLER. Mr. President, I thank the distinguished Senator from Alaska. It is late, and I understand that. I rise to address something which is very important to me, and that is the Defense appropriations bill that may appear to many to be insignificant boilerplate language, when, in fact, is not that at all. Unfortunately, the provision has an enlarged significance in

this Congress as a result of the inexplicable and unpardonable failure of the Senate to do something that it has never done before, and that is to fail to pass intelligence authorizations for either fiscal year 2006 or fiscal year 2007.

Section 8086 of the Defense appropriations bill waives section 504 of the National Security Act of 1947 until the enactment of the Intelligence Authorization Act for fiscal year 2007. What does that mean? Section 504 provides, with limited exceptions, that no appropriated funds available may be obligated or expended for an intelligence activity unless those funds were specifically authorized by Congress; therefore, by the two Intelligence Committees.

This waiver is a standard part of the Defense appropriations bill. Until this Congress, it has served the acceptable function of allowing intelligence communities to begin spending money if the authorization bill is not completed before the beginning of the fiscal year. Under this waiver, as soon as the intelligence authorizations for any given year are enacted, that authorization language would control.

In this Congress, however, the boilerplate language has become the substitute for legislative authorization of intelligence activities because the majority leader, to be honest, has refused to bring the intelligence authorization bill to the floor for the past 2 years—for the past 2 years.

The Senate's failure to pass this critical national security legislation is unprecedented. Last year was the first time since the establishment of the congressional Intelligence Committees that the Senate failed to pass an annual authorization bill. From 1978 through 2004, the Senate had an unbroken, 27-year record of completing its work on this critical legislation. The intelligence authorization bill has been rightly considered, always, must-pass legislation. Regardless of who controlled the Senate, regardless of who controlled the White House, there was an understanding that the programs authorized by this bill were too important to not have the input of the Congress through the Intelligence Committees.

Unfortunately, because of an anonymous objection by a Republican Senator, the majority leader decided to let this important national security legislation die on the vine last year, for the first time, and he appears intent on doing so this year again. The result of this decision by the majority leader will be diminished authority for intelligence agencies to do their jobs of protecting Americans. It also will result in less effective oversight, which was essentially the 9/11 Commission's No. 1 call, and all of this at a time when the intelligence community is undergoing the biggest restructuring in its 50-year history.

The annual intelligence authorization is the primary mechanism which the Congress, through the Intelligence Committees, uses to provide guidance and support to America's intelligence agencies, the heart of our effort to protect America's national security.

At a time when our security depends so heavily on good intelligence, when our national security has been endangered by not depending sufficiently on good intelligence—or maybe the intelligence wasn't good when it should have been—and we are in the midst of reforming and modernizing our intelligence community, the Senate's failure to act on this legislation is absolutely inexplicable to this Senator and to virtually all the Members of the Intelligence Committees.

In reporting the resolution to establish the Intelligence Committee in May 1976, since the first chairman on our side was the Senator from Hawaii, Mr. INOUYE, the Committee on Government Operations back then wrote the following:

> An essential part of the new committee's jurisdiction will be authorization authority over the intelligence activities of the Department of Defense, the Department of State, the Federal Bureau of Investigation, and the Central Intelligence Agency. Without this authority, the new committee would not be assured the practical ability to monitor the activities of these agencies.

They wrote that back then—and that is:

> . . . to obtain full access to information which the committees must have to exercise control over the budgets of agencies in order to reduce waste and inefficiency, and to impose changes in agency practices.

That is what they said.

The failure of the Senate to pass intelligence authorization for 2 years threatens to erode the ability of the Intelligence Committee to carry out the mission assigned to it by the Senate. This failure has consequences both immediate and long term. Our intelligence agencies can continue executing the funding made available through the various appropriations bills but without any guidance as to what they should do from the Intelligence Committees.

I do not understand this.

The Appropriations Committee does an excellent job at providing resources for the intelligence agencies, what they need to operate on. But the roadmap for how the Congress expects those sources to be executed comes from the authorization bill—which seems to no longer exist. The sensitivity and importance of our Nation's intelligence programs makes congressional direction essential every single year. But the creation of an Office of the Director of National Intelligence in 2004, and the ongoing development of that office, makes the guidance even more important now.

The fiscal year 2006 authorization bill contains 17 separate provisions enhancing or clarifying the authority of the DNI. Those provisions included additional authority to promote information sharing, clarifying the DNI's role in managing human intelligence—all of these, easy to say and difficult to do—providing flexibility in the financing of national intelligence centers, how those centers were to be set up, and elevating the DNI Inspector General to a statutory position.

Those important provisions are now included in this fiscal year 2007 bill, and we should act on them as soon as possible. I do not think we are going to, but we should.

In the longer term, the Senate's inability to debate and act on this critical legislation will have a more lasting effect on congressional oversight. Both the 9/11 and the Robb-Silberman commission on weapons of mass destruction highlighted the importance of improving oversight as a necessary component of reforming our intelligence capabilities. Oversight.

The 9/11 Commission wrote:

> Of all our recommendations, strengthening Congressional oversight may be among the most difficult and most important.

In December 2004, the Senate took steps to strengthen the Senate Intelligence Committee by eliminating member term limits. That had been a long time coming. People were limited to 8 years. They just began to get up to speed and then they were off. Now that has changed. It is at the discretion of the majority leader and the minority leader.

We increased our staff and strengthened other procedures. But these improvements were in a sense a hollow victory. Since enactment of the reforms, the majority leader has emasculated the Intelligence Committee by denying it the central tool to carry out oversight, and that is the annual authorization bill which is called for under the law.

The majority leader's unwillingness to consider these bills is even more puzzling because of the bipartisan effort that has gone into their development on both sides of this House. Both the fiscal 2006 and 2007 bills passed the Intelligence Committee unanimously. Both were referred to the Armed Services Committee where they were again approved unanimously. Last year, the bill was also referred to the Homeland Security and Governmental Affairs Committee, which suggested changes that would have been included had we been discussing the bill along with suggestions from the administration in a managers' amendment.

Last year's bill and this year's bill contain legislation focused on four important areas about which I am going to talk briefly. I have already mentioned the numerous provisions relating to the authority and the operation of the Office of the DNI, the Director of National Intelligence. The bill also contains additional provisions to foster and improve information sharing and information access. Easy words, hard to do.

Section 310 establishes a pilot program giving the Intelligence Committee access to databases of other

nonintelligence agencies for the purpose of collecting intelligence on counterterrorism or weapons of mass destruction. While this bill sits on the calendar, that information is now outside the reach of the intelligence community.

Many of my colleagues have decried the seemingly endless stream of leaks of classified information. I join them in denouncing the leaks of sensitive material. The authorization bill includes provisions strengthening the authority of the DNI and the Director of the CIA to protect intelligence sources and methods. It also includes a provision, authored by Senator WYDEN and adopted by the committee unanimously, to increase the penalties for the unauthorized disclosure of a covert agent.

Finally, the authorization bill contains numerous provisions intended to improve oversight of the intelligence community, both from within and from the Congress itself.

Section 408 is interesting. Section 408 of the bill proposes the establishment of a statutory inspector general for the intelligence community. I have said that. The Intelligence Reform Act of 2004 took a first step toward that end by authorizing the Director of National Intelligence to appoint an inspector general within the Office of the Director. The DNI has done that, and I applaud him for doing so. But the bill will strengthen that position and make it more accountable to the Congress.

Section 434 of the bill strengthens accountability further and oversight of the technical agencies by providing that the heads of the National Security Agency, the National Reconnaissance Office, the National Geospatial-Intelligence Agency are to be appointed by the President with the Senate's advice and consent.

This is in the authorization bill, and if we were to pass it, this would become effective. I think it actually comes as a surprise to many of my colleagues that the head of an agency with as central a role in the intelligence community as the National Security Agency is not appointed with Senate confirmation. In fact, heads of the National Security Agency have customarily only gone through confirmation in connection with their military rank but not for their appointment to the position of the Director of NSA. That is not considered.

Section 107 of the bill, sponsored in committee by Senators LEVIN and HAGEL, seeks to improve the timely flow of information to the congressional Intelligence Committees. Similar language was included in the intelligence reform legislation that passed in the Senate in 2004 but did not survive the conference. I applaud Senators LEVIN and HAGEL for their efforts with respect to this issue.

There are other provisions requiring specific information, including a report on the implementation of the Detainee Treatment Act and a separate report on the possibility of existence of clandestine detention facilities. I am at a loss to understand what the objection to this legislation is. Maybe somebody does not like the enhancement of oversight. That is our job. That is why the committees were formed. Maybe somebody doesn't want the DNI to have more authority or maybe somebody thinks the Congress should not be getting timely access to information about intelligence programs that are so important. But let me remind all my colleagues that the authorization bill passed the Intelligence Committee unanimously. If somebody has a problem with a provision, bring up the bill, offer an amendment, debate, and vote. That is the way the Senate works.

AMENDMENT NO. 4906

Because of the importance of getting the authorization bill enacted and because I and all the members of the Senate Intelligence Committee have been totally unable to make any headway on this at all now for 2 years, and because I have concluded that it will once again be ignored by the majority leader, I send an amendment to the desk to strike section 8086 of the pending legislation, the fiscal year 2007 Department of Defense appropriations bill.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from West Virginia [Mr. ROCKEFELLER] proposes a amendment numbered 4906.

The amendment follows:

(Purpose: To strike the section specifically authorizing intelligence and intelligence-related activities)

On page 206, strike lines 10 through 16.

Mr. ROCKEFELLER. Mr. President, striking section 8086 would mean the following: that none of the funds in this bill could be spent for intelligence activities without an authorization bill. I do not know how else to do it. I am reluctant to take this step because I do not want our intelligence agencies to be caught without funding. But I see no other way to force the Senate to bring into the consciousness, the cerebral cortexes of the various Senators, that it is important to take up and pass authorization bills.

This legislation is too important to be allowed to languish in legislative limbo. I am at a loss to understand why the Senate cannot complete action. It would be in no one's interest to not complete this, not the Senate, not the Congress, not the intelligence community, nor would it be in the national security interest of the United States.

Democrats are more than willing to quickly debate and pass much needed national security legislation. Democrats know that it is essential that we permit the men and women of the intelligence agencies to continue their critical work on the front lines of the war in Iraq and the war on terror.

In the meantime, to the men and women of the intelligence agencies, I say that we stand with you. We are proud of your bravery and your patriotism, and we thank you for your sacrifice, working in silence, and in the shadows, against the threat that America faces.

(At the request of Mr. ROCKEFELLER, the following statement was ordered to be printed in the RECORD.)

FAILURE TO PASS AN INTELLIGENCE AUTHORIZATION BILL

• Mrs. FEINSTEIN. Mr. President, I join Vice Chairman ROCKEFELLER in calling for the Senate to take up and pass the Intelligence Authorization Act for Fiscal Year 2007. As has been said already, this legislation is the primary way in which the Congress directs the Nation's 16 intelligence agencies.

In writing this legislation, the Committee worked closely with the Director of National Intelligence, or DNI, to identify new authorities needed to protect our national security. The bill authorizes a pilot program to allow intelligence agencies to better share information that could help uncover and thwart a terrorist; empowers the DNI to build information-sharing systems across the Federal Government; and creates a strong inspector general for the intelligence community.

The bill also requires the intelligence community to explain how it is complying with the Detainee Treatment Act and provide Congress with information on any ''alleged clandestine detention facilities'' that it may be operating and continues the process of intelligence reform begun in 2004.

It is not surprising that the creation of the DNI and major organizational changes across the Government's national security apparatus left some things undone. This Intelligence authorization bill makes a number of small but useful changes to allow the DNI and the Nation's 16 intelligence agencies to operate on a day-to-day basis more effectively.

These are a few of the important provisions in this legislation. But here I would like to focus on language in the bill that was adopted on a bipartisan basis at committee. The provisions, sections 304 and 307 of the bill, ensure that the congressional Intelligence Committees are fully informed of all intelligence activities.

The National Security Act of 1947 requires the President to ''ensure that the congressional intelligence committees are kept fully and currently informed of the intelligence activities of the United States. . .''.

Even more than other committees, the Intelligence Committee relies on the executive branch to provide it with information. Without full and timely notification of intelligence programs, problems, and plans, the committee cannot judge whether agencies have adhered to the law, nor can we judge whether changes in authorities or resources are needed to better protect national security.

It was, in fact, Congress's lack of regular oversight that led to the creation

of the Senate Intelligence Committee in 1976. Following the Church Committee's report on Executive abuses, the Senate established the Committee to ''provide vigilant legislative oversight over the intelligence activities of the United States to assure that such activities are in conformity with the Constitution and laws of the United States.''

Thirty years after the Senate Intelligence Committee was created, however, it is not living up to its charge. Members of the committee are not provided with sufficient information on intelligence programs and activities to legislate or oversee to intelligence community. Provisions in the stalled legislation—the Intelligence authorization bill—would fix this problem.

A good example of how the system fails to work is the so-called Terrorist Surveillance Program, which was publicly revealed last December but which had not previously been briefed to the committees.

According to the White House, this National Security Agency program was too sensitive to be briefed to the 15 Senators on the committee—the 15 Senators hand-selected by the majority and minority leaders for this assignment.

Instead, the President and Vice President decided to inform only 8 of the 535 Members of Congress: the party leadership in both houses and the leadership of the two intelligence committees.

The National Security Act does provide for limited briefings to these eight Members of Congress but only for especially sensitive covert actions. The NSA program is not a covert action.

The administration also points to statute saying that it must take ''due regard for the protection from unauthorized disclosure of classified information relating to sensitive intelligence sources and methods or other exceptionally sensitive matters. . .''

The 1980 Senate report accompanying this ''due regard'' provision explained this provision more directly—and makes clear that it does not allow the administration to restrict information from the committee indefinitely as was done with the Terrorist Surveillance Program.

The report recognized ''that in extremely rare circumstances a need to preserve essential secrecy may result in a decision not to impart certain sensitive aspects of operations or collection programs to the oversight committees in order to protect extremely sensitive intelligence sources and methods.''

The ''due regard'' language that the administration cites was intended, at most, to limit briefings on the most sensitive aspects of operations, in extremely rare circumstances. It was also expected that withholding this sensitive information would be a temporary measure. This language was not intended to conceal the existence of entire programs from all committee members.

So in effect, the White House has broadly interpreted the National Security Act to void meeting its responsibility to inform Congress.

This Intelligence authorization bill's changes to the National Security Act close the loopholes but, in fact, are far more generous to the executive branch than many would like. The bill acknowledges that there are times when not all Members have to be ''fully and currently'' briefed on all intelligence matters. However, in those cases, it requires that all committee members receive a summary of the intelligence collection or covert action in question.

This arrangement would allow the intelligence agencies to protect the most sensitive details of sources and methods, but crucially, it would allow the full committee to assess the legality, costs and benefits, and advisability of an intelligence operation.

The authorization bill also changes a definition in the National Security Act to make clear that the requirement to keep the committees ''fully and currently informed'' means that all Members will be kept informed. Congress has allowed the intelligence community to brief only the chairman and vice chairman on too many programs for too long.

I do not need to remind my colleagues that full committees, not a single Democrat and Republican, vote to authorize programs and funding. All Members must be informed if they are to perform their Constitutional duties.

The pending authorization bill would make one additional change to what it means for an intelligence activity to be authorized by Congress.

Stemming from the wiretapping abuses in the 1970s and because of the special challenges to conducting oversight of classified programs, the National Security Act prohibits the use of appropriated funds for any intelligence activities unless they are authorized by Congress. The pending bill would specify that an activity can only be ''authorized'' if the members of the authorizing committees have been fully briefed on it—or given a summary in the especially sensitive cases I described before.●

RECESS UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 9:30 a.m. tomorrow.

Thereupon the Senate, at 9:25 p.m., recessed until Thursday, September 7, 2006, at 9:30 a.m.

NOMINATIONS

Executive nomination received by the Senate September 6, 2006:

DEPARTMENT OF THE TREASURY

ROBERT K. STEEL, OF CONNECTICUT, TO BE AN UNDER SECRETARY OF THE DEPARTMENT OF THE TREASURY, VICE RANDAL QUARLES.

EXTENSIONS OF REMARKS

HONORING VICTORIA GRAY ADAMS CIVIL RIGHTS LEGEND

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. THOMPSON of Mississippi. Mr. Speaker, I would like to recognize the life of an African-American civil rights legend, Mrs. Victoria Gray Adams. Victoria Gray Adams, civil rights activist, co-founded the Mississippi Freedom Democratic Party.

Victoria Gray Adams and fellow civil rights activist Fannie Lou Hamer and Annie Devine were chosen as the national spokespersons for the Mississippi Freedom Democratic Party and attended the 1964 Democratic Convention in Atlantic City, New Jersey. Though their efforts to unseat the all-white Mississippi delegation were unsuccessful, these pioneering women and other members of the Mississippi Freedom Democratic Party's decision to challenge the Mississippi Segregationist political machine resulted in an integrated Mississippi delegation at the 1968 Democratic Convention and became a turning point in the civil rights movement. Mrs. Adams gave account of her civil rights involvement in the documentary ''Standing on My Sisters Shoulders'', in which she recalls the day in 1968 that she along with Fannie Lou Hamer and Annie Devine were the first African-American women to ever be invited as guest on the floor of the U.S. House of Representatives. She and others were honored at the 2004 Democratic National Convention for their trailblazing spirit and contribution to the civil rights movement.

Mrs. Adams would later become the first woman from Mississippi to run for the United States Senate. Mrs. Adams helped change Mississippi politics significantly by guaranteeing a seat at the table to discuss the African-American agenda. Courageous and tenacious, Mrs. Adams had an unyielding commitment to the civil rights movement, and for that reason today Mississippi has the highest number of African-American elected officials in the nation.

After attending Wilberforce University for a year, Mrs. Adams returned to Hattiesburg, Mississippi where she taught voter registration classes in the early 1960s and her fight for equality began. While Hattiesburg was 30 percent African-American, only 50 citizens were allowed to register to vote. In 1962, Mrs. Adams dedicated herself to the civil rights movement when she became field secretary of the Student Nonviolent Coordinating Committee (SNCC). She would later move to Thailand and labor on behalf of African-American United States servicemen for several years.

In her own words, Mrs. Adams said she learned in 1964 that there were two kinds of people in grass-roots politics, ''those who are in the movement and those who have the movement in them.'' ''The movement is in me'', she said, and ''and I know it always be.''

Please join me today in honoring a true civil rights pioneer, Victoria Gray Adams.

HONORING LOUIS LAFAYETTE HUNTLEY

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to honor a great man whose life represents an American success story. Sadly, Louis Lafayette Huntley passed away, but he left behind a legacy of service for generations to follow. Mr. Huntley's life is a testament to commitment, faith and perseverance.

Louis Huntley grew up in a large family in Northeast Florida where he learned from his parents the hard work it takes to be successful in life. Following high school, he served in the U.S. Army for one year and after graduating from the University of Florida in 1950, he committed himself to over 40 years of service, first to the Florida National Guard and later to the Army Reserve until he retired as a Colonel in 1991.

In that same period, Mr. Huntley's distinguished himself in the Florida business community, going out on his own and starting his own business. By the time he sold it in 1990, Huntley's Jiffy Stores, Inc. had amassed 342 locations across Florida and Southeast Georgia. The success of his business endeavors was truly earned. This success translated into politics where he served as president of the Clay County Chamber of Commerce and as a Florida State Representative from 1964 to 1966.

Mr. Huntley's largest accomplishments, however, can be attributed to what he gave back to his family and community. Mr. Huntley was a great family man, with a loving wife, Mary, by his side for over a half-century. Together, they raised three children, Ward, Frank and Edith, who along with their nine grandchildren will carry on his legacy for generations to come. He loved to keep active with charities like the Boy Scouts of America and Rotary International, where he had a perfect attendance record for decades. He was also a man of deep Christian faith who employed his strong family values in his professional and personal life.

Mr. Huntley's life was successful not only because of his hard work and determination, but because he cared so much about those around him. Through innovation and leadership, he was able to create so much in his professional life, yet he still found time be a loving father and husband. He earned the respect and friendship from those that knew him; he will truly be missed.

I would like to send my condolences to his family and those mourning his loss. Although he will be greatly missed, his story will live on for others to follow.

PAYING TRIBUTE TO NEVADA STATE COLLEGE AND DR. FRED MARYANSKI

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor the students, faculty and administrators of Nevada State College's School of Nursing in Henderson, Nevada, for their tremendous achievements with their accelerated nursing program. Their achievements are a reflection of their commitment to our community. Dr. Fred Maryanski, President of Nevada State College, has been instrumental in Nevada State College's early success as Nevada's newest institution of public higher education. His leadership, commitment, and vision serves as a testimonial to the success of the college's nursing program.

Nevada State College first welcomed students in August of 2002. It has been charged with the mission to meet the needs of students who are interested in bachelor degrees in our state's much-needed fields such as nursing and education, as well as in other disciplines in the arts and sciences. Since that time, Nevada State College has committed resources, professors, and vision to ensure that their mission statement becomes a reality. For faculty and students, that dream has been achieved. On Saturday, August 26, 2006, twenty-nine students graduated from the college's Accelerated Nursing Program, a success which reflects the college's commitment to providing their students with the necessary resources to achieve their dreams. I would like to commend the following students on their graduation from Nevada State College's Accelerated Nursing Program: Nancy Andruk, Joyce Arce, Royal Bradley, Tatiana Brandon, Katherine Busby, Diandra Castenada, Perla Cisco, Themis De Guzman, Tobyn Derby-Talbot, Andi Del Gatto, Catherine Dullano, Crisandra Eastmond, Raul Ellazar, Desiree Espinoza, Diane Graham, Kathryn Havey, Lynda Hubeny, Marianne Jackson, Brigitte Lacombe, Jeanette Long, Eudora Mordi, Eleanor Mox, Milagros Navarro, Bette-Ann Pierce, Sayma Salman, Dawn Scott, Nicole Thomas, Chantal Whittenberg, Bethany Williams, and Samantha Zomar.

As a result of Dr. Maryanski's tremendous leadership, his faculty's commitment to their goals, and his students' determination to succeed, Nevada State College has become an important component of Nevada's educational system. Dr. Maryanski assumed the presidency of the college in 2005, after a long and distinguished career at one of our country's leading public universities, the University of Connecticut. Since his arrival, President Maryanski has been working in partnership with the Nevada System of Higher Education to triple the number of nursing graduates by 2013.

Mr. Speaker, I am proud to honor Dr. Fred Maryanski, President of Nevada State College

and the students of the Accelerated Nursing Program. Nevada State is making a tremendous difference throughout Southern Nevada, and the Nursing Program is helping to provide skilled workers to the health services across the state. I applaud Nevada State College's efforts and wish them the best in their future endeavors.

CONGRATULATING MISTY PENA

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Misty Pena of North Richland Hills, Texas, on receiving the venerated 2006 Presidential Freedom Scholarship. As a recipient of this prestigious award, she is recognized for her outstanding leadership and commitment to servicing of her community and its residents.

The Presidential Freedom Scholarship program, sponsored by the Corporation for National and Community Service and administered by Learn and Serve America, honors select high school juniors and seniors, displaying exceptional service and citizenship, with a $1,000 scholarship to the college of their choice. To be eligible for nomination, individuals must have completed at least 100 hours of community service and receive the recommendation of their high school.

Mr. Speaker, I extend my sincere congratulations to Misty Pena on receiving this award and commend her dedication and desire to help her school, community, and country.

TRIBUTE TO REX GUYNN OF ZEPHYRHILLS, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to recognize the accomplishments of a distinguished constituent, Rex Guynn of Zephyrhills, Florida. Rex served as the acting fire chief and recently retired after 21 years of service.

Following his service in the U.S. Army, Rex began his career in 1985 as a firefighter. He quickly rose through the ranks to become a driver engineer, captain, fire inspector, assistant chief and acting chief in June 2006.

An avid runner throughout his life, Rex ran track as a kid and has completed marathons as an adult. In his free time, Rex enjoys hunting, fishing, golfing, motorcycle riding and praising the Lord. A member of the CARES Board that governs the senior center, Rex is also a faithful member of the Oasis Church where he serves as a missionary. Rex also is a member of the Florida Fire Marshal's Association, Prison Ministry, Christian Motorcycle Association, and the Rotary Club.

Rex and his wife, Melinda, have one son, Ryan, and one stepson, Blake. They lost a third son, Aaron, in a motorcycle accident after his military service in Iraq. Following Rex's last official day with the city on August 11, 2006, he and Melinda will travel to Uganda, Africa, and spread the word of the Lord as missionaries.

Mr. Speaker, Rex Guynn has served the Zephyrhills community with distinction for 21 years. It is a testament to his desire to serve that he and his wife will continue their missionary work following his retirement. I commend Rex for his service and congratulate him on his retirement from the Zephyrhills Fire Department.

IN HONOR AND RECOGNITION OF GREGORY JACKSON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. KUCINICH. Mr. Speaker, I rise in tribute and recognition of Gregory D. Jackson, Fire Chief of Bay Village, Ohio. Mr. Jackson is retiring after serving and protecting the people of Bay Village for over 33 years.

Gregory Jackson served our country as a member of the U.S. Air Force in Korea. Upon his return from military service, Mr. Jackson became a firefighter, working at NASA's Lewis Research Center in Cleveland, Ohio, before joining the Bay Village division in September 1972.

During his career, Jackson became one of the first firefighters trained as a paramedic. In 1976, he helped create the WeShare—West Shore Area Rescue program—that raised the standards of fire fighting skills. Mr. Jackson volunteered countless hours as an Emergency Medical Technician and fire academy instructor, training future generations of emergency responders. With a genuine concern for his community, it is no surprise that Jackson was also involved in the establishment of a centralized emergency response center for nearby suburbs.

In August 1979, Jackson was sworn in as fire chief. His tenure is the longest in Bay Village's history. Throughout his career, his wife, Kim; daughters, Michelle and Connie; and the people of his community have been thankful for his leadership.

Mr. Speaker, please join me in tribute and recognition of a man whose career has been spent sacrificing his own safety, for the safety of others. His commitment to the protection of the people of northeast Ohio will be missed tremendously. May he enjoy a retirement filled with happiness and good health.

IN HONOR OF JOE HALL

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. FARR. Mr. Speaker, I rise today to honor the achievements of Joe Hall, who has recently retired after serving the citizens of Santa Cruz in various capacities since 1973.

Joe is best known in my office as the steward of the San Lorenzo River Flood Control Project, an effort on which we have worked together since I began my service in Congress and is finally nearing completion.

Through his hard work in the City of Santa Cruz Planning Department and later as assistant director of the Santa Cruz Redevelopment Agency, Joe worked tirelessly to corral the resources of local, State, and Federal agencies toward a project that will provide vital flood protection to the residents and businesses of Santa Cruz.

He was the primary source of information for me as I advocated for the project in Washington, and I know he is as proud of the success of this project as I am.

There is no doubt that the 1989 Loma Prieta earthquake is the defining moment for a generation of Santa Cruz residents, and Joe played an integral role in the miraculous redevelopment of a downtown that was literally leveled by the quake.

It might have been an accepted idea at the time to forget about downtown Santa Cruz and redevelop an economic base elsewhere in the area, but the visionary work of Redevelopment Director Ceil Cirillo, Joe, and other city officials led to an amazing rebirth in downtown that continues today.

Joe also was instrumental in the creation of legislation on the State level that provided a special bond financing mechanism to assist with the seismic retrofit of older buildings. While the legislation was approved too late to help Santa Cruz, other California cities have since benefited from Joe's ideas.

While Joe has been an outstanding employee of the city of Santa Cruz since 1973, he has also served the Santa Cruz community in a number of other capacities, including president of the board of education, a public affairs talk show host for a local public radio station, and an instructor in city planning at Cabrillo College.

And while Santa Cruz may have benefited most from Joe's good works, he has also served his country with honor and dignity. Commissioned as a second lieutenant in the United States Army upon his graduation from UCLA, Joe served as a training officer for the U.S. Army Electronic Command and in 1996 he retired from the U.S. Army as a lieutenant colonel.

I am certain that I have not heard the last from Joe, as I expect he will remain an active member of the community, but I do want to wish he, his wife Marcella, and his children Eric and Christine, the best as they enter this exciting new chapter.

A SALUTE TO REGINA CARTER

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. CONYERS. Mr. Speaker, as Dean of the Congressional Black Caucus, and Chairman of the Jazz Forum and Concert that occurs during the Congressional Black Caucus Foundation's Annual Legislative Conference, I rise to salute the achievements of violinist Regina Carter, a rising star in the field of jazz. The following biography is found on Stephanie Jordan's own web site. It chronicles a career of accomplishment already deserving of high recognition, and of this body's thoughtful attention and respect:

Regina Carter's immersion in music began at the age of 2 when she took up piano followed by violin at the age of 4. Forever indebted to the Suzuki method of music teaching, the approach freed her from the rigid restraints of solely reading music and opened

her to the wonders of improvisation. Though her original focus was classical music, with the hope of being a soloist with a major symphony, the pull of Detroit's rich soul music legacy and the discovery of jazz broadened her horizons.

Regina attended Detroit's prestigious Cass Technical High School. Upon graduating, she departed for the New England Conservatory of Music, only to return to Michigan's Oakland University, seasoning her chops by gigging with several local musicians. She later joined the attention-grabbing all-female quartet Straight Ahead which recorded two albums for Atlantic Records. Carter departed the band in 1994, recording two solo albums for Atlantic while also making the most of her newfound New York connections by working with the likes of the String Trio of New York, Muhal Richard Abrams, and Greg Tate and the Black Rock Coalition.

Carter joined Verve Records in 1998 and has since recorded four critically acclaimed works of astounding maturity and variety: Rhythms of the Heart, Motor City Moments, (also produced by John Clayton), and Paganini: After a Dream (for which she made history by being the first African American and jazz musician to travel to Genoa, Italy to perform and record with the legendary Guarneri del Gesu violin owned by classical music virtuoso Niccolo Paganini), and a duet project with pianist Kenny Barron entitled Freefall. Her playing has also graced work that includes filmmaker Ken Burns' soundtrack for the PBS documentary, Jazz. Wynton Marsalis' opera Blood on the Fields; Cassandra Wilson's tribute to Miles Davis, Traveling Miles; and the queen of hip-hop soul Mary J. Blige. In the summer of 2006, Regina will join Latin Jazz pianist Eddie Palmieri for some dates related to his latest recording, the Grammy award-winning, Listen Here, on which she was also a guest.

Among her personal accomplishments is work she has done to spread the love of music to others, something that is touched upon in her one original composition on I'll Be Seeing You. John Clayton always insists that I write at least one original piece on every album'' she says ''I chose 'How Ruth Felt,' which is a commissioned piece that I wrote for a woman named Ruth Felt, President of San Francisco Performances, and Arts organization in San Francisco. I spent some time as an Artist-in-Residence there, teaching music to disadvantaged children and spreading the joy of music to people in community centers and churches around the Bay area. Ruth helped me tremendously while I was dealing with my mother's illness. I included 'How Ruth Felt' on my album as a way to say, 'Thank you.' ''

Now Regina Carter is looking forward to a brighter 2006, filled with sharing the memory of her mother and the music of I'll Be Seeing You: A Sentimental Journey with people in a live context. ''When I perform now, she shares, ''I feel different when I go on stage . . . stronger . . . like I've gone through something and really lived! I still get nervous, but all of those negative, critical voices that I used to hear in my head are gone. I think that's my mother . . . making me realize that none of that is important. This is my stage . . . It's what I do . . . and I'm having a good time.''

200TH ANNIVERSARY OF THE TOWN OF OTISCO CELEBRATED ON AUGUST 12, 2006

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. WALSH. Mr. Speaker, I rise today to recognize the 200th anniversary of the Town of Otisco. Tucked away in Central New York, the Town of Otisco was formed from parts of the neighboring towns of Pompey, Marcellus, and Tully. Over its storied 200 years, the Town of Otisco has gone through many changes: In 1798, Oliver Tuttle was the first settler in Otisco, clearing land with his sons on the north end of Otisco Lake. Tuttle left, only to return with his entire family 4 years later. The Town of Otisco was officially created in 1806, as more settlers began to call the area home. As the population grew, the town began to experience changes such as the creation of a turnpike road started in 1806 to connect the Town of Otisco to the Town of Skaneateles.

Otisco has contributed its part to our nation. There are 42 Revolutionary soldiers and 57 Civil War soldiers buried in the town, all of whom called Otisco home. Otisco also had nine soldiers in the War of 1812, 22 soldiers in WWI, and 26 soldiers in WWII.

The town's population has slowly grown from 1,850 in the mid-19th century to 2,500 in 2000. Blessed by a pristine landscape and the beauty of Otisco Lake, the town provides a throwback feeling to the old days of small town living. To this day, farming is at the center of life in Otisco, and the lake is still the main area for activity.

On behalf of the constituents of the 25th District of New York, I congratulate the Town of Otisco and its citizens, both past and present, on 200 years of history.

HONORING DR. CLINTON BRISTOW, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. THOMPSON of Mississippi. Mr. Speaker, I would like to recognize the life of Dr. Clinton Bristow, Jr., president of Alcorn State University.

Dr. Bristow, 57, became president of Alcorn State University, one of three Historically Black public Universities in Mississippi, on August 24, 1995. Prior to becoming president of Alcorn State University and 11 years of service and leadership, Dr. Bristow served as president of the Chicago Board of Education, dean of the College of Business at Chicago State University, and vice president at Olive-Harvey College in Chicago.

Dr. Bristow was committed to increasing the percentage of minority students attending graduate and professional school and increasing the public's awareness and appreciation of the value and contributions to society by land grant universities through their research, extension programs, and overall excellence. Under Dr. Bristow's direction, Alcorn doubled the percentage of students attending graduate/professional school, improved retention and established a faculty research incentive program to enhance research in the life sciences, where the university has become a national leader in the production of African-American baccalaureate graduates in the life and agricultural sciences.

President Bristow was a visionary who worked closely with the administration and the community to move Alcorn forward academically. He referred to Alcorn State University, a college of 3,500 students situated in rural Mississippi as the ''Academic Resort'' and ''Communiversity.'' He believed in quality education and made a difference in the lives of each of his students and believed that each student could make a difference in the world. The students were inspired by his passion for education and his belief in the success of their careers. Dr. Bristow cared deeply for the students and felt personally responsible for their education and stressed the importance of graduate and professional schools. He established relationships with universities in several countries and was responsible for implementing exchange programs and increasing the number of international student enrollment. President Bristow understood the needs of the university and the Alcorn community and used his shrewd business sense to help secure Federal funds to improve the ''face'' of Alcorn State's campus.

Dr. Bristow earned a B.A., J.D. and Ph.D. degrees from Northwestern University in Evanston, Illinois, and an MBA from Governors State University in University Park, Illinois.

The contributions Dr. Clinton Bristow, Jr. made to Alcorn State University will never be forgotten. He touched the lives of many students and alumni throughout his 11 year tenure as president of Alcorn and will truly be missed by the university, community, and his colleagues throughout the country. Please join me today in honoring the remarkable life of Dr. Clinton Bristow, Jr.

HONORING RABBI SOLOMON SCHIFF

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to honor Rabbi Solomon Schiff on the occasion of his retirement as Director of the Greater Miami Jewish Federation's Community Chaplaincy Service, and as executive vice president of the Rabbinical Association of Greater Miami. The entire South Florida community has benefited from his more than 40 years of outstanding community service.

Rabbi Schiff has become one of the most recognizable members of the south Florida Jewish community, and his tremendous influence extends far beyond the Jewish people. As a spiritual advisor, an interfaith liaison, and a dedicated community leader, he has truly touched the lives of countless individuals representing all religious persuasions and backgrounds. Anyone having met Rabbi Schiff can attest to his love of his fellow man, his desire to make the world a kinder and gentler place, and his ability to bring people of all faiths and political persuasions together.

Rabbi Schiff has been called upon several times to offer prayers both in the House of

Representatives and the Senate. In 1992, President George H. W. Bush appointed Rabbi Schiff to serve on the "We Will Rebuild Committee." This committee helped restore the areas in south Florida that were severely damaged by Hurricane Andrew. Lawton Chiles, the late Governor of Florida, appointed Rabbi Schiff to serve on a task force to examine the problems of the homeless. Thanks to that task force, two new homeless assistance centers were created in Miami-Dade County alone. More recently, Florida Governor Jeb Bush invited Rabbi Schiff to serve on his Faith-Based Advisory Board.

Rabbi Schiff is known and admired for treating everyone with equal dignity and respect. He has always found time in his schedule to visit as many in need as possible, from ill hospital patients to the homeless. His spiritual guidance is an enduring legacy to the countless individuals he has encountered throughout his career.

Although Rabbi Schiff has won numerous awards, and has served on many local and national committees, the greatest honor he has ever received is the love and support of his family. He and his wife, Shirley, have three grown sons, Elliot, Jeffrey and Steven, and they are the proud grandparents of seven grandchildren. I wish him well as he begins this new chapter in his life, and we all celebrate his many remarkable achievements.

PAYING TRIBUTE TO ROBERT A. GERYE

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. PORTER. Speaker, I rise today to honor Robert A. Gerye for his tireless work to enhance the educational experience of the children of Clark County.

Bob Gerye has been an educator for nearly 30 years. He received his bachelors degree in English education from Washburn University in Topeka, Kansas, and his graduate and postgraduate degrees from the University of Kansas. He taught English on the college level for several years in Kansas before becoming a secondary education administrator.

Mr. Gerye moved to Las Vegas in 1992. He was the founding principal of the Las Vegas Academy of International Studies, Performing and Visual Arts, which opened in 1993. The Las Vegas Academy was the first academic, dedicated magnet school in the Clark County School District. Mr. Gerye developed and implemented an innovative curriculum which offered students the opportunity to select a major area of study from one of the academy's seven programs and take classes in a college-style block format. During Mr. Gerye's tenure as principal, the Las Vegas Academy was recognized on several occasions at both the State and the national level. In November 2000, the U.S. Department of Education honored the academy as a "New American High School," recognizing it as one of the top high schools in the United States. In October 2002, the academy was again honored by the U.S. Department of Education when it was named a "Blue Ribbon School." In March 2003, the Las Vegas Academy received the Governor's Arts Awards in Education from the State of Nevada in recognition of its outstanding arts education programs.

As a result of his many successes as an educator, Bob has received numerous accolades. In 1998, Bob received the Community Achievement Award in Education from the Las Vegas Chamber of Commerce for his work at the Las Vegas Academy. In 2000, the Clark County School District inducted Bob into the Excellence in Education Hall of Fame. In 2004, he was named the Nevada High School Principal of the Year by the National Association of Secondary Schools Principals and was a finalist for the National Principal of the Year Award. Mr. Gerye has also received the Jeffrey Lawrence Lifetime Achievement Award for Arts Education, and the Washburn University Alumni Fellows Award for Lifetime Achievement in Education.

In 2003, Bob was selected by the Clark County School District to plan and implement the first Smaller Learning Communities/Career Academy comprehensive high school in the District. As a result of Bob Gerye's strong leadership and his commitment to excellence in education, Spring Valley High School has demonstrated overwhelming success in overcoming many of the challenges faced by a brand new school with a brand new educational structure.

Mr. Speaker, I am proud to honor Robert A. Gerye for his contributions to education. He has dedicated his career to improving the quality and the availability of education. His enthusiastic and innovative approach has helped his students reach heights of achievement. Bob Gerye has made a profound difference in our community and we are most fortunate to have such a gifted educator and administrator in the Clark County School District. I applaud his many successes and I wish him the very best as he continues to serve the cause of education.

CONGRATULATING MARC BELLE

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Marc Belle of Flower Mound, Texas, on receiving the venerated 2006 Presidential Freedom Scholarship. As a recipient of this prestigious award, he is recognized for his outstanding leadership and commitment to servicing of his community and its residents.

The Presidential Freedom Scholarship program, sponsored by the Corporation for National and Community Service and administered by Learn and Serve America, honors select high school juniors and seniors, displaying exceptional service and citizenship, with a $1,000 scholarship to the college of their choice. To be eligible for nomination, individuals must have completed at least one hundred hours of community service and receive the recommendation of their high school.

Mr. Speaker, I extend my sincere congratulations to Marc Belle on receiving this award and commend his dedication and desire to help his school, community and country.

TRIBUTE TO CAPT. CHRISTOPHER PATE OF BEAVERTON, OREGON

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to honor an American soldier who gave his life in service to our Nation.

U.S. Marine Captain Christopher Pate of Beaverton, Oregon was killed in action during operations in Iraq. Captain Pate is survived by his parents, Jerry and Kathy Pate of Lady Lake, Florida, and a fiancee, Margaret Stearns.

While on patrol in Iraq, Captain Pate's patrol was struck by an improvised explosive device, ripping through his unit. Using his dying words to radio for medical assistance, Captain Pate's bravery and actions most likely saved the lives of two other soldiers severely wounded in the attack.

Joining the Marines in 1999, Chris Pate achieved the rank of Captain in July, 2004. Stationed at Camp Lejeune, North Carolina, he was assigned to the 2nd Naval Gunfire Liaison Company, 2nd Marine Expeditionary Force. Serving in Okinawa, Korea, Thailand, South America and Yemen, Captain Pate eventually volunteered for two tours in Iraq.

A modern day renaissance man, Captain Pate will be remembered for his love of languages, his sense of adventure and a desire for knowledge. Having paddeled up the Amazon, spent time in a monastary, studied esoteric Eastern religions, and learned Spanish, German and Arabic, he was well on his way to achieving his dreams. Scheduled to return from Iraq in November, Captain Pate and his finacee were planning their wedding ceremony and anticipating a move to Washington, D.C.

Mr. Speaker, it is soldiers like Captain Pate who have volunteered to protect the freedoms that all Americans hold dear. While brave men and women like Chris have perished in the name of freedom and liberty, his family, friends and loved ones should know that this Congress will never forget his sacrifice and commitment.

IN HONOR AND RECOGNITION OF HERMAN BOONE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in tribute and recognition of Herman Boone. As a high school football coach in Alexandria, Virginia, Mr. Boone inspired players to set aside racial differences and unite into one of the most successful teams in Virginia's history.

In 1971, Mr. Boone was named head football coach of TC Williams High School, a high school recently formed from smaller, segregated schools. In order to promote cooperation and teamwork, Mr. Boone used a game plan that was as strong on the field as off the field. Mr. Boone's leadership and love of the game led his team to an undefeated, 13–0 season. But his most memorable win was helping the community of Alexandria traverse

a racial divide. Mr. Boone's affect on the people of once segregated towns was an unconscious one, fueled by his willingness to put prejudice aside and cooperate with coaches and players from white schools. With an open mind, Mr. Boone set the standard and fans followed.

Today, Mr. Boone travels the country as an inspirational speaker. His story, which inspired the Disney movie, "Remember the Titans", has been brought to northeast Ohio. Mr. Boone will be honored at the 40th anniversary luncheon of the West Side Ecumenical Ministry this month.

Mr. Speaker and colleagues, please join me in tribute and recognition of Herman Boone. His leadership as a high school football coach tackled the challenge of racism. Now more than 30 years later, he continues to lead players, coaches, and teams to victory through his message of persistence and teamwork.

IN HONOR OF DR. ARNOLD MANOR

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. FARR. Mr. Speaker, I rise today to honor Dr. Arnold Manor of Carmel Valley, California who passed away on June 2, 2006, after an extraordinary 96 years working to make the world a better place. Dr. Manor lived his life to its fullest, selflessly serving others and living an impressive and honorable life that serves as an example for all Americans to follow. His love of life and his dedication to helping others will be missed by all. I offer his wife Dorothy, daughter Susan, and the rest of Dr. Manor's family my deepest condolences.

A pioneer in our local community, Dr. Manor became the first professional to specialize in Obstetrics and Gynecology on the Monterey Peninsula beginning in 1938. Over the course of his 52–year medical career, he helped deliver over 7,500 babies into this world. Dr. Manor was committed to giving his patients the utmost care and respect and his interactions with his patients serve as an example for other medical practitioners to follow. In addition to his medical practice, Dr. Manor served as one of the leaders during the planning and construction of the Community Hospital of the Monterey Peninsula.

Along with his dedication for caring for others in the medicinal world, Dr. Manor donated much of his time to various noteworthy nonprofit boards throughout the community. Dr. Arnold served as chairman for the Monterey Urban Renewal Agency, the Carmel Bach Festival, the Carmel Music Society, the Devereux Foundation, and the Gateway Center, just to name a few. One of Dr. Manor's most lasting marks on our community was his leadership at the Monterey Peninsula College.

Dr. Manor lived his life to its fullest and shared his kindness with all who were fortunate to meet him. He is remembered by friends as one whose life was enriched by his love of music, reading, and nature. In his final decade, Dr. Manor frequently enjoyed the company of his hiking companions in the Haasis Hikers group. Dr. Manor brought out the best in people, working amicably and productively, never seeking praise or reward for his honorable work.

Mr. Speaker, in short, our country has lost a remarkable citizen. While Dr. Arnold may no longer be with us, his memory and life's work will carry on in all those whose lives he touched. I regret that Dr. Manor was unable to be in every city in our country, because our society grew greater and kinder with every person he touched. On behalf of the United States Congress, it is my privilege to honor the life of Dr. Arnold Manor, and I join his family, friends, and communities of the Monterey Peninsula in mourning the loss of this truly great American.

A SALUTE TO MARLON JORDAN

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. CONYERS. Mr. Speaker, as Dean of the Congressional Black Caucus, and Chairman of the Jazz Forum and Concert that occurs during the Congressional Black Caucus Foundation's Annual Legislative Conference, I rise to salute the achievements of trumpeter Marlon Jordan, a rising star in the field of jazz. The following biography is found on Marlon Jordan's own web site. It chronicles a career of accomplishment already deserving of high recognition, and of this body's thoughtful attention and respect.

Marlon Jordan is the youngest of seven children of musician-educator Edward Jordan and Edvidge Jordan, a classical pianist. "I started out playing saxophone, violin and drums," says Marlon, "but the trumpet was the instrument that stuck with me." Marlon recalls his father literally taking him on the bandstand "even before I really knew how to play. He'd introduce me to all the musicians, and they'd call me up on the stand. They'd say, 'Come on. That's Kidd's son. Let him play.' "

As he continued his musical studies he had the day to day inspiration of Wynton Marsalis, Terence Blanchard, and many others to draw on. The young musicians often hung out at the Jordan household where they would practice music with Kent Jordan and take lessons from Edward Jordan. Marlon graduated from the famed NOCCA (New Orleans Center for the Creative Arts).

An accomplished classical musician as well, Marlon has performed solo with the New Orleans Symphony Orchestra. But his true joy is his constant performance in the streets and nightclubs of New Orleans and Brazil.

His debut album "For You Only," released by Columbia Records was the source of unanimous praise from the press. It was named "one of the best debut albums of the year" by the Washington Post. Following the debut album's release, Marlon took his quintet on the road. They joined Wynton Marsalis, Miles Davis and George Benson as a headlining act in a series of JVC Festival dates (produced by George Wein) in Atlanta, Dallas and other cities. They also played in some of the country's top jazz clubs, including the Blue Note and the Ritz, as well as in concerts ranging from New York's Avery Fisher Hall to Binghamton University.

Marlon understood that his continued growth as a musician depended on his ability to stake out his own musical ground, and not just to play standards. Following up on his own ideas, he wrote five of the tunes on his second Columbia release "Learson's Return" (April 1991). Following a series of quintet dates immediately following the album's release in the spring of '91 (highlighted by a run at the Village Vanguard), Marlon joined up with "Jazz Futures"—George Wein's brilliantly-conceived "supergroup" of "Young Lions"—virtually playing every major jazz festival and outdoor "shed" on the circuit.

Mr. Speaker, latest release, "You Don't Know What Love Is," features his sister, vocalist Stephanie Jordan. Marlon, Stephanie and another sister, violinist Rachel Jordan, will be performing together on September 7, 2006, at the Jazz Forum and Concert that I will host during the Congressional Black Caucus Foundation's 36th Annual Legislative Conference. I urge all of you, and those who love real jazz to attend.

TRIBUTE TO MR. RALPH CONTE

HON. JAMES T. WALSH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. WALSH. Mr. Speaker, I rise today to honor Mr. Ralph Conte, who recently retired as Chief of the Civil Engineering Facility Programming Branch Air National Guard. Ralph attained this position in 1990, assuming the duties as lead engineering programmer for the National Guard, providing infallible advice, council, and programming decisions.

Ralph was born in 1940 in Ponza, Italy, a small Mediterranean island off the coast of Anzio. He lived his early years as a citizen of Italy, playing with childhood friends and attending the Italian school system, which at that time was limited to the 5th grade. This academic level is comparable to an American 9th grade education.

Ralph immigrated to America in 1956 with mother and brother; joining his father who had left Italy for the United States in 1954. The trip from Naples to New York Harbor took 7 days on the grand dame of the sea, the Andrea Doria. This was the Andrea Doria's second to last trip before her horrific collision and sinking of July 25, 1956. Upon arriving in the United States, the Conte family settled in White Plains, New York, where Ralph became a naturalized U.S. citizen in July 1961, and graduated from White Plains High School. He continued his education, attending New York University, Bronx Campus, receiving a BS in Civil Engineering and Central Michigan University receiving a Master's Degree in Industrial Management.

Ralph joined the Air Force on April 20, 1967 and was commissioned as a 2nd Lt on June 30, 1967. From 1967 to 1970, he served on consecutive oversea tours from Aviano to Vietnam. In 1970, he was assigned to RED HORSE with Headquarters in Bien Hoa where he was responsible for all design and construction. Later, he was reassigned to Kunsan AB, Korea as the Officer in Charge for a Detachment of the RHS out of Cam Ran Bay. In 1972, Ralph was again reassigned to Wright Patterson, Ohio, where he assumed the oversight of facility programming including MFH, NAF, MILCON, R&D and O&M funds. Wright Patterson would be Ralph's last stop as an active duty service member, as he separated

from the Air Force on Apri1 30, 1975 at the rank of Captain. Since 1975, Ralph has faithfully worked for the Air Force as a civilian in his former job, achieving his final assignment in 1990 as Chief of the Facility Programming Branch (ANG/CEP).

Mr. Speaker, throughout his career, Ralph Conte has demonstrated a profound commitment to the Air Force, Air National Guard and the Nation. He is a consummate professional whose performance in over 30 years of service has personified those traits of competency and integrity that our Nation has come to expect of its senior civilian leaders. I would like to thank Ralph for his many years of dedicated service and wish he and his family a fulfilling retirement.

PAYING TRIBUTE TO SPRING VALLEY HIGH SCHOOL

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor the students, faculty and administrators of Spring Valley High School in Las Vegas, Nevada, for their tremendous achievements in educational progress.

Spring Valley High School opened in August 2004 as the first Smaller Learning Communities/Career Academy High School in the State of Nevada. Robert Gerye, principal of Spring Valley High School, developed a unique curriculum and educational design intended to prepare students for higher education while providing opportunities to explore possible career paths. The curriculum design provides an environment in which students can interact more effectively with teachers and administrators. Each grade level is housed in its own wing of the school and assigned an administrator and a counselor who will be with those students throughout their high school years. To further foster educational growth and individualized student attention, every staff member at Spring Valley High School is assigned approximately 20 students to mentor as they advance from 9th to 12th grade. The format establishes a greater level of coordination between teachers in each grade level, increased collaboration with the local post-secondary institutions and rigorous academic standards intended to help students graduate with the preparation necessary to excel in college and in their chosen careers.

Although Spring Valley High School is worthy of recognition for many reasons, I wish to recognize Spring Valley High School today for its tremendous improvement under the standards set by the No Child Left Behind Act. As a brand-new school in the 2004–2005 schoolyear, Spring Valley High School faced many challenges. It was classified on the 2004–2005 Accountability Report as a school which did not demonstrate Adequate Yearly Progress (AYP). As a result of Mr. Gerye's tremendous leadership, his faculty's commitment to their goals, and his students' determination to succeed, Spring Valley High School not only met the Adequate Yearly Progress criteria this year, it has been classified in the 2005–2006 Accountability Report as a High Achieving—Growth institution.

The administration, faculty and staff at Spring Valley High School have approached their goals with discipline and determination and, as a result, they have enhanced both the academic experience and performance of its students. For the incredible contribution they have made to the success of Spring Valley High School, I would like to commend the following individuals: Walt Acra, Larry Adams, Sheila Ali, Lisa Ancona, Carlose Arellano, Rica Arenas, Jennifer Ashford, Joyce Bakkedahl, Teresa Barajas, Phanom Baravong, Ana Barnes, Bianca Bautista, Elaine Beller, Bibi Belloto, Louise Belviso, Christopher Bires, Robert Bloom, Donald Bohm, Christina Bolin, Liana Bolton, Marilee Botos, Shawn Boyle, Charles Branich, Susan Brewer, David Brooks, Elizabeth Brown, Valerie Bugni, Dawn Burns, Antonio Caiati, Paul Campbell, Heather Carroll, Daniel Casel, Charlotte Chapman, Bernard Chase, Holly Chidester, Douglas Clarke, Kathy Clemens, Vaunette Coache, Paulette Coleman, Ann Collum, George Comadena, Melissa Conley, Geraldine Conte, Laurie Daly, Eric DeAnda, Ann Deleuil, Patricia Delfs, Amy DeVaul, Paula Digerolami-Macon, Suzanne Dompierre, Melody Dubois, Anna Eapen, Sindy Eisen, Ann Elandt, Jeanette Engelhart, Diane Epstein, Sarah Federspiel, Karen Florence-Hopkins, LaVanda Ford, William Fouts, Victoria Franklin-Dillon, Thomas Fraiser, Rhonda Fritch, Jennifer Gallegos, Wanda Gambino, Anthony Gamboa, Richardo Garcia, Gail Garrett, Dean Gentuso, Michelle Gex, Robert Gillingham, Mamie Glorioso, Michael Gomez, Dennis Goode, Gayane Gulyan, William Hamilton, Sarah Hanes, Yuki Harada-Hart, Christopher Hendley, Edward Henry, Kevin Henry, Connie Hines, Caprice Houston-Bey, Rebecca Hutchings, Linda Idemoto, Lori Jackson, Rebecca Jackson, Tanya Jackson, Steven Jacobson, Jill Jaeger, Charles Janette, Margaret Jeffrey, Susan Jennings, Andrew Jennings, Emily Jensen, Brett Jeross, Shirley Jimenez, Bessie Lee Johnson, Deborah Johnston, Harlan Johnston, Karen Jolivette, Emily Jones, Yvette Kagan, Ethel Keck, Lisa Keith, Heather Kennedy, Lezlie Koepp, Joel Krautstrunkm, Morgan Krista!, Susan Kuehl, Denise Lauriano, Monica Lavelle, Wende Lestelle, Robert Leytham, Enrico Litterini, Peter Locatelli, Johnny Macon, Rosette Mare, Kyle Martin, Gary Mayers, Phillip McAlister, Brianne McElroy, Melinda McGill, John McLavy, Jr., Jackson Meeker, Frederick Meyer, Michelle Minggia, Kimberly Moody, Dawn Moore, Robert Murphy, Elonda Murray, Amy Murray, Rachelle Nearn, Jane Newton, Richard Niemczewski, Amy Nugent, Michael O'Brien, Michael Oliver, Serene Oppenheim, Rebecca Pappas, Chrissy Paradiso, Iretta Pearson, Joe Peck, Evan Politi, Debbie Pope, Shannon Powell, Jeffrey Pynter, Dennis Pumphrey, Louis Reale, Efrain Rene, Shirley Reuben, Susan Rheinwald, Tyra Riefler, Roberto Rodriguez, Jeffrey Rubin, Ian Salzman, Adam Sampson, Angelica Sanchez, Elizabeth Sandelin, Daniel Schantol, Christina Schenauer, Nikki Semmelroth, Nicholas Sevano, Paul Shapiro, Susie Shepley, Donald Shumaker, Debbie Simons, Brant Smith, Marion Smith, Jr., Mitchell Sperling, Gregory Stack, John Staples, Heather Stringham, Jen Strobel, Robert Stropky, Jr., Cindy Taylor, Marcus Teal, Jeanine Tegano, Jennifer Tichon, James Tippett, Bonnie Toth, Justin Truitt, Leota Tucker, Travis Underwood, Becky Utchel, Nayelee Villanueva, Clara Virga, Lynn Wentland, Stacey White, Yvette White, Deborah Whitt, Michael Williams, Sabrina Woodruft: Dave Yacubovich, Kenneth Young, Suzanne Ziegler, Emily Zierse, and Lee Zigan.

Mr. Speaker, I am proud to honor Robert Gerye and his extraordinary staff at Spring Valley High School for the exceptional progress they have made this year. Their tireless efforts to exceed the achievement standards set by the No Child Left Behind Act have made a profound difference for the students who attend Spring Valley High School. I applaud this outstanding achievement and I look forward to seeing Spring Valley High School and its students continue to excel in our community.

CONGRATULATING HEATHER CROSSMAN

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Heather Crossman of North Richland Hills, Texas, on receiving the venerated 2006 Presidential Freedom Scholarship. As a recipient of this prestigious award, she is recognized for her outstanding leadership and commitment to servicing of her community and its residents.

The Presidential Freedom Scholarship program, sponsored by the Corporation for National and Community Service and administered by Learn and Serve America, honors select high school juniors and seniors, displaying exceptional service and citizenship, with a $1,000 scholarship to the college of their choice. To be eligible for nomination, individuals must have completed at least 100 hours of community service and receive the recommendation of their high school.

Mr. Speaker, I extend my sincere congratulations to Heather Crossman on receiving this award and commend her dedication and desire to help her school, community and country.

TRIBUTE TO THE VIRGILIO LODGE NO. 1586 AND THE BEATRICE PORTINARI LODGE NO. 1626 OF THE ORDER OF SONS OF ITALY ON THEIR 75TH ANNIVERSARY

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today to invite my colleagues to join me in congratulating the Virgilio Lodge No. 1586 and the Beatrice Portinari Lodge No. 1626 as they celebrate their Golden Jubilee Gala on September 9, 2006.

The Order of the Sons of Italy in America was established in Vallejo, California, in January of 1931 when one-fourth of the community was composed of Italian Americans. The Sons of Italy is a National Fraternal Order that has lodges throughout the United States and Canada and took out its Charter in 1905 in New York City. They believe in liberty, equality and fraternity.

The lodges have been very active in Vallejo and Solano County including awarding 15 annual scholarships; raising in excess of $80,000

for the Alzheimer's Research Center at the University of California at Davis Medical Center; donating $5500 to the helipad at Sutter Solano Hospital in Vallejo; donating to numerous charities in the area; and in 1976 sponsoring the Landing of Columbus at the Vallejo Waterfront as a Bicentennial Tribute to the City of Vallejo.

Through the years the Virgilio Lodge and the Beatrice Portinari Lodge have jointly participated in activities from civic to social functions in Vallejo. Among their shared highlights during their 75-year history are sponsoring the annual Columbus Day Banquet and initiating the renaming of Miller Road to Columbus Parkway. In 1974 they dedicated their own Lodge building in the former Lincoln School annex, which represents a second family home to the entire membership. Three Lodge members have served as Mayors of Vallejo: Terry Cutrola, Jr., Anthony J. Intintoli, Jr., and Gloria Exline. Many other members have served as elected or appointed officials in the City of Vallejo and are very active in the community.

I commend the Virgilio Lodge No. 1586 and the Beatrice Portinari Lodge No. 1626 for their many contributions to the City of Vallejo and wish them many more years of service to the community.

HONORING DAVID ANDERSEN

HON. JOHN E. SWEENEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. SWEENEY. Mr. Speaker, I would like to take this opportunity to honor and recognize David Andersen, President and CEO of Saratoga Hospital and Saratoga Care Inc., in celebration of his retirement on August 31, 2006. The immeasurable amount of time and effort that David has given during his career has helped countless citizens of my district, and has made Saratoga County a better place to live.

Since becoming President and CEO of Saratoga Hospital in 1991, David has greatly expanded and improved the healthcare capabilities available to those in need throughout Saratoga County. Under his leadership the hospital merged with Family Health Centers in the towns of Ballston Spa, Galway, and Schuylerville, and established Saratoga Care Inc. as the parent company of the combined healthcare organization. During his tenure, David oversaw the creation of the Same Day Surgery Center, the Cardiac Catheterization Center, the Saratoga Surgery Center, the Radiation Oncology Center, the Pulmonary Rehabilitation Center, and Wilton Medical Arts as affiliates of Saratoga Hospital. David has also worked to implement innovative healthcare education programs through Saratoga Care, to give patients and their families the knowledge they need to make difficult healthcare decisions. Through his tireless dedication to his profession, Saratoga Hospital and its affiliates have become among the healthiest in the Capital District of New York.

It is my privilege to honor such a selfless and dedicated member of my district. All citizens should be able to have access to the best quality healthcare available, and through David's leadership and the expansion of the Saratoga Hospital and its affiliates, that has become a reality to so many of my constituents in Saratoga County. On behalf of the House of Representatives I would like to commend David Andersen on a truly distinguished career and wish him the best of luck in the future.

20TH ANNIVERSARY OR PORTLAND'S MAX LIGHT RAIL LINE

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. BLUMENAUER. Mr. Speaker, today we are celebrating the 20th anniversary of the opening of Portland's pioneering MAX—Metropolitan Area Express—one of America's first light-rail lines. Since 1986, MAX has been one of our region's most visible icons of livability—and has served as an inspiration to cities across the Nation and around the world. Instead of building yet another expensive and destructive freeway that would have divided and degraded Southeast Portland, we created MAX and coaxed higher-value investments from Federal transportation dollars. While this was certainly controversial at the time, our decision led to a renaissance for both Gresham and Portland and increased value for our entire region.

This anniversary gives us the opportunity to think about how our current decisions will be celebrated in another 20 years. If we are to continue our success, we must leverage what we've accomplished in the years ahead.

With light-rail, that's exactly what we're doing. In the last 20 years we have built three more extensions: Westside MAX, Airport MAX, and Interstate MAX. We are also hard at work on extending the system to the south and are hopeful that the next project will cross the Columbia River, expanding our regional system to include Vancouver, Washington.

The overwhelming popularity and success of our light-rail system is a testimony to wise investments, meaningful public participation, and regional leadership that took the political risks to make it all come together. The result has been a regional transportation system that truly supports the communities it serves and provides people with reliable and efficient choices to cope with congestion, skyrocketing oil prices, and global warming.

My heartiest congratulations to TriMet, elected officials, business leaders, and citizens throughout the Portland region for this amazing success story.

TRIBUTE TO VIETNAM WAR VETERAN LEON ZIMMERMANN, JR., OF CITRUS COUNTY, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to honor Leon Zimmermann, Jr., of Homosassa, Florida, a Purple Heart Veteran from the Vietnam War.

In August of 1970, Leon Zimmermann was assigned to guard an area along the Phouc Xuyen River and provide a safe landing area for his fellow troops. As a 19-year-old Navy sailor serving in the jungles of Vietnam, Mr. Zimmermann was looking forward to his watch being over and the opportunity to get some much needed rest in the barracks.

A sudden mortar explosion killed two of his fellow troops, and severely wounded Mr. Zimmermann and two other sailors nearby. Taken to the radio room by the medics, Mr. Zimmermann was eventually evacuated by a rescue helicopter. Once he recovered from his wounds, he received a medical discharge from the Navy.

Due to problems with his military records, Mr. Zimmermann never received official recognition for his military service. I recently had the honor of presenting Mr. Zimmermann with his Purple Heart Medal for the wounds he received that fateful August afternoon.

Following his military service, Mr. Zimmermann was able to put the incident behind him and raise five wonderful children in the United States.

Mr. Speaker, sailors like Leon Zimmermann, Jr. should be recognized for their service to our Nation and for their commitment and sacrifices in battle. I am honored to have presented Mr. Zimmermann with his long overdue Purple Heart. He should know that we truly consider him one of America's heroes.

IN HONOR AND RECOGNITION OF THE 100TH ANNIVERSARY OF THE WEST SIDE HUNGARIAN REFORMED CHURCH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in tribute and recognition of the West Side Hungarian Reformed Church, which is celebrating its centennial anniversary. This month, the congregation will also commemorate the 50th anniversary of the 1956 uprising against communism in Hungary.

The Church has supported its members and community faithfully during its 100 years of service. In has served as a haven for immigrants and refugees during various stages of its historic pilgrimage. The Church has become a spiritual community comprised of Hungarian old timers, newcomers, and others associated with the congregation through family and religious ties.

All the people of the greater Cleveland area have benefited from the West Side Hungarian Reformed Church's participation in the community's social and cultural activities. People of the Cleveland area have joined the congregation to honor Hungarians who, half a century ago, resisted oppression, fought in a heroic attempt to restore freedom to Hungary, and made sacrifices to advance the cause of liberty.

My official congratulations and best wishes are extended to the Reverend Zoltan Sandor Kelemen, as well as to the members of the congregations, past and present, for their selfless efforts to serve the church and community.

Mr. Speaker, please join me in offering a proclamation of congratulations to the West Side Hungarian Reformed Church on its 100th anniversary.

CONGRATULATING JAMIE DEAN LUCAS

HON. RON LEWIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. LEWIS of Kentucky. Mr. Speaker, I rise today to pay public tribute to Jamie Dean Lucas, a friend and constituent from my congressional district who will be representing Kentucky in the upcoming NBC reality series ''The Biggest Loser.'' Jamie will compete against contestants, representing each of the 50 States, in a nationally broadcast weight loss and fitness challenge.

Jamie is an especially generous and talented member of my community. By taking on this important challenge, Jamie is giving himself and his family a new lease on the future. In fact, Jamie is already well on his way toward his ultimate weight loss goal. I have no doubt that he will soon again enjoy some of his favorite activities like tennis and horseback riding. I am also sure that his commitment to health will give him many more happy years to enjoy with his children and future grandchildren.

Weight loss is a very difficult endeavor. Jamie's steady spirit and unyielding determination represent the very best of what it means to be a Kentuckian. I am proud that Jamie will be representing my district before a national audience and prouder still to call him my friend.

I would like to take this opportunity to congratulate Jamie Dean Lucas, before the entire U.S. House of Representatives, for all that he has accomplished in the past few months. His remarkable progress is a true inspiration to many of us in Kentucky and, very soon, for millions of television viewers across the Nation.

IN RECOGNITION OF THE PUBLIC SERVICE OF THE NEW JERSEY STATE LAW ENFORCEMENT ASIAN-AMERICAN ADVISORY COMMITTEE

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. GARRETT of New Jersey. Mr. Speaker, I rise today to recognize the tremendous public service of the New Jersey State Law Enforcement Asian-American Advisory Committee. With Americans of Asian heritage making up an increasingly large proportion of our population, both in New Jersey and across the Nation, it is important that law enforcement have a strong relationship with the Asian-American community.

There are an estimated 14 million U.S. residents with Asian heritage. That's 5 percent of the U.S. population. They are by no means of a monolithic culture—with backgrounds from Korea, Vietnam, Philippines, Taiwan, and elsewhere. Asian-Americans have lent this diversity to our national melting pot, enriching America with their contributions to music, food, design, literature, entertainment, and more.

Asian-Americans are our neighbors, our local business owners, our teachers, our elected officials, and also our police officers and first responders. The New Jersey State Law Enforcement Asian-American Advisory Committee helps to bridge the gap both for Asian-Americans in the law enforcement family and in the larger population. Its members engender a greater understanding of the special needs of the Asian-American community.

I am proud to work with them to make New Jersey's neighborhoods safer and bring New Jersey's communities closer, and I am proud to support their efforts to become a national organization.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5970, ESTATE TAX AND EXTENSION OF TAX RELIEF ACT OF 2006 AND H.R. 4, PENSION PROTECTION ACT OF 2006

SPEECH OF

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, July 28, 2006

Ms. LEE. Mr. Speaker, tonight we should have had an opportunity to help lift 6.6 million Americans out of poverty by passing the first minimum wage increase in nearly a decade.

As it is, it's an absolute disgrace that the minimum wage has been stagnant at $5.15 since 1997.

Republican inaction has led to the fact that the minimum wage is at its lowest level in 50 years. In fact, if the minimum wage had just kept up with inflation since 1968, it would have been $8.88 in 2005. That is still, quite frankly, a pittance for what people need to live.

But this increase is in jeopardy by a cynical, political ploy on the part of the House Republican leadership.

Mr. Speaker, this sham minimum wage legislation contains ''poison pills.'' Namely, the incorporation of the estate tax cut and further tax cut extensions into the minimum wage bill.

Even worse, under this sham Republican legislation 1.8 million workers will have to wait until June 2009 before the minimum wage reaches $7.25.

Once again, the Republican majority is proving how much contempt they have for the working families of America.

Mr. Speaker, Congress should be voting on a clean minimum wage bill that will provide a meaningful increase to working Americans. Its only fair.

TRIBUTE ON THE 40TH ANNIVERSARY OF THE UNIVERSITY OF MARYLAND, BALTIMORE COUNTY

HON. BENJAMIN L. CARDIN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. CARDIN. Mr. Speaker, I rise today to offer congratulations to one of Maryland's premier institutions of higher learning—the University of Maryland, Baltimore County (UMBC)—as it celebrates its 40th anniversary.

Located on what was once a cow pasture, the university has risen to astonishing heights in a very short time. When UMBC first opened in 1966, it had only 750 students and three buildings. Today, the university offers first-rate education and research opportunities to more than 11,000 students, while retaining the personal contact typically found at a small liberal arts college.

In recent years, the guidance of President Freeman Hrabowski has led the university to new heights. UMBC's unique combination of undergraduate focus and graduate research reflects the dedication to balance that has led UMBC to become one of the top public universities in the nation.

The nationally recognized Meyerhoff Scholars Program, which Dr. Hrabowski co-founded, is among the most successful undergraduate diversity programs in the nation. UMBC has one of the highest rates of minority students pursuing advanced degrees in medicine and science of any school in the United States. UMBC also has been ranked first nationally in the total number of undergraduate chemistry degrees given to African-Americans.

In 40 years UMBC has become one of the nation's top independent public research universities. The numerous accomplishments of the university are all the more impressive because they have come so rapidly. In fact, UMBC is one of the youngest universities ever to be honored with a chapter of Phi Beta Kappa, and in recent years UMBC has led every university in the nation in undergraduates receiving Merck Undergraduate Science Research Scholarships.

Mr. Speaker, I call upon my colleagues in the U.S. House of Representatives to join me in honoring the achievements and success of UMBC, one of the bright stars in American higher education.

PAYING TRIBUTE TO NEVADA STATE COLLEGE AND DR. CONNIE CARPENTER

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor the students, faculty and administrators of Nevada State College's School of Nursing in Henderson, Nevada, for their tremendous achievements with their accelerated nursing program. Their achievements are a reflection of their commitment to our community. Dr. Connie Carpenter, Dean of the School of Nursing, has been instrumental in Nevada State College's early success as Nevada's newest institution of public higher education. Her leadership, commitment, and vision serve as a testimonial to the success of the college's nursing program.

Nevada State College first welcomed students in August of 2002, it has been charged with the mission to meet the needs of students who are interested in bachelor's degrees in our state's much-needed fields such as nursing and education, as well as in other disciplines in the arts and sciences. Since that time, Nevada State College has committed resources, professors, and vision to ensure that their mission statement becomes a reality. For faculty and students, that dream has been achieved. On Saturday, August 26, 2006, twenty nine students graduated from the college's Accelerated Nursing Program, a success which reflects the college's commitment

to providing their students with the necessary resources to achieve their dreams. I would like to commend the following students on their graduation from Nevada State College's Accelerated Nursing Program: Nancy Andruk, Joyce Arce, Royal Bradley, Tatiana Brandon, Katherine Busby, Diandra Castenada, Perla Cisco, Themis De Guzman, Tobyn Derby-Talbot, Andi Del Gatto, Catherine Dullano, Crisandra Eastmond, Raul Ellazar, Desiree Espinoza, Diane Graham, Kathryn Havey, Lynda Hubeny, Marianne Jackson, Brigitte Lacombe, Jeanette Long, Eudora Mordi, Eleanor Mox, Milagros Navarro, Bette-Ann Pierce, Sayma Salman, Dawn Scott, Nicole Thomas, Chantal Whittenberg, Bethany Williams, and Samantha Zomar.

Dr. Carpenter brings a wealth of experience in nursing, nursing education, educational administration and in delivering quality online instructional programs to the Nursing program. She has been a leading advocate in expanding the nursing program at Nevada State College; she is a pioneer in developing distance learning programs. She is very dedicated to providing effective and accessible education. I have full faith that with Dr. Carpenter's leadership, Nevada State College will continue to exceed every possible expectation.

Mr. Speaker, I am proud to honor Dr. Connie Carpenter, Dean of the School of Nursing, and the students of the Accelerated Nursing Program. Nevada State is making a tremendous difference throughout Southern Nevada, and the Nursing Program is helping to provide skilled workers to the health services across the state. I applaud Nevada State College's efforts and wish them the best in their future endeavors.

CONGRATULATING MR. BRYCE BENTON

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Bryce Benton, a graduate student in the masters program at the University of North Texas School of Library and Information Sciences, on receiving the Paul Evan Peters Award. This great honor is awarded jointly by the Association of Research Libraries, the Coalition for Networked Information and EDUCAUSE to individuals whose achievements in information science and librarianship move forward intellectual productivity and scholarship.

Mr. Benton's most recent work with DSpace open source systems on an institutional repository pilot project at the University of North Texas has won him many accolades from his professors and fellow peers.

Described as "personable, enthusiastic, and as someone who possesses a 'volunteering spirit,'" and recognized by this award for his "civic responsibility, democratic values, and imagination," he will undoubtedly continue to advance the field of librarianship and information sciences.

Mr. Speaker, I extend my sincere congratulations to Mr. Bryce Benton on receiving the Paul Evans Peters Award and commend his dedication and desire to helping promote scholarship and intellectual productivity.

TRIBUTE TO NATIONAL YOUTH COURT MONTH

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to recognize September as National Youth Court Month. During September, more than 1,100 youth courts operating in district-level juvenile justice systems, schools, and community-based organizations in 49 states and the District of Columbia will celebrate the fifth annual National Youth Court Month.

Youth court—also known as teen court, peer court, and student court—is one of the fastest growing crime prevention and early intervention programs in the nation. Youth court volunteers, under the supervision of adult volunteers, act as judges, jurors, clerks, bailiffs, and counsel for youth charged with minor delinquent offenses and problem behavior. The overall goal is to help offending youth find an appropriate, constructive, and restorative disposition.

This year, the theme of National Youth Court Month is "Correcting Crooked Paths: Youth and Communities in Partnership for Justice." The theme addresses two very important aspects within the youth court realm: learning from mistakes and youth empowerment. Uniquely, youth and adults from a variety of entities in the community including justice agencies, nonprofit organizations, schools, and municipalities work side-by-side to address and solve local problems particularly related to juvenile crime and problem behavior.

I visited several teen courts last year and was impressed by the power this innovative program has to change misdirected and challenged teenagers into productive and adjusted adults. I would like to recognize their efforts and those of so many other courts by proclaiming September 2006 as National Youth Court Month. I urge Americans to celebrate the valuable contributions that youth courts and their volunteers, adult and youth, make to keep our nation's communities safe.

IN HONOR OF THE 100TH ANNIVERSARY OF ST. HELENA CATHOLIC CHURCH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of the parish community of St. Helena Catholic Church, as members and leaders celebrate one hundred years of faith and hope throughout Cleveland's west side neighborhoods.

Throughout the past century, St. Helena Parish has served as a spiritual refuge for Americans of Romanian heritage, and was established as the first Romanian Catholic Church built on American soil.

The ministry of St Helena began in 1906, with a mission focused on supporting the spiritual and cultural needs of Romanian immigrant families who settled in Cleveland. Since that time, a number of pastors and parishioners have served as critical guides in the journey of the faithful at St. Helena Church. Over the years, this close-knit parish community has evolved and grown, and its faithful members have survived numerous struggles and hardships. Generations of Romanian Americans have assimilated into American culture, with the support and guidance of the leaders and members of St. Helena Catholic Church.

Mr. Speaker and Colleagues, please join me in honor and recognition of every past and current member and spiritual leader of St. Helena Catholic Church. In 1906, as today, St. Helena parish continues to provide a haven of faith, guidance, renewal and support for hundreds of families, along Cleveland's near Westside and far beyond.

TRIBUTE TO CATALYST CONNECTION

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Ms. HART. Mr. Speaker, I would like to take this opportunity to recognize Catalyst Connection, the proud recipient of the Economic Development Administration's 2006 Excellence in Economic Development Award in the category of Enhancing Regional Competitiveness.

Catalyst Connection is a non-profit organization dedicated to helping small- and medium-sized manufacturers improve their competitive performance. Clients of Catalyst Connection can receive assistance to address their operations in the fields of: Financial Programs, Information Technology, Lean Manufacturing, Market Development, Product Development, Quality Systems, Web Marketing and Workforce. Since Catalyst Connection's creation in 1988, they have served over 1,000 clients and have delivered $43.7 million in value-added impact to their clients' operations in 2005 alone.

I ask my colleagues in the United States House of Representatives to join me in honoring Catalyst Connection as recipient of the 2006 Excellence in Economic Development Award for all of its fine work with the region's businesses.

LABOR DAY

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. LANTOS. Mr. Speaker, as we celebrated Labor Day this past weekend, the Census Bureau made the plight of working-class Americans more clear with its most recent report on income, poverty and health care in 2005. Unfortunately, the statistics confirmed what many Americans across the country have known for some time: the economic policies of the Administration benefit only a lucky few while most working Americans are struggling from paycheck to paycheck. The federal minimum wage has been stagnant since 1996, real household income has dropped more than $1200 in the past five years, and the number of uninsured Americans has jumped by 1.3

million just in the last year, totaling 46.6 million. Meanwhile, the Administration is pushing for a tax cut for the wealthiest 1 percent of Americans. It is no wonder that most people believe that things are going from bad to worse, and want a new direction for America.

These important concerns were raised by my constituent and good friend Shelley Kessler in the San Mateo Daily Journal on September 4, 2006. Shelley Kessler is the executive secretary-treasurer of the San Mateo County Central Labor Council, AFL–CIO. She is a powerful voice for labor rights and her clear vision makes her a trusted ally who always fights for the best interests of America's workers. I wholeheartedly associate myself with her comments and ask unanimous consent that the text of her article be included in the RECORD at the conclusion of my remarks.

Mr. Speaker, I encourage all of my colleagues, on both sides of the aisle, to read this important statement on helping America's workers by Shelley Kessler.

[From the Daily Journal, Sept. 4, 2006]

ARE WE WORKING TO LIVE OR LIVING TO WORK?

(By Shelley Kessler)

Mark Twain once said: ''Sometimes I wonder whether the world is being run by smart people who are putting us on or by imbeciles who really mean it.''

When you look around this Labor Day, you have to wonder about that quote. America is not working the way it should for working people, let alone those who are struggling to find jobs on which they can support themselves and their families. The disparity between the rich and working poor is growing every day. People are working harder and making less. We're in a health care crisis that's deeper than any of us ever imagined. We all worry about how we'll retire with dignity. A good, middle-class life is increasingly out of reach. Who ever thought that in America, our kids might not be better off than their parents? Today's economic outlook for children and the next generation is pretty grim.

Bill Moyers recently cited these facts: ''In 1960, the gap between the top 20 percent and the bottom 20 percent was 30 fold. Now it is 75 fold. Thirty years ago, the average annual compensation of the top 100 chief executives in the country was 30 times the pay of the average worker. Today it is 1,000 times the pay of the average worker. The top 10 percent of earners have captured almost half the total income gains in the past four decades and the top 1 percent have gained the most of all—more in fact, than the entire bottom 50 percent.''

And the Bush administration wants to tie an increase of the minimum wage, which has not been raised in 10 years, to a tax break for the top 1 percent, to the wealthiest 8,200 families in the country. As if he or any of his cronies could live on less than $7 per hour.

Mark Twain, is this what you meant?

In the words of one of our former Supreme Court justices Louis Brandeis: ''You can have wealth concentrated in the hands of a few, or democracy; but you cannot have both.''

That's why it is time to take back our humanity! And that means that the bad actor Gov. Arnold Schwarzenegger and others of his supporting cast must be removed from the script. Pretending to care about people while lining the pockets of the rich cannot continue.

Today there is vast public support of broad social goals such as affordable medical coverage for all, decent wages for working people, safe working conditions, a secure retirement and clean air and water. We must bring back a government ''of, by, and for the people'' to deliver on those aspirations and make sure that America is working for all of us.

George Jean Nathan once said: ''Bad officials are elected by good citizens who do not vote.'' So this November, we are organizing, not just to provide for workers on the job, but to mobilize our communities to action. We will build a grassroots effort to elect people to fight hard for these goals; people who share a vision of common good, who respect the public trust that has been placed in their hands and will earn the right to represent the majority of people who work diligently every day and are the real backbone of this county, this state, and this country.

Here in San Mateo County, the labor community invites other like-minded people to join with us. Let's work together to protect the gains we've made while providing access to a better quality of life for those struggling every day; our food service workers, janitors, home care workers and many others who deserve a decent wage and health care. Let us try to create a place where people have retirement security for which they have worked hard, instead of giving golden pensions to corporate CEOs who have been stripped from the obligations promised to their employees like at United Airlines. Our county is making great strides in the area of health care, sustainable communities and transportation.

The challenges are great, but our efforts are paying off and will continue with dedication and commitment.

We can stop the race to the bottom. We can invest in our future. We can and we will make a difference if we unite together to improve the quality of life and respect for the work we all do. Let's ''work to live,'' we've earned it.

RECOGNIZING 31 YEARS OF SERVICE BY COL PAUL C. CHRISTIAN, USMC

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. ISSA. Mr. Speaker, today I rise to honor the 31 years of dedicated service of Marine Corps COL. Paul C. Christian.

Colonel Christian is a native of Neenah, WI. While attending the University of Wisconsin-Platteville, Colonel Christian joined the Marine Corps Platoon Leaders' Class and underwent officer candidate training during the summers of 1973 and 1975. He was commissioned a Second Lieutenant in December 1975 upon graduation with a B.S. in Criminal Justice.

In March 1976, Second Lieutenant Christian reported to the Basic School, MCDEC, Quantico, VA. Upon graduation in September 1976, he was sent to NAS Pensacola, FL, for flight training. After receiving his designation as a Naval Aviator and promoted to First Lieutenant in November 1977, he was ordered to HML–267, Camp Pendleton, CA, for transition into the UH–1N. His duties consisted of CMCC/CMS Officer, Adjutant, Flight Officer, and Assistant Operations Officer. He was promoted to Captain in September 1980, and deployed twice to Marine Corps Air Station Futenma, Okinawa, Japan, with HML–267, Detachment Alpha.

In April 1982, Captain Christian became a ''Plank Holder'' upon the commissioning of HMT–303, where he served as the Administrative Officer and a Huey flight instructor. Ordered to SOMS, MCAS El Toro, CA, in October 1982, he was assigned as a Search and Rescue Pilot, Officer-in-Charge of Air Freight/VAL, and Assistant Airfield Operations Officer. In October 1985, Captain Christian reported to 1st Battalion, 1st Marines, 1st Marine Division, Camp Pendleton, as the Air Officer. During this period, he deployed to WESTPAC with BLT 1/1, 11th MEU.

Again ordered to HMT–303 in October 1986, he was assigned as the Operations Officer and was promoted to Major in July 1987. In April 1988, Major Christian reported to HMLA–267 for duty as Executive Officer of Det. Alpha and deployed to MCAS Futenma. Upon returning from WESTPAC, he assumed duties in January 1989 as the Executive Officer of MWSS–372, MCAS Camp Pendleton. In January 1990, Major Christian was assigned as a student at the Armed Forces Staff College in Norfolk, VA.

Upon graduation in June 1990, Major Christian was ordered to the Conventional War Plans and Interoperability Directorate (J–7), Joint Staff, Pentagon, Washington, DC. During this tour, Major Christian served as an action officer for deliberate and crisis action planning. Promoted to Lieutenant Colonel in July 1993, he then reported to MAG–39, MCAS Camp Pendleton, as the Operations Officer for MAG–39. From June 1995 to June 1997, Lieutenant Colonel Christian was the Commanding Officer, Aviation Ground Support Element, 3rd MAW, MCAGCC, 29 Palms, CA.

In June 1998, he graduated, with distinction, with a Master's Degree in National Security and Strategic Studies from the Naval War College, Newport, RI. Assigned to the 3rd Marine Division, Okinawa, Japan, in August 1998, he served as the Deputy and then as the Assistant Chief of Staff, G–3. Additionally, he was the Commander, Marine Forces Forward, during Exercise Cobra Gold '99 conducted in Thailand.

In August 1999, Colonel Christian reported to I Marine Expeditionary Force and served as the Force Fires Coordinator, Future Operations Officer and as the Chief of Staff of the 1st Marine Expeditionary Brigade and the Special Purpose MAGTF, Exercise Bright Star conducted in Egypt. He was the Commanding Officer of MCAS Camp Pendleton from July 2000 to July 2003. On 11 July 2003 he was assigned as the Chief of Staff, Marine Corps Air Bases Western Area (MCABWA) and MCAS Miramar. He assumed the additional duties of Acting Commander, MCABWA and MCAS Miramar from September 2003 until April 2004 due to the deployment of the Commanding General to Iraq, when he then resumed his Chief of Staff duties. He assumed the duties as the Commanding Officer of MCAS Miramar on 6 January 2006.

Colonel Christian's personal awards include the Legion of Merit, Defense Meritorious Service Medal, Meritorious Service Medal (two awards), Joint Service Commendation Medal, Navy and Marine Corps Commendation Medal, and the Joint Staff Badge.

He is married to the former Deborah J. Behnke of Kewaskum, WI. They have two daughters, Rachel and Betsy.

On behalf of the people of the United States whom Colonel Christian spent a career serving, I thank him for his service and commitment to the defense of our Nation.

HONORING SONITROL SECURITY SYSTEMS ON ITS 30TH ANNIVERSARY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. HIGGINS. Mr. Speaker, I rise today to pay tribute to Sonitrol, an electronic security company located in Buffalo, NY, that marked its 30th anniversary on August 1, 2006. I am pleased to be able to join with President David P. Jones and Vice President Paul A. Nickel to celebrate their success and commitment to providing comprehensive security solutions to businesses in Western New York.

Mr. Jones and Mr. Nickel brought Sonitrol Security Systems to life in 1976 when they relocated to Buffalo, NY, from Connecticut. They began their business in the basement of what is now known as the HSBC building in downtown Buffalo. Working day and night handling both the sales and the installation of their security systems, Mr. Jones and Mr. Nickel grew the company and began to acquire other alarm companies in the process.

Sonitrol Security Systems uses unique ''Verified Alarm Technology'' that results in high apprehension rates and low false alarm rates in the security alarm industry. Sonitrol has used ''Verified Audio Intrusion Detection'' for several years and will soon introduce ''Verified Video Intrusion Detection'' to further enhance the quality of service that they provide their business customers.

Mr. Speaker, I ask my colleagues in Congress to please join me in wishing David P. Jones, Paul A. Nickel and the employees of Sonitrol Security Systems continued success in the security business. I am confident that they will remain an invaluable security company, employer and partner in Western New York for many years to come.

IN RECOGNITION OF THE END-OF-ACTIVE SERVICE OF STAFF SERGEANT CLAIRE J. BUFFINGTON, UNITED STATES MARINE CORPS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the 7 years that SSG Claire Buffington has served in the United States Marine Corps.

Coming to the United States from Scotland, Great Britain, Staff Sergeant Buffington is a true patriot who has significantly contributed to the defense of our Nation. Staff Sergeant Buffington enlisted in the U.S. Marine Corps in June 1999, and was assigned to the Fourth Recruit Training Battalion, Recruit Training Center, Parris Island, SC. She graduated as company honor graduate and received a meritorious promotion to the rank of private first class. She subsequently attended Marine Combat Training at Camp Geiger, NC, and Supply School at Camp Johnson, NC.

Private First Class Buffington's first assignment was to the Second Marine Division's Supply section at Camp Lejeune, where she served as a supply clerk. She was promoted to the rank of lance corporal and then transferred to the Second Marine Division Headquarters Battalion supply section where she served as a supply clerk and platoon sergeant. During this assignment, she earned meritorious promotion to the rank of corporal in July 2001, completed Corporal's Leadership Course, and then earned meritorious promotion to sergeant in November 2001. Sergeant Buffington also graduated from the Marine Corps Marksmanship Instructor's Course and served as pistol and rifle requalification coach for Headquarters Battalion, 2d Marine Division.

In June 2003, Sergeant Buffington was assigned to the House Liaison Office, Office of Legislative Affairs, Headquarters Marine Corps, as the administrative clerk, and was promoted to staff sergeant on February 12, 2006. In her current capacity, Staff Sergeant Buffington has faithfully served the 435 members of the 106th, 107th, 108th and 109th Congresses as a member of the Marine Corps' House of Representatives Liaison Office. Staff Sergeant Buffington has been responsible for directing and organizing many congressional and staff delegations around the world, as well as numerous congressional events on Capitol Hill. Her attention to detail in every event she participates has made a positive impact on the relationship between the Congress and the Marine Corps.

Mr. Speaker, few can match the dedication and Esprit de Corps that Claire Buffington has shown over her 7 years of service to Corps and country. I wish Claire and her husband Tony continued success in their future endeavors. Many thanks Staff Sergeant Buffington, our Nation has benefited from your outstanding leadership.

PAYING TRIBUTE TO KELLY PURCELL

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor the life of Kelly Purcell, the former Director of Federal Government Affairs for the California and Nevada Credit Union Leagues. She passed away on Tuesday, August 1, 2006.

Kelly earned a Bachelor's degree in Psychology and Social Behavior from the University of California, Irvine. In addition, she earned a Master's degree in Psychology from Pepperdine University, and another Master's in Political Management from George Washington University's Graduate School of Political Management. Kelly's academic achievements and experience were of great value as she advanced her career.

In October of 2003, Kelly became the Federal Legislative Affairs Manager for the California and Nevada Credit Union Leagues. She was quickly promoted to serve as Acting Director of Federal Government Affairs in September of 2004, and became Director in February of 2005. In her position, she served California and Nevada credit unions by overseeing Congressional and regulatory advocacy programs.

Kelly attended the Credit Union National Association Government Affairs Conference in February of this year. At the event, she met with legislators on Capitol Hill to update them on important issues including the effects of the Rallies for Credit Unions, the importance of local union movements, and the progress of the Credit Union Regulatory Improvements Act.

Mr. Speaker, I am saddened by the unexpected loss of such a young and ambitious woman. Kelly's hard work brought passion and enthusiasm to the California and Nevada Credit Union Leagues through her advocacy efforts in Nevada, California, Washington, D.C., and nationwide. She will be deeply missed.

CONGRATULATING MYCHAL BLACK

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Mychal Black of Lewisville, Texas, on receiving the venerated 2006 Presidential Freedom Scholarship. As a recipient of this prestigious award, she is recognized for her outstanding leadership and commitment to servicing of her community and its residents.

The Presidential Freedom Scholarship program, sponsored by the Corporation for National and Community Service and administered by Learn and Serve America, honors select high school juniors and seniors, displaying exceptional service and citizenship, with a $1,000 scholarship to the college of their choice. To be eligible for nomination, individuals must have completed at least 100 hours of community service and receive the recommendation of their high school.

Mr. Speaker, I extend my sincere congratulations to Mychal Black on receiving this award and commend her dedication and desire to help her school, community and country.

TRIBUTE TO ROBERT HARTWIG OF ZEPHYRHILLS, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to honor Robert Hartwig, the Zephyrhills Fire Chief who recently retired following 32 years of service. Chief Hartwig began his career in 1974 as the first paid firefighter with the Zephyrhills Fire Department, and then rose through the ranks to become a driver engineer, captain, assistant chief and finally chief in 1983.

Chief Hartwig was instrumental in the construction of a second fire station. The new station included administrative offices and doubled the size of the department. He helped secure various grants to enhance the department's functionality and offset the city's budget. Chief Hartwig also entered into a joint venture between the city and Florida Hospital of Zephyrhills to initiate a Wellness/Fitness Program for all Zephyrhills fire rescue personnel.

Holding an A.A. degree from Hillsborough Community College, Chief Hartwig achieved

the difficult Smoke Diver's Certification. In his spare time, he has been involved with many clubs and organizations, including: President of the East Pasco Soccer Youth League, President of the Kiwanis Club, youth baseball coach, youth soccer coach, board member of the Chamber of Commerce, member of International Association of Fire Chiefs, member of Florida Fire Chiefs' Association, member of Pasco Hernando Fire Chiefs' Association, member of Florida Fire Marshals' Association and was an instructor at the Florida State Fire College.

Chief Hartwig will spend his retirement years pursuing his first love; home remodeling. Learning the construction trade by working side-by-side with his father, he eventually created his own home remodeling business, "The House Doctor." He also loves Alaska and has spent extensive time there commercial salmon fishing. Chief Hartwig has a grown son, Jeff, a grown daughter, Amy, and one grandchild.

The entire Zephyrhills community can be proud of the work that Chief Hartwig has accomplished during his thirty-two year tenure. A dedicated public servant, Robert Hartwig has earned his retirement many times over and should be congratulated for a job well done.

IN HONOR AND REMEMBRANCE OF CLEVELAND POLICE DETECTIVE JONATHAN SCHROEDER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Cleveland Police Detective Jonathan Schroeder, who bravely and selflessly heeded the call to duty and made the ultimate sacrifice on behalf of our community.

Family, friends and service to others enveloped Detective Schroeder's life. He drew personal strength and faith from those close to him, especially his wife, Amy, and infant son, Eric. His generous spirit and humble nature made him a role model for those around him. He would often help shovel neighbors' driveways and sidewalks, and when his premature son left Fairview Hospital in a healthy condition, he vowed to make an annual donation to the hospital.

Detective Schroeder's steadfast focus on hard work and serving the public were evidenced throughout his life. He grew up in Monroeville, Pennsylvania and was a 1992 graduate of Kent State University. Detective Schroeder finished the police academy in 1996 and heroically served the Cleveland Police Department for ten years, five of those years as a detective. His calm demeanor and sense of fairness reflected in his colleagues' deep admiration and respect for him, as a police officer and as a human being. Detective Schroeder had a reputation for handling victims, as well as suspects, with an equal amount of respect.

Mr. Speaker and colleagues, please join me in honor and remembrance of Detective Jonathan Schroeder. I extend my deepest condolences to his family members and many friends. The ultimate sacrifice, significant service and true heart that framed the life of Detective Schroeder will live forever in the memories and hearts of all those who knew and loved him best. His legacy of service and courage will be honored and remembered by the Cleveland community, today and for all time.

HONORING LOUIS E. DAUGHERTY, M.D. ON THE OCCASION OF HIS RETIREMENT

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize the distinguished career of Dr. Louis E. Daugherty on the occasion of his retirement from the position of Medical Examiner of Napa County.

Dr. Daugherty has had a long career of service to his community and country, exemplifying the highest ideals of the medical profession. Born in St. Paul, Minnesota, Dr. Daugherty earned a Bachelor's Degree from the University of Arizona before completing his M.D. at Marquette University.

Dr. Daugherty served as a Battalion Surgeon in the United States Army in Vietnam, saving the lives of many young soldiers. His bravery during the Tet Offensive at the Siege of Saigon was rewarded with a Silver Star, one of our nation's highest military honors for distinguished gallantry. He was further recognized with the Combat Medic's Badge for his medical service alongside infantrymen under combat conditions in the Vietnamese Delta.

After his service in Vietnam, Dr. Daugherty returned to school to complete his residencies at one of our nation's finest medical schools, the University of California at San Francisco. Having finished his residencies, he took a series of positions in the greater Bay Area as a pathologist and medical consultant. He has worked for Napa County for the last 28 years as a Medical Examiner and Forensic pathologist.

Mr. Speaker, in addition to his career with Napa County, Dr. Daugherty has assisted his wife Sheila's innovative treatment center to help teens with substance abuse problems. He has provided the medical services which allow the center to assist teens with the broad scope of issues they must confront in overcoming substance abuse.

Dr. Daugherty is known to his friends and family as a man of strong character and steely determination. A long-time marathon runner, he has also completed the Ironman and other triathlons. Dr. Daugherty and his wife have two children, Dr. Eugene Daugherty and Dr. Matthew Daugherty. They are also blessed with two grandchildren, Cecilia and Frances.

Mr. Speaker, it is appropriate at this time that we extend thanks to Dr. Louis E. Daugherty for his long record of public service to the people of Napa County. His professional and personal integrity have greatly contributed to our community, and I wish him all of the best in the future.

RECOGNIZING LILLIE BEATRICE KNIGHT IRVING

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. PICKERING. Mr. Speaker, today I want to recognize a Mississippian who has given a century of service to her family, friends and community. She and her husband, the Reverend Monroe J. Irving, reared ten children. She now has forty-two grandchildren, eighty-seven great-grandchildren, twenty-eight great-great-grandchildren, and one great-great-great-grandchild. Her family in quality and quantity has blessed southwest Mississippi.

Lillie Beatrice Knight Irving was born on September 11, 1906 in Adams County, Mississippi. She studied at Wickland Elementary School, Brumfield High School, and Alcorn State University. She then gave back to the education community serving as a teacher for forty-six years at the Tate Baptist Church Public School, the Wickland Elementary Public School, Central Elementary School and Liddell Elementary School.

She married Monroe Irving on January 17, 1933 and together they made a life of service to God and man. She served as the church clerk for thirty-three years and deaconess of Greater Mt. Bethel Baptist Church. Her service can be seen in the many awards and honors she has received from her church and community. But the real fruit of her life can be seen in how she cares for her fellow Mississippians through prayer and work and faith.

Mr. Speaker, Lillie is thoughtful and careful to feed her mind, body and soul; keeping active and balancing a strong body and her strong faith. Her commitment to the Word of God and her saving Lord has given her purpose and her life's strength. She has a family with a wonderful reputation and she and they have been a blessing to her community, her friends and everyone she comes in contact with. I hope this Congress joins me in wishing her a very happy one-hundredth birthday and praying she has many years with the Mississippi she so loves and serves.

TRIBUTE TO SHIRLEY S. ABRAHAMSON

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Ms. BALDWIN. Mr. Speaker, I rise in tribute to a distinguished American, Shirley S. Abrahamson, who is being honored today at the Wisconsin State Capitol for her 50 years of membership in the bar, 30 years as a justice on the Wisconsin Supreme Court, and 10 years as Chief Justice.

But Chief Justice Abrahamson is not being honored solely on the basis of time-served. Her colleagues, students, friends, and family, indeed all citizens of Wisconsin, are the beneficiaries of her work ethic, intellect, compassion, sense of humor, respect for justice and dedication to the law.

An elected fellow of the American Academy of Arts and Sciences, this daughter of immigrants grew up across the street from her family's grocery store in New York City. The only

woman in her law school class, the first woman on the Wisconsin Supreme Court, the first woman to serve there as Chief Justice, Shirley Abrahamson, among other honors, was elected by her peers as President of the Conference of Chief Justices and Chair of the Board of Directors of the National Center of State Courts because of their "abiding confidence in her leadership and her judicial acumen."

She paved the way for women in the law and set a standard of excellence in the Court, always reminding us, "We need to be careful to appreciate our system of judicial independence and ensure it survives."

Last year, while standing patiently in the line of mourners outside the U.S. Supreme Court to pay respects at the bier of Chief Justice Rehnquist, Chief Justice Abrahamson was recognized and urged to exert her celebrity and move to the front of the line. "That's not the Wisconsin tradition," she replied.

Shirley Abrahamson not only respects Wisconsin's tradition of equal justice and equal opportunity, she enforces both with strength, courage, and grace.

I join the people of Wisconsin in paying tribute to a great jurist and citizen, Chief Justice Shirley Abrahamson.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed rollcall vote No. 426. Had I been present, I would have voted "aye".

NEW BEDFORD CELEBRATION OF THE NATIONAL HISPANIC HERITAGE MONTH

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. FRANK of Massachusetts. Mr. Speaker, on September 12th, the Annual Hispanic Recognition Awards Ceremony will take place in New Bedford, Massachusetts. These awards express the admiration and appreciation of the community for outstanding individuals who have shown leadership in a variety of ways. Unfortunately for me, we will be in session when this awards ceremony takes place, and I will not be able to attend in person, which I would have liked to do so that I could express directly my admiration and gratitude to the winners of these awards for the work they have done.

Mr. Speaker, since I cannot be there and because the work that is being recognized is so important not just for the Hispanic Community but for the Greater New Bedford Community and indeed all of Southeastern Massachusetts, I wish to take the opportunity here to commend Mayor Lang, elected officials and the committee, led by Director Emilio Cruz, who have done the work that is culminating in this important ceremony and to express my deep appreciation of the winners of the awards.

Mr. Speaker, the list of the awardees is: Reverend Eva Amaro, Senior Pastor of the Christian Revival Temple, Dr. Guillermo Gonzalez, MD, renowned psychiatrist, Mr. Anibal Lucas, Director of the Maya Kichee USA, Ms. Raquel Tejadas, businesswoman.

PAYING TRIBUTE TO TERRY AND LEE KISTNER

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Terry and Lee Kistner of Overton, Nevada for their overwhelming commitment to serving others.

Terry and Lee moved to Overton nearly ten years ago. Shortly thereafter, they opened Valley Boot and Shoe Repair, a small business specializing in leather craftsmanship, including boots, saddles, tack and repairs. Despite the struggles of owning a small business in an economy dominated by large companies and manufacturers, Terry and Lee have managed to keep their doors open and their business running successfully for more than nine years. In order to do so, both Terry and Lee work full-time jobs and stagger their schedules so that each can tend to the needs of their business.

Although their extraordinary work ethic and commitment to their craft is part of what makes the Kistners an asset to the Moapa Valley Community, it is their remarkable compassion for others and their dedication to community service that is truly inspiring. Terry and Lee strive to help others in any way they can. They frequently contribute their expertise in leather craftsmanship to school and community groups. Whether it means donating leather and teaching special education students how to make their own belts, donating labor and craftsmanship to the Nevada High School Rodeo winners or donating custom-made boots to fulfill a young boy's dreams of owning real cowboy boots, the Kistners are happy to give their talents to a variety of worthy endeavors.

Terry and Lee are also committed citizens of the United States of America. They instilled in each of their four children a sense of pride in their country and a commitment to serving others. They currently have a son who is serving in the United States Army in Iraq. In addition to all they do to serve their local community, the Kistners also strive to support their son in his military service. The Kistners have purchased and donated a variety of needed equipment and supplies for their son's 17-member military unit.

Mr. Speaker, I am honored to recognize Terry and Lee Kistner on the floor of the House for the extraordinary citizens that they are. I commend their patriotism and their inspiring commitment to serving others. I thank them for the sacrifices they have made to brighten the lives of those around them and I wish them the very best in all their future endeavors.

TRIBUTE TO STERLING DOBBS OF HOMOSASSA, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to honor Mr. Sterling Dobbs of Homosassa, Florida.

Joining the Army in June of 1941, Mr. Dobbs spent more than 4 years in service to our Nation. As a pilot, Mr. Dobbs proved his mettle in more than 35 combat missions in the European Theater during World War II.

Awarded his 1st distinguished flying cross on October 20, 1944, Mr. Dobbs had already shown extraordinary achievement as a pilot flying a B–24 aircraft on many bombardment missions.

On April 8, 1945, Mr. Dobbs received an oak leaf cluster for a distinguished flying cross as the lead pilot on a mission over enemy occupied continental Europe. On his 30th mission, Mr. Dobbs was the lead B–24 aircraft for the 2nd Air Division that flew into Kassel, Germany where they bombed a factory. After this mission he flew several more as the command pilot, with a final total of 35 combat missions.

Truly one of America's greatest generation, Mr. Dobbs served in the Nebraska National Guard for 3 years prior to his 5-year active duty commitment. Following his honorable discharge from the Army, Mr. Dobbs then served reserve duty for another 17 years.

Mr. Speaker, true American heroes like Sterling Dobbs should be honored for their service to our Nation and for their commitment and sacrifices in battle. It was young men like Sterling Dobbs who saved the world from the threat of Nazi occupation of Europe. Without their help, America and her allies would not have been victorious in World War II.

COMMEMORATING MT. JULIET'S HEROES THIS PATRIOT DAY

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. COOPER. Mr. Speaker, I rise today to commemorate the First Annual Patriot Day Community Candlelight Tribute in Mt. Juliet, TN.

Tonight, citizens from across Wilson County will come together to pay tribute to the men and women in uniform who work hard to protect our communities everyday. With flags flown at half-staff, a moment of silence and heartfelt prayer and a candlelight ceremony this evening, Mt. Juliet will remember all those who were lost on September 11, 2001 and honor the Americans who serve and protect our country today.

At home, our law enforcement officers, sheriff's department personnel, firefighters and emergency rescue workers give their energy and expertise to fight a variety of challenges and threats to make sure we are safe. From natural hazards and fires, to crime prevention, and the ever-growing meth epidemic, these local heroes endanger their lives to make ours safer.

Overseas, we count on the brave men and women of the Armed Forces to defend our

freedom and protect democracy. They face countless dangers as they serve under the most difficult of conditions. We remember our family members, friends and neighbors across Wilson County and Tennessee who made the ultimate sacrifice for our freedom. And it is with great pride and admiration that we support the Tennesseans who continue to serve their Nation overseas.

Tonight's Patriot Day Community Candlelight in Mt. Juliet is an opportunity to personally thank our local heroes—both at home and overseas—for their dedication and sacrifice. It is a time to remember those patriots we have lost, and it is a chance for us to renew our own patriotic spirit.

NAVY MASTER DIVER CARL BRASHEAR REMEMBERED

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. BUTTERFIELD. Mr. Speaker, I rise today to remember a great American warrior and patriot. Master Chief Carl Brashear passed away on July 25, 2006 at the Naval Medical Center in Portsmouth. His legendary accomplishments, however, live on in Navy lore today and for generations to come.

As a 17 year old, Brashear joined the Navy in 1948, shortly after the service had been officially desegregated. At age 23, he applied for, was accepted to and graduated from the Navy Salvage Diving School. Twelve years later, an accident aboard the salvage ship *Hoist* nearly cost Brashear his career and his life. Brashear's left leg was amputated below the knee, a crippling debilitation for anyone but worse for a man whose dream was to be a master diver in the finest Navy in the world. He refused to give up.

In 1967, Brashear became the first Navy diver to be restored to full active duty as an amputee, and his focus returned to the sea. By March 1968, he was back to work at the NAS Norfolk where he served as the lead diver.

In June 1970, less than 4 years after the accident, Carl Brashear made history again. He became the first African-American to be certified as a master diver in the United States Navy and the only amputee deep-sea diver to ever achieve that status. Brashear would also go on to become the first black man to ever become Master Diver of the U.S. Navy, a position he held from 1975 to 1977. Brashear retired from the Navy in 1979 after 31 years of devoted service.

''Carl, a man with such humble beginnings, has touched so many people,'' said retired Master Diver J. Lamont King—the fifth black American in history to earn the title. ''He represented African-Americans. He represented people with disabilities. He represented the United States Navy. He represented veterans. He was the best of the best of what was truly American.'' For many, Carl's courage broke barriers and helped changed attitudes, but his legacy is not that of an amputee or of an African-American but rather of a seaman who overcame disability and racial prejudices to join a long blue line of American heroes.

As the Command Master Chief of NAB Little Creek Hakim Diaz remarked, ''We pay tribute to a seaman, a Sailor in whose chest beat the most valiant heart of all.'' MCBM Brashear's son, Phillip Brashear, an Army chief warrant officer 4, said it best, ''He taught people worldwide that your race, your gender, your religion, none of that makes any difference. You can achieve your goals, you can be held accountable to your characteristics as a person, not by the color of your skin.''

Countless stories of MCBM Brashear's bravery, determination, courage and friendship show that he was more than a man with a dream; he was a sailor whose skill and dedication make him a hero. Brashear was the recipient of multiple awards and commendations including the Navy Commendation Medal, Navy Achievement Medal, National Defense Service Medal, Navy and Marine Corps Medal, Navy Occupation Service Medal and the Presidential Unit Citation.

Nearly 800 people gathered last week to honor MCBM Brashear as he was memorialized. To their words I can add only that through the actions of Master Chief Carl Brashear, we are a better nation today. Without the resolve of sailors like Carl Brashear, a man whose boundless determination inspired every walk of life, our country and its people could never truly understand dedication and sacrifice.

IN HONOR OF COLONEL RICHARD STEPHEN GEBELEIN

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Colonel Richard Stephen Gebelein upon his retirement from the United States Army Judge Advocate General's Corps after 26 years of faithful and distinguished service.

Colonel Gebelein's legal career began upon his graduation from Villanova University School of Law in 1970. After law school, Colonel Gebelein served as a law clerk on the Delaware Chancery Court, deputy attorney general for the State of Delaware, State Solicitor of the Delaware Department of Justice, and as the Chief Deputy Public Defender. In 1979, Colonel Gebelein began his military career when he became a member of the United States Army Judge Advocate General's Corps with the HHC 261st Signal Command of the Delaware Army National Guard.

After serving as Delaware's Attorney General from 1979 to 1983, Colonel Gebelein was appointed to the bench of the Delaware Superior Court. Colonel Gebelein's appointment to the bench required that he become what's known as an M-Day Soldier, or a part-time drilling soldier. However, Colonel Gebelein continued to bolster his already impressive credentials by graduating from the United States Army War College and earning a degree in Islamic Studies at the University of Sarajevo in Bosnia-Herzegovina. Colonel Gebelein has also been integral in improving services provided to soldiers in the Delaware Army National Guard. Colonel Gebelein devised the system used for processing administrative discharge boards and courts martial at the Delaware Army National Guard.

In 2004, Colonel Gebelein was called-up and went to Afghanistan and served as the Rule of Law Officer for the Staff Judge Advocate Combined Forces Command—Afghanistan, in support of Operation Enduring Freedom Colonel Gebelein served in Afghanistan for 8 months and shortly after his return to the Delaware Superior Court, his expertise as a premier international jurist was recognized; based on the quality of his character and knowledge in international legal matters, Colonel Gebelein was invited to address the United Nations forum on International Humanitarian Law and Peacekeeping Operations. Colonel Gebelein currently serves as an International Judge for War Crimes and Organized Crime and Economic Corruption on the Criminal and Appellate Divisions of the Court of Bosnia and Herzegovina.

Mr. Speaker, in closing, I would like to express my deep personal thanks to Colonel Gebelein for his service to the United States Army, the Delaware Superior Court, and the citizens of Delaware. Colonel Gebelein's distinguished career is a testament to his impeccable character, intelligence, and integrity. I'm proud to call him a friend, but I'm grateful that he is a Delawarean.

TRIBUTE TO MONTY BROOKS AND THE IMPORTANCE OF BASIC FIRST AID TRAINING

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. PENCE. Mr. Speaker, today I rise to highlight the importance of basic life-saving skills such as CPR and the Heimlich Maneuver. One of my constituents, Monty Brooks, recognizes the importance of these skills following a frightening experience in August.

On this warm Indiana evening, Monty Brooks and his 9-year-old daughter, Carrington, were spending time together on their porch. Carrington had prepared some leftovers from dinner and after a lull in the conversation, Monty realized something was terribly wrong with his daughter. Carrington clutched her neck indicating that she was choking.

Mr. Speaker, Monty Brooks knows first-hand the importance of basic life-saving skills. Monty is the director of health and safety for the Hoosier Heartland Chapter of the American Red Cross. His experience with Carrington only serves to highlight his longtime understanding that these skills are important.

Monty Brooks put his basic life-saving knowledge to use on that warm August evening. He performed the Heimlich Maneuver on Carrington, dislodging the food and allowing her to breathe freely once again.

I rejoice with Monty Brooks that Carrington is well after this frightening episode. I also commend Monty for his dedication to educating and training others in basic life-saving skills through the American Red Cross preventing the unnecessary deaths of his fellow Hoosiers. Along with Monty Brooks, I encourage Hoosiers and all Americans to get trained and become familiar with basic life-saving skills.

HONORING THE TOWN OF BURLINGTON, CT ON ITS 200TH ANNIVERSARY

HON. NANCY L. JOHNSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mrs. JOHNSON of Connecticut. Mr. Speaker, I rise today to pay tribute to the Town of Burlington, Connecticut, on the occasion of its bicentennial.

The Town of Burlington emerged from its incorporation in 1806 as a dynamic community. Although the young town relied heavily on agriculture through its small farms, it was also home to several mills and factories, producing goods ranging from muskets to mantel clocks to cider brandy. Today, as many small businesses continue to grow and prosper in Burlington, I would like to commend the many generations of hard-working people who have helped to set such high standards of entrepreneurship and initiative throughout the town's history.

Many outstanding individuals have hailed from Burlington over the past two centuries. Among them were Samuel Monce, inventor of the glass cutter; Colonel Ralph L. Gezelman, who was responsible for organizing the supply shipments for the D-Day invasion; and Herman Humphrey; whose leadership at Amherst College helped transform that school into the fine institution that it is today.

Mr. Speaker, I commend this fine community for its innumerable accomplishments over the course of its first 200 years. As one of the fastest growing towns in Connecticut, Burlington not only has a rich history behind it, but a promising future as well.

TRIBUTE TO ST. MARY'S LAW SCHOOL

HON. MICHAEL T. McCAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. MCCAUL of Texas. Mr. Speaker, I rise today in honor of an institution that prides itself on excellence, distinction and integrity—my alma mater St. Mary's Law School.

Located in San Antonio, Texas, St. Mary's Law School is a community of faith and an independent Catholic institution that instills in its students a commitment to public service, and a profound moral and intellectual obligation to the public that its students will someday serve.

I am proud to say that I graduated from St. Mary's Law School in 1987, and the great education of the law and public service that I received there built the foundation for my career as a Member of Congress.

Recently, St. Mary's Law School dedicated their new Center for Terrorism Law. The St. Mary's Center for Terrorism Law is committed to the study of the legal issues associated with both antiterrorism and counterterrorism, with a particular emphasis on cyberterrorism and information assurance technologies.

Through its exceptional curriculum, the Center for Terrorism Law is dedicated to increasing the professional and public understanding of terrorism law, and the balance between ensuring global security and protecting the civil liberties of all Americans.

As a Member of the Homeland Security Committee and a St. Mary's alumnus, I am encouraged by their commitment to these complex and crucial issues that are at the foundation of America's national security. The education they are providing their students, and the work they are doing in the field of terrorism law will make America a safer place.

PAYING TRIBUTE TO SPECIALIST IGNACIO RAMIREZ

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor the life of United States Army Specialist Ignacio Ramirez, who was killed on August 9, 2006, in Ramadi, Iraq while serving in Operation Iraqi Freedom.

Ignacio ''Nacho'' Ramirez was born in Los Angeles on August 23, 1983. He spent the majority of his youth in Henderson, Nevada. He was involved in athletics throughout his youth, playing youth baseball and high school football. He graduated from Basic High School in 2002, and joined the United States Army shortly after graduation.

Specialist Ramirez was assigned to the 1st Battalion, 37th Armored Regiment, 1st Armored Division of the United States Army based out of Friedberg, Germany. He lost his life when a roadside bomb exploded near his vehicle.

Specialist Ramirez was a hero whose desire to serve his country will forever make an impact on his family, his community and his country. He joined the Army to help the United States fight the Global War on Terror and he will not only be remembered for his sacrifice and willing service, but for the extraordinary person that he was.

Ignacio's warmth and optimism brightened the lives of his family and friends. He is survived by his loving parents, Marina and Robert Vance; and six siblings, Ofelia Espinoza, Sidney Jiminez, Ivan and Jasmine Ramirez, and James and Tia Vance.

Mr. Speaker, I am proud to honor the life of United States Army Specialist Ignacio Ramirez. Specialist Ramirez made the ultimate sacrifice for his country while defending democracy and freedom. He was a true patriot who served the United States of America with valor and courage. I am saddened by his loss and I extend my deepest sympathies to his family.

TRIBUTE TO VIETNAM WAR VETERAN WILLIAM REES, JR. OF LEVY COUNTY, FL

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to honor William Rees, Jr. of Williston, Florida, a purple heart Veteran from the Vietnam war.

Mr. Rees was wounded in action in April of 1968 when a mine exploded near his station. As part of the 3rd Squadron, 11th armored cavalry regiment, Mr. Rees and his fellow soldiers faced the enemy in battle many times throughout that fateful month.

During April, his squadron destroyed seven hundred and twenty-five enemy bunkers and recorded forty-nine vietnamese soldiers killed in action. Additionally, Mr., Rees and his fellow troops confiscated significant weapons caches, numerous documents, utensils, food, and medical supplies.

Veterans of the Vietnam war made tremendous sacrifices in the name of freedom. More than 300,000 brave soldiers were wounded during the war, many of them disabled for life.

This level of sacrifice required a great amount of courage, strength, and devotion to the preservation of the American ideals of democracy and freedom for all. It is by remembering their sacrifices that we can celebrate the end of such a difficult conflict.

Mr. Speaker, veterans like William Rees, Jr. should be recognized for their service to our nation and for their commitment and sacrifices in battle. I am honored to have presented Mr. Rees with his long overdue purple heart. He should know that we truly consider him one of America's heroes.

TRIBUTE TO MRS. BONNIE REESE

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. VISCLOSKY. Mr. Speaker, it is with great honor and pleasure that I stand before you today to recognize the many accomplishments of Mrs. Bonnie Reese. I can truly say that Bonnie is a dedicated, distinguished, and honorable citizen. I have known Bonnie for many years, and she is one of the most involved citizens I have ever known, especially when it comes to her service to the community. Bonnie has served her community of Jasper County in some political capacity for 35 years, and her overall service to the community is immeasurable. For many years, Bonnie has been a constant fixture in the Jasper County Democratic Party. For her efforts, she will be honored at an event hosted by the Jasper County Democrats on Friday, September 8, 2006, at the American Legion Post #406 in Wheatfield, Indiana.

Bonnie Reese began her career with the Jasper County Democratic Party in 1971, at which time she served as the Party's Secretary. After serving 4 years in that position with unwavering professionalism and dedication, Bonnie was named to the position of Vice Chair. For over 30 years, Bonnie has maintained this post, and she has done so with complete loyalty to the Democratic Party and to the people of her community. When called upon to address the needs of the community, Bonnie has always been a willing servant. Because of her commitment and care for the citizens of Jasper County, Bonnie was also elected First District Vice Chair in 2004. In addition, she has the distinction of being the first female elected to the Jasper County Council. However, not only was Bonnie the only woman on the Council, but also the sole Democrat. Bonnie's knowledge of the government and her willingness to serve have made her very successful in all of the positions she has held.

Indisputably, Bonnie Reese has been extremely successful throughout her career in public office. However, her efforts to support and contribute to her community have extended beyond her political service. Aside from her public service, Bonnie is also known for her skills as an organist. Many people in the community know her from her service to her church, the Tefft United Methodist Church, where she serves not only as the church's organist, but also as its choir director.

When not engaged within the community, Bonnie spends her spare time with those closest to her, her family. A loving wife, mother, grandmother, and great-grandmother, Bonnie's commitment to her community is surpassed only by her love for her family. Bonnie has been married to her husband, Roy, for 48 years. She and Roy, a retiree of U.S. Steel after 40 years of service, have four sons: Daniel, Michael, Richard, and Douglas. Roy and Bonnie are proud grandparents of 14, and they also have one great-grandchild.

Mr. Speaker, Bonnie Reese has given her time and efforts selflessly to the people of Jasper County throughout her years of service. At this time, I ask that you and all of my distinguished colleagues join me in commending her for her lifetime of service and dedication.

RECOGNIZING THE ACHIEVEMENTS OF MR. FRED A. CURLS

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. CLEAVER. Mr. Speaker, I proudly rise today in recognition of the achievements of Mr. Fred Curls, a pioneer for civil and political rights, and a resident of the Fifth District of Missouri, which I am honored to represent. This week, Mr. Curls is to be inducted into the Missouri Walk of Fame during a reception as part of the Congressional Black Caucus Foundation's Annual Legislative Conference, an event held to honor the achievements of African-Americans who have made significant contributions to Missouri. He is one of the original Founders of Freedom Incorporated, an African-American political organization which at one time could generate nearly 70,000 votes. Freedom Inc. was and has been very influential in delivering votes for a candidate or a cause.

The organization has been at the forefront in serving as a catalyst for change in civil rights, public accommodations, and the election of candidates at all levels of government. Its office has been visited by City Councilpersons, Mayors, Governors, Congresspersons, Senators, and persons with Presidential aspirations. For nearly forty-five years, Mr. Curls has dedicated his life to the Greater Kansas City community, promoting and improving political empowerment and civil rights of people of color. His son, State Senator Phil B. Curls, Sr. was the President of Freedom Inc. when I was Chairman. It was a period when Freedom Inc. was recognized as one of the most potent political organizations in the United States and brought about the election of the first African-American Congressman from the Fifth District of Missouri, U.S. Representative Alan Wheat.

Since the mid-1950's, Mr. Curls has been involved in real estate sales and appraisals, most notably in the African American community of Kansas City. He fought against ''restrictive covenants'' whereby residential homes could not be sold in certain areas to minorities. He was part of a class action lawsuit which resulted in the United States Supreme Court outlawing such covenants.

In all of his activities, he demonstrates his dedication and commitment to the greater good of others. He is actively involved with his high school graduating class, the ''Class of 1937,'' which has been very close to this day. They have started the Lincoln High Alumni Association which gives scholarships to deserving young adults to go to college. He was recently honored by Jackson County, Missouri as one of its ''Legacy Awardees'' for its 175th anniversary as a political subdivision.

Throughout his life, he has believed in the saying ''make it happen.'' He has put his principles to practice, and the effects of his efforts have ''made it happen'' throughout the Kansas City metropolitan area.

For those reasons and more, it is indeed an honor and privilege to recognize Mr. Fred Curls at the Missouri Walk of Fame reception, hosted by myself and fellow Missourian, U.S. Representative William Lacy Clay of St. Louis.

Mr. Speaker, just as this body has honored Dr. Martin Luther King as an outspoken pioneer and one of the historians of the civil rights struggle, and has honored Buck O'Neill was one of the historians for those who toiled in the Negro Leagues rather than the Major Leagues, we should now give honor to Fred Curls as one of the historians of Kansas City's African-American political struggle. He was active in promoting equality, elevating African-Americans from a second class citizenship to a first class citizenship to be recognized by all. Whatever we, as African-Americans, may attain in the political arena, Fred Curls, and those who labored to act on our behalf as political pioneers, have helped to change the course of history. In the year that this 109th Congress has approved the extension of the Voting Rights Act, it is with great pride that we honor one of our active, long-time heroes with this Missouri Walk of Fame. Mr. Speaker, please join me in expressing our appreciation to Mr. Fred Curls and his endless commitment to serving the residents of the State of Missouri. He is a true role model not just to the African-American community in Missouri, but to the entire community at large.

IN HONOR OF THE CAREER OF COACH EDDIE JACKSON

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. ROSS. Mr. Speaker, I rise today to honor the career of Coach Eddie Jackson. Coach Jackson has been a guiding light to the youth of Arkansas and Texas for more than 35 years. On July 21st he was honored with an induction into the Arkansas High School Coaches Association Hall of Fame.

After graduating from Fairview High School in 1963, Coach Jackson went on to receive a BSE from Southern Arkansas University and an MSE from Henderson State University. Within months of graduating college he joined the Prescott High School football and track staffs, winning district championships in his first year. In 1973, his first year as a head football coach, Coach Jackson won the first of three state championships at Prescott. His last state championship came in 1995, his final year as head coach.

Track and field has always held a special place in Coach Jackson's heart. During his distinguished career, he has amassed numerous titles and honors. While at Prescott, Coach Jackson won 15 district titles, was state runner-up twice and won an impressive three state championships. He has also served as the state track meet director twice and was an official at the Southeastern Conference Outdoor Championships.

After leaving Prescott, Coach Jackson went on to coach one season at Hampton before moving to Texarkana and coaching one year at Texas High and two at Liberty-Eylau. In 2002, Coach Jackson became middle school athletic coordinator in Hooks, Texas while also coaching middle school football and track.

Since Prescott is my hometown, I had the privilege to see first-hand the lives this man touched not, only in sports but in the community as well. On July 21st Coach Jackson joined 10 other outstanding coaches to be inducted into the Arkansas High School Coaches Association Hall of Fame.

I am so pleased to have the opportunity to properly recognize Coach Eddie Jackson before the United States Congress for his outstanding contributions to the communities and youth he has touched in Arkansas and Texas. Please join me in congratulating Coach Jackson on his induction into the Arkansas High School Coaches Association Hall of Fame.

THE SECOND ANNIVERSARY OF THE BESLAN MASSACRE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to express my sympathy over the terrible tragedy that took place just over two years ago in the southern Russian city of Beslan. This nightmare began on September 1, 2004, the first day of school when over 1000 students, parents, and teachers were forced by terrorists at gunpoint into a gymnasium rigged with explosives. These young students and others were held hostage for three days without access to food or water while the sick and wounded were denied access to medical treatment. In the end, nearly 400 people lost their lives, including 186 children, and over 700 people were wounded in the savage and senseless acts of violence that occurred in Beslan.

Words alone cannot adequately convey the heartache and sorrow over this barbaric act of terrorism. Having an entire Russian school taken hostage by terrorists was shocking. As the world watched, hoping against hope that this would somehow be resolved peacefully, it was horrible to learn on September 3rd that there had been massive loss of innocent lives in the early afternoon of that day.

Mr. Speaker, we continue to grieve for those children and their families and join with other Americans in solidarity with the Russian people on this somber second anniversary of the Beslan massacre.

As Americans we know what it is like to watch—helplessly and in horror—as merciless acts of terrorism are committed against innocent people. We will never forget the tremendous outpouring of sympathy from the people of Russia following the tragic events of September 11, 2001. This support was much appreciated by our wounded nation and helped us through the dark days in the immediate aftermath of the senseless violence of that fateful day.

As both our nations mourn the losses of September 3rd and September 11th, let us find hope in the countless stories of humanitarian acts that surrounded those horrible events. Colleagues, let us remember the heroism of our first responders, the valor of our troops, and the generosity of our communities in their collective response to these tragedies. May the God of mercy grant His peace to all those who continue to suffer from the violence of those tragic days.

PERSONAL EXPLANATION

HON. JOHN LINDER

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. LINDER. Mr. Speaker, I was unable to cast rollcall vote 418 through rollcall vote 426 on July 27, 2006, and July 28, 2006, because I was unavoidably detained on official business.

Had I been present, I would have cast the following votes: On rollcall vote No. 418, I would have voted ''yea''; on rollcall vote No. 419, I would have voted ''yea''; on rollcall vote No. 420, I would have voted ''yea''; on rollcall vote No. 421, I would have voted ''nay''; on rollcall vote No. 422, I would have voted ''aye''; on rollcall vote No. 423, I would have voted ''yea''; on rollcall vote No. 424, I would have voted ''no''; on rollcall vote No. 425, I would have voted ''aye''; on rollcall vote No. 426, I would have voted ''aye.''

PAYING TRIBUTE TO ANDRE AGASSI

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Mr. Andre Agassi as he retires from a 20-year professional tennis career.

Andre Agassi was born on April 29, 1970, in Las Vegas, NV, to Elizabeth and Emmanuel ''Mike'' Agassi. When he was an infant, Andre's father hung tennis balls above his crib in the hopes that he would some day become a tennis champion. From the time he could walk and hold a racquet effectively, Andre practiced his game, hitting up to 5,000 balls a day. By age 5, he was practicing with pros such as Jimmy Connors and Roscoe Tanner. At the age of 14, Andre's father sent him to train at Nick Bollettieri's Tennis Academy in Florida. Two years later, in 1986, he turned professional, winning his first top-level singles title in 1987 at the Sul America Open in Itaparica, Brazil.

Andre has won eight Grand Slam singles titles and has achieved a total of 60 career singles titles with one career doubles title. Andre is one of only five players to win all four Grand Slam events in his career: four Australian Open titles, one French Open, one Wimbledon, and two U.S. Opens. Furthermore, Andre won the men's singles gold medal at the 1996 Olympic Games in Atlanta, and in 1999 was ranked the No. 1 player in the world.

In addition to his achievements on the court, Andre participates in many charity organizations and founded the Andre Agassi Charitable Association (AACA), whose mission statement is to provide educational and recreational institutions and activities for abandoned, abused, and at-risk kids. Every year, the AACA holds a concert benefit entitled Grand Slam for Children, featuring performances by artists such as Celine Dion, Robin Williams, and Sir Elton John. After its 11th year, the event has successfully raised over $50 million for the at-risk children of Las Vegas. In 1995, he won the ATP Arthur Ashe Humanitarian award in recognition of his efforts for helping disadvantaged youth in Las Vegas. In 1997, Andre opened the Boys & Girls Club to assist the youth of Las Vegas, which features a junior tennis team, Team Agassi, as well as a basketball program, the Agassi Stars. In 2001, Andre opened the Andre Agassi College Preparatory Academy in Las Vegas, NV, a K–12 public charter school founded on the principle that nothing can impact on a child's life more than the education they receive. Additionally, through the AACA, he supports Clark County's only residential facility for abused and neglected children called Child Haven, donating funds for a six-room classroom building now named the Agassi Center for Education. His foundation also provided $720,000 to assist in the building of the Andre Agassi Cottage for Medically Fragile Children.

In addition to his professional success and his contributions to the community, Andre is a dedicated family man; he is the loving husband of former tennis champion Steffi Graf, and the devoted father to 4-year-old son Jaden Gil and 2-year-old daughter Jaz Elle.

The consummate sportsman, Andre praised his fans following his match on Sunday, September 3, 2006 at the U.S. Open. This match brought to a close one of the most impressive professional careers in all of sports. After walking off the court, Andre said ''The scoreboard said I lost today, but what the scoreboard doesn't say is what I've found. Over the last 21 years, I've found loyalty. You have pulled for me on the court and also in life. I have found inspiration. You have willed me to succeed sometimes in my lowest moments.'' He will always be No. 1 in the world, not only as an athlete, but also as a great humanitarian. Andre has willed our community and children to succeed at some of our lowest moments.

Mr. Speaker, I am honored to recognize Mr. Andre Agassi. I would like to offer Andre my sincerest congratulations on an esteemed career, my warmest thanks for his ongoing contributions to the Las Vegas community, and wish him much luck in his future endeavors.

TRIBUTE TO THE NORTHERN LITTLE LEAGUE TEAM OF COLUMBUS, GEORGIA

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. BISHOP of Georgia. Mr. Speaker, I would like to take this opportunity to pay special tribute and congratulate the 2006 Little League World Champions, the Northern Little League team of Columbus, Georgia.

The victory by our Northern Little Leaguers over the undefeated Kawaguchi City team representing Japan, makes them only the second team from Georgia to win a World Championship. While a team from Marietta won in 1983, our team is only the second team from Georgia to ever qualify for this event in its entire 60 year history.

As the Member of Congress representing Columbus and Muscogee County, Georgia, where most of the young men live, I can not tell you how proud we all are of this fine young team.

The entire city and surrounding community was thrilled by the success of its native sons. The Columbus Northern Little League players are not only world champions; they are hometown heroes and celebrities as well.

These young men represented the city of Columbus, the State of Georgia and indeed, our great nation, in the finest tradition of the Little League, and what it stands for and represents—teamwork, sportsmanship and camaraderie.

The spirit of sportsmanship was no more apparent than this year. After winning the Championship game, the entire Columbus team walked over to their opponents dugout, and invited the Japanese team to help them hoist the championship banner and to join them in taking the victory lap around the field. Then, side by side, the two teams scooped up dirt from the infield to keep as souvenirs.

I also want to pay tribute to the parents of these young men. Any parent of a little league baseball player, or for that matter, football, soccer or other sports knows and appreciates the love and commitment needed to be successful in these activities.

Let me also pay tribute to the dedicated Columbus fans, hundreds of whom took the 900-mile trip to Williamsport from Columbus to support our team, as well as the other Little League teams in the Columbus area, and the many volunteers, sponsors and supporters who have dedicated themselves to Little League sports year after year.

Throughout the World Series, it was clear that our Northern Little Leaguers were well schooled and prepared, which in large part, points to the hard work and dedication of the team's Manager—Randy Morris, and Coach—Richard Carter.

But it was the members of the team themselves who had to put it all together on the field. And I would like to pay special tribute to each one of the team members individually, including: Brady Hamilton #6, Ryan Lang #18, Josh Lester #4, Matthew Hollis #10, Patrick Stallings #25, Mason Meyers #16, Kyle Rovig #8, Matthew Kuhlenberg #7, Cody Walker #21, Kyle Carter #19, and J.T. Phillips #22.

Babe Ruth once said, ''Baseball was, is and always will be to me the best game in the world.''

And indeed, for the millions of Little League fans around the world, the 2006 Little League Championship game will go down as one of the best single games in the history of the event.

TRIBUTE TO STAFF SERGEANT CHRISTOPHER SWANSON

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. HOYER. Mr. Speaker, the tragic death of a young soldier from Anne Arundel County, Maryland, who gave the ultimate measure of sacrifice in the global war on terror, saddens all of us. As we continue to fight this war, the loss of each and every service member is a tragedy.

Anne Arundel County, the state of Maryland, and our Nation lost a great hero when Army Staff Sergeant Christopher Swanson of Rose Haven was killed in Anbar on July 22.

More than 50 of Maryland's bravest have now died in the war in Iraq.

Christopher Swanson was completely dedicated to protecting his fellow troops. He wrote on his personal website, ''I would do anything for them even if it means giving my life to save theirs.''

Swanson was highly regarded in his family and community. As a teenager, he traveled on mission trips with members of the First Baptist Church in Upper Marlboro, providing the hope of a better life to gang members in West Virginia and Ohio.

He was the captain of his soccer team at Southern High School, where faculty remembered a ''happy go-lucky kid that was always lending a hand.''

In August of 1999, Sergeant Swanson enlisted in the Army, even as others tried to talk him out of it. He served in Kosovo as a member of the 82nd Airborne Division, and was part of the initial assault on Iraq in March of 2003, the first of three tours.

Sergeant Swanson was awarded two purple hearts, one after being injured by an improvised explosive device just weeks before he was killed. He persevered, telling his brother Kenneth that he would not be sidelined.

Christopher Swanson gave his life for all of us. As his representative in Congress, I am grateful for his patriotism and his sacrifice. The Fifth District of Maryland and all Americans join the Swanson family in mourning the loss of this fine young man, a real hero.

IN LASTING MEMORY OF JUDGE JOHN W. GOODSON

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. ROSS. Mr. Speaker, I rise today to honor the memory of Judge John W. Goodson, a true treasure to the community of Texarkana, Arkansas, and to the entire state of Arkansas. Judge Goodson passed away August 18, 2006, in Texarkana, Arkansas, at the age of 80.

John W. Goodson began practicing law in 1951 and was known as a ''gentle giant'' in the courtroom because of his imposing height, booming voice and tender heart. Throughout his distinguished career as a lawyer and Circuit Judge, John Goodson was a mentor and a friend to many. Some of those he mentored moved on to become international lawyers, elected prosecutors, Circuit Judges, Arkansas Supreme Court Judges and a federal Judge.

Judge Goodson served as the presiding Circuit Judge in courts in Miller, Lafayette, Hempstead and Nevada counties in Southwest Arkansas.

Judge Goodson was a World War II Air Force Veteran, a member of the Arkansas Masonic Lodge, and a board member and former Sunday school teacher at the First United Methodist Church in Texarkana, Arkansas.

Nothing meant more in the life of John W. Goodson than the love he had for his family. This love was evident in all he did, from his active involvement in his church to his role as a community leader.

My condolences go out to his wife, Doris; his daughters Jan Murphy and Mary Jane Briggs; his son John Goodson; and his three granddaughters, Jane Anne Murphy, Wesley Hana Goodson and Mary Claire Briggs. Judge Goodson will be sorely missed in Texarkana and throughout the state of Arkansas.

RECOGNIZING THE ACHIEVEMENTS OF DR. GAYLE HOLLIDAY

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. CLEAVER. Mr. Speaker, I proudly rise today in recognition of the achievements of Dr. Gayle Holliday, an important resident of the Fifth District of Missouri, which I am honored to represent. This week, Dr. Holliday is to be inducted into the Missouri Walk of Fame during a reception as part of the Congressional Black Caucus Foundation's Annual Legislative Conference, an event held to honor the achievements of African-Americans who have made significant contributions to Missouri. I had the privilege of nominating Gayle for the Congressional Black Caucus Spouses' Celebration of Leadership Unsung Hero Award. While this award carries no monetary prize, it is no less a testament to her devotion to bettering our area. For more than 35 years, Gayle has dedicated her life to the Greater Kansas City community, promoting and improving socio-economic conditions, political empowerment and civil rights of people of color.

Dr. Holliday holds a Bachelor of Arts in Political Science, a Masters in Public Administration, and a Ph.D. in Management and Applied Technology. She is the President and Owner of G & H Consulting, LLC, which has been in business for more than 10 years, helping clients in the public, private and non-profit sectors with strategic planning and business plan development. She was recently appointed by Jackson County, Missouri to oversee the minority and women hiring by contractors and subcontractors for the Truman Sports Complex renovation, which is home of the Kansas City Chiefs and the Kansas City Royals. Additionally, under President Bill Clinton, Gayle was selected as one of a small group of individuals to represent the transportation industry on the President's transition team.

Civically, Dr. Holliday serves on twelve boards in the Greater Kansas City Area with varied interests such as healthcare, education, economic development, and diversity in such areas as race, sex, and religion. Through these community activities, Gayle amasses more than 70 hours of community service each month. She is also a member of the church I pastor, St. James United Methodist Church, and finds time to serve as chair of the Pastor Parish Staff Relations Committee. In all of her activities, she demonstrates her dedication and commitment to the greater good of others. Her high energy pace translates directly to the results she is able to obtain for the benefit of all in the Greater Kansas City Area. Regardless of whether she is in the trenches or the boardroom, her poise and thoughtfulness is ever present.

Throughout her life, Dr. Gayle Holliday has exercised a tireless belief in the principle of putting ''others'' before ''self.'' She has put her principles to practice, and the effects of her efforts can be felt throughout the Kansas City Metropolitan Area.

For those reasons and more, it is indeed an honor and privilege to recognize Dr. Holliday at the Missouri Walk of Fame reception, hosted by myself and fellow Missourian, U.S. Representative WILLIAM LACY CLAY of St. Louis.

Mr. Speaker, please join me in expressing our appreciation to Dr. Gayle Holliday and her endless commitment to serving the residents of the State of Missouri. She is a true role model not just to the African-American community in Missouri, but to the entire African-American community at large. May her success serve as a stepping stone for many other African-Americans eager to be just as successful in their endeavors. While it is but a small acknowledgement for all of the work she has done, it is a heartfelt gesture, taking strength from the myriad lives she has touched in our hometown.

TRIBUTE TO NORTHWEST INDIANA FEDERATION OF LABOR

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. VISCLOSKY. Mr. Speaker, it is my distinct honor to congratulate some of the most devoted and proficient workers in Northwest Indiana. The Northwest Indiana Federation of Labor AFL–CIO will recognize several individuals for their dedication during the 32nd Annual Community Awards Reception to be held at the Duneland Falls Banquet Center in Chesterton, Indiana on Thursday, August 31, 2006. These individuals, in addition to the other Northwest Indiana Federation of Labor members who have served Northwest Indiana so diligently for such a long period of time, are a tribute to the ideal American worker: loyal, dedicated, and hardworking.

At this year's event, several individuals will receive special recognition. Mr. Thomas Conway, United Steelworkers International Union Vice President, is this year's recipient of the President's Award. Mr. Conway is being honored for enhancing the well-being of workers throughout Northwest Indiana by countless contributions which further the philosophy of the Labor Movement.

Mr. James W. Callahan, City of Hammond Building Commissioner, will receive the Service to Labor Award for special recognition in assisting organized labor to improve the quality of life for workers in Northwest Indiana.

On behalf of the Pangere Corporation, Mr. Steve Pangere, President, will be presented with this year's Union Label Award for unselfish devotion to the Labor movement through its promotion in all areas of endeavor.

On behalf of the United Union of Roofers, Waterproofers and Allied Workers Local 26 and Roofers Local 26 Joint Apprenticeship and Training Committee Apprentice Program, Mr. Jeff Lussow, Business Manager, and Mr. Keith Vitkovich, Apprenticeship Coordinator, will accept the Community Service Award for exemplary service to the community and the enhancement of the quality of life for all.

Mr. Patrick Malott, Sr., United Steelworkers #6787, will receive the George Meany Scout Award, an honor bestowed upon him by the Boy Scouts of America.

Mr. James G. Stemmler, Business Manager for the Iron Workers Local 395, will be honored with the Lifetime Achievement Award. The exceptional service he has provided to the community deserves our admiration and respect. His dedication and commitment demonstrated for his community is representative of the values we cherish in Northwest Indiana.

For the 2006 Business Sector Awards, Mr. John C. Mang is this year's recipient of the President's Award. The years of hard work he has put forth are a true inspiration to all. Mr. Calvin E. Bellamy is this year's recipient of the Retail/Wholesale Sector Award, while Mr. Mike Schaller, President, Schaller and Mandemack Construction, Incorporated, will receive the Building Trades Sector Award. Finally, Mr. Don Potrebic, Lake County Councilman and retired member of the United Steelworkers Local 1014, will be honored with this year's Service/Municipal Sector Award.

Northwest Indiana has a rich history of excellence in its craftsmanship and loyalty by its tradesmen. These individuals are all outstanding examples of these qualities. They have demonstrated their loyalty to both the union and the community through their hard work and self-sacrifice.

Mr. Speaker, I ask that you and my distinguished colleagues join me in congratulating these dedicated, honorable, and outstanding citizens, in addition to all of the hardworking union men and women in America. They have shown commitment and courage toward their pursuits, and I am proud to represent them in Washington, DC.

HONORING RICHARD GIMBL

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. BISHOP of New York. Mr. Speaker, I am very proud to rise in honor of an American hero and one of the bravest firemen that Long Island has ever known, Mr. Richard Gimbl, Chief of the Holbrook Fire Department.

It is a tremendous privilege for me to inform the House that Chief Gimbl was recently selected by the great State of New York as its 2006 ''Fireman of the Year.'' This award is the most recent of a long and highly prestigious list of decorations bestowed upon Chief Gimbl throughout a remarkably distinguished career exemplified by valor, sacrifice and selfless dedication to his fellow firemen and on behalf of a grateful community that he served and protected for 36 years.

Mr. Speaker, Chief Gimbl has answered the call time and again. He was dispatched to Puerto Rico and the Virgin Islands to help with the relief and recovery from the violent hurricanes of the late 1980s. As part of a FEMA relief unit, he responded to the Oklahoma City bombing in 1995. And he was there at Ground Zero on September 11th when the World Trade Center and so many of our bravest firemen fell.

At a time in our Nation's history when the ever-present threat of terrorism and natural disasters continue to imperil our safety and security here at home, we need and are deeply grateful for heroes like Chief Gimbl, who set the bar for a higher standard of commitment and bravery consistently demonstrated by our first responders, and who comfort us each day by the blanket of security they provide at the expense of tremendous sacrifice.

Mr. Speaker, as Chief Gimbl recovers from injuries sustained in the line of duty last year, we join with his family, fellow firefighters at the Holbrook FD, and the entire Long Island community in expressing our sincere best wishes for a full and speedy recovery and to assure each of them that he will remain in our thoughts and prayers.

15TH ANNIVERSARY OF UKRAINE'S INDEPENDENCE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. SMITH of New Jersey. Mr. Speaker, August 24th marked the fifteenth anniversary of Ukraine's rebirth as an independent state, finally being freed from the shackles of Soviet misrule that included a reign of terror, cultural suppression and a genocidal famine.

The last fifteen years have witnessed peaks and valleys as the Ukrainian people have struggled to overcome the legacy of communism and Moscow's imperialism. While the process of Ukraine's restoration is still a work in progress, great strides have been made to consolidate that nation as an independent, free and democratic state. The December 1, 1991 referendum on independence, the 1996 Constitution and especially the 2004 Orange Revolution stand as highlights, demonstrating Ukrainian resolve for independence, rule of law, democracy and freedom, and the continuing promise of a better life.

In contrast to the first 13 years of independence, Ukraine is now ''free'', and not merely ''partly free.'' The March 26 parliamentary election was one of the freest and fairest ever held among post-Soviet states. The Ukrainian economy is on the road to recovery and development after the initial post-Soviet decline of the 1990s. Ukraine is a responsible neighbor and has shown its mettle as a partner for peace and security in the world.

Of course, challenges remain despite the real progress that has been made. There have been missed opportunities. Many of the promises of the Orange Revolution are only partially fulfilled. The rule of law, including a truly independent judiciary, remains to be consolidated. Corruption, although not as egregious as before the Orange Revolution, still rears its ugly head. Many Ukrainians believe all too many among the political elites look first toward their personal interests rather than to the good of the people and of the nation they are supposed to serve. As the last months have demonstrated, political stability can be elusive, and it remains to be seen what direction the new government will take. Nevertheless, Ukraine continues to show tremendous potential, and I am firmly convinced that this still relatively young 15-year-old independent state will fulfill its potential.

Mr. Speaker, in looking over the last fifteen years, we must not forget the sacrifices of millions who fought for Ukraine's liberty over the course of the last century, often against great odds and at great personal risk. Whether in the struggle for Ukraine's short-lived independence in 1918–21, or the insurgent armies that fought against both Nazi and Soviet rule during and after World War II, many Ukrainians made the ultimate sacrifice.

More recently, in the final decades of Soviet domination, Ukrainian Helsinki Monitors and other human rights activists challenged the system, calling upon the Kremlin to live up to commitments voluntarily undertaken when Leonid Brezhnev signed the 1975 Helsinki Final Act. One such renowned activist, Ukrainian Helsinki Monitor Nadia Svitlychna, who served three years in a Soviet labor camp for her tireless defense of human rights and freedom, died last month. We honor the memory of Mrs. Svitlychna, recalling that it was courageous and dedicated individuals like her who, as much as anyone, paved the way for an independent, democratic Ukraine.

Mr. Speaker, I am proud of the role that the Helsinki Commission, which I Co-Chair, has played throughout its 30-year existence in firmly supporting human rights and freedom for Ukraine. I am pleased that the Congress has stood firm in support of Ukraine and am confident that the United States will continue to extend the hand of friendship as Ukraine moves toward its rightful place as a fully integrated member of the Euro-Atlantic community of nations.

TRIBUTE TO MARK CHESNUTT

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. BRADY of Texas. Mr. Speaker, I rise today to honor Mark Chesnutt on this day September 6, 2006, his 43rd birthday. This outstanding country music star currently has 14 No. 1 hits, 23 top ten singles, four platinum albums, five gold records, and continually maintains a hefty live tour schedule.

Born in Beaumont, TX, Mark got his start playing in honky-tonk bars throughout his hometown area singing alongside his father, Bob Chesnutt. His dad traveled often to Nashville and started taking Mark along at 17 where he was soon discovered by talent agents who recognized the vocal and authentic talents Mark possesses.

Signed at 17 by MCA, Mark soon won the coveted Country Music Association's Horizon

Award recognizing the industry's top new talent. At the awards ceremony, he was introduced by legendary country music star George Jones who remarked, ''This boy from Beaumont, Texas is the real deal.''

Throughout the 90's Mark's singles continued to light up the chart including some of the decade's most memorable up-tempo hits like ''Bubba Shot the Jukebox'' and ''Going Through the Big D.'' Also accelerating his rise to stardom were hits like the emotional ballads ''I'll Think of Something'' and ''I Don't Want to Miss a Thing.''

Mark's excellence continues today combining world-class vocals and awe-inspiring stage performances that leave crowds standing in ovation until they themselves are hoarse! Most remarkable of all, he stays true to his roots keeping the traditional country music style he was raised on in an ever-changing country music landscape.

Mark Chesnutt is a true gift to Country Music and specifically the 8th District of Texas. Not only has he blessed us with musical hit after hit, he also has tirelessly given of his time and talent to assist east and southeast Texas in their recovery from the devastating effects of Hurricane Rita. Mark also has a wonderful marriage to Tracie Chesnutt with three beautiful children: Waylon, Casey, and Cameron.

Mr. Speaker, thank you for helping me honor Mark Chesnutt, this America country music superstar, on his 43rd birthday.

CONGRATULATING RONNIE LOPEZ FOR HIS INDUCTION INTO VALLE DEL SOL'S HALL OF FAME

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. PASTOR. Mr. Speaker, I rise before you today to proudly pay tribute to an Arizonan who has exemplified the meanings of leadership, commitment to community, social justice and integrity. He is a highly-regarded leader not only in Arizona, but nationally, and someone whom I am proud to call my friend—Mr. Ronnie López.

For more than 30 years, Ronnie López has been a leader in various community and political endeavors that have improved the quality of life for Arizona's residents. For his work, he will be entered into the Valle Del Sol Hall of Fame during the 16th Annual Profiles of Success Hispanic Leadership Awards Celebration on September 8, 2006, in Phoenix, Arizona.

Born in Miami, Arizona, Ronnie and his two brothers were raised by a single parent, Mrs. Vera López, after the death of his father. Ronnie married his high school sweetheart, Angie, and together they headed to Phoenix in the late 1960's to pursue higher education ;cmd new opportunities. They have two outstanding sons, Paul and Marcos, and Paul and his wife Elizabeth are expecting a daughter in December, another point of pride for Ronnie as a first-time grandfather.

Ronnie served in the administration of Arizona Governor Bruce Babbitt for ten years, ultimately serving as his Chief of Staff. Ronnie had the honor of twice administering the oath of office to Babbitt: when then Attorney General Bruce Babbitt succeeded to the governorship in 1979 and again in 1993 when Babbitt became the Secretary of Interior. He has served and continues to serve on numerous boards and commissions, including Bank of America, Congressional Hispanic Caucus Institute, Friends of Sky Harbor Advisory Board, and the Governor's Commission on the September 11th Memorial.

Most recently, Ronnie served as the co-chair of the 2006 City of Phoenix Bond Committee the work of which voters approved in March 2006. Ronnie also is the former presiding Justice of the Peace of the West Phoenix Precinct in Maricopa County. Ronnie also led the establishment of community based organizations like Valle del Sol, Inc., and Chicanos Por La Causa, Inc., two of the Valley's leading non-profit Hispanic advocacy organizations.

He also has served on numerous political campaigns and sits on the National Democratic Business Council. Among his many accolades, in the year 2000, he was listed as one of the ''Most Influential Hispanics'' by Hispanic Business Magazine.

Mr. Speaker, as you can surmise, Ronnie López, a Miami Vandal, has exhibited a tireless and visionary commitment to making Arizona a better place to live for all people. He is an exemplary leader and a profoundly committed individual who is a true role model for the nation. Therefore, I am pleased to pay tribute to my friend Ronnie López, and I know my colleagues will join me in thanking him and wishing him great success.

TO ACKNOWLEDGE AND ENCOURAGE CONGRESS'S SUPPORT FOR SEPTEMBER 9–10 DESIGNATED AS LUPUS AWARENESS WEEKEND

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. SCOTT of Georgia. Mr. Speaker, I rise before you today to emphasize the importance of raising awareness about Lupus, as well as recognizing it as one of America's major diseases. It is important to note more Americans have this disease than cerebral palsy, multiple sclerosis, sickle-cell anemia and cystic fibrosis combined.

In raising awareness about this devastating disease, I joined many of my colleagues in supporting increased funding for public and health professional programs which raise awareness and understanding about lupus. Furthermore, I stand with many of my colleagues in strengthening the Nation's research efforts to identify the causes of and cure for lupus.

I believe one of the more important ways of raising awareness is encouraging education about the disease and recognizing the symptoms. However, as many of the symptoms experienced by those who have lupus mimic other diseases, lupus is very often hard to diagnose. There is no cure for lupus and researchers have yet to learn what causes the disease. It is of interest to note, lupus occurs more frequently in women and is also two to three times more common among African Americans, Hispanics, Asians and Native Americans.

Mr. Speaker, I am honored to support September 9 through 10 as Lupus Awareness Weekend. I am hopeful with increased professional awareness and improved techniques for diagnosing patients we can ensure early treatment options as well as early diagnosis. It is of utmost importance we remain vigilant in improving access to information about this disease and ensuring funding levels remain adequate.

RECOGNITION OF RAYMOND C. BORGIA OF THE GLENWOOD SCHOOL FOR BOYS AND GIRLS

HON. MELISSA L. BEAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Ms. BEAN. Mr. Speaker, I rise today to congratulate and thank Raymond C. Borgia for his exemplary service at the Glenwood School for Boys and Girls located in Glenwood, IL.

A student himself at Glenwood from 1938 to 1949, Mr. Borgia excelled as a student leader serving as a battalion commander from 1947 through 1949. Mr. Borgia was awarded an officer's saber in 1947 and awarded the prestigious Glenwood Schools' Wilfred Sykes Award in 1949.

After attending Northern Illinois University in 1949 to 1950, Mr. Borgia served as a combat infantryman in the Korean war from 1950 to 1953. To honor his heroic service to our country, he was awarded the Bronze Star and Purple Heart. After leaving active duty in 1953, Mr. Borgia went on to serve in the U.S. Army Reserves for 17 years.

Upon his return to Illinois, Mr. Borgia enrolled at the Chicago Technical College where he obtained a degree in industrial engineering in 1955.

In January 1957, he began as an instructor at the Glenwood School for Boys and Girls. During his distinguished career at Glenwood, Mr. Borgia served as a camp director, military instructor, football coach, baseball coach, dean and vice president of the school. Over the last half century, Mr. Borgia has committed his life to being a mentor and role model to generations of young men and women.

On December 31, 2006, Raymond Borgia will retire after 50 years of service at the Glenwood School for Boys and Girls. To commemorate his many contributions to Glenwood, the school named a military award as well as the dining hall at Glenwood's Wisconsin camp after Mr. Borgia.

He celebrates his retirement with his wife of 45 years, Manuela, his three sons and their wives, six grandchildren and generations of Glenwood students and friends. Although Mr. Borgia is leaving Glenwood School for Boys and Girls, his impact on the thousands of students he has instructed will last for many years to come.

HONORING THE SERVICE OF LIEUTENANT JESSICA HILL TO OUR COUNTRY

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. MICA. Mr. Speaker, I rise today to honor and pay tribute to Lieutenant Jessica Hill, who perished on August 17th in the line of duty for our country.

Lt. Hill was proud to serve in the United States Coast Guard, and she earned the respect and admiration of many. She joined the Coast Guard in October, 2001 after earning a Master's Degree, and was stationed at MSO San Francisco where she decided to become a Coast Guard Dive Officer.

After successfully completing dive school, Lt. Hill was assigned to the Cutter *Healy*, one of the Coast Guard's three polar ice cutters, as a marine science and dive officer. With her positive attitude, easy laugh and constant smile, she also served as Morale Officer for the crew of that vessel.

Lieutenant Jessica Hill's ambition, training and passion served to inspire her entire unit, her shipmates, her family and many outside the Coast Guard. She has been awarded the Meritorious Service Medal and was regarded as a good Coastie, a woman of honor and a patriot.

We should all remember Jessica's life, courage and ultimate sacrifice in service for our Nation.

A native of St. Augustine, Jessica was a loving daughter to Mr. William Hill and Mrs. Dawn Zimmerman, and sister to Mrs. Adrienne Gullet. To all of Jessica's family, we know she will be dearly missed and we extend our deepest sympathy.

Mr. Speaker, because of Lieutenant Jessica Hill's sacrifice for our country, I ask all Members of the U.S. House of Representatives to join me in recognizing her service in our Nation's Coast Guard and remembering both her life and her dedication to the United States of America.

IN LASTING MEMORY OF MACK BALL, SR.

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. ROSS. Mr. Speaker, I rise today to honor the memory of Mack Ball, Sr., who passed away August 8, 2006, in Eudora, Arkansas at the age of 75.

Mack Ball, Sr. was dedicated to improving his home community of Eudora, Arkansas. He served the community as Mayor for 12 years and was the presiding Chicot County Judge. Mack Ball, Sr. was also a committed member of the Eudora Chamber of Commerce. He took a particular interest in improving public education opportunities in Eudora and served on Eudora Public School Board. In addition he was a past national board member of the Beefmaster Breeders Universal.

Mack Ball, Sr. was a man devoted to his faith and was a member of the Eudora Baptist Church where he served as a deacon and as a Sunday school teacher.

My deepest condolences go to his wife, Leila Ball; his son Mack Ball, Jr.; his daughter Sally Tisdale and husband Stephen; his daughter Kathryn Phillips and her husband Doug; his brother Fred Felts, Jr.; his five grandchildren Mary Kathryn Gilfoil, Allan Phillips, David Phillips, Meg Phillips, and Elizabeth Cooper; and his two great grandchildren. Mack Ball, Sr. will be greatly missed in Chicot County and throughout the state of Arkansas.

RECOGNIZING THE ACHIEVEMENTS OF MR. PETER YELORDA

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. CLEAVER. Mr. Speaker, I proudly rise today in recognition of the achievements of Mr. Peter Yelorda, a person who has spent nearly 35 years as a leader in the corporate and public sector, and a resident of the Fifth District of Missouri, which I am honored to represent. This week, Mr. Yelorda is to be inducted into the Missouri Walk of Fame during a reception as part of the Congressional Black Caucus Foundation's Annual Legislative Conference, an event held to honor the achievements of African-Americans who have made significant contributions to Missouri.

Peter holds a Bachelor of Science in Science from Eastern Michigan University, and a Masters in Education from the University of Michigan specializing in Public Policy, Community and National Planning and Development. He is the Executive Vice President and Chief Executive Officer of Blue Cross Blue Shield of Kansas City and has served in that capacity for nine years. In his role as a senior executive at his company, Peter is one of the highest ranking African-American executives in the Greater Kansas City Area. Prior to joining Blue Cross Blue Shield, he was Assistant City Manager of the City of Kansas City, Missouri while I was Mayor.

Civically, Peter serves on nine boards in the Greater Kansas City Area, including the National Association for the Advancement of Colored People, the University of Missouri-Kansas City Board of Trustees, Urban League, and others. He serves as the Chairperson for the Full Employment Council, Chairman of the TIF Commission and Co-Chair of the Downtown Economic Stimulus Authority. In addition, he serves as the Chair of the Jazz District Redevelopment Corporation, the not-for-profit entity organized to revitalize the Historic 18th and Vine Jazz District. Under Peter's leadership, senior housing, a restaurant, and young adult housing were born. Mr. Yelorda is respected by business and community activists alike. Through these activities, Peter spends a considerable amount of time in service to the community each month. In all of his activities, he demonstrates his dedication and commitment to the greater good of others. Regardless of his leadership role, he always conducts himself with dedication, poise, and thoughtfulness, being mindful of all concerns.

For those reasons and more, it is indeed an honor and privilege to recognize Mr. Peter Yelorda at the Missouri Walk of Fame reception, hosted by myself and fellow Missourian, U.S. Representative WM. LACY CLAY of St. Louis.

Mr. Speaker, please join me in expressing our appreciation to Peter and his endless commitment to serving the residents of the State of Missouri. He is a true role model not just to the African-American community in Missouri, but to the entire community at large. May his success serve as a stepping stone for many other African-Americans eager to be just as successful in their endeavors. While it is but a small acknowledgement for all of the work he has done, it is a heartfelt gesture, taking strength from the myriad lives he has touched in our hometown.

TRIBUTE TO UNION BENEFICA MEXICANA

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. VISCLOSKY. Mr. Speaker, it is with great honor and pleasure that I stand before you today to recognize the Union Benefica Mexicana (U.B.M.) on its many accomplishments throughout its 50 years of service to the people of Northwest Indiana and Mexico. This exceptional milestone will be highlighted at the annual Mexican Day Parade to be held on Sunday, September 10, 2006, in East Chicago, Indiana.

The U.B.M., officially founded in November 1956, was the result of a merger between three established organizations: the Cuatemoc Association, the Benito Juárez Association, and the Union of Latin Steel Workers. Since its inception, the U.B.M. has always taken pride in being a pillar of the Mexican Community. They have always made it a priority to remember and celebrate Mexico's independence, through the organization of parades and festivities. At the same time, they have focused on improving the lives of the youth, speaking out against discrimination, and assisting those in need, both here in Northwest Indiana and throughout Mexico.

Throughout its history, the U.B.M. has been instrumental in improving the quality of life in the Mexican community. The efforts of the U.B.M. have been felt by every generation, but nowhere has the selfless commitment of its members been demonstrated more than to the youth of Northwest Indiana and Mexico. Locally, the U.B.M. has a strong tradition of sponsoring youth activities, such as Little League baseball teams, soccer teams, boxing teams, and folkloric dance groups, as well as organizing special events, such as Christmas and Halloween parties and the annual Fiesta De Los Niñios celebration.

In addition, the U.B.M.'s commitment to improving educational opportunities for the youth of the community is evidenced by their sponsorship of storytelling sessions by renowned authors, their participation in public library reading programs, and training seminars focused on public speaking and artistic performance. The U.B.M.'s dedication to the youth, specifically towards young women in the community, is further demonstrated by an annual program which, with the support of local elected officials, awards scholarships to three deserving young women each year.

Outside of the United States, the U.B.M.'s commitment to the people of Mexico is a shining example of the dedication, generosity, and

compassion found in the people of Northwest Indiana. The U.B.M's efforts in Mexico, throughout the years, have included relief for victims of natural disasters in Mexico City, Acapulco, Oaxaca, and Jalisco, to name a few. The U.B.M. has also conducted fundraising efforts that have led to the building of churches in El Llano, Michoacan, and Aguas Caliente, as well as the purchase of an ambulance in Nuevo Leon. In addition, to assist Mexican families during the most difficult of times, the U.B.M. has demonstrated its benevolence by providing financial assistance to families in order to assist with the transporting of deceased relatives back to Mexico.

Mr. Speaker, at this time, I ask that you and my other distinguished colleagues join me in honoring and congratulating the Union Benefica Mexicana, its members, and its President, Mr. Tony Barreda, on the organization's 50th anniversary. Their many accomplishments, their tireless efforts to improve the community, and their service to the people of Northwest Indiana and Mexico will forever be remembered.

IN RECOGNITION OF STEPHEN K. HALL

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. CARDOZA. Mr. Speaker, it is with the greatest pleasure that I rise today on behalf of my colleagues Rep. JIM COSTA, Rep. DEVIN NUNES, Rep. RICHARD POMBO and Rep. GEORGE RADANOVICH to honor Stephen K. Hall, the Executive Director of the Association of California Water Agencies (ACWA) for his outstanding contributions to California agriculture and the California water community.

The recognition that my colleagues and I are offering today is well deserved and long overdue. Throughout his career, Steve has remained a champion for California agriculture and for the protection and delivery of safe and clean water. Soon after graduating from California State University, Fresno in the early 1970's, Steve began his career as General Manager of the Tulare Lake Drainage District. In the years following, Steve founded the Land Preservation Association, an organization created to help develop and implement irrigation and drainage policy in California, and the California Farm Water Coalition, a pioneer collaboration of agricultural water users and water agencies. In 1992 Steve became the Executive Director of ACWA, and in the years since has helped shape the laws and policies that affect California's cities, farms and businesses. Under Steve's guidance and leadership, the ACWA has been a leader in California water issues. Devoted to promoting the development, management and reasonable beneficial use of water in an environmentally balanced manner, Steve has been involved in many major statewide water issues affecting California's local water agencies. He was a lead negotiator in the three-way negotiations between agricultural, urban and environmental water representatives that led to the creation of the CALFED Bay-Delta Program and the passage of Propositions 204 and 13.

Steve Hall's expertise in California's water issues and water policy has been recognized and utilized by many as he has served in numerous appointed and advisory capacities to Governors Deukmejian, Wilson and Davis. Currently, Steve serves on the Boards of Directors for the California Water Institute and the California Infrastructure Coalition, as a member of the UC Davis Land Air and Water Advisory Committee and the California Bay-Delta Public Advisory Committee, and is the co-chair of the Water Supply Sub-Committee for the California Bay-Delta Water Authority.

Mr. Speaker, on the occasion of Steve Hall's 55th birthday, it is with the utmost respect and appreciation that my colleague's and I acknowledge his enormous and lasting contributions to the future of California and America in his continued commitment to sustaining our most precious resource, water.

PAYING TRIBUTE TO BRIGADIER GENERAL ROBERT TAYLOR

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. ROGERS of Michigan. Mr. Speaker, I rise to honor the accomplishments of Brigadier General Robert Taylor as he retires after nearly 40 years of service with the United States Army and the Michigan Army National Guard. I thank General Taylor on behalf of those individuals who have benefitted from his time, contributions, and leadership abilities.

Robert Taylor began his career in the Michigan Army National Guard in 1964, where he served 3 years as a Military Police enlisted soldier. Soon after, he was commissioned a Second Lieutenant, Military Police Corps in June of 1969. He has held command and staff assignments in the 146th Military Police Battalion, 1st Battalion 119th Field Artillery 38th Infantry Division, 72nd Rear Area Operations Center, and Commander, Recruiting Command, Michigan Army National Guard. During his over 40 years of service, he has been promoted to several, senior staff assignments. Some of these prestigious assignments included positions as Deputy Chief of Staff Operations, Chief of Staff, Michigan National Guard, and in October of 1993, he was promoted to General Officer as the Assistant Adjutant General, Army. General Taylor held the position of Commanding General, 46th Military Police Command for the Michigan National Guard from June 1, 2004 until June 29, 2006, at which time he reverted to sole duty as the Assistant Adjutant General for the Army. In this assignment, Taylor was responsible for the wartime readiness of over 8,300 soldiers of the Michigan Army National Guard. Brigadier General Taylor's dedication to upholding the principles of the United States Army, and his continued work on behalf of the people in his community, is a testament to his strength of character.

General Taylor's years of service in the Army and his dedicated work on behalf of his country are honorable. His decorated medals include the Federal Legion of Merit, the Federal Meritorious Service Medal, the Army Commendation Medal, the State of Michigan Distinguished Service Medal, and the State of Michigan Legion of Merit Medal. In addition, Taylor has been awarded the Department of the Army Staff Identification Badge and currently serves as the Chairman of the Board, National Guard Association of the United States. General Taylor's academic background includes a Bachelor's Degree in Management from Spring Arbor University. His military education includes the Military Police Office Basic Course, the Field Artillery Officer Basic and Career Course, the U.S. Army Command and General Staff College, and the Senior Reserve Component course at the Army War College.

Therefore, Mr. Speaker, I ask our colleagues to join me in honoring General Robert Taylor's exceptional service to America. May he know that his Nation is greatly appreciative for his tireless work.

TRIBUTE TO JEANNE OATES ANGULO

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. OXLEY. Mr. Speaker, it is my honor today to pay tribute to Jeanne Oates Angulo, President of the Capital Chapter of the National Multiple Sclerosis Society. After twelve years of outstanding service to this organization, Jeanne will be retiring at the end of the year.

Jeanne was tapped to serve as president in 1994 after a successful career in television and radio, including a stint as General Manager of WPGC AM/FM in Washington, D.C. During this time, she was honored with the Advertising Club of Washington's Silver Medal Award, and was recognized as a Woman of the Year by Washington Woman magazine.

Her tenure at the MS Society has been equally distinguished. Jeanne has presided over an explosion in contributions to the Capital Chapter from $2 million to more than $5 million annually. She has overseen such fundraising staples as the MS Walk, the MS Bike Tour, and the Women Against MS Annual Luncheon.

It has been my pleasure to work with Jeanne on the annual MS Ambassadors Ball, a salute to members of the diplomatic corps for their many contributions to humanitarian efforts. My wife, Pat, has co-chaired this event on two occasions, and joins me in praising Jeanne for her determination in soliciting in-kind donations to the Ball to keep overhead expenses low. Jeanne's enthusiasm and drive in this area has ensured that more funds are spent on the Society's mission: ending the devastating effects of MS, supporting MS research, and providing for MS advocacy efforts.

Jeanne has also dedicated her time to service on the boards of many community organizations, including the March of Dimes, the Metropolitan Police Boys and Girls Club, the USO, the Wolf Trap Farm Park for the Performing Arts, and the Women of Washington. Her tireless devotion to volunteerism is an outstanding model for others, and has been a tremendous asset to her as she works to get more people involved in charitable efforts.

Mr. Speaker, I know that the entire Board of Directors of the National MS Society, everyone at the Capital Chapter, and all whose lives she has touched join me in thanking Jeanne for her continued efforts to help find a cure for MS. We wish Jeanne and her husband, Al, the very best as they move on to a new chapter in their lives.

IN HONOR OF SUE BIERMAN

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Ms. PELOSI. Mr. Speaker, with great sorrow I rise to pay tribute to a beloved San Francisco political and civic leader, Sue Bierman, who died on August 7, 2006. I join my constituents in honoring five decades of tireless service to the people of San Francisco. Sue Bierman leaves a great legacy of compassion, courage and conviction. For those of us involved in San Francisco politics, her passing is a personal as well as a civic loss to our city.

Sue Bierman was a leader who challenged the conscience of our community every day. As a relentless advocate for poor people, for social and economic justice, and for protecting our neighborhoods and our environment, the affectionate name 'Susie' instilled fear and love at the same time. She brought wisdom and compassion to all the causes she undertook.

As a private citizen in the 1950's and 1960's, she became a neighborhood leader who fought to stop the central freeway from destroying her neighborhood—Haight Ashbury, the Pan Handle and Golden Gate Park. For the next forty years she continued to defend the rights, the character and the beauty of San Francisco's neighborhoods.

In 1980 Mayor George Moscone appointed her to the Planning Commission, where she was the sole voice opposing unrestricted downtown development and demanded that developers provide affordable housing, day care and parks.

In 1992 she was elected to the San Francisco Board of Supervisors where she served two terms. She earned the respect and affection of her colleagues. She became a leading advocate for San Francisco's tenants and continued to champion our neighborhoods. After being forced out of office by term limits, she became active in Senior Action Network and continued her participation in Democratic politics.

She took great pride in her family and great interest in the well being of all San Francisco families. Everyone who cares about our children's future is deeply in her debt.

I hope it is a comfort to her beautiful family, whom she loved so dearly, that so many people are mourning her passing and will hold her in their hearts forever.

TRIBUTE TO PHOEBE STROBEL

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I rise today to recognize Phoebe Strobel as an example of excellence for community service and to congratulate her on her retirement. Having contributed great services to her community in both Millcreek and Warren County, it is my hope that she will continue to share her talents and prosper in the years to come.

Strobel is a graduate of Lock Haven University and Edinboro University, where she earned a masters degree in elementary education. She has taught at both Asbury Elementary School in Millcreek and Pittsfield Elementary School in Warren. She has just retired in June 2006 after teaching third grade for thirty-six years at Asbury School, for which she received a citation from the Commonwealth of Pennsylvania House of Representatives sponsored by Representative Matthew Good and John Evans in congratulations. Her talents have distinguished her from among other teachers. This enabled her to receive the Pennsylvania Parent-Teacher Association Lifetime Achievement Award in 2000.

Throughout her career as a teacher, Strobel represented education's finest by serving in various associations and committees. She is dedicated to the Northwestern Region Pennsylvania Education Association (PSEA). Serving on the PACE team for 10 years, she has been the PACE Director for Northwestern Pennsylvania since 2002, the PSEA Legislative Committee Co-chair from 1998 to 2002, and a state delegate to the PSEA House of Delegates thirty-six times and eight times as a national delegate to the National Education Association Representative Assembly. Beside her state and national participation, she was also active within community boards, serving the Millcreek Education Association as Secretary and Executive Board member from 1996 to 2002 and as Asbury's Building Representative from 1986 to 2002. She was also a member of the Warren County Education Association Executive Board from 1980 to 1986.

Strobel represents the devotion of an individual to her community and to education. Her example demonstrates the importance of education and involvement that affects the lives of parents and students. For her accomplishments, she deserves congratulations.

Mr. Speaker, I hope my colleagues will join me at this time in recognizing the service of Phoebe Strobel and in congratulating her on her retirement with wishes of continued success in all her endeavors.

IN MEMORY OF ARMY STAFF SERGEANT KENNETH JENKINS

HON. MIKE ROSS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. ROSS. Mr. Speaker, I rise today to honor Army Staff Sergeant Kenneth Jenkins of Fouke, Arkansas, who died on August 12, 2006, fighting for his country in Baghdad, Iraq, supporting Operation Iraqi Freedom. Kenneth Jenkins, just 25 years old, was killed during combat while conducting a checkpoint operation. Kenneth Jenkins was assigned to the Army's 3rd Battalion, 67th Armor Regiment, 4th Brigade Combat Team, 4th Infantry Division in Fort Hood, Texas.

Kenneth Jenkins enlisted in the Army in July of 1999, was on his second tour of duty in Iraq and was scheduled to return home in less than 90 days from his death. Kenneth Jenkins was a decorated soldier with a Bronze Star and a Purple Heart. He had previously completed tours to Bosnia, Kosovo, Macedonia and Cuba. While not serving our country, Kenneth Jenkins enjoyed working on his car and physical fitness, but his family and friends always came first.

I am deeply saddened by the tragic loss of soldiers from Arkansas, who have died while supporting Operation Iraqi Freedom. These brave Americans lost their lives while making the ultimate sacrifice to serve our country, and I will be forever grateful to them for their courageous spirit.

Kenneth Jenkins gave his life to serve our country and will forever be remembered as a hero, a son, and a husband. My deepest condolences go out to his wife Brandy; his mother Theresa; his sister Stephani Richard, and his brother, Mack. I know Army Staff Sergeant Jenkins was proud of his service to the U.S. Army and to our country. He will be missed by his family, fellow soldiers, and all those who knew him and counted him as a friend. I will continue to keep Kenneth Jenkins and his family in my thoughts and prayers.

RECOGNIZING THE ACHIEVEMENTS OF REV. DR. NELSON ''FUZZY'' THOMPSON

HON. EMANUEL CLEAVER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 6, 2006

Mr. CLEAVER. Mr. Speaker, I proudly rise today in recognition of the achievements of Reverend Doctor Nelson ''Fuzzy'' Thompson, a minister, humanitarian, community activist, and a resident of the Fifth District of Missouri, which I am honored to represent. This week, Rev. Thompson is to be inducted into the Missouri Walk of Fame during a reception as part of the Congressional Black Caucus Foundation's Annual Legislative Conference, an event held to honor the achievements of African-Americans who have made significant contributions to Missouri.

Rev. Thompson graduated from Lincoln University in Jefferson City, Missouri with a Bachelor of Science in Education, and received a Master of Divinity and Doctor of Ministry at St. Paul School of Theology.

Rev. Thompson's reputation as a community leader extends beyond the local or national level, but is inclusive of the international community. He was one of 22 U.S. ministers that traveled to South Africa on a fact finding educational exchange, at the request of Bishop Desmond Tutu, President Nelson Mandela, and the South African Council of Churches. ''Fuzzy,'' as he is affectionately known, was one of three U.S. ministers to conduct Easter services for U.S. hostages held in Tehran, Iran in 1980. He was also one of 17 U.S. ministers and activists who served as official observers for the first election ever held in South Africa that allowed the right to vote to all races. He said it was a humbling experience seeing people lining up the night before and standing for blocks in order to exercise their right to vote for the first time.

''Fuzzy'' is currently President of the Kansas City Chapter of the Southern Christian Leadership Conference. He has served on multiple boards, including as Chairman of the Nominating Committee for Freedom Incorporated and as a member for the Black Adoption Program and Services, and Human Rights Commission of Kansas City, Missouri.

For those reasons and more, it is indeed an honor and privilege to recognize ''Rev. Fuzzy'' at the Missouri Walk of Fame reception,

hosted by myself and fellow Missourian, U.S. Representative WM. LACY CLAY of St. Louis.

Mr. Speaker, please join me in expressing our appreciation to Reverend Dr. Nelson Thompson and his endless commitment to serving the residents of the State of Missouri. He is a true role model not just to the African-American community in Missouri, but to the entire community at large. May his success serve as a stepping stone for many other African-Americans eager to be just as successful in their endeavors. While it is but a small acknowledgement for all of the work he has done, it is a heartfelt gesture, taking strength from the many lives he has touched in our hometown.

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 Thursday, September 7, 2006 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 11

2 p.m.
Finance
International Trade Subcommittee
To hold hearings to examine NAFTA at year twelve.
SD–215

SEPTEMBER 12

9:30 a.m.
Homeland Security and Governmental Affairs
To hold hearings to examine the next five years relating to homeland security.
SD–342

Judiciary
To hold hearings to examine the Thompson Memorandum's effect on the right to counsel in corporate investigations.
SD–226

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine Treasury's role in combating terrorist financing five years after 9/11.
SD–538

Commerce, Science, and Transportation
To hold hearings to examine pending nominations.
SR–253

Energy and Natural Resources
To hold hearings to examine the effects of the BP pipeline failure in the Prudhoe Bay Oil Field on U.S. oil supply and to examine what steps may be taken to prevent a recurrence of such an event.
SD–628

11 a.m.
Foreign Relations
To hold hearings to examine the nomination of James R. Kunder, of Virginia, to be Deputy Administrator of the United States Agency for International Development.
SD–419

2 p.m.
Judiciary
To hold hearings to examine judicial nominations.
SD–226

2:30 p.m.
Commerce, Science, and Transportation
Science and Space Subcommittee
To hold hearings to examine the continuing importance of Low Earth Orbit for space based research.
SR–253

SEPTEMBER 13

9:30 a.m.
Environment and Public Works
To hold hearings to examine the nominations of Roger Romulus Martella, Jr., of Virginia, to be Assistant Administrator, and Alex A. Beehler, of Maryland, to be Inspector General, both of the Environmental Protection Agency, and William H. Graves, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority.
SD–406

Judiciary
To hold hearings to examine intelligence information sharing.
SD–226

10 a.m.
Banking, Housing, and Urban Affairs
Housing and Transportation Subcommittee
Economic Policy Subcommittee
To hold joint hearings to examine the housing bubble and its implications for the economy.
SD–538

11:30 a.m.
Energy and Natural Resources
Business meeting to consider the nominations of Mark Myers, of Alaska, to be Director of the United States Geological Survey, David Longly Bernhardt, of Colorado, to be Solicitor, and John Ray Correll, of Indiana, to be Director of the Office of Surface Mining Reclamation and Enforcement, all of the Department of the Interior.
SD–628

2:30 p.m.
Judiciary
Crime and Drugs Subcommittee
To hold hearings to examine challenges facing today's federal prosecutors.
SD–226

Homeland Security and Governmental Affairs
To hold hearings to examine the nominations of Wayne Cartwright Beyer, of New Hampshire, to be a Member of the Federal Labor Relations Authority, and Stephen Thomas Conboy, of Virginia, to be United States Marshal for the Superior Court of the District of Columbia.
SD–342

SEPTEMBER 14

10 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings to examine rural air service.
SR–253

SEPTEMBER 19

9:30 a.m.
Armed Services
To hold hearings to examine the nominations of General Bantz J. Craddock, USA, for reappointment to be general and to be Commander, U.S. European Command, Vice Admiral James G. Stavridis, USN for appointment to be admiral and to be Commander, U.S. Southern Command, Nelson M. Ford, of Virginia, to be Assistant Secretary of the Army for Financial Management and Comptroller, and Ronald J. James, of Ohio, to be Assistant Secretary of the Army for Manpower and Reserve Affairs.
SH–216

SEPTEMBER 21

10:30 a.m.
Appropriations
Legislative Branch Subcommittee
To resume hearings to examine progress of the Capitol Visitor Center construction.
SD–138

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S8985–S9069

Measures Introduced: Seventeen bills and two resolutions were introduced, as follows: S. 3845–3861, and S. Res. 557–558. **Pages S9040–41**

Measures Reported:

S. 3850, to improve ratings quality for the protection of investors and in the public interest by fostering accountability, transparency, and competition in the credit rating agency industry. (S. Rept. No. 109–326)

S. 3852, to enhance certain maritime programs of the Department of Transportation. (S. Rept.No. 109–327)

S. 3421, to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal years 2006 and 2007, with amendments. (S. Rept. No. 109–328)

Page S9040

Measures Passed:

General Services Administration Modernization Act: Senate passed H.R. 2066, to amend title 40, United States Code, to establish a Federal Acquisition Service, to replace the General Supply Fund and the Information Technology Fund with an Acquisition Services Fund, after agreeing to committee amendments and the following amendment proposed thereto: **Pages S9064–66**

Stevens (for Levin) Amendment No. 4905, to provide for the disposal of federal surplus property to historic light stations. **Page S9066**

National Life Insurance Awareness Month: Committee on the Judiciary was discharged from further consideration of S. Res. 448, supporting the goals and ideals of ''National Life Insurance Awareness Month'', and the resolution was then agreed to **Page S9066**

Department of Defense Appropriations Act: Senate continued consideration of H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, taking action on the following amendments proposed thereto:

Pages S8992–98, S8998–S9035, S9066–68

Adopted:

Allen Modified Amendment No. 4883, to make available from Defense Health Program up to $19,000,000 for the Defense and Veterans Brain Injury Center. **Pages S8992, S9035**

Rejected:

By 30 yeas to 70 nays (Vote No. 232), Feinstein/Leahy Amendment No. 4882, to protect civilian lives from unexploded cluster munitions.

Page S8992–96

Kennedy/Reid Amendment No. 4885, to include information on civil war in Iraq in the quarterly reports on progress toward military and political stability in Iraq. (By 54 yeas to 44 nays (Vote No. 233), Senate tabled the amendment).

Pages S8992, S9030–34

Mikulski/Sarbanes Amendment No. 4895, to provide that none of the funds appropriated or otherwise made available by this Act may be used to enter into or carry out a contract for the performance by a contractor of any base operation support service at Walter Reed Army Medical Hospital pursuant to a private-public competition conducted under Office of Management and Budget Circular A–76 that was initiated on June 13, 2000, and has the solicitation number DADA 10–03–R–0001. (By 50 yeas to 48 nays (Vote No. 234), Senate tabled the amendment).

Pages S8996–98, S9034–35

Pending:

Rockefeller Amendment No. 4906, to strike the section specifically authorizing intelligence and intelligence-related activities. **Page S9068**

During consideration of this measure today, the Senate also took the following action:

Chair sustained a point of order that Reid Amendment No. 4904, providing a sense of the Senate on the need for a new direction in Iraq policy and in the civilian leadership of the Department of Defense, was not germane, and the amendment thus fell. **Page S9030**

A unanimous consent agreement was reached providing for further consideration of the bill at approximately 10 a.m. on Thursday, September 7, 2006. **Page S9066**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting a draft of proposed legislation entitled "Military Commissions Act of 2006"; which was referred to the Committee on Armed Services. (PM–55) **Pages S9038–39**

Nominations Received: Senate received the following nomination:

Robert K. Steel, of Connecticut, to be an Under Secretary of the Department of the Treasury. **Page S9069**

Measures Read First Time: **Page S9039**

Executive Communications: **Pages S9039–40**

Additional Cosponsors: **Pages S9041–43**

Statements on Introduced Bills/Resolutions: **Pages S9043–61**

Additional Statements: **Pages S9037–38**

Amendments Submitted: **Pages S9062–64**

Authorities for Committees to Meet: **Page S9064**

Privileges of the Floor: **Page S9064**

Record Votes: Three record votes were taken today. (Total—234) **Pages S8996, S9034, S9035**

Recess: Senate convened at 9:45 a.m., and recessed at 9:25 p.m., until 9:30 a.m., on Thursday, September 7, 2006. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S9066.)

Committee Meetings

(Committees not listed did not meet)

STEM CELL RESEARCH

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies concluded a hearing to examine recent controversies in stem cell research, after receiving testimony from James F. Battey, Chairman, National Institutes of Health Stem Cell Task Force; Robert Lanza, Advanced Cell Technology, Inc., Worcester, Massachusetts; Ronald M. Green, Dartmouth College, Hanover, New Hampshire; and Kevin Eggan, Harvard University, Cambridge, Massachusetts.

ARMY FIELD MANUAL ON INTERROGATION

Committee on Armed Services: Committee met in closed session to receive a briefing regarding the Army Field Manual on Interrogation from Stephen A. Cambone, Under Secretary for Intelligence, Lieutenant General John F. Kimmons, USA, Deputy Chief of Staff, G–2, Office of the Chief of Staff of the Army, and Cully Stimson, Deputy Assistant Secretary for Detainee Affairs, all of the Department of Defense.

STOCK OPTIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine Federal accounting and regulation of stock options backdating, after receiving testimony from Christopher Cox, Chairman, U.S. Securities and Exchange Commission; Mark W. Olson, Public Company Accounting Oversight Board, Washington, D.C.; Erik Lie, University of Iowa Henry B. Tippie College of Business, Iowa City; Lynn E. Turner, Glass, Lewis and Co. LLC, San Francisco, California; Kurt N. Schacht, CFA Centre for Financial Market Integrity, Charlottesville, North Carolina; and Russell Read, California Public Employees' Retirement System, Sacramento.

FEDERAL RENEWABLE FUELS PROGRAM

Committee on Environment and Public Works: Committee concluded an oversight hearing to examine the implementation of the federal renewable fuels programs, after receiving testimony from William Wehrum, Acting Assistant Administrator, Office of Air and Radiation, Environmental Protection Agency; Alexander Karsner, Assistant Secretary of Energy for Energy Efficiency and Renewable Energy; and Keith Collins, Chief Economist, Department of Agriculture.

EXECUTIVE COMPENSATION

Committee on Finance: Committee concluded a hearing to examine current issues regarding executive compensation, including backdating of stock options, and tax treatment of executive compensation, retirement and benefits, after receiving testimony from Paul J. McNulty, Deputy Attorney General, Department of Justice; Mark Everson, Commissioner, Internal Revenue Service, Department of the Treasury; Linda Thomsen, Director, Division of Enforcement, U.S. Securities and Exchange Commission; Nell Minow, The Corporate Library, Portland, Maine; Lucian A. Bebchuk, Harvard Law School, Cambridge, Massachusetts; Charles M. Elson, University of Delaware Lerner College of Business and Economics, Newark; and Steven Balsam, Temple University Fox School of Business, Philadelphia, Pennsylvania.

GROUP HEALTH CARE

*Committee on the Judiciary:*Committee concluded a hearing to examine competition in group health care, focusing on enforcement actions and competition advocacy to protect and promote competition in health care markets, after receiving testimony from Senator

Coburn; J. Bruce McDonald, Deputy Assistant Attorney General, Antitrust Division, Department of Justice; David P. Wales, Deputy Director, Bureau of Competition, Federal Trade Commission; Mark A. Piasio, Pennsylvania Medical Society, Harrisburg; Edward L. Langston, American Medical Association, Chicago, Illinois; Stephanie W. Kanwit, America's Health Insurance Plans, Washington, D.C.; and David A. Hyman, University of Illinois Epstein Program in Health Law and Policy, Champaign.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Kent A. Jordan, of Delaware, to be United States Circuit Judge for the Third Circuit, who was introduced by Senators Biden and Carper and Representative Castle; Marcia Morales Howard, to be United States District Judge for the Middle District of Florida, who was introduced by Senator Martinez; John Alfred Jarvey, to be United States District Judge for the Southern District of Iowa, who was introduced by Senators Harkin and Grassley; and Sara Elizabeth Lioi, to be United States District Judge for the Northern District of Ohio, who was introduced by Senators DeWine and Voinovich, after each nominee testified and answered questions in their own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 11 public bills, H.R. 6028–6038; and 5 resolutions, H. Con. Res. 468 and H. Res. 980, 982–984, were introduced. **Pages H6301–02**

Additional Cosponsors: **Pages H6302–04**

Reports Filed: Reports were filed today as follows:

Report entitled "al-Qaeda: The Many Faces of an Islamic Extremist Threat" (H. Rept. 109–615);

Brownfields: What Will It Take To Turn Lost Opportunities Into America's Gain? (H. Rept. 109–616);

H.R. 503, to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, with an amendment (H. Rept. 109–617, Pt. 1), adversely;

H.R. 138, to revise the boundaries of John H. Chafee Coastal Barrier Resources System Jekyll Island Unit GA–06P, with an amendment (H. Rept. 109–618);

H.R. 383, to designate the Ice Age Floods National Geologic Trail, with amendments (H. Rept. 109–619);

H.R. 479, to replace a Coastal Barrier Resources System map relating to Coastal Barrier Resources System Grayton Beach Unit FL–95P in Walton County, Florida, with an amendment (H. Rept. 109–620);

H.R. 631, to provide for acquisition of subsurface mineral rights to land owned by the Pascua Yaqui Tribe and land held in trust for the Tribe (H. Rept. 109–621);

H.R. 1796, to amend the National Trails System Act to designate the route of the Mississippi River from its headwaters in the State of Minnesota to the Gulf of Mexico for study for potential addition to the National Trails System as a national scenic trail, national historic trail, or both (H. Rept. 109–622);

H.R. 2069, to authorize the exchange of certain land in Grand and Uintah Counties, Utah (H. Rept. 109–623);

H.R. 2110, to provide for a study of options for protecting the open space characteristics of certain lands in and adjacent to the Arapaho and Roosevelt National Forests in Colorado, with an amendment (H. Rept. 109–624);

H.R. 2334, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of permanent facilities for the GREAT project to reclaim, reuse, and treat impaired waters water in the area of Oxnard, California, with an amendment (H. Rept. 109–625);

H.R. 3350, to amend the Native American Business Development, Trade Promotion, and Tourism Act of 2000 to establish the Tribal Development Corporation Feasibility Study Group (H. Rept. 109–626);

H.R. 3534, to designate the Piedras Blancas Light Station and the surrounding public land as an Outstanding Natural Area to be administered as a part of the National Landscape Conservation System, and for other purposes (H. Rept. 109–627);

H.R. 3961, to authorize the National Park Service to pay for services rendered by subcontractors under a General Services Administration Indefinite Deliver/Indefinite Quantity Contract issued for work to be completed at the Grand Canyon National Park (H. Rept. 109–628);

H.R. 4382, to provide for the conveyance of certain land in Clark County, Nevada, for use by the Nevada National Guard (H. Rept. 109–629);

H.R. 4588, to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under the Water Resources Research Act of 1984, with an amendment (H. Rept. 109–630);

H.R. 4612, to redesignate Dayton Aviation Heritage National Historic Park in the State of Ohio as ''Wright Brothers-Dunbar National Historic Park'', with amendments (H. Rept. 109–631);

H.R. 4750, to authorize the Secretary of the Interior to conduct a study to determine the feasibility of implementing a water supply and conservation project to improve water supply reliability, increase the capacity of water storage, and improve water management efficiency in the Republican River Basin between Harlan County Lake in Nebraska and Milford Lake in Kansas, with an amendment (H. Rept. 109–632);

S. 1773, to resolve certain Native American claims in New Mexico (H. Rept. 109–633);

H.R. 4789, to require the Secretary of the Interior to convey certain public land located wholly or partially within the boundaries of the Wells Hydroelectric Project of Public Utility District No. 1 of Douglas County, Washington, to the utility district, with an amendment (H. Rept. 109–634);

H.R. 5016, to provide for the exchange of certain Bureau of Land Management land in Pima County, Arizona, with an amendment (H. Rept. 109–635);

H.R. 5079, to provide for the modification of an amendatory repayment contract between the Secretary of the Interior and the North Unit Irrigation District, with amendments (H. Rept. 109–636);

H.R. 5132, to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Monroe County, Michigan, relating to the Battles of the River Raisin during the War of 1812, with an amendment (H. Rept. 109–637);

H.R. 5381, to establish a volunteer program and promote community partnerships for the benefit of national fish hatcheries and fisheries program offices (H. Rept. 109–638);

H.R. 5539, to reauthorize the North American Wetlands Conservation Reauthorization Act, with amendments (H. Rept. 109–639);

H.R. 5802, to amend the National Park Service Concessions Management Improvement Act of 1998, to extend to additional small businesses the preferential right to renew a concessions contract entered into under such Act, to facilitate the renewal of a commercial use authorization granted under such Act, with an amendment (H. Rept. 109–640);

H.R. 5861, to amend the National Historic Preservation Act, with an amendment (H. Rept. 109–641); and

H. Res. 981, providing for consideration of the bill (H.R. 503) to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption (H. Rept. 109–642). **Page H6301**

Speaker: Read a letter from the Speaker wherein he appointed Representative Bishop of Utah to act as Speaker pro tempore for today. **Page H6243**

Chaplain: The prayer was offered by the guest Chaplain, Dr. J. Alfred Smith, Sr., Senior Pastor, Allen Temple Baptist Church, Oakland, California. **Page H6243**

Board of Trustees of the American Folklife Center in the Library of Congress—appointment: The Chair announced the Speaker's appointment of Mr. C. Kurt Dewhurst of Michigan on August 15, 2006, to the Board of Trustees of the American Folklife Center in the Library of Congress on the part of the House for a term of 6 years. **Page H6246**

Election Assistance Commission Board of Advisors: Read a letter from the Minority Leader wherein she announced her appointment of Ms. Barbara Arnwine of Washington, D.C. to the Election Assistance Commission Board of Advisors. **Page H6246**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Abraham Lincoln Commemorative Coin Act: H.R. 2808, amended, to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the birth of Abraham Lincoln, by a (2/3) yea-and-nay vote of 401 yeas with none voting ''nay'', Roll No. 427; **Pages H6246–49, H6271–72**

Supporting the goals and ideals of National Life Insurance Awareness Month: H. Res. 912, to support the goals and ideals of National Life Insurance Awareness Month; **Pages H6249–51, H6271**

Agreed that the House vacate the ordering of the yeas and nays on adoption of H. Res. 912 to the end that the Chair may put the question on the resolution de novo. **Page H6271**

Recognizing the life of Preston Robert Tisch and his outstanding contributions to New York City, the New York Giants Football Club, the National Football League, and the United States: H. Res. 605, to recognize the life of Preston Robert Tisch and his outstanding contributions to New York City, the New York Giants Football Club, the National Football League, and the United States, by a (2/3) yea-and-nay vote of 399 yeas with none voting "nay", Roll No. 428; **Pages H6251–54, H6272**

International Solid Waste Importation and Management Act of 2005: H.R. 2491, amended, to amend the Solid Waste Disposal Act to authorize States to restrict receipt of foreign municipal solid waste and implement the Agreement Concerning the Transboundary Movement of Hazardous Waste between the United States and Canada; **Pages H6254–59**

YouthBuild Transfer Act: S. 3534, to amend the Workforce Investment Act of 1998 to provide for a YouthBuild program—clearing the measure for the President; **Pages H6259–65**

Congratulating Spelman College on the occasion of its 125th anniversary: H. Res. 875, amended, to congratulate Spelman College on the occasion of its 125th anniversary, by a (2/3) yea-and-nay vote of 400 yeas with none voting "nay", Roll No. 429; and **Pages H6265–69, H6272–73**

Expressing condolences to the families, friends, and loved ones of the victims of the crash of Comair Flight 519: H. Res. 980, to express condolences to the families, friends, and loved ones of the victims of the crash of Comair Flight 519. **Pages H6269–71**

Recess: The House recessed at 4:40 p.m. and reconvened at 6:30 p.m. **Page H6271**

Presidential Message: Read a message from the President wherein he transmits for the consideration of the Congress draft legislation entitled the "Military Commissions Act of 2006."—Referred to the Committees on Armed Services, the Judiciary, and International Relations and ordered printed (H. Doc. 109–133). **Page H6273**

Senate Messages: Message received from the Senate today and messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H6243 and H6245.

Senate Referrals: S. 466 was referred to the Committee on Transportation and Infrastructure; S. 843 was referred to the Committee on Energy and Commerce; S. 1899 was referred to the Committees on the Judiciary and Resources; S. 2068 and S. 3613 were referred to the Committee on Government Reform; S. 2694 was referred to the Committees on Financial Services and Veterans' Affairs; S. 2555 was held at the desk; and S. 3836 was referred to the Committee on International Relations. **Page H6297**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings today and appear on pages H6271–72, H6272, and H6272–73. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 11:07 p.m.

Committee Meetings

GETTING INTERCENSAL POPULATION ESTIMATES RIGHT

Committee on Government Reform: Subcommittee on Federalism and the Census held a hearing entitled "2 + 2 Should Never Equal 3: Getting Intercensal Population Estimates Right the First Time." Testimony was heard from Louis Kincannon, Director, Bureau of the Census, Department of Commerce; and public witnesses.

HIV PREVENTION

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled "HIV Prevention: How Effective Is the President's Emergency Plan for AIDS Relief (PEPFAR)?" Testimony was heard from the following officials of the Department of State: Mark R. Dybul, U.S. Global AIDS Coordinator; and Kent Hill, Assistant Administrator, Bureau for Global Health, U.S. Agency for International Development; David Gootnick, Director, International Affairs and Trade, GAO; and public witnesses.

UN HUMAN RIGHTS COUNCIL: REFORM OR REGRESSION?

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held an oversight hearing on the United Nations Human Rights Council: Reform or Regression? Testimony was heard from the following officials of the Department of State: Mark Lagon, Deputy Assistant Secretary, Bureau of International Organization Affairs; and Erica Barks-Ruggles, Deputy Assistant Secretary, Bureau of Democracy, Human Rights and Labor; and public witnesses.

PROPOSALS TO UPDATE FOREIGN INTELLIGENCE SURVEILLANCE ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on

proposals to Update the Foreign Intelligence Surveillance Act (FISA), including the following bills: H.R. 4976, NSA Oversight Act; H.R. 5223, Surveillance Activities Commission Act of 2006; H.R. 5371, Lawful Intelligence and Surveillance of Terrorists in an Emergency by NSA Act; H.R. 5825, Electronic Surveillance Modernization Act; S. 2453, National Security Surveillance Act of 2006; and S. 2455, Terrorist Surveillance Act of 2006. Testimony was heard from Steve Bradbury, Acting Assistant Attorney General, Office of Legal Counsel, Department of Justice; Robert L. Deitz, General Counsel, NSA, Department of Defense; and public witnesses.

HORSE PROTECTION ACT AMENDMENTS

Committee on Rules: Granted, by voice vote, a structured rule providing 1 hour and 20 minutes of general debate on H.R. 503, to amend the Horse Protection Act to prohibit shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes, equally divided and controlled by the Majority Leader and the Minority Leader or their designees. The rule waives all points of order against consideration of the bill and provides that the bill 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 Chairman Goodlatte, and Representatives Whitfield, Sweeney, and Peterson of Minnesota.

COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 7, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Homeland Security, to hold hearings to examine preparedness 1 year after Hurricane Katrina, 10 a.m., SD–192.

Committee on Foreign Relations: business meeting to consider Extradition Treaty Between the United States of America and the United Kingdom of Great Britain and Northern Ireland, and related exchanges of letters, signed at Washington on March 31, 2003 (Treaty Doc. 108–23), and the nominations of Richard E. Hoagland, of the District of Columbia, to be Ambassador to the Republic of Armenia, John Robert Bolton, of Maryland, to be the Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Representative of the United States of America in the Security Council of the United Nations, to which position he was appointed during the recess of the Senate from July 29, 2005, to September 1, 2005, and to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations, to which position he was appointed during the recess of the Senate from July 29, 2005, to September 1, 2005, John C. Rood, of Arizona, to be an Assistant Secretary of State for International Security and Non-Proliferation, Cesar Benito Cabrera, of Puerto Rico, to be Ambassador to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador to the Republic of Seychelles, Cindy Lou Courville, of Virginia, to be Representative of the United States of America to the African Union, with the rank of Ambassador, Donald C. Johnson, of Texas, to be Ambassador to the Republic of Equatorial Guinea, Mary Martin Ourisman, of Florida, to be Ambassador to Barbados, and to serve concurrently and without additional compensation as Ambassador to St. Kitts and Nevis, Saint Lucia, Antigua and Barbuda, the Commonwealth of Dominica, Grenada, and Saint Vincent and the Grenadines, and Ronald Allen Tschetter, of Minnesota, to be Director of the Peace Corps, 9:30 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security, to hold hearings to examine Information Technology projects at risk, focusing on why $12 billion in projects is being funded and what OMB is doing to ensure success, as well as GAO's recommendations in these areas, 9:30 a.m., SD–342.

Committee on the Judiciary: business meeting to consider the nominations of Terrence W. Boyle, of North Carolina, to be United States Circuit Judge for the Fourth Circuit, William James Haynes II, of Virginia, to be United States Circuit Judge for the Fourth Circuit, William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth Circuit, Norman Randy Smith, of Idaho, to be United States Circuit Judge for the Ninth Circuit, Valerie L. Baker, to be United States District Judge for the Central District of California, Francisco Augusto Besosa, to be United States District Judge for the District of Puerto Rico, Philip S. Gutierrez, to be United States District Judge for the Central District of California, George E.B. Holding, to be United States Attorney for the Eastern District of North Carolina, and Sharon Lynn Potter, to be United States Attorney for the Northern District of West Virginia, S. 2453, to establish procedures for the review of electronic surveillance programs, S. 2455, to provide in statute for the conduct of electronic surveillance of suspected terrorists for the purposes of protecting the American people, the Nation, and its interests from terrorist attack while ensuring that the civil liberties of United States citizens are safeguarded, S. 2468, to provide standing for civil actions for declaratory and injunctive relief to persons who refrain from electronic communications through fear of being subject to warrantless electronic surveillance for foreign intelligence purposes, S. 3001, to ensure that all electronic surveillance of United States persons for foreign intelligence purposes is conducted pursuant to individualized court-issued orders, to streamline the procedures of the Foreign

Intelligence Surveillance Act of 1978, S. 2831, to guarantee the free flow of information to the public through a free and active press while protecting the right of the public to effective law enforcement and the fair administration of justice, S. 155, to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to reform and facilitate prosecution of juvenile gang members who commit violent crimes, to expand and improve gang prevention programs, S. 1845, to amend title 28, United States Code, to provide for the appointment of additional Federal circuit judges, to divide the Ninth Judicial Circuit of the United States into 2 circuits, H.R. 1442, to complete the codification of title 46, United States Code, ''Shipping'', as positive law, H.R. 866, to make technical corrections to the United States Code, and S. 2046, to establish a National Methamphetamine Information Clearinghouse to promote sharing information regarding successful law enforcement, treatment, environmental, social services, and other programs related to the production, use, or effects of methamphetamine and grants available for such programs, and for the other purposes, 9:30 a.m., SD–226.

Subcommittee on Terrorism, Technology and Homeland Security, to hold hearings to examine strategies for pre-screening international airline passengers before take-off, 2 p.m., SD–226.

Committee on Veterans' Affairs: to hold hearings entitled ''Wounded Warrior'' Insurance: A First Look at a New Benefit for Traumatically Injured Servicemembers, 10 a.m., SR–418.

Select Committee on Intelligence: closed business meeting to consider pending calendar business, 2:30 p.m., SH–219.

Special Committee on Aging: to hold hearings to examine America's ailing guardianship system relating to exploitation of seniors, 10 a.m., SD–562.

House

Committee on Appropriations, Subcommittee on Defense, hearing on Defense Contracting, 10 a.m., 2359 Rayburn.

Committee on Armed Services, hearing on standards of military commissions and tribunals, 10 a.m., 2118 Rayburn.

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, hearing on BP's Pipeline Spills at Prudhoe Bay: What Went Wrong? 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises, hearing entitled ''A Review of the Federal Home Loan Bank System,'' 10 a.m., 2128 Rayburn.

Committee on Homeland Security, Subcommittee on Emergency Preparedness, Science, and Technology, hearing entitled ''The Department of Homeland Security's Science and Technology Directorate: Is It Structured for Success?'' 10 a.m., 334 Cannon.

Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment, hearing entitled ''State and Local Fusion Centers and the Role of DHS,'' 1 p.m., 2118 Rayburn.

Committee on International Relations, Subcommittee on International Terrorism and Nonproliferation, oversight hearing on 9/11: Five Years Later—Gauging Islamist Terrorism, 2 p.m., 2172 Rayburn.

Committee on the Judiciary, to continue mark up of H.R. 2679, Public Expression of Religion Act of 2005; and to mark up the following bills: H.R. 5092, Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE) Modernization and Reform Act of 2006; H.R. 5005, Firearms Corrections and Improvements Act; H.R. 1384, Firearm Commerce Modernization Act; H.R. 1415, NICS Improvement Act of 2005; and H.R. 5830, Wright Amendment Reform Act; and to consider a motion to authorize the issuance of a subpoena to Elaine L. Chao, Secretary of Labor, 10 a.m., 2141 Rayburn.

Committee on Resources, Subcommittee on National Parks, hearing on the following bills: H.R. 3532, Michigan Lighthouse and Maritime Heritage Act; H.R. 5452, Veterans Eagle Parks Pass Act; H.R. 5485, Columbia-Pacific National Heritage Area Study Act; and H.R. 5978, To authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including the battlefields and related sites of the First and Second Battles of Newtonia, Missouri, during the Civil War as part of a Wilson's Creek National Battlefield or designating the battlefields and related sites as a separate unit of the National Park System, 10 a.m., 1334 Longworth.

Subcommittee on Water and Power, hearing on the following bills: H.R. 5566, To facilitate the transfer of Spearfish Hydroelectric Plant Number 1 to the city of Spearfish, South Dakota; and H.R. 6014, To authorize the Secretary of the Interior, acting through the Bureau of Reclamation, to improve California's Sacramento/San Joaquin Delta and water supply; and to hold an oversight hearing on a measure regarding the repayment of site security costs at Bureau of Reclamation facilities, 10 a.m., 1324 Longworth.

Committee on Transportation and Infrastructure, Subcommittee on Highways, Transit and Pipelines, oversight hearing on Freight Logistics: The Road Ahead as Seen by the Users of the Highway System, 10 a.m., 2167 Rayburn.

Permanent Select Committee on Intelligence, executive, briefing on Global Updates/Hot Spots, 9 a.m., H–405 Capitol.

Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence, executive, hearing on CIA Sensitive Programs, 10 a.m., H–405 Capitol.

Next Meeting of the SENATE

9:30 a.m., Thursday, September 7

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 30 minutes), Senate will continue consideration of H.R. 5631, Department of Defense Appropriations Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, September 7

House Chamber

Program for Thursday: Consideration of H.R. 503—A bill to amend the Horse Protection Act (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Baldwin, Tammy, Wisc., E1640
Bean, Melissa L., Ill., E1648
Bishop, Sanford D., Jr., Ga., E1645
Bishop, Timothy H., N.Y., E1647
Blumenauer, Earl, Ore., E1635
Brady, Kevin, Tex., E1647
Brown-Waite, Ginny, Fla., E1630, E1632, E1635, E1637, E1639, E1641, E1643
Burgess, Michael C., Tex., E1630, E1632, E1634, E1637, E1639
Butterfield, G.K., N.C., E1642
Cardin, Benjamin L., Md., E1636
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