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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
February 9, 2005.

I hereby appoint the Honorable JO ANN EMERSON to act as Speaker pro tempore on this day.

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

PRAYER

The Reverend David F. Allen, Pastor, Welcome Baptist Church, Beckley, West Virginia, offered the following prayer:

Almighty God, creator of the universe and maker of this free and great Nation in which we live, it is once again that a few of Your humble servants have come before Your throne in prayer. We come first of all to ask Your divine forgiveness for all of our transgressions, and to thank You for how You have blessed and showed favor to the United States of America.

Heavenly Father, we pray that You would forever keep us mindful of what the scripture says, ''Righteousness exalteth a nation, but sin is a reproach to any people.''

Great Jehovah, we ask You to bless all of our leaders, and we ask special blessings upon this 109th Congress. Lord, give them great wisdom to deal with hindsight as well as a supernatural ability to deal with foresight.

God, lead us in the paths that You would have us to go and direct Congress in every decision that they must make.

Father, we will gladly give Your name the praise for being so good to us, hearing us, and granting our many petitions. In Jesus' name we pray. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. PENCE 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.

WELCOMING THE REVEREND DAVID F. ALLEN

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

Mr. RAHALL. Madam Speaker, it is indeed a high honor for me to rise today to introduce our guest chaplain, the Reverend David F. Allen, Pastor of the Welcome Baptist Church, located in my Third Congressional District in my hometown of Beckley, West Virginia.

Pastor Allen was born and raised in Greenstown, West Virginia, and is one of eight children raised by his mother, a single parent. He was educated in the Fayette County public school system and holds several teaching certificates and certifications through the National Baptist Convention.

Pastor Allen received his call to the preaching ministry at the age of 14, and since that time he has actively pursued his calling. He has been the Pastor of Welcome Baptist Church for the past 12 years.

Pastor Allen is the Vice Moderator and District Missionary of the Winding Gulf District Association. He has served as Supply Minister to many area churches and does extensive work in the evangelistic field.

Pastor Allen is also the founding Bishop of Tsidkenu Ministries, a State-chartered outreach ministry. In addition, Pastor Allen is the President of the Christian Ministers Alliance of Beckley, West Virginia, and vicinity.

He is married to Gloria J. Allen, who is with us today, and they are the proud parents of five children and grandparents to five grandchildren. Pastor Allen states that he is a God-called, spirit-filled preacher of God's Word.

Madam Speaker, again it is an honor for me to introduce and welcome to the U.S. House of Representatives the Reverend David F. Allen, Pastor of the Welcome Baptist Church in Beckley, West Virginia, to deliver our opening prayer. Thank you.

MTV's PROGRAMMING HURTS KIDS

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

Mr. PITTS. Madam Speaker, it seems that Music Television plays a lot more than music these days. From reality TV to tasteless dramas, MTV has become one of cable's largest purveyors of smut.

A report released by the Parents Television Council found that the level of sex and foul language on MTV is far higher than anything found on adult-targeted television. The report says that children watching MTV view an average of nine sexual scenes, 18 sexual depictions and 17 instances of sexual dialogue and innuendo per hour.

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A study done by RAND last year shows that kids this age often adopt the sexual behaviors and attitudes of their favorite TV characters. By glamorizing drug and alcohol abuse, sexual promiscuity and violent behavior, MTV lies to our kids. Instead of making them cool, MTV is often harming our kids.

Many say this is no big deal, but they are wrong. MTV reaches 73 percent of boys, 78 percent of girls ages 12 to 19. That is why this study and this report are so disturbing and so important.

IRAQ OIL PROCEEDS

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

Mr. KUCINICH. Madam Speaker, prior to invading Iraq, looking for weapons of mass destruction, this administration looked the other way at illegal shipments of Iraqi oil to Jordan, Syria and Turkey, which earned at least $8.5 billion for Saddam Hussein's regime. Now the administration cannot account for an additional $9 billion from Iraqi oil proceeds which was supposed to go to help the Iraqi people.

While Congress busies itself about how $2 billion was illegally diverted to Saddam from the U.N.'s Oil-For-Food Program, it would also be instructive to find out why it was apparently administration policy to let Saddam Hussein earn four times that amount through illegal oil shipments.

Before Congress gives another $80 billion for the war in Iraq, the American people would find it instructive for Congress to ask what happened with the unaccounted-for $9 billion which also came from Iraq oil proceeds.

Madam Speaker, before the war, Iraq was about oil. As the war continues, it is about billions in unaccounted-for oil revenues which the U.S. had custody of, responsibility for; and now nobody knows nothing.

MODERNIZING SOCIAL SECURITY

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

Mr. PENCE. Madam Speaker, 1 week ago in this Chamber the President of the United States began a national conversation about modernizing Social Security. I think there are a few things every American needs to know about Social Security reform.

First and foremost, if you are over the age of 55, Social Security reform will not affect you.

Secondly, to every working family, small business and family farm, we will bring about this reform without raising payroll taxes on working Americans.

The third thing we need to know is, the current system cannot afford to pay promised benefits to younger workers, so we have to bring the new and powerful idea of personal retirement accounts to give Americans the opportunity to make the same amount of dollars work harder for them in the future.

President Franklin Roosevelt, on January 17, 1935, said in a speech to Congress about Social Security that its second wave would be ''compulsory, contributory annuities which in time will establish a self-supporting system for those now young and for future generations.'' President Roosevelt's vision for Social Security was right for the 20th century, and his second vision is right for the 21st.

$750 BILLION ''ROUNDING ERROR''

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

Mr. EMANUEL. Madam Speaker, we have all done it. We all make mistakes. They are unavoidable. Yesterday we learned that the White House budget made a tiny little mistake, a $750 billion ''rounding error.''

According to the President's budget, the new Medicare prescription drug benefit is now going to cost the taxpayers $1.2 trillion, not the $400 billion they told us just last year. That is quite a difference from last year when the White House budget director, the man responsible for the money, assured everybody, ''The Congressional Budget Office estimate for the prescription drug bill was and remains $395 billion.''

And lest we forget, last year during debate on the Medicare benefit, our distinguished colleague, the gentlewoman from Connecticut (Mrs. JOHNSON), chairman of a House subcommittee on Ways and Means, ''I am pleased that the President has proposed to strengthen Medicare with a $400 billion plan which adds prescription drug coverage.''

Well, the joke is on the taxpayers and the senior citizens of America. Rather than funding $400 billion, it is a $1.2 trillion ''rounding error.'' What is worse, this mammoth new program does nothing to reduce the cost of prescription drugs. We need reimportation legislation to deal with the affordability and cost of prescription drugs.

These are the same individuals who are now trying to sell Americans on their fix for Social Security.

SOCIAL SECURITY NEEDS BIPARTISAN REFORM

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

Mr. KINGSTON. Madam Speaker, last week the Democrats booed when the President laid out his plan for Social Security. I promise one thing: I will not boo when and if they lay out their plan.

I welcome the Democrats' ideas on Social Security. I think it is very important to make a bipartisan reform. We need to protect and preserve Social Security not just for the next election, but for the next generation. I beg my Democrat colleagues to put a plan on the table. We will not boo. We will look at it and take the best of your ideas and combine them with the best ideas of the Senate, the House and the White House.

We all seem to agree, in the year 2018, more money will be going out of the trust fund than is going in. We all agree in the year 2042, if we do not whack benefits 27 percent, the program will be going bankrupt. We all agree that in the 1950s, there were 16 workers for every one retiree, and today there are 3.3 workers for every retiree. And we all know this because the Democrats participate in the Federal Employee Thrift Savings accounts, which allow them to choose interest-earning accounts similar to the personal accounts the President has proposed.

Madam Speaker, I again ask the Democrats, Please put your ideas on the table; we will not boo.

HONORING RALPH LOPEZ

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

Mr. CUELLAR. Madam Speaker, I rise today to recognize the many accomplishments of Ralph Lopez as the sheriff of Bexar County. Sheriff Lopez was reelected to serve the people of Bexar County for a fourth term this past November, 2004. He has dutifully served the people as sheriff since 1993, and continues to excel as one of Bexar County's most memorable sheriffs.

Before serving as sheriff, he was a decorated member of the San Antonio Police Department for 35 years, and was a cofounder of the Crime Stoppers Program in 1983.

While a member of the San Antonio Police Department, Sheriff Lopez worked towards receiving a bachelor's degree and a master's degree from St. Mary's University in San Antonio.

Since the early 1990s, Sheriff Lopez has received numerous awards, including the Outstanding Political Service Award from the Texas Public Workers Association in 1996 and the Barbara Jordan Award for Excellence in Public Service in 1995.

Along with his many accomplishments for the people of Bexar County, Sheriff Lopez has been married to his lovely wife, Nancy, for 46 years. I ask that we honor Sheriff Lopez, who exemplifies what is the best of San Antonio.

YUCCA MOUNTAIN PROJECT RIDDLED WITH PROBLEMS

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

Ms. BERKLEY. Madam Speaker, I rise today in strong opposition to the

$651 million included in the President's budget for the Yucca Mountain project. An increase in funds for the Yucca project that is consistently riddled with problems is ridiculous.

Last year the Department of Energy faced insurmountable hurdles it was unable to overcome, resulting in its failure to submit its license application on time. The second highest court in the United States ruled that the Yucca Mountain radiation standards were inadequate to protect the health and safety of the American people and that the EPA knowingly ignored the scientists' recommendations. We are talking about the harmful effects of radiation being underestimated by a mere 290,000 years.

The Nuclear Regulatory Commission, to its credit, refused to rubber-stamp an electronic database required for licensing the Yucca repository, and expressed serious concerns about the lack of information supplied in the license application.

Instead of dumping even more money into a $9 billion hole in the Nevada desert, we should be investing in clean, renewable energy sources and moving toward energy independence. Instead, the President is slashing critical funding for renewable energy while adding $651 million to the Yucca Mountain debacle.

Fraud, waste and abuse in government, look at the Yucca Mountain project. It is the poster child.

□ 1015

RESIGNATION AS MEMBER OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore (Mrs. EMERSON) laid before the House the following resignation from the Committee on Transportation and Infrastructure:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 8, 2005.

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

DEAR SPEAKER HASTERT: Effective immediately I am resigning my position on the House Transportation and Infrastructure Committee.

It has been a pleasure to serve on the Committee, and I will continue to support the Committee to achieve its legislative goals. However, because of my recent appointment to the House Financial Services Committee and the House Homeland Security Committee as well as my continued service on the House Resources Committee, it is necessary for me to resign from the Transportation and Infrastructure Committee.

Mr. Speaker, thank you for appointing me to the House Financial Services and Homeland Security Committees. I look forward to these new Committee assignments and working to advance the Majority agenda. Your help was critical and I greatly appreciate your effort on my behalf.

Thank you for your support and for accepting my resignation from the House Transportation and Infrastructure Committee. If you have any questions, please contact me.

Sincerely,

STEVAN PEARCE,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON GOVERNMENT REFORM

The SPEAKER pro tempore laid before the House the following resignation from the Committee on Government Reform:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 8, 2005.

Hon. J. DENNIS HASTERT,
Office of the Speaker,
U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: I respectfully resign from the Committee on Government Reform, effective immediately.

Sincerely,

KATHERINE HARRIS,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTION OF MEMBERS TO COMMITTEE ON HOMELAND SECURITY

Mr. KINGSTON. Madam Speaker, by direction of the Republican Conference, I offer a privileged resolution (H. Res. 73) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 73

Resolved, That the following named Members be, and are hereby, elected to the following standing committee of the House of Representatives (with previously elected members restated for the purpose of ranking):

Committee on Homeland Security: Mr. Young of Alaska; Mr. Smith of Texas; Mr. Weldon of Pennsylvania; Mr. Shays; Mr. King of New York; Mr. Linder; Mr. Souder; Mr. Tom Davis of Virginia; Mr. Lungren; Mr. Gibbons; Mr. Simmons; Mr. Rogers of Alabama; Mr. Pearce; Ms. Harris; Mr. Jindal; Mr. Reichert; Mr. McCaul; and Mr. Dent.

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, the Chair will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas or nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record vote on postponed questions will be taken later today.

EXPRESSING SENSE OF CONGRESS THAT DEPARTMENT OF DEFENSE CONTINUE TO EXERCISE ITS AUTHORITY SUPPORTING ACTIVITIES OF BOY SCOUTS OF AMERICA

Mr. HEFLEY. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 6) expressing the sense of the Congress that the Department of Defense should continue to exercise its statutory authority to support the activities of the Boy Scouts of America, in particular the periodic national and world Boy Scout Jamborees.

The Clerk read as follows:

H. CON. RES. 6

Whereas the Boy Scouts of America was incorporated on February 8, 1910, and received a Federal charter on June 15, 1916, which is currently codified as chapter 309 of title 36, United States Code;

Whereas section 30902 of title 36, United States Code, states that it is the purpose of the Boy Scouts of America to promote, through organization, and cooperation with other agencies, the ability of boys to do things for themselves and others, to train them in scoutcraft, and to teach them patriotism, courage, self-reliance, and kindred virtues;

Whereas, since its inception, millions of Americans of every race, creed, and religion have participated in the Boy Scouts, and the Boy Scouts of America, as of October 1, 2004, utilizes more than 1,200,000 adult volunteers to serve 2,863,000 youth members organized in 121,051 units;

Whereas the Department of Defense and members of the Armed Forces have a long history of supporting the activities of the Boy Scouts of America and individual Boy Scout troops inside the United States, and section 2606 of title 10, United States Code, enacted in 1988, specifically authorizes the Department of Defense to cooperate with and assist the Boy Scouts of America in establishing and providing facilities and services for members of the Armed Forces and their dependents, and civilian employees of the Department of Defense and their dependents, at locations outside the United States;

Whereas sections 4682, 7541, and 9682 of title 10, United States Code, authorize the Department of Defense to sell and, in certain cases, donate obsolete or excess material to the Boy Scouts of America to support its activities; and

Whereas since Public Law 92–249, enacted on March 10, 1972, and codified as section 2554 of title 10, United States Code, the Department of Defense has been specifically authorized to make military installations available to, and to provide equipment, transportation, and other services to, the Boy Scouts of America to support national and world gatherings of Boy Scouts at events known as Boy Scout Jamborees: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the Department of Defense should continue to exercise its long-standing statutory authority to support the activities of the Boy Scouts of America, in particular the periodic national and world Boy Scout Jamborees.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. HEFLEY) and the gentleman from North Carolina (Mr. BUTTERFIELD) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado (Mr. HEFLEY).

GENERAL LEAVE

Mr. HEFLEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the concurrent resolution under consideration.

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

There was no objection.

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

Madam Speaker, once again we find the Boy Scouts of America under attack from the American Civil Liberties Union. This time the ACLU has set its sights on the Department of Defense, challenging its longstanding support of the Boy Scouts.

In 1999 the ACLU of Illinois sued the DOD, the Department of Housing and Urban Development, and the Chicago Board of Education for sponsoring Boy Scout programs because participation in Boy Scouts includes an oath to God. Ultimately, the Chicago Board of Education suspended its sponsorship of scouting activities, and on Tuesday, November 16, 2004, the Department of Defense agreed to issue a worldwide directive to all its military facilities that the Department and its personnel may not sponsor Boy Scout units in an official manner.

Madam Speaker, it is already the policy of the Department of Defense not to sponsor any private non-Federal organization including the Boy Scouts of America. The Department does, however, provide support to the Boy Scouts with use of bases and facilities and donations and the use of surplus equipment.

Currently, the DOD spends $2 million every 4 years to prepare Fort A.P. Hill, a Virginia military base, for the Boy Scouts' national jamboree. The Department also makes an annual allocation of $100,000 to support Boy Scout units on military bases overseas and another $100,000 to improve Boy Scout properties such as summer camps. This support, and not the Department's sponsorship, asserts the ACLU, is in violation of the establishment clause of the first amendment to the Constitution, and is the basis for the lawsuit.

However, since March 10, 1972, the Department of Defense has been specifically authorized to make military installations available to, and to provide equipment, transportation, and other services to the Boy Scouts of America in support of national and world gathering, including events like their jamborees. The Department has also been given authority under title 10 of the U.S. Code to sell and in certain cases donate obsolete or excess material to the Boy Scouts.

While the Pentagon's directive will not impair their continued support for the Boy Scouts, the ACLU lawsuit quite frankly threatens it. Since its inception, millions of Americans of every race, creed, and religion have participated in the Boy Scouts of America. As of October 1, 2004, the Boy Scouts utilize more than 1.2 million adult volunteers to serve 2.863 million youth members organized in 121,051 units. With the help of agencies like the Department of Defense, many of these fine young men have gone on to become notable world figures. Let me give some examples: Neil Armstrong, Hank Aaron, Sam Walton, President Gerald Ford. And this is just a few.

Madam Speaker, the traditions of the Boy Scouts have been under attack for years by liberal groups. The DOD has been authorized to support the Boy Scouts for over 30 years, and any move to threaten this relationship is simply unconscionable. My resolution encourages the DOD to continue to exercise its statutory authority in its longstanding and successful relationship with the Boy Scouts of America.

Madam Speaker, I reserve the balance of my time.

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

Mr. HEFLEY. Madam Speaker, I yield such time as he may consume to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Madam Speaker, I rise in strong support of this resolution, and I want, first of all, to commend the gentleman from Colorado (Mr. HEFLEY) for introducing this resolution.

The Boy Scouts emphasize God and family and country, and I will tell the Members this: there are many fine charitable religious and civic organizations in this country, but I do not see how there could be any that are finer than the Boy Scouts of America.

I spent 7½ years as a criminal court judge before I came to Congress, trying felony criminal cases. I was told on the first day that I was judge that 98 percent of the defendants in felony cases came from broken homes. I went through 10,000 cases in that time, and I read thousands of times reports saying defendant's father left home when the defendant was 2 and never returned, defendant's father left home to get a pack of cigarettes and never came back. And I know that many outstanding people come from broken homes, but I also know that there are many young boys growing up in this country today without a good male role model in their lives.

In fact, I remember one Friday afternoon going to National Airport after one of the horrible school shootings that we had in another part of the country where a junior high school boy had shot up a school, and the national head of the YMCA was on the CBS national news saying that children were being neglected in this country today like never before. I do not know if that is true and I hope it is not, but certainly it is an epidemic-type problem that the Boy Scouts are in the forefront of working against, of fighting, of trying to make sure that boys are growing up with good male role models and are growing up with good guidance in their lives and are not being neglected as never before like the national head of the YMCA said.

Also, the gentleman from Colorado mentioned the ACLU. I know in the lead case brought by the ACLU, they received $690,000 in legal fees and $160,000 in court costs, $950,000 from the taxpayers. The gentleman from Indiana (Mr. HOSTETTLER) has introduced a bill to not make the taxpayers pay those types of legal fees. We should pass that type of bill.

But above all, the first good start is to pass this resolution, and I urge my colleagues to support this resolution and express our very strong support for one of the most outstanding organizations in this country today, the Boy Scouts of America.

Mr. SKELTON. Madam Speaker, I ask unanimous consent to control the time of the gentleman from North Carolina (Mr. BUTTERFIELD) in his absence.

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

There was no objection.

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

Today I rise in support of the resolution introduced by the gentleman from Colorado (Mr. HEFLEY), my good friend. I wholeheartedly endorse this resolution, which expresses the sense of Congress that the Department of Defense should continue to provide assistance and support to one of America's most treasured institutions, the Boy Scouts of America.

The Boy Scouts of America is one of the finest organizations in our country. Countless young men have learned the values of God, home, and country as young scouts, and the Boy Scout motto, ''Be Prepared,'' has inspired generations of youths to prepare for and lead full and productive lives.

One of the most significant lessons taught by the Boy Scouts is the importance of being a patriotic American. To call into question the status of the Boy Scout organization and potentially deprive young men who are military dependents of the opportunity to participate in Boy Scout troops on their military bases, is an absolute shame.

I was fortunate as a boy, as a lad, to join the Boy Scouts when I was growing. I still remember how proud my mother and my father were when I attained the rank of Eagle Scout. I remember it as if it were yesterday. The sponsor of my Eagle Scout class was Dr. Milton Eisenhower, and as I mounted the podium with the other branded Eagle Scouts and a rose was handed to me, which I was to hand to my mother, which I did, and Dr. Eisenhower, after hearing my name called off, my first name being Ike, he leaned over to me, shook hands with me, and said, ''That is what they used to call me, Ike.'' So evidently all the Eisenhower boys were called by that name.

Madam Speaker, later I was an assistant scout master. I later was the cub master of a cub troop in my hometown. I am enormously proud of our family who also participated in the scouting program, one of our sons of course being an Eagle Scout. I am honored to have continued the association with Boy Scouts of America to today.

So I call on my colleagues to join us in voting for this concurrent resolution, for standing up for the young men, Boy Scouts of America, who are really the future leaders of our country.

Madam Speaker, I reserve the balance of my time.

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

The gentleman from Missouri (Mr. SKELTON) knows firsthand the impact of the Boy Scouts in the lives of a young boy, and I appreciate very much his statement.

Madam Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Madam Speaker, I thank the gentleman for yielding me this time.

I stand in enthusiastic support of H. Con. Res. 6, which urges the Department of Defense to continue to exercise its statutory authority to support the activities of Boy Scouts of America, and particularly letting them have jamborees on military posts and bases.

When we look at the name Boy Scout, to call somebody a Boy Scout in society today, it is a term that one would say this guy is squeaky clean. This is a good kid. This is a hard worker. This is somebody who likes his family. Indeed, if we step back and see what the Boy Scout organization is about, there are strong things of God, family, and country, which of course the ACLU cannot stand. The ACLU seems to wake up in the morning and look for ways to tear down great institutions in our society; so it is no wonder they would again attack another one, with the Boy Scouts being their goal.

What do kids learn in Boy Scouts? The gentleman from Tennessee (Mr. DUNCAN) just talked about how it can help kids who do not have fathers, who may have had a broken home and a hard life. What does it teach them? It teaches them the value of hard work. It teaches them goal-setting. It teaches them team effort, community service. It is open to all. It teaches them respect for one another.

Boy Scouts is a good organization, and in our society in order for a representative democracy to thrive as it has, we need good civic clubs like Rotary and Kiwanis.

□ 1030

We need good nonprofit institutions like the Cancer Society and the Heart Fund and the United Way. We need good churches and good synagogues. But for children, young people growing up, these things start out with youth groups at church, 4–H Clubs, Girl Scouts, Camp Fire Girls, Young Life, YMCA and, of course, the Boy Scouts. This is about the United States of America and developing good citizens.

So I urge the passage of H. Con. Res. 6, so that the Boy Scouts can continue to have these important jamborees that teach the kids so many good instructional values as they grow up, and have these things hosted on military bases when practical and necessary.

The SPEAKER pro tempore (Mrs. EMERSON). Without objection, the Chair recognizes the gentleman from North Carolina (Mr. BUTTERFIELD) for the balance of his time.

There was no objection.

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

Mr. HEFLEY. Madam Speaker, I yield 2 minutes to the gentleman from Indiana (Mr. HOSTETTLER).

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

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

Madam Speaker, I rise in strong support of H. Con. Res. 6 and America's Boy Scouts. Unfortunately, the assault on the Boy Scouts of America continues. In the name of tolerance and acceptance, some would force the Department of Defense to abandon America's Boy Scouts. Rather than allow this private organization to continue receiving support from the Department of Defense, they would rather compel the Department of Defense to terminate the relationship between military families and this important quality-of-life program.

It is a shame that the U.S. Congress even has to consider this bill, yet here we are actually debating whether such an organization that instills service and integrity in our Nation's boys is worthy of support from the Department of Defense.

The Scout's Law says that Scouts must be trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent. We can only hope that all Americans would ascribe to such a code of morality. Imagine the effect on our culture if all of us resolved to commit to the Boy Scouts Oath. Rather than condemn the Boy Scouts for such a code, this organization deserves our whole-hearted support.

In closing, Madam Speaker, I urge the Boy Scouts to remain unwavering in their principles as expressed in the Scout Law and Oath. Likewise, I urge my colleagues to continue to support this fine organization by voting in favor of H. Con. Res. 6.

Mr. BUYER. Madam Speaker, I rise in strong support of H. Con. Res. 6, a concurrent resolution expressing the sense of Congress that the Department of Defense should continue to exercise its statutory authority to support the activities of the Boy Scouts of America, in particular the periodic national and world Boy Scout Jamborees.

Title 10 of the United States Code, specifically authorizes the DOD to make military installations available to, and to provide equipment, transportation, and other services to, the Boy Scouts of America to support national and world gatherings of Boy Scouts at events known as the Boy Scout Jamboree.

For almost 100 years, the Boy Scouts of America has given generations of young men the tools to become moral, responsible, and ethical adults. By its actions, the Department of Defense is not only defying the law, but also turning its back on these outstanding young men.

Let me be very clear, the Boy Scouts of America is the Nation's foremost youth program of character development and values-based leadership training.

In addition, the Boy Scouts of America offers young people responsible fun an adventure, and in the process, it instills lifetime values and helps to develop ethical character. It is also an organization that promotes family values and service to country.

I urge my colleagues to pass this resolution.

Mr. KLINE. Madam Speaker, I rise today to express my strong support for the Boy Scouts of America and the right of the Department of Defense to continue their support of this proud organization.

The Boy Scouts of America enjoys a long tradition of excellence. For nearly a century young men have joined the scouts, and have come away with essential life skills and character building experiences. Many of my colleagues here today claim alumni status in the Boy Scouts and credit their scouting experience in the development of a commitment to civic responsibility. I am proud to include myself in this group. And, I am especially proud that my son, now a major in the U.S. Army is an Eagle Scout.

The Department of Defense has long shared in the support of the Boy Scouts and their mission of preparing young people to make ethical and moral choices over their lifetimes. Unfortunately, a small group threatens to put in jeopardy the well-being of this outstanding organization for the purposes of political grandstanding.

I stand today with my colleagues to encourage the Department of Defense to continue their critical support of the Boy Scouts of America, and protect their constitutional right to free speech.

Mr. DINGELL. Madam Speaker, I rise in strong Support of H. Con. Res. 6 and the Boy Scouts of America. I would like to thank my colleague, Representative JOEL HEFLEY, for introducing this important resolution to support the Boy Scouts of America and their Jamborees.

To all Scouts everywhere, I say continue to live your life according to the Scout law, and you will find that you will go far in life.

To those adults involved in the Scouts, I say, thank you. Thank you for your work to mold young people into fine citizens that will do great things for our country.

The Scout leaders who teach Scouts about self respect, self reliance, and the wonders of our natural world do our nation a great service. Without the Boy Scouts and others who have worked to instill these values in our society, many in this institution would not be able to carry on the hard work to protect our natural resources and wild lands.

Last Congress, I introduced H.R. 5428 which, if passed, would restore the ability of our armed forces to directly support Scout troops and ensure that the Scouts will continue to have the use of Fort A.P. Hill and the assistance of our armed forces for its jamboree. I intend to work with my colleagues to introduce similar legislation again in this Congress.

Madam Speaker, I grew up a Boy Scout, became a Scoutmaster, and watched proudly

as both my sons became Scouts. I will continue to protect the Scouts from those that wish to harm this fine organization.

I urge all of my colleagues to vote for H. Con. Res. 6.

Mr. STARK. Madam Speaker, I rise to oppose H. Con. Res. 6, a resolution expressing, the sense of Congress that the Department of Defense should continue to exercise its statutory authority to support the activities of the Boy Scouts of America.

I do not oppose the Boy Scouts. However, I do oppose the Federal Government using its resources to support an organization that blatantly discriminates against various groups.

As a private organization, the Boy Scouts may exclude individuals from membership based on their sexual orientation, religion, or gender. I disagree with that decision, but it is their right.

But I oppose a resolution commending any part of our government—even the Department of Defense—for supporting the Boy Scouts or any other organization that promotes active discrimination.

The author of this resolution may be concerned that courts are calling into question the appropriateness of the support the Department of Defense provides to the Boy Scouts. I hope the courts do move forward to end this explicit government support of discrimination. We should do that here in Congress, but instead my Republican colleagues are trying to hinder the courts from enforcing civil rights.

Ms. WOOLSEY. Madam Speaker, today I voted against H. Con. Res. 6, because I am disappointed with the Boy Scouts of America's exclusionary policies that prevent gay boys and teens from participating in scouting. While the Boy Scouts' positive work within our Nation's communities is notable, the message that the organization sends to gay youth by shutting them out diminishes its greater goals of teaching respect, personal honor, and service.

It is important to encourage and support all of our children and by excluding gay youth the Boy Scouts of America is preventing some young men from experiencing the positive benefits Scouting can offer.

Mr. BLUMENAUER. Madam Speaker, I have long admired the services of the many Boy Scout volunteers and have benefited from the organization myself. It is sad that their good works have been clouded by a policy that governs who can participate in the organization. Until the organization changes that policy, I do not feel comfortable voting for resolutions such as this.

I look forward to the day the Boy Scouts of America can better represent their communities by extending membership to all persons who abide by the Boy Scout creed.

Mr. FITZPATRICK of Pennsylvania. Madam Speaker, I rise in support of H. Con. Res. 6—Sense of Congress that the Department of Defense should continue its support of the Boy Scouts of America.

I rise as a life-long member of the Scouts, and a proud Eagle Scout.

This week marks the 95th anniversary of the incorporation of the Boy Scouts of America. Madam Speaker, the Boy Scouts stand for something—they stand for what we want all young Americans to be.

To be Trustworthy, Loyal, Helpful and Friendly.

There are not many organizations, Madam Speaker, that stand for the same values and principles today that they did at the time of their founding or incorporation. The Boy Scouts of America are not an organization that has changed its core values in order to maintain a sense of political correctness in an age of vanishing values.

There are not many organizations that exist today, like the Boy Scouts of America that are willing to stand up and tell young men that they should strive to be:

Courteous, Kind, Obedient, Cheerful,

Thrifty, Brave, Clean and Reverent.

Those are the principles of the Boy Scout Law. And it is my sense, and I believe the sense of my constituents and those of the rest of America, that Congress continue to support the Boy Scouts of America.

The Boy Scouts will be gathering this summer at Fort A.P. Hill in Virginia, and Congress should resolve to encourage in strong terms that the Department of Defense continue its support of the Scouts today, for the coming national jamboree, and in the future.

Mr. HEFLEY. Madam Speaker, I yield back the balance of my time, and encourage everyone to support this resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. HEFLEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 6.

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

The yeas and nays were ordered.

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

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. MENENDEZ. Madam Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 74) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 74

Resolved, That the following named Members and Delegates be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON THE BUDGET.—Ms. Schwartz of Pennsylvania (to rank immediately after Mr. Cuellar).

(2) COMMITTEE ON THE JUDICIARY.—Mr. Smith of Washington, Mr. Van Hollen.

(3) COMMITTEE ON HOMELAND SECURITY.—Ms. Loretta Sanchez of California, Mr. Markey, Mr. Dicks, Ms. Harman, Mr. DeFazio, Mrs. Lowey, Ms. Norton, Ms. Zoe Lofgren of California, Ms. Jackson-Lee of Texas, Mr. Pascrell, Mrs. Christensen, Mr. Etheridge, Mr. Langevin, Mr. Meek of Florida.

(4) COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT.—Mrs. Jones of Ohio, Mr. Gene Green of Texas, Ms. Roybal-Allard, Mr. Doyle.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HONORING THE TUSKEGEE AIRMEN

Mr. ROGERS of Alabama. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 26) honoring the Tuskegee Airmen for their bravery in fighting for our freedom in World War II, and for their contribution in creating an integrated United States Air Force.

The Clerk read as follows:

H. CON. RES. 26

Whereas the United States is currently combating terrorism around the world and is highly dependent on the global reach and presence provided by the Air Force;

Whereas these operations require the highest skill and devotion to duty from all Air Force personnel involved;

Whereas the Tuskegee Airmen proved that such skill and devotion, and not skin color, are the determining factors in aviation;

Whereas the Tuskegee Airmen served honorably in the Second World War struggle against global fascism; and

Whereas the example of the Tuskegee Airmen has encouraged millions of Americans of every race to pursue careers in air and space technology: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the United States Air Force should continue to honor and learn from the example provided by the Tuskegee Airmen as it faces the challenges of the 21st century and the war on terror.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alabama (Mr. ROGERS) and the gentleman from North Carolina (Mr. BUTTERFIELD) each will control 20 minutes.

The Chair recognizes the gentleman from Alabama (Mr. ROGERS).

GENERAL LEAVE

Mr. ROGERS of Alabama. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Con. Res. 26.

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

There was no objection.

Mr. ROGERS of Alabama. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, in March of 1942, five young men at a rural Army airbase in Tuskegee, Alabama, graduated from aviation cadet class in the Army Air Corps. These men, like other World War II fighter pilots, accepted extraordinary risks to carry out their missions. They were brave and patriotic. Hailing from towns and cities across America, these young soldiers came to Tuskegee, Alabama, with the dream of serving our Nation in the air. They would graduate with honors as captains and lieutenants.

From 1942 to 1946, 992 fighter pilots would graduate from this rural Army airbase in central Alabama. Their missions would be over enemy territory in Italy and North Africa, some of the

most challenging assignments of the war, and some of them would not return. Yet many did. Those who did survive those battles lived to claim unprecedented records of success and high honors for their bravery.

But we all know World War II was not their only battle. These proud soldiers, the Tuskegee Airmen, were the first African Americans ever to serve our Nation as Army fighter pilots. They were true leaders, men who battled our enemies oversees while fighting bigotry and racism at home.

Madam Speaker, as we debate today's resolution honoring the Tuskegee Airmen, we will hear of their struggles. We will hear their stories of being turned away at the officers' clubs because of their race, and we will hear of the prejudices they faced overseas.

Yet they did not give up. They persevered, and along with others from our greatest generation, joined with our allies across the globe and helped defeat the forces of tyranny.

The Tuskegee Airmen are symbols of America, Madam Speaker, strong through difficult times and courageous in the face of adversity.

In the month when our Nation celebrates the contributions of African Americans to our Nation's history, it is important we take this time to honor their bravery. Their courage and persistence are examples for all of us to follow. We have much to learn from their service and much to honor for their contributions to our civil rights legacy.

As our military continues to fight the war on terror overseas, we should pause to remember the battles fought long ago by these proud Americans. Not only is our world freer because of their courage, but our Nation is stronger because of their sacrifices.

I want to thank my colleagues for being here today to honor the Tuskegee Airmen, and I look forward to doing what I can to keep their legacy strong so future generations may also share in their accomplishments.

I would also like to add, Madam Speaker, that as part of my efforts to honor the Tuskegee Airmen, I have been leading an initiative to help build a National Park Service museum in Tuskegee, Alabama, to memorialize these brave Americans.

Obviously, on this important occasion I would welcome any and all support from Members that would join me in this initiative, and would answer any questions later.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise today in support of House Concurrent Resolution 26, introduced by the gentleman from Alabama (Mr. ROGERS). This resolution recognizes the Tuskegee Airmen for their brave and honorable service during World War II.

The story of the Tuskegee Airmen is a phenomenal story, and it highlights the Tuskegee Airmen as shining examples of the perseverance and strength of the U.S. Air Corps as they faced the challenges of 21st century. It is fitting that we recognize such an outstanding group of individuals who were pioneers in integrating the Army Air Corps and, eventually, the Air Force as we celebrate Black History Month.

The Tuskegee Airmen overcame prejudice and discrimination to become some of the most highly respected airmen of World War II. Until 1941, African Americans were denied the opportunity to become leaders in the military and they were prohibited from flying because it was believed that African Americans lacked the qualifications for such noble combat duty.

African Americans have played a significant role in the history of our military over the past 300 years, and it was absurd to suggest that the ability was lacking. African Americans soldiers have fought in every war and have contributed so much of themselves to ensure this country's reputation as a superpower. The refusal to allow for black pilots was simply rank racism.

It was the unshakeable belief by so many that this obvious bigotry was wrong that finally gave way to the historical beginning of the integrated United States Air Force. Distinguished men such as Booker T. Washington and General Benjamin O. Davis, Jr., came to Macon County, Alabama, and reality created the legend that we know today.

Booker T. Washington founded the Tuskegee Institute, which established a well-respected aeronautical engineering program; and thousands of students, including student officer Captain Benjamin Davis, who was in the first pilot class, went through the institute's flight program and became known as the Tuskegee Airmen.

The Tuskegee Airmen included not only over 1,000 fighter pilots, but they also included navigators, bombardiers and maintenance and support personnel that ultimately comprised the famed 99th Fighter Squadron and the 332nd Fighter Group.

During World War II, the 99th Fighter Squadron, led by the late General Benjamin Davis, was originally sent to North Africa, but moved to the European continent and flew over Italy in 1944. The 99th held the record of 200 combat missions without losing a single bomber to enemy fire, a record for a squadron.

It is therefore only fitting, Madam Speaker, that the Congress takes the time today to appropriately recognize the men who participated in the Tuskegee Experiment. No standards were lowered for the pilots or any of the others who trained in operations, in meteorology, in intelligence, in engineering, medicine or any of the other officer fields.

The Tuskegee Airmen proved without a doubt that loyalty, bravery and sacrifice were not based on the ethnicity of an individual, but on their individual motivation, determination and devotion to duty. The men who participated in this great experiment were dedicated young men, possessing the strong personal desire to serve the United States of America at their best. They enlisted at a time when this country was engaged in enormous conflict, but they took on the challenge and they took on the responsibility and served with distinction.

Today we honor their achievements and all of those who have taken the oath to defend this great country.

Madam Speaker, I urge my colleagues to support this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. ROGERS of Alabama. Madam Speaker, I yield 5 minutes to the my friend, the distinguished gentleman from the First District of Alabama (Mr. BONNER).

Mr. BONNER. Madam Speaker, I thank my friend from Alabama, and I want to give my sincerest congratulations to him for providing this leadership in bringing this issue, this discussion, to the American people today.

Madam Speaker, as we celebrate our Nation's 79th annual Black History Month, it is only appropriate to reflect on the accomplishments of Alabama's Tuskegee Airmen. These brave soldiers came from every corner of the United States with the ambition of serving their country to the best of their ability.

The Tuskegee Airmen were committed and capable. Their success demonstrated that a soldier's ability is determined by his skill and persistence, not by creed or color.

Tuskegee's established airfield and proven civilian pilot training program made it an obvious choice for the location of a center to instruct America's first African American military aviators. Upon receipt of the contract granted by the U.S. Army Air Corps, Tuskegee Institute began the training of America's original black aviators in 1941.

□ 1045

The first cadets accepted their silver wings in March of 1942.

In recalling the 15,000 missions completed by the Tuskegee Airmen, we note a distinguished record of service. The airmen destroyed over 1,000 German aircraft, one enemy destroyer, and many enemy installations. They also boast the extraordinary record of flying over 200 bomber escort missions over Europe without the loss of a single bomber to enemy fire.

The accomplishments of the Tuskegee Airmen did not go unnoticed by their peers and associates. They returned home bearing the honor they deserved, including 150 Distinguished Flying Crosses, 744 Air Medals, 8 Purple Hearts, and 14 Bronze Stars.

Their triumphs in the air exhibited undaunted courage and capacity that were certainly to equal that of any pilot prior to or certainly thereafter. With the assistance of the men and

women of the Army Air Corps, the Tuskegee Airmen made integration into our military possible.

In 1948, President Harry Truman enacted Executive Order Number 9981, which directed equality of treatment and opportunity in all of the United States Armed Forces. In time, order 9981 led to the end of racial segregation in our military.

Madam Speaker, on behalf of my constituents in Alabama, I ask my colleagues to join me in celebrating the achievements and the legacy of the Tuskegee Airmen. Their successful endeavor into military flight provided inspiration to a new generation of aviators.

On March 24, 1945, the 332nd Fighter Group received the Presidential Unit Citation for its longest bomber escort mission to Berlin, Germany. On the 50th anniversary of such an accomplishment, I rise to honor these men who succeeded not only in great military feats, but also in breaking down the barriers and boundaries of racial segregation.

As Tuskegee University's President Dr. Benjamin Payton said, ''The Tuskegee Airmen story is about much more than flying airplanes, it is about teaching people to soar.''

Madam Speaker, I thank the gentleman who is proud to represent Tuskegee University in his congressional district, the third district of Alabama.

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

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Madam Speaker, I rise today in support of H. Con. Res. 26 honoring the heroic accomplishments of the Tuskegee Airmen. At a time when race narrowed the horizons and limited the opportunities of many Americans, the Tuskegee Airmen soared high above the low expectations of the day.

The Tuskegee Airmen served their country with great valor and distinction and set in motion the movement to desegregate the Armed Forces, a crucial moment in the civil rights struggle. Black History Month is a good time to remember the American heroes that were not given the full recognition that they were due. The Tuskegee Airmen are deserving of all of the praise that they will surely receive today. All took great risks for their country and some made the ultimate sacrifice. Americans remember our heroes and hold a special place in their hearts for the Tuskegee Airmen.

Those that are still with us have continued to serve their country on the home front in various ways and have received not all of the attention. However, a friend of mine from Chicago, Rufus Hunt, who served with the Tuskegee Airmen, has helped to keep the memory and spirit of these brave Americans alive by serving as their chief historian. Others have taught flying skills to underprivileged youth, and still others have worked as mentors.

We have a great active group of Tuskegee Airmen in the City of Chicago, the DODO Chapter, and they are still teaching young people how to fly. They have a Young Eagles program. One of my proudest possessions is a jacket that I have that the Tuskegee Airmen's DODO Club has given to me.

So I join with all of us as we extol the virtues of those brave men and now women who are members of the Tuskegee Airmen who continue the great tradition of providing the greatest of service and tremendous aviation.

Mr. ROGERS of Alabama. Madam Speaker, I yield 4 minutes to the gentleman from Nebraska (Mr. TERRY), my friend and colleague.

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

Mr. TERRY. Madam Speaker, I rise today as a cosponsor of this resolution, and I thank the gentleman from Alabama for offering it.

It is an honor for me to be part of this recognition of the Tuskegee Airmen, members of the Greatest Generation who fought fascism abroad and overcame discrimination at home to become one of our Nation's most successful military units. Their story deserves to be told often, not just in February, to remind all Americans how far we have come to honor the many sacrifices made along the way.

I have the privilege of representing four Tuskegee Airmen who reside in Nebraska's Second Congressional District: Robert Holts, Ralph Orduna, and Charles Lane, all of Omaha and just south of Omaha in Bellevue, Harry Tull. Another Airman, Paul Adams, lives in nearby Lincoln.

I am especially proud to note that Colonel Lane of Omaha was the youngest black fighter in World War II. His daughter, Karen Davis, is a longtime member of my congressional staff and she does a wonderful job; and Colonel Lane can be as proud of her, as we are of him.

I also want to mention Omaha native Alphonza Davis, a graduate of Omaha Tech High School and Omaha University, who finished first in his class at Tuskegee and was chosen squadron leader. He was killed in combat in 1944 while over Germany. Today, the local Tuskegee Airmen chapter is named in his honor.

The story of the Tuskegee Airmen is unfortunately rooted in the racial segregation that still existed in our country during World War II. As a result, African Americans who wanted to fly in the military were trained at a separate location near Tuskegee, Alabama. The Tuskegee Airmen, or Red Tails as they were called because of the crimson tails on their aircraft, were the first squadron of African American combat pilots in the U.S. military. By the end of the war, nearly 1,000 men had graduated from pilot training at Tuskegee.

Under the command of Colonel Benjamin Davis, Jr., these warriors fought over North Africa, Sicily and Europe. By the way, Colonel Davis would go on to be the Air Force's first African American general.

How good were these Tuskegee Airmen? In a book entitled ''Mustang Aces of the 9th and 15th Air Forces,'' one pilot bomber recalled that the Tuskegee pilots had earned great respect from the bomber pilots they protected. Here is a direct quote: ''The Red Tails were always out there when we wanted them to be,'' he said. ''We had no idea they were black; it was the Army's best kept secret.''

Today, the Tuskegee Airmen and their record of success is no secret. Throughout the war, not a single bomber protected by the Red Tails was ever shot down by enemy aircraft. By the war's end, the Tuskegee Airmen had flown over 15,000 sorties, completed over 1,500 missions, destroyed more than 260 enemy aircraft, and more than 1,000 enemy vehicles on the ground; and been awarded 744 Air Medals, 150 Distinguished Flying Crosses, 14 Bronze Stars, and 8 Purple Hearts.

Of the estimated 450 who saw combat, 150 lost their lives while on combat flights or in training, including Colonel Lane's childhood friend, John Squires.

I join my House colleagues in saluting the Tuskegee Airmen 60 years after they first donned the Nation's uniform. They have secured their place in history as American heroes. We are proud of them all. We thank them for their service to this great country. I thank the gentleman from Alabama for his work and for this worthy tribute.

Mr. BUTTERFIELD. Madam Speaker, I yield 2 minutes to the gentleman from New York (Mr. TOWNS).

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

Mr. TOWNS. Madam Speaker, many people indicated earlier on that the blacks did not have the intelligence to be able to be involved in aviation; and, of course, after a short period of time, they were proven wrong. I think about some of our great leaders who actually were a part of the Tuskegee Airmen. I think about Percy Sutton who was a great leader in the New York area and, of course, has done so many things for people. I think it came from his involvement with the Tuskegee Airmen and his being involved in Tuskegee University. Then Rosco Brown, who was known as one of the world's greatest educators, a person who headed one of our universities for a period of time; and I think about how all of them were involved with the Tuskegee Airmen.

So there was no question about it. There were many that were qualified to do it, and they did a magnificent job. Their performance was unmatched, and I am so proud that this House today is recognizing them.

I just want to say to the people who actually brought forth this resolution, I want to commend them on H. Con.

Res. 26, because I think the time has come when we recognize the outstanding work of the Tuskegee Airmen. We should not just do it during the month of February because, first of all, when we think about their accomplishments, February is the shortest month of all. That within itself is sort of selfish. But the point is I think we need to do it 365 days a year, and if there is a leap year, we need to do it 366 days, because the job that they did and the things that they did on behalf of this country is something that we should continue to talk about daily.

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

Mr. BUTTERFIELD. Madam Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Madam Speaker, I thank the gentleman for yielding me this time, and I thank the gentleman from Alabama (Mr. ROGERS) for introducing this important legislation.

Madam Speaker, as the country celebrates Black History Month, it is important to take time to honor the Tuskegee Airmen who, despite significant racism targeted at African Americans, strove to serve their country and defend its freedoms during World War II.

The story of the Tuskegee Airmen is familiar to many of us. On July 19, 1941, the U.S. Air Force began a program at the Tuskegee Army Airfield located in Alabama to train black Americans as military pilots. The program started with only 13 men; but by its conclusion, it graduated nearly 1,000 men who became the Nation's first black airmen.

Many of the graduates of the Tuskegee program were sent overseas for combat assignment, either in the 99th Pursuit Squadron or the 332nd Fighter Group, both of which were honored for their service. In fact, the 99th Fighter Squadron received two Presidential Unit citations for outstanding tactical air support in aerial combat, and the 332nd Fighter Group received one Presidential Unit citation for its longest bomber escort mission to Berlin, Germany, where they destroyed three German jet fighters and damaged five additional jet fighters without losing any of the bombers or any of its own fighter aircraft to enemy aircraft.

Unfortunately, despite their outstanding service, the Tuskegee Airmen experienced a great deal of racism. The racism directed at the airmen came to a head in early 1945 when black officers tried to enter the Freeman Field Club, an officers' club in Indiana, against direct orders for them to stay out. Madam Speaker, 103 officers were arrested, charged with insubordination, and ordered to face court-martial.

Fortunately, the court-martial proceedings were quickly dropped against 100 of the officers; two officers eventually had their charges dropped; and one officer, Lieutenant Roger ''Bill'' Terry, was convicted.

At this moment I would like to recognize my uncle, John Mosely, who was a Tuskegee Airman and who was recently honored by his community of Aurora, Colorado. He is one of the leading citizens of that community, having worked for the Urban League and many other programs. I dedicate this resolution to him and his wife, Edna Mosely.

Fifty years later, however, at the Tuskegee Airmen National Convention in Atlanta, Georgia, 15 of the original 103 officers that were arrested received official notification that their military records had been purged of any reference to the Freeman Field incident. Also, Mr. Terry's court martial conviction had been reversed and his military record cleared. The remaining officers received instruction for clearing their records.

Madam Speaker, the legacy of the Tuskegee Airmen is not the Freeman Field incident; instead their legacy is that of serving their country with distinction which helped the U.S. Armed Forces and the United States integrate in the years following World War II.

Madam Speaker, I am pleased to support this legislation and urge all of my colleagues to support it as well.

Mr. ROGERS of Alabama. Madam Speaker, I continue to reserve the balance of my time.

Mr. BUTTERFIELD. Madam Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. RUPPERSBERGER).

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

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Mr. RUPPERSBERGER. Madam Speaker, today I rise in support of H. Con. Res. 26, honoring the Tuskegee Airmen and their amazing contributions during World War II, and their impact in creating an integrated United States Air Force. I am honored for this opportunity to speak during Black History Month on this important resolution.

As the first African American combat unit in the Army Air Corps, the Tuskegee Airmen helped shatter stereotypes by fighting for freedom both abroad and here at home. Their individual and collective acts of courage helped pave the way for the desegregation of the Army in 1948.

I would also like to take this opportunity to recognize four members of the Tuskegee Airmen with ties to the Second Maryland Congressional District. Alfred L. Woolridge, Gordon T. Boyd, Leroy A. Battle, and Alfred McKenzie were four individuals with separate lives and histories. Each brought unique skills to their service and each helped form this historic group of this Tuskegee Airmen. On behalf of a grateful Nation, I thank them for their contribution and service.

These gentlemen exemplified the bravery of the legendary Tuskegee Airmen. They served their country, both on the battlefield and off, and were valuable members of their Maryland communities.

Madam Speaker, at a time of war with a new generation of service men and women serving bravely to bring liberty to the oppressed, I think it is only fitting that we remember these members of the greatest generation, the Tuskegee Airmen.

Madam Speaker, today I rise in support of H. Con. Res. 417 honoring the Tuskegee Airmen and their amazing contributions during World War II and their impact creating an integrated United States Air Force. I am honored for this opportunity to speak during Black History Month on this important resolution.

As the first African-American combat unit in the Army Air Corps, the Tuskegee Airmen helped shatter stereotypes by fighting for freedom both abroad and here at home. Through their heroism in the skies above North Africa and Europe, the Airmen demonstrated that African-Americans could be effective members of the military. Completing over 500 missions during the war, the Tuskegee Airmen destroyed over 250 enemy aircraft without losing a single American bomber. Their individual and collective acts of courage helped pave the way for the desegregation of the Army in 1948.

I would also like to take this opportunity to recognize four members of the Tuskegee Airmen with ties to my hometown of Baltimore, Maryland. Alfred L. Woolridge, Gordon T. Boyd, Leroy A. Battle, and Alfred McKenzie were four individuals with separate lives and histories. Each brought unique skills to their service and each helped to form this historic group of Tuskegee Airmen. I would like to take this opportunity to speak briefly about each of these incredible men and share a bit about them with you.

Mr. Alfred L. Woolridge, a Baltimore resident, joined the Tuskegee Airmen after enlisting in the Army in 1942 and being assigned to the Tuskegee Army Air Field in Alabama. A scientist with a master's degree in chemistry and mathematics, Mr. Woolridge worked as an aircraft engineering officer ensuring that the planes were safe to fly every morning. After leaving the Army in 1946, Mr. Woolridge worked as an analytical chemist in Maryland until 1974. He remained an active member of his Baltimore community until his death in March of 1998.

After being inducted into the Army Air Corps during World War II, Mr. Gordon T. Boyd Jr. became a bombardier and a navigator. He joined the Tuskegee Airmen after being assigned to the Tuskegee Institute in Alabama. Mr. Boyd ascended to the rank of first Lieutenant and is credited with helping newer cadets adjust to military life. After being honorably discharged in 1946, Mr. Boyd worked as a management specialist for the U.S. Census bureau until his retirement in 1979. Before his death on May 5, 1995, Mr. Boyd became a charter member of the East Coast Chapter D.C. Tuskegee Airmen Inc.

Mr. Leroy A. Battle was a jazz musician who played with Billie Holliday before he was drafted into the Army in 1943. He volunteered to join the Tuskegee Airmen and soon became a bombardier and a navigator. On April 5, 1945, Mr. Battle along with 100 other airmen, defied orders by attempting to desegregate the officer's club at Freeman Field in Seymour, Indiana. The Freeman Field Incident played an important role in African-American attempts to combat racism in the Armed Forces and eventually paved the way for President Truman's order to desegregate the Army in 1948. After

being honorably discharged from the Army, Mr. Battle spent 29 years teaching before retiring in 1978. He continues to be an active member of this community by speaking out about his experiences as a Tuskegee Airman.

Mr. Alfred McKenzie joined the Tuskegee Airmen after being drafted into the Army in 1942. After completing advanced training, Mr. McKenzie became a B–25 pilot. He was sent to Freeman Field in Indiana where he later joined Mr. Battle and 100 other airmen in attempting to desegregate the officer's club. After World War II ended, Mr. McKenzie continued to fight for the cause of civil rights. After being passed over for a promotion numerous times at the Government Printing Office, McKenzie filed a class action law suit. The suit resulted in an order to end discrimination in promotions and a $2.4 million award back pay to over 300 people. He continued to work for various civil rights causes until his death on March 30, 1998.

These gentlemen exemplified the bravery of the legendary Tuskegee Airmen. They served their country both on the battlefield and off and were valued members of their Maryland communities. Mr. Speaker, at a time of war, with a new generation of servicemen and women serving bravely to bring liberty to the oppressed, I think it is only fitting that we remember these members of the Greatest Generation—the Tuskegee Airmen.

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

Mr. BUTTERFIELD. Mr. Speaker, I yield 1½ minutes to the gentleman from Missouri (Mr. CLEAVER).

Mr. CLEAVER. Mr. Speaker, I rise in support of House Concurrent Resolution 26, honoring the Tuskegee Airmen.

When Tuskegee's first school officially opened on July 4, 1881, Booker T. Washington became the first principal and was the first of many magnificent leaders of that institution.

Due to the rigid racial segregation in the United States during World War II, over 966 black military aviators were trained. And one of those men, I am proud to say, was my father's older brother, my uncle, LeRoy Cleaver, Jr., of Wichita Falls, Texas.

My uncle and others served here at home, in North Africa, Sicily, and Europe. They proved that they were not only some of the Air Force's best men but the military's best men.

On October 9, 1943, Tuskegee's 99th Pursuit Squadron was paired with the all-white 79th Fighter Group. These groups were integrated and no longer restricted to being escorts; instead, they were assigned to the highly hazardous duty of bombing key German strongholds.

Tuskegee Airmen destroyed over 1,000 Germany aircraft and received some of our Nation's most prestigious military honors, including 150 Distinguished Flying Crosses, 744 Air Medals, eight Purple Hearts, and 14 Bronze Stars; and they never lost a single ship.

On February 2, 1948, President Harry Truman of my district in Missouri did what no previous President had dared. He announced courageously in a special message to Congress that he had ''instructed the Secretary of Defense to take steps to have the remaining instances of discrimination in the armed services eliminated as rapidly as possible.''

Even in the dark and demeaning dungeons of discrimination, the Tuskegee Airmen served with dignity.

Mr. ROGERS of Alabama. Mr. Speaker, how much time is remaining?

The SPEAKER pro tempore (Mr. LATHAM). The gentleman from Alabama (Mr. ROGERS) has 9½ minutes remaining. The gentleman from North Carolina (Mr. BUTTERFIELD) has 6½ minutes remaining.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD) for purposes of control.

Mr. BUTTERFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. BISHOP).

(Mr. BISHOP of Georgia asked and was given permission to revise and extend his remarks.)

Mr. BISHOP of Georgia. Mr. Speaker, I rise today in honor of the courageous men of the 332nd Fighting Group, the Tuskegee Airmen.

In 1940, Charles ''Chief'' Anderson led a cadre of instructors to train an extraordinary group of African American young men led by General Benjamin O. Davis, Jr. After enduring months of training, these men defied their critics and earned their wings to become the 99th Pursuit Squadron and would later form the 332nd Fighter Group.

The 332nd was based out of North Africa and flew combat missions over Italy. Most notable, on the 4th of July 1943, the New York Times reported from North Africa that ''An American Negro fighting squadron escorting bombers yesterday over Sicily destroyed a Focke-Wulfe 190 to score the formation's first victory.'' In combat over Europe, the Tuskegee Airmen shot down or damaged more than 400 German aircraft, winning 150 Distinguished Flying Crosses and 744 Air Medals. The 332nd was the only escort group in the U.S. Army Air Force never to lose a bomber. Their record is as remarkable as it is renowned.

The men of the 332nd were both warriors and patriots who fought for equality and liberty at home and abroad.

I was blessed to know several of the early Tuskegee Airmen, including my neighbor growing up, Mr. William Gordon, Sr., a pilot, an educator, a mentor and a distinguished businessman.

It is altogether fitting that we remember them together during Black History Month and as our young men and women of the Air Force support the global war on terror through the Air Force's global reach and presence.

Today, I am proud that we salute the Tuskegee Airmen, American heroes, for their courageous and distinguished service to this great Nation.

Mr. Speaker, I rise today in honor of the courageous men of the 332nd Fighter Group, the Tuskegee Airmen.

In 1940, Charles "Chief" Anderson, a self-taught pilot, went to the Tuskegee Institute to train black pilots. He was the lead instructor of an extraordinary group of African American young men led by General Benjamin O. Davis Jr. After enduring months of training, these men defied their critics and earned their wings to become the 99th Pursuit Squadron. The president of Tuskegee tried to persuade the U.S. War Department to use its airmen as combat pilots as World II loomed, but the Army resisted, alleging that African Americans lacked the intelligence and discipline to fly airplanes. A turning point came in 1931 when the first lady, Eleanor Roosevelt, visited Tuskegee and went on an aerial tour with Chief Anderson.

Months later, the 99th Pursuit Squadron, based out of North Africa, was flying combat missions over Italy. In their first escort mission, the 38 fighters of the 99th held off more than 100 German attackers. On the 4th of July 1943, the New York Times ran this article from the Allied Headquarters, in North Africa; an American Negro fighter squadron escorting bombers yesterday over Sicily destroyed a Focke-Wulfe 190 to score the formations first victory. General Dwight D. Eisenhower was on the airfield to congratulate First Lieutenant Charles Hall of the 99th Pursuit Squadron when he returned after shooting down the plane. In perhaps their most spectacular mission, then Colonel Davis led the Tuskegee Airmen on a 1,600-mile escort mission to Berlin. Until that day, the Allies had shot down only two of the new German jet fighters. But on that day alone, Colonel Davis and his Tuskegee Airmen downed three. In combat over Europe, the Tuskegee Airmen shot down or damaged more than 400 German aircraft, winning 150 Distinguished Flying Crosses and 744 Air Medals. The 332nd Fighter Group was the only escort group of the U.S. Army Air Forces never to lose a bomber. Their record is as remarkable as it is renowned.

The men of the 99th were both warriors and patriots who fought for equality and liberty at home and abroad. I was blessed to know several of the early Tuskegee Airmen, including my childhood neighbor, Mr. William Gordon, Sr., a pilot, an educator and a distinguished business man. It is fitting that we remember them today as our young men and women of the Air Force support the Global War on Terror throughout the Air Force's global reach and presence.

Today, I salute the Tuskegee Airmen, American heroes, for their courageous and distinguished service to this great nation.

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

Mr. BUTTERFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. DAVIS).

Mr. DAVIS of Alabama. Mr. Speaker, I thank the gentleman from North Carolina (Mr. BUTTERFIELD) for yielding me time.

Let me begin by thanking my good friend, the gentleman from the State of Alabama (Mr. ROGERS). We are both Alabama native sons. What a testament to the Tuskegee Airmen that today a white Alabamian and a black Alabamian stand here to pay tribute to their remarkable work.

So much has been said about their remarkable accomplishments, and I will not repeat any of that, but something needs to be said about the origins of these men.

When they were born every single one of them was born in a segregated society that was dedicated to the proposition that men and women are unequal and created unequally. When every single one of these men was born, they lived in a world that doubted their value, that doubted their worth, that doubted their potential to contribute to this country, and yet they rose above it. They worked and practiced in an Army, for that matter, that was segregated. Yet they somehow rose above it.

There are young men and women who are listening to us right now, Mr. Speaker, and I hope that they will take this lesson from our standing here and saluting these airmen today: That even if you are born in a condition and climate that holds you back, even if you are born in conditions of the inner city and rural parts of the South that would seem to tell you what you cannot do, look up to the Tuskegee Airmen, because they are an example of human beings rising to their highest potential against all kinds of odds.

I close, Mr. Speaker, simply by saying again, as a son of Alabama, that this is the progress that our State has made. When the history of the last century is finally written and the history of human progress is written, let it be said that these brave men came to my State of Alabama to learn about serving their country and that they learned a talent that helped keep our country free. May we draw some inspiration from that.

I thank all of the outstanding Members who have spoken on this bill today.

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

Mr. BUTTERFIELD. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman from North Carolina (Mr. BUTTERFIELD) for yielding me time, and I thank the sponsoring Member, the gentleman from Alabama (Mr. ROGERS) for his kindness.

Mr. Speaker, I was introduced to the Tuskegee Airmen through my father in law, Phillip F. Lee, who spent many hours and many moments with the family telling us about not only the history, but the compassion and the character of these brave men.

Might I say that although we applaud the United States military for being one of the first institutions in the United States to integrate its services and its forces, let me try to paint for you very briefly the kind of atmosphere that these young black men entered into.

It was an enormously segregated America, an America that had recently come through a challenging depression, and an armed services that did not confront them or view them as equal, yet with dignity in uniform they stood strong. They loved their country, and they trained young airmen who later became generals of our Armed Forces.

They were known in World War II to be the battalion that never turned back. They joined their colleagues, irrespective of their color. They went after those who needed to be saved and they did it with valor. Even though they came back to the Nation as second-class citizens, they always lived their lives as Tuskegee Airmen.

I salute the city of Tuskegee and I salute Alabama for hosting these young families. My mother-in-law lived, of course, as a young bride in Tuskegee, Alabama. It was that charitable atmosphere, of course, for those young men that allowed them to be able to train and to be excellent.

So today I rise with my colleagues to support and applaud this resolution and to be able to say that we together now in a bipartisan manner and, of course, with all of our diversity and our appreciation for what America really stands for, we stand here today on February 9, 2005, united as an America that loves its United States military, but we will never forget the brave men who, against all odds, stood as regal Tuskegee Airmen, making a difference in this valiant effort.

Mr. Speaker, I thank the gentleman from Alabama (Mr. ROGERS) for allowing us the opportunity to debate this, but more importantly, for cementing the history at this very important time.

Mr. Speaker, I rise in strong support of the resolution currently on the floor under suspension of the rules, H. Con. Res. 26. This bill was introduced by our colleague from Alabama, Mr. ROGERS, and the Committee on Armed Services and honors the heroic and renowned Tuskegee Airmen for their sacrifices in World War II as well as for their contribution to the Civil Rights movement.

I joined our colleague from Nevada, Mr. PORTER, to speak about his resolution, H. Con. Res. 417, that honored the Tuskegee Airmen and their contribution in creating an integrated United States Air Force. At the time we supported that resolution, this Nation dealt with a very serious human rights crisis that was partially perpetrated by our own military personnel in the Iraq region. However, the Tuskegee Airmen represented a positive example of a respect for human rights as well as civil rights at the highest level.

Five members of the Tuskegee Airmen group visited middle and high school students at the M. O. Campbell Educational Center in Houston's Aldine Independent School District in conjunction with the "Wings Over Houston Air Show." That event left an indelible mark on the youths of Houston who look up to our men and women in uniform.

Lt. Col. Lee Archer, Lt. Col. Charles McGee, Dr. Roscoe C. Brown, Jr., Lt. Col. Herbert "Gene" Carter and George Watson, Sr. visited with Leadership Officer Training Corps (LOTC) and Junior Reserve Officers' Training Corps (JROTC) students to talk about their roles as pilots and ground support personnel during World War II and how their presence in the armed forces helped to break down racial barriers for those who came after them. One of the things that stood out was a question that Lt. Col. Charles McGee posed before leaving the students: "Think about this, you are going to be responsible for what happens in this country for the next 15 or so years . . . What will you contribute to it?"

I highlighted this question because it is very applicable to the current situation that we face in Abu Ghraib. We must be accountable for the way we treat our brothers as well as our foreign neighbors. The human rights element of the civil rights struggle for African Americans can be used to guide our actions today in Iraq and every day. Because of the fortitude and commitment shown by the Tuskegee Airmen, our Armed Forces have the talent and skill that allows us to sleep at night knowing that we are in the most capable hands.

A program began on July 19, 1941, in Alabama to train black Americans as military pilots. Flight training was conducted by the Division of Aeronautics of Tuskegee Institute, the famed school of learning founded by Booker T. Washington in 1881. Once a cadet completed primary training at Tuskegee's Moton Field, he was sent to nearby Tuskegee Army Air Field for completion of flight training and for transition to combat type aircraft. The first classes of Tuskegee airmen were trained to be fighter pilots for the famous 99th Fighter Squadron, slated for combat duty in North Africa. Additional pilots were assigned to the 332d Fighter Group which flew combat along with the 99th Squadron from bases in Italy.

In September 1943, a twin-engine training program was begun at Tuskegee to provide bomber pilots. However, World War II ended before these men were able to get into combat. By the end of the war, 992 men had graduated from pilot training at Tuskegee. 450 of these men were sent overseas for combat assignment. Approximately 150 lost their lives while in training or on combat flights. More men were trained at Tuskegee for aircrew and ground crew duties—flight engineers, gunners, mechanics, and armorers.

Mr. Speaker, as we move forward in the international fight against terrorism, the spirit and tenacity of the Tuskegee Airmen must inspire us to fight terror together as a team. The team must be comprised of all of our international neighbors. I support this resolution and am honored to share these words.

Mr. ROGERS of Alabama. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. BUTTERFIELD) for purposes of control.

Mr. BUTTERFIELD. Mr. Speaker, I yield 2 minutes to the gentleman from the State of Georgia (Mr. BARROW).

Mr. BARROW. Mr. Speaker, I rise this afternoon to speak of bravery, of courage, and of a war that was fought on two fronts, at home and abroad.

Over 60 years ago America was at war with totalitarianism and fascist forces spreading across Europe and the Pacific. And here at home, our country was training and building an army to answer the call, an army with a history of excluding African Americans from aviation training.

That was the case until just 3 months after the attack on Pearl Harbor, when a class of five aviation candidates finished training at the Tuskegee Army Airfield on the campus of the Tuskegee

Institute in Alabama, soon becoming the Nation's first African American fighter pilots. They were George S. Roberts, Benjamin O. Davis, Jr., Charles H. BeBow, Jr., Mac Ross, and Lemuel R. Custis.

These were the original five Tuskegee Airmen, pilots who entered into combat at a critical part of the war and was instrumental in helping to turn the tide.

Between 1941 and 1945, over 1,000 aviators trained at the Tuskegee Army Airfield. Together, fighting alongside hundreds of thousands of their fellow citizens, they helped defeat the threat of fascism, proving that America is strongest when they are not divided by bigotry, prejudice, or racism.

The military record of these distinguished airmen speaks for itself, 15,500 missions completed, 260 enemy aircraft destroyed, one enemy destroyer sunk, an unprecedented record of flying more than 200 bomber escort missions without the loss of a single bomber to enemy aircraft.

The Tuskegee Airmen returned home with Distinguished Flying Crosses, Legions of Merit, Purple Hearts and Silver Stars, but beyond the medals and accolades, these men paved the way to an important and long-overdue victory, the full integration of the U.S. military. That is the lesson of the Tuskegee Airmen, that love of country, skill, and daring are qualities that transcend race or skin color.

Today, as we face new threats from abroad, let us learn from the courage and example set by the Tuskegee Airmen. Let us recommit ourselves to putting old and inexcusable divisions behind us. America's strength lies in our unity, and to move forward, we must work together as one nation, whether it be on foreign battlefields or in our local communities.

Mr. ROGERS of Alabama. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. BURGESS.)

Mr. BURGESS. Mr. Speaker, I also want to make a few remarks on this legislation before us, the Tuskegee Airmen Act, and I want to speak on that because this is so personal to me. My mayor of Highland Village, Texas, a city that is central to my district, my mayor, Bill Lawrence, is the son of one of the original Tuskegee Airmen.

Today, I will be happy to vote for this legislation honoring a proud group of African American heroes of World War II. The House of Representatives should pass H. Con. Res. 26 to honor the Tuskegee Airmen for their bravery in fighting for our freedom in World War II and for their contribution in creating an integrated U.S. Air Force.

The Tuskegee Airmen are the fighter pilots of the 99th Pursuit Squadron, which was later incorporated into the 332nd Fighter Group, who fought during World War II in the U.S. Army Air Corps and were trained at Tuskegee Army Field in Tuskegee, Alabama. No better time exists than during Black History Month to put forth such outstanding legislation.

Mr. Speaker, 2 weeks ago, I was in the country of Iraq and, in fact, visited with the current 332nd Fighter Group, the original Tuskegee Airmen; and there is a mural honoring their proud heritage displayed at their base.

This group is so important to our current activity in Iraq, this is the group at Blaad Air Force Base that transfers injured soldiers from the field in stable intensive care environments back to Ramstein, Germany, and then back to the United States. This outstanding group of men and women serving today have transferred over 19,000 patients with only one intertransfer death, truly an outstanding record.

The SPEAKER pro tempore. The gentleman from Alabama (Mr. ROGERS) has 3½ minutes remaining. The gentleman from North Carolina (Mr. BUTTERFIELD) has 4½ minutes remaining.

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

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

Mr. Speaker, I want to first of all thank the gentleman from Alabama (Mr. ROGERS) for bringing forward this resolution and for sharing his time during this debate and discussion today.

Mr. Speaker, of the Tuskegee Airmen deserve every accolade that this body can possibly extend. I want to say to the Tuskegee Airmen, if you are watching this by television, to the families of the Tuskegee Airmen, this country owes to each of you a great, great debt of gratitude.

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May God continue to bless each one of you and may God bless your families.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LATHAM). The gentleman is reminded to address his comments to the Chair rather than the viewing audience.

MR. ROGERS of Alabama. Mr. Speaker, I would also like to thank the gentleman from North Carolina for his participation and the kind words from all of those who spoke here today about this very important recognition.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in support of H. Con. Res. 26 to honor and pay tribute to the valiant efforts of the Tuskegee Airmen of World War II, who defended the freedom of the United States and the World while breaking down the racial barriers of the U.S. military.

In the midst of World War II, the U.S. Army Air Corps began a program to expand the role of African Americans in the military. In July 1941, 13 men started the first aviation cadet class at Tuskegee Army Field in Tuskegee, Alabama. After 9 months of vigorous flight training, five men successfully completed the program and graduated from the Tuskegee Flying School. These five airmen included Captain Lemuel R. Custis of my home State of Connecticut, who went on to become one of the first members of the 99th Fighter Squadron. The United States sent the 99th Fighter Squadron to North Africa and later Europe, where the Tuskegee Airmen proved to be valuable to the Allied Forces. By the end of the war, 992 men had graduated from pilot training at Tuskegee, of which, 450 were assigned to combat oversea. In total, the Tuskegee Airmen of the 99th, 100th, 301st and 302nd Fighter Squadrons distinguished themselves with 1,578 missions. The 332nd earned a Presidential Unit Citation for "outstanding courage, aggressiveness, and combat technique" while escorting heavy bombers over Germany.

Mr. Speaker, I urge my colleagues to join me today in honoring the outstanding record of the Tuskegee Airmen who proudly defended our Nation and paved the way for full integration of the U.S. military. Their achievements and bravery represent the best qualities of America, and we all owe them our appreciation for their valiant contribution to this county.

Mr. PORTER. Mr. Speaker, the storied history of our Nation's Armed Forces was written by the great men and women who served our country with honor and bravery.

Among the most courageous was a group of men who defied both fascism abroad and racism at home while establishing a record as one of the most successful fighting units in American history.

Mr. Speaker, in the 108th Congress I was honored to sponsor House Concurrent Resolution 417 honoring the Tuskegee Airmen and I am again delighted to stand here today in support of House Concurrent Resolution 26 honoring the Tuskegee Airmen for their bravery and sacrifice.

My first experience with the Tuskegee Airmen occurred through one of my former staff members, Traci Scott. Her father, Captain Jesse H. Scott was an original member of the Airmen and was so eager to join that he even lied about his age to be accepted into the Tuskegee Airmen.

I also had the opportunity to meet with Mr. George Sherman, a former Tuskegee Airman that currently resides in Las Vegas. I was privileged to hear first hand accounts and see photos that provided a glimpse of what it must have been like to be a Tuskegee Airman.

The Tuskegee Airmen were a group of dedicated and determined young men who enlisted to become America's first African-American airmen. These airmen were trained at Tuskegee Army Air Field in Tuskegee, Alabama beginning in 1941.

The airmen trained at Tuskegee received two Presidential Unit Citations for outstanding tactical air support and aerial combat, and they established the incredible and unprecedented record of flying more than 200 bomber escort missions without the loss of a single bomber to enemy aircraft.

I encourage my colleagues on both sides of the aisle to join me in recognizing the accomplishments of this unique group of American heroes.

As our nation engages in combating terrorism around the world, we rely upon the global reach and presence provided by our Air Force. The example set by the Tuskegee Airmen encouraged millions of Americans of every race to pursue careers in air and space technology. The Tuskegee Airmen proved that

skill and determination, not skin color, are the determining factors in aviation.

As we celebrate Black History Month this February, it is important that we remember not just the historical circumstances that divided our nation, but we must also remember those individuals that helped push the Civil Rights Movement forward. We are forever indebted to those men who silently risked their lives to protect a country that, at the time, did not necessarily appreciate, nor recognize, their brave sacrifice.

Ms. ROS-LEHTINEN. Mr. Speaker, I am honored and grateful for the opportunity today to recognize the inspirational challenges that the Tuskegee Airmen courageously embraced and surmounted as the first African-American pilots in our Nation's distinguished Armed Forces.

I commend my colleague, MIKE ROGERS, for introducing H. Con. Res. 26, that recognizes the invaluable contributions that these valiant men made to our country and the significant example that they continue to offer us today.

An illustrious group of men who served the United States with honor and bravery, the Tuskegee Airmen defied both fascism abroad and racism at home, as they proved determined to defend our families, communities, and Nation as a whole throughout the course of the Second World War.

As the only unit ever to secure the impressive and unprecedented record of flying over 200 escort missions without the loss of a single bomber aircraft to the enemy, the Tuskegee Airmen confirmed, without a doubt, that skill and determination, not skin color, are the determining factors not only in aviation, but in anything we endeavor to achieve yesterday and today.

The example set by these individuals encouraged millions of Americans of every race to pursue careers in air and space technology.

But it extends even further then this.

The extraordinary feat of the Tuskegee Airmen to overcome segregation and prejudice to go on and become one of the most highly respected fighter groups of World War II established the possibility for all Americans—despite race, culture, religion or gender—to achieve their own dreams and aspirations.

Their courage to confront the constraints of American society contributed to the courage of others to confront the dangers of the war, and today continues to contribute to the courage of Americans to persevere and succeed in the face of adversity and hardships.

Once again, I express my utmost sincere gratitude and admiration for the courage of the Tuskegee Airmen and hope that our colleagues here today will join in this much deserved recognition of their sacrifices and contribution.

Mr. CUMMINGS. Mr. Speaker, I rise today to honor the Tuskegee Airmen for their bravery and for their patriotism. The Tuskegee Airmen blazed trails as they grazed the clouds high above the Mediterranean. They fought on the frontlines of two wars simultaneously, and they were victorious in both. These pilots, navigators, and bombardiers helped save Europe from the murderous clutch of Adolf Hitler and the Nazis. They also won a crucial battle in the war for racial equality in America.

The first African American air squadron, the Tuskegee Airmen were an elite flight unit, known as the Red Tail Angels and as the Black Bird Men. These fearless fighter pilots flew in 15,500 missions and destroyed over 260 German aircraft. They were awarded for their ''extraordinary heroism'' with 850 medals, including numerous purple hearts and silver stars.

Mr. Speaker, the Tuskegee Airmen flew under the leadership of a great man, Ben Davis, Jr. Ben Davis knew he wanted to fight for his country and he knew he wanted to fly. A passionate pilot, Ben Davis, Jr. made sacrifices for his dreams. When he set his mind on attending West Point, he was told that he would face discrimination there. Undeterred, he decided to attend the prestigious academy anyway. Throughout his time at the famed school, he was forced to live by himself and eat alone.

But, Mr. Speaker, for Ben Davis, the sacrifices were worth it. As commander of the Airmen, he never lost a single Bomber to enemy fire. He became the first African American to hold the title of Major General and Lieutenant General of the Armed Forces.

Mr. Speaker, when Ben Davis and the Tuskegee Airmen alighted from their planes at the end of World War II, they returned to America as heroes on two counts. Not only had they helped to ensure the defeat of tyranny overseas, but they had won a decisive battle for racial equality at home. These men were an inspiration for generations of aspiring black soldiers. They should serve as models to the many soldiers fighting bravely and proudly in Afghanistan and Iraq today.

Mr. TURNER. Mr. Speaker, I rise today in strong support of H. Con. Res. 26, honoring the Tuskegee Airmen for their bravery in fighting for our freedom in World War II, and for their contribution in creating an integrated United States Air Force. I thank my friend and colleague, MIKE ROGERS of Alabama, for introducing this legislation.

Dayton, OH, which I am proud to represent in Congress is the home of the pioneers Orville and Wilbur Wright, and is the birthplace of aviation. The Wright Brothers were pioneers of flight, as were the Tuskegee Airmen. But before they could fly, the Tuskegee Airmen had to overcome racial prejudice and segregation. And overcome they did. These brave Americans went on to become one of the most respected fighting units of World War II. Nicknamed the ''Red Tails'' because of the red tail markings on their aircraft, the tenacious bomber escort cover provided by the Tuskegee Airmen often discouraged enemy fighter pilots from attacking bombers they escorted.

The Tuskegee Airmen passed on the lessons they learned in flight to those who came after them: between 1941 and 1945, the Tuskegee Airmen trained over 1,000 black aviators for the war effort. The bravery and dedication of these airmen can be appreciated by their enviable service record of over 15,500 missions, in which over 260 enemy aircraft were destroyed, one enemy destroyer was sunk, and numerous enemy installations were damaged. The Tuskegee Airmen served with distinction and earned over 850 medals and throughout their storied history, the Airmen did not lose a single bomber to enemy fire in more than 200 combat missions—a record that is unmatched by any other fighter group.

There is a local chapter of an organization named for the Tuskegee Airmen at Wright Patterson Air Force Base in Dayton, Ohio: The Mac Ross Chapter of Tuskegee Airmen. The chapter is named after Mac Ross, a Dayton native, and one of the first five African-American airmen to become Air Corps pilots in 1942. It serves as a reminder to all of us of the heroic tale of these airmen who fought in a world war, and at home, for freedom.

As a proud Daytonian, I am pleased to join my colleagues in honoring the Tuskegee Airmen, pioneers who braved prejudice at home and combat abroad and as a result did their part in winning World War II and creating an integrated Air Force.

Mrs. JONES of Ohio. Mr. Speaker, I rise today to express my support for H. Con. Res. 26, Honoring the Contributions of the Tuskegee Airmen.

The Tuskegee Airmen were a group of dedicated and determined young men who enlisted to become America's first African-American Airmen and earned their silver wings to become the Nation's first Black military pilots in March of 1942. I would like to recognize Tuskegee Airmen Richard Enty, Charles McGee, and Eugene Guyton who were born in Cleveland, OH, and were among the most admired and respected African-American pilots in the country. As we celebrate Black History Month, it is only proper to remember the courageous and historic accomplishments of these brave pilots.

The military selected Tuskegee Institute to train pilots because of its commitment to aeronautical training, and between 1941 and 1945, trained over 1,000 Black aviators for the war effort. The Tuskegee Airmen, under the command of COL Benjamin O. Davis, Jr., flew successful missions over Sicily, the Mediterranean, and North Africa.

The Airmen completed 15,500 missions, destroyed over 260 enemy aircraft, sank one enemy destroyer, and demolished numerous enemy installations. In addition, these brave pilots destroyed more than 1,000 German aircraft while accumulating an unprecedented record of flying more than 200 bomber escort missions over central and southern Europe without the loss of a single bomber to enemy aircraft. Over the course of World War II, the Tuskegee Airmen returned home with some of our Nation's highest military honors including 150 Distinguished Flying Crosses, 744 Air Medals, 8 Purple Hearts, and 14 Bronze Stars.

The accomplishments of the Tuskegee Airmen proved that they were highly disciplined and capable fighters, and through their example, millions of Americans of every race were encouraged to pursue careers in air and space technology.

Mr. Speaker, I reiterate my strong support for H. Con. Res. 26.

Mr. SERRANO. Mr. Speaker, I rise today in support of the concurrent resolution honoring the Tuskegee Airmen for their bravery in fighting for our freedom in World War II, and for their contribution to creating an integrated U.S. Air Force.

The Tuskegee Airmen were the first African Americans to be trained by the U.S. Military to be pilots in the U.S. Army Air Corps. Due to the rigid pattern of racial segregation that prevailed in the United States during World War II, Black military aviators were forced to serve in segregated units and not allowed to train or fight alongside their white countrymen. Despite initial obstacles, 445 went oversees as combat pilots in the Europe, North Africa and the Mediterranean. Flying ''bomber escort'' and ground

attack missions on 15,533 sorties and 1578 missions between May, 1943 and June 9, 1945, the Tuskegee Airmen compiled the enviable Air Force record wherein none of the bombers they escorted was lost to enemy fighters, they destroyed 251 enemy aircraft and won more than 850 medals. Their record was not withont losses, however, with 32 POWs and 66 Tuskegee Airmen killed in action.

Mr. Speaker, we all remember President Kennedy's famous call to all Americans: "Ask not what your country can do for you but what you can do for your country." Some 20 years earlier this group of brave soldiers went above and beyond that call in fighting for a country that at the time refused to fight for them. Their heroism on the battlefield not only helped to defeat oppression in Europe but also helped to push their own nation to confront its crimes of oppression.

The Tuskegee airmen also known as the "Red Tails", because of the bright red spinners and tails they painted on their planes, are national heroes and therefore deserve the thanks and gratitude of this nation. I ask my colleagues to join me in honoring the Tuskegee Airmen.

Mr. RANGEL. Mr. Speaker, I rise today in support of H. Con. Res. 26, honoring the Tuskegee Airmen, a courageous and pioneering group of Americans who are appropriately being remembered, and their contribution celebrated, today by the House of Representatives.

Before 1940, African-Americans were barred from flying for the U.S. military. However, the great threat posed by the Nazi's, and the demands of Black Americans for full citizenship, including the right to fight for their country as patriots, persuaded the American Government to provide an opportunity for African-Americans to serve, even though in segregated units.

Soon, hundreds of young men from around the country were signing up to become Airmen in the 332nd, the Black-only air wing created for them. Barred from restaurants, theaters, and libraries in their hometowns, these young men found in the skies the freedom that eluded them on land.

The Tuskegee Airmen overcame segregation and prejudice to become one of the most highly respected fighter groups of World War II. In so doing, they brought the racist conceptions of their time crashing to the ground.

Under the able command of COL Benjamin O. Davis, Jr., who himself became the first African-American Air Force General, the Airmen of the 332nd established themselves over the skies of Sicily, the Mediterranean, and North Africa, fighting and dying for freedom just as their white brethren.

The Germans feared and respected the 332nd, referring to them as the Black Birdmen. Their respect was warranted. The Airmen completed 15,500 missions, destroyed 260 enemy aircraft, sank one enemy destroyer, and demolished numerous enemy installations.

They were also known as the "Red Tail Angels" by American bomber crews because of the red paint on their planes' tails, and the outstanding aerial protection they provided to these crews. Indeed, the Tuskegee Airmen would have the WWII distinction of never losing a bomber under their escort, despite flying in some of the enemies' most heavily defended areas.

Through their World War II service, the Airmen would earn 150 Distinguished Flying Crosses, 744 Air Medals, 8 Purple Hearts, and 14 Bronze Stars. At the war's end they had not only helped to defeat the Germans, they helped to set in motion the eventual desegregation of the Armed Services a few years later—the first real victory of the civil rights movement.

The Tuskegee Airmen belong to a group of African-American military heroes whose belief in themselves, and in their country, gave them the strength to overcome incredible obstacles and reach unprecedented heights. In so doing they have given hope and pride to the generations that have followed them. They also gave hope to a young kid from Harlem, as he set out to fight in Korea. The example they left served me well in that war, and in life.

I would personally like to honor three individuals from the 15th district of New York: Percy Sutton, Roscoe Brown, and Lee Archer. They all served their country as Tuskegee Airmen, and they have all gone on to make tremendous contributions to the community of Harlem.

I sincerely thank Congressman ROGERS for this resolution because the Tuskegee Airmen are a group especially deserving of our praise. John F. Kennedy once said that, "A nation reveals itself not only by the men it produces, but also the men it honors, the men it remembers." The Tuskegee Airmen are products of America. We honor them to today, and we will remember them forever.

Mr. CLEAVER. Mr. Speaker, I rise in support of House Concurrent Resolution 26 honoring the Tuskegee Airmen.

When Tuskegee's first school officially opened on July 4, 1881, Booker T. Washington became the first principal and was the first of many Tuskegee leaders. Due to the rigid racial segregation in the United States during World War II, over 966 Black military aviators were trained at Tuskegee. One of these men, I am proud to say, was my uncle, the Reverend LeRoy Cleaver, Jr.

My Uncle LeRoy and others serving in North Africa, Sicily, and Europe proved that they were not only some of the Air Force's best men, but the Military's best men.

On October 9, 1943, Tuskegee's 99th Pursuit Squadron was paired with the all-White 79th Fighter Group. These groups were integrated and no longer restricted to being escorts; instead, they were assigned to the hugely hazardous duty of bombing key German strongholds.

Tuskegee Airmen destroyed over 1,000 German aircraft and received some of our Nation's most prestigious military honors, including: 150 Distinguished Flying Crosses, 744 Air Medals, 8 Purple Hearts, and 14 Bronze Stars.

In January 1948, President Harry S. Truman, favorite son of Independence, Missouri and Missouri's Fifth District, decided to end segregation in the Armed Forces and civil service, due in part to the tremendous successes of groups like the Tuskegee Airmen. President Truman issued Executive Order 9981, calling for "all persons in armed services without regard to race, color, religion, or national origin."

On February 2, 1948, President Truman did what no previous President had dared, he announced, courageously, in a special message to Congress, that he had "instructed the Secretary of Defense to take steps to have the remaining instances of discrimination in the armed services eliminated as rapidly as possible."

The Tuskegee Airmen helped our Nation walk forward toward equality. Today, we honor them, including my Uncle Reverend LeRoy Cleaver, Jr., because they remain among the best advocates, soldiers, and examples in our Nation's history in that noble pursuit.

Mr. ROGERS of Alabama. 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 gentleman from Alabama (Mr. ROGERS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 26.

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. ROGERS of Alabama. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

SUPPORTING GOALS AND IDEALS OF NATIONAL BLACK HIV/AIDS AWARENESS DAY

Mr. DEAL of Georgia. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res 30) supporting the goals and ideals of National Black HIV/AIDS Awareness Day, as amended.

The Clerk read as follows:

H. CON. RES. 30

Whereas the Centers for Disease Control ("CDC") has stated that, at the end of 2003, over 172,000 African Americans were living with AIDS, representing 42 percent of all cases in the United States;

Whereas the CDC has further stated that, in 2003, African Americans accounted for 50 percent of all new HIV infections, despite representing only about 12.3 percent of the population (according to the 2000 Census);

Whereas the CDC estimates that, in 2003, African American women represented 67 percent of all new AIDS cases among women, and were 23 times more likely to be infected than white women;

Whereas the CDC estimates that 69 percent of all children born to HIV infected mothers in 2003 were African American;

Whereas the CDC has determined that the leading cause of HIV infection among African American men is sexual contact with other men, followed by intravenous drug use and heterosexual contact;

Whereas the CDC has determined that the leading cause of HIV infection among African American women is heterosexual contact, followed by intravenous drug use;

Whereas, in 2000, AIDS was among the top three causes of death for African American men in the age group 25 through 54, and African American women in the age group 35 through 44;

Whereas the CDC estimates that, since 1994, African Americans have the poorest survival rates of any racial or ethnic group

diagnosed with AIDS, with 55 percent surviving after 9 years compared to 61 percent of Hispanics, 64 percent of whites, and 69 percent of Asian Pacific Islanders;

Whereas, in 1998, the Congress and the Clinton Administration created the National Minority AIDS Initiative to help coordinate funding, build capacity, and provide prevention, care, and treatment services within the African American, Hispanic, Asian-Pacific Islander, and Native American communities;

Whereas, in 1999, the CDC provided funding to five national nonprofit organizations known as the Community Capacity Building Coalition (''CCBC''): Concerned Black Men, Inc. of Philadelphia; Health Watch Information and Promotion Services, Jackson State University—Mississippi Urban Research Center; National Black Alcoholism & Addictions Council; and National Black Leadership Commission on AIDS;

Whereas the CCBC assists with leadership development of community-based organizations (''CBOs''), establishes and links provider networks, builds community prevention infrastructure, promotes technical assistance among CBOs, and raises awareness among African-American communities;

Whereas, on February 23, 2001, the CCBC organized the first annual National Black HIV/AIDS Awareness Day, whose slogan is ''Get Educated, Get Involved, Get Tested''; and

Whereas February 7 of each year is now recognized as National Black HIV/AIDS Awareness Day: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) supports the goals and ideals of National Black HIV/AIDS Awareness Day and recognizes the fifth anniversary of observing such day;

(2) encourages State and local governments, including their public health agencies, to recognize such day, to publicize its importance among their communities, and to encourage individuals to undergo testing for HIV;

(3) encourages national, State, and local media organizations to carry messages in support of National Black HIV/AIDS Awareness Day;

(4) commends the President for highlighting HIV/AIDS in the State of the Union address; for emphasizing the importance of addressing the HIV/AIDS epidemic among the African American community, especially among African American women; as well as international efforts to address the global HIV/AIDS epidemic;

(5) encourages enactment of effective HIV prevention programs, including ABC programs like those implemented in Uganda, which recognizes abstinence and being faithful to one's lifetime partner as effective ways to prevent HIV; and

(6) encourages States to enact HIV surveillance programs consistent with recognized infectious disease control methods to ensure accurate data, better targeting of resources, and improved delivery of health services to those living with HIV.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. DEAL) and the gentleman from New York (Mr. TOWNS) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia (Mr. DEAL).

GENERAL LEAVE

Mr. DEAL of Georgia. 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 this legislation.

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

There was no objection.

Mr. DEAL of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased that the House will consider H. Con. Res. 30. This resolution supports the goals and ideals of National Black HIV/AIDS Awareness Day.

The HIV/AIDS epidemic in the United States has changed dramatically over the past 2 decades. In 1981 when patients were first diagnosed with AIDS, they typically only survived a few months. Today, new treatments prolong life for HIV/AIDS patients and can even prevent transmission of the virus from mother to child. Research and development activities at the National Institutes of Health, in addition to significant investments in the private sector, have transformed how we treat this disease.

As the newly appointed chairman of the Subcommittee on Health, I look forward to working with Members on both sides of the aisle to continue the progress we have made in responding to the HIV/AIDS epidemic. That includes examining programs to ensure that we are adequately responding to this epidemic, especially in communities disproportionately affected by the disease. Too many Americans are still infected with this deadly disease, when we know there are proven ways to prevent its transmission.

One project that I intend to work on will be the reauthorization of the Ryan White CARE Act programs. Congress invests approximately $2 billion in Ryan White CARE Act programs. Before reauthorizing these programs, we will evaluate how program dollars are allocated so that taxpayer resources are indeed providing critical treatment services to those areas with the greatest needs. Legislation we advance will incorporate changes to strengthen these programs so that better results are achieved.

As we recognize and encourage others to participate in the activities this week to raise awareness about HIV/AIDS, I would also like to draw special attention to President Bush for his efforts to address the HIV/AIDS epidemic, both in the United States and around the world. President Bush has proven time and again his commitment to improving the lives of those impacted by HIV/AIDS and deserves our support for these endeavors.

I encourage my colleagues to adopt this resolution

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

Mr. TOWNS. Mr. Speaker, I yield myself as much time as I might consume. I want to thank my colleague, of course, the gentlewoman from California (Ms. LEE), who has really distinguished herself in this body as a real leader for introducing this bill. This bill has the bipartisan support of 52 cosponsors and deserves the support of all the Members of the House.

Mr. Speaker, National Black HIV/AIDS Awareness Day was held on February 7 in cities and towns all over this country, including Atlanta, Baltimore, Chicago, Cleveland, Dallas, Detroit, Houston, Los Angeles, Miami and New Orleans, New York of course, Philadelphia, Washington, D.C., and many, many, more. This annual observance was created to encourage African Americans across the United States to get educated, get tested, and get involved in the fight against HIV/AIDS.

Now, some people may wonder, why is it necessary to have a day to reach out to the African American? And let me indicate to those that raise that question that I wish it was not necessary to have this kind of targeted outreach effort. But, unfortunately, it is not only necessary; it is vital to us that we do this. It is just so important.

It is of vital importance because every day in this country 72 African Americans are infected with HIV. According to the Centers For Disease Control, African Americans make up approximately 13 percent of the population of the United States, but they represent 40 percent of the total AIDS cases reported in this country. In 2003, CDC revealed that more African Americans were reported to have AIDS than any other racial or ethnic group. In my own congressional district, the largely African American neighborhoods of Ft. Greene and East New York continue to experience the highest incidence of HIV/AIDS in New York City.

In the United States, nearly 406,000 people were living with AIDS at the end of 2003, and African Americans accounted for half of these AIDS cases. Among women, rates of HIV/AIDS diagnosis in African American women are 19 times higher than those of white women and five times higher than those of Hispanic women. Sadly, African Americans also suffer the vast majority of deaths caused by AIDS, accounting for more than half of all U.S. AIDS-related deaths in 2003.

While these statistics are tragic, we must never shrug our shoulders and say nothing can be done.

We must remember HIV/AIDS is totally preventable. So in the face of this immense human tragedy, we cannot give up. We must embrace the opportunity to encourage people to get educated, get tested, and get involved in the fight against AIDS. We must never forget that apathy and silence lead to ignorance, and ignorance leads to death. Members of this Congress must stand together to break the silence and reject the ignorance which is leading to the death of ordinary people in countless communities all over this land.

Mr. Speaker, we must not only use the well of the House as a forum; we must, as I said, we must use our budget process to provide the necessary funding for this as well. That is why I hope that this body will move expeditiously on the reauthorization of the Ryan

White CARE Act. Down through the years, this act has provided the primary source for HIV/AIDS treatment and prevention. We need to ensure that these funds will continue to be available to meet the needs of those who are affected by this disease.

Mr. Speaker, I urge my colleagues to support this bill and to remember, more funding will save many more lives and stop the spread of AIDS.

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

Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. BURGESS), my colleague.

Mr. BURGESS. Mr. Speaker, I want to thank the gentleman for bringing this legislation before us today, and let me just say that I agree with the gentleman from New York (Mr. TOWNS), that we need to be sure that people are educated, tested, and treated because, certainly, no other area of AIDS treatment has seen the success of preventing the transmission of AIDS from a mother to a newborn if that mother is tested, identified, and treated during her pregnancy.

Mr. TOWNS. Mr. Speaker, I yield 6 minutes to the distinguished gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, let me thank the gentleman for his leadership and his assistance and his commitment to addressing this pandemic and also for yielding me the time.

Also, let me just thank the gentleman from Georgia (Mr. DEAL). I would like to thank the gentleman from Texas (Chairman BARTON) and the gentleman from Michigan (Ranking Member DINGELL) of the Committee on Energy and Commerce and also their staffs for helping us bring this bill to the floor today.

I want to especially thank our leadership staff and Christos Tsentas of my office, who worked day and night to make sure that the resolution became a bipartisan resolution.

Mr. Speaker, 2 days ago, on February 7, we commemorated the fifth National Black HIV/AIDS Awareness Day, a day when we urged African Americans and all Americans to get educated, to get involved, and get tested. National Black HIV/AIDS Awareness Day was created in 2001 by a coalition of five national nonprofit organizations to raise awareness about the growing HIV/AIDS epidemic among the African American community.

The numbers are startling, Mr. Speaker. Over 42 percent of all people living with HIV and AIDS are African American, even though, as my colleague from New York pointed out, we only represent about 13 percent of the population. That is about 172,000 people.

Each year, African Americans make up over half of all new HIV/AIDS cases diagnosed in the United States. In 2003, 67 percent of all women diagnosed with AIDS were African American and 69 percent of all pediatric AIDS cases were born to African American mothers.

Behind each statistic, of course, is a real human being with family and friends who care about them. So we are here today for all of them, but we are also here to raise awareness among decision-makers in Congress and in the administration.

Many of my colleagues and I quite frankly were outraged last year during the Vice Presidential debates when Gwen Ifill asked both candidates to comment on the fact that black women between the ages of 25 and 44 are 13 times more likely to die of AIDS than their counterparts and both candidates were really quite frankly unaware of this.

So, Mr. Speaker, today I want to say it loud and clear so there is no misunderstanding. AIDS is a public health emergency for African Americans. The Congressional Black Caucus was out front of this epidemic 6 years ago when we worked with the Clinton administration to create the Minority AIDS Initiative, and I want to recognize and thank our colleague, the gentlewoman from California (Ms. WATERS), for her passionate and dedicated work as chairman of the CBC then in putting together the Minority AIDS Initiative in 1998.

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She convened a national meeting here in Washington, D.C., and sounded the clarion call for all of us. Out of that effort, we declared in my district 6 years ago, as it relates to African Americans, a state of emergency.

Nationally, African American women are increasingly becoming more infected. Let us be for real. There has been a lot of discussion about many facts and a lot of individuals and communities really heap a lot of blame on men who are considered on the ''down low.'' Now, this is defined as men who lead secret double lives having sex with other men on the side. Some people feel that the down low is contributing to these statistics. But the truth is, we just do not know.

We have to be honest with each other. This is not new. But we must break the silence, for if we do not, the disease will continue to spread. We must respect each other's individual personal views, but this is a public health issue that requires a frank and open discussion about sex and sexuality. We insist that leaders in Africa speak up frankly to discuss the pandemic on the continent. We applaud President Museveni. We must demand our leadership on all levels break the silence. It is about life and death, not about personal views of morality.

The HIV/AIDS rate in our prisons is 10 times higher than in the general public. Ten times. And most of those incarcerated are African Americans and Latinos. What happens when over 70 percent of them return to their communities next year? Talk about a public health disaster. This is going to be catastrophic. Pediatric AIDS cases will continue to soar. We cannot ignore the reality of this situation any more.

Mr. Speaker, we need a comprehensive solution. Now, I commend President Bush for mentioning this in his State of the Union speech, but it is not enough for the President to talk about AIDS in the State of the Union. We have to follow through, and he has to follow through with the funding to combat it. The budget which the President submitted included a $10 million increase for the Ryan White CARE Act next year, but this will not really cut it. We need a realistic level of funding that meets the need and provides at least $513 million more, a realistic level of funding.

Let me just say in conclusion that we need a comprehensive approach that embraces abstinence, A; being faithful, B; and if you do not do either, use a condom. That is ABC. We have to stop the misguided ideological attack on prevention methods that work and that have been proven to work. An abstinence-only approach will not work. Again, it is abstain, it is be faithful, and if you do not do either, you use a condom.

This is not an ideological issue. We all have constituents affected by this disease. So let us come together and support a comprehensive response. Again, this is about life and death. We cannot keep our heads in the sand.

Mr. Speaker, I want to thank Chairman BARTON and Ranking Member DINGELL of the Energy and Commerce Committee and their staffs for helping me bring this bill to the floor today. And I also want to thank the leadership staff for their help.

Mr. Speaker, two days ago, on February 7th, we commemorated the 5th National Black HIV/AIDS Awareness Day—a day when we urged African Americans and all Americans to "Get Educated, Get Involved, and Get Tested". National Black HIV/AIDS Awareness Day was created in 2001 by a coalition of five national non-profit organizations to raise awareness about the growing HIV/AIDS epidemic among the African-American community.

The numbers are startling, Mr. Speaker. Over 42 percent of all people living with HIV/AIDS are African American, even though we only represent only about 13 percent of the population. That's about 172,000 people. Each year, African Americans make up over half of all new HIV/AIDS cases diagnoses in the U.S. In 2003, 67 percent of all women diagnosed with AIDS were African American. And 69 percent of all pediatric AIDS cases were born to African American mothers.

Behind each statistic is a real human being, with family and friends who care about them. So we are here today for all of them. But we are also here to raise awareness among decision-makers in Congress and the Administration.

Many of my colleagues and I were outraged last year during the Vice Presidential debates when Gwen Ifill asked both candidates to comment on the fact that black women between the ages of 25 and 44 are 13 times more likely to die of AIDS than their counterparts and both were unaware of this. So, Mr. Speaker, today I want say it loud and clear so there is no misunderstanding.

AIDS is a public health emergency for African Americans.

The Congressional Black Caucus was out in front of this epidemic six years ago, when we worked with the Clinton Administration to create the Minority AIDS Initiative. And I want to recognize and thank my colleague, Rep. MAXINE WATERS, for her passionate and dedicated work as Chair of the CBC in putting together the Minority AIDS Initiative in 1998. She convened a national meeting here in Washington, DC and sounded the clarion call for all of us. Out of that effort, we declared a State of Emergency in my district six years ago, as it relates to the African American community, because in Alameda County, our statistics are nearly identical to the national averages.

Nationally, African American women are becoming increasingly infected. Most of these women get infected through heterosexual contact, while most African American men get HIV from sex with other men. That is a fact. So let's be for real.

There's been a lot of discussion about these facts, and a lot of blame heaped on men who are on the ''down low'', defined as men who lead secret double lives having sex with other men on the side. Some people feel that the down low is contributing to these statistics, but the truth is we just don't know. But let's be honest with each other. This is not new. But we must break the silence, for if we don't, this disease will continue to spread.

We must respect each other's personal views, but this is a public health issue that requires a frank and open discussion about sex and sexuality. We insist that leaders in Africa speak up frankly to address the pandemic on the continent—we must demand that our leadership on all fronts begin to break this silence. It is about life and death, not personal views of morality. Look at our prison system.

The HIV rate in our prisons is ten times higher than in the general public. Most of those incarcerated are African Americans and Latinos. What happens when over 70 percent of them return to their communities next year? Talk about a public health disaster—this will be catastrophic. Pediatric AIDS cases will continue to soar. We can't afford to ignore the realities of this situation any longer.

Mr. Speaker, we need a comprehensive solution. I commend President Bush for mentioning this in his State of the Union Speech. It's not enough for the President to talk about AIDS in the State of the Union Address, however—he's got to follow through with funding to combat it. The Budget which the President submitted includes a $10 million increase for the Ryan White CARE Act next year. That won't cut it. We need a realistic level of funding that meets the need, and provides at least $513 million more for Ryan White, for a total of $2.6 billion. And we need to rapidly increase funding for the Minority AIDS Initiative, to at least $610 million this year. We cannot accept another year of flat funding from this Administration.

And as far as prevention is concerned, we need a comprehensive approach that embraces the ABCs, Abstain, Be Faithful, use a Condom if you don't do either. We've got to stop this misguided, ideological attack on prevention methods that work, and that have been proven to work.

An Abstinence-only approach will not work by itself. Again Abstain, Be Faithful—if you don't do either, use a Condom. We all have constituents that are affected by this disease. Let's come together to support a comprehensive response. Again, this is about life or death. We cannot keep our heads in the sand.

Mr. DEAL of Georgia. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Florida (Mr. WELDON).

Mr. WELDON of Florida. Mr. Speaker, I thank the gentleman from Georgia for yielding me this time and providing me the opportunity to speak on this important issue. I want to commend the gentlewoman from California for her leadership in this arena.

As I have spoken about many times on the floor of the House, prior to being elected to the Congress, I used to take care of AIDS patients; and I and my colleagues in the field began to see in the 1980s the very disturbing trend lines in the black community; and indeed now, today, those trend lines continue going up and up and up, and we have a very significant crisis.

The President asked me several years ago to assist him in getting his African AIDS initiative through the House and getting it enacted into law, and I was very pleased to be able to help in that arena. I had the opportunity to go to Africa twice in 2003 to actually look at what was going on in Africa, what was working and what was not working.

Since that time, I have met with many of the black ministers in my congressional district. Florida has had a problem with AIDS literally from the getgo. We were one of the States with the higher prevalence rates. Close to 95,000 people in Florida currently live with HIV or AIDS, which is about 10 or 11 percent of the national total. The Miami-Dade, Palm Beach, and Broward County areas tend to be the most adversely affected areas. African Americans, Haitians, and other people from the Caribbean islands make up a disproportionately high number. It is roughly half of all HIV/AIDS cases, but they are only 14 percent of the population.

What is particularly disturbing, and I think the gentlewoman from California touched on this, is that black women are becoming disproportionately involved. Seventy-two percent of both HIV and AIDS cases in Florida's black community involve women. So this is a disproportionately large number of black Americans and a disproportionately large number of women.

It is estimated that one in 47 black Floridians have HIV/AIDS compared to one in 176 Hispanics and one in 346 whites. CDC reports that HIV/AIDS transmission among African American men is mostly due to men having sex with men, but among African American women it is through heterosexual contact.

Now, I can get into a lot of the medical details here, but it is really not the appropriate environment, so I will just throw out that from an epidemiologic perspective, part of the problem in the black community is similar to what was the problem in the gay community in the 1980s, and it is actually a phenomenon called ''concurrence.'' Until we can get at that issue appropriately, we are not going to really defeat this challenge.

I was very glad that the gentlewoman mentioned ABC. There is too much of an emphasis on the C and not enough on the A and the B, and I encourage all of my colleagues to look at what happened in Uganda in the 1980s, the late 1980s and the early 1990s. They lowered their AIDS rate from 17 percent, 16 percent, down to about 5 or 6 percent with no condoms being shipped in from Europe and other places. No help from the United States, Europe, or NATO. The Ugandans did it on their own. And what was it? It was A, B, C, with an emphasis on abstinence.

The statistics from this we should never discount. People are smarter than a lot of the experts give them credit for. You give them the facts, they can change their behavior. Faithfulness in marriage and abstinence education had a profound impact in Uganda. We need to stress that throughout the African continent; and most importantly, our pastors in the black communities need to start getting that out to their congregations and public health officials.

I believe we can turn this challenge around. I commend the gentlewoman and the Black Caucus leadership on this issue. It is really a problem, and I think if we do more, we can get a lot of good things done.

I used to take care of these patients. It is very, very tragic; and I believe that the costs associated with this are going to be huge in the years ahead. So if you are not motivated by compassion, look at the dollars. We should all be motivated, white, black, Democrat, Republican, to get engaged on this and do something.

Mr. TOWNS. Mr. Speaker, how much time do we have left?

The SPEAKER pro tempore (Mr. LATHAM). The gentleman from New York has 9½ minutes remaining.

Mr. TOWNS. Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. RUSH).

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

Mr. RUSH. Mr. Speaker, first of all I want to thank my friend, the gentleman from New York (Mr. TOWNS), for yielding me this time; and I want to commend him for his many, many years of outstanding leadership not only on the issue of HIV/AIDS but on other issues that face the American people.

I want to thank my colleague, the gentlewoman from California (Ms. LEE), a person I have known for many years; and I commend her for her leadership not only on this issue but on many issues facing the American people. I want to thank her for introducing this fine piece of legislation, this resolution supporting the goals of the National Black HIV/AIDS Awareness Day.

Mr. Speaker, if you take a look at the AIDS crisis today, you will find some startling, disturbing, and, quite frankly, unacceptable statistics. Even though African Americans only make up 12.3 percent of the population, they account for 3 percent of all AIDS cases since the epidemic began. Black women have been hit the hardest, absolutely the hardest, with 72 percent of all AIDS cases for women being African American. The worst statistic of all, however, is that black Americans have the worst survival rate among all racial and ethnic groups, with only a 55 percent survival rate after 9 years, compared with 64 percent survival rates for whites.

Mr. Speaker, these statistics illustrate in the starkest terms that racial disparities continue to exist when it comes to HIV/AIDS. This is a crisis within my community and it needs to be addressed, and it needs to be addressed with urgency, and it needs to be addressed with speed.

Black Americans continue to suffer from unequal access to quality health care. Moreover, it is vitally important that black Americans undergo testing for HIV in order to detect the virus early and to prevent its spread within the community.

National Black HIV/AIDS Awareness Day is celebrating its fifth anniversary, and I think it is a good public relations campaign to encourage exactly this type of early testing and intervention. The gentlewoman from California needs to be thanked again and again and again for introducing this resolution. I admire her courage and her commitment and her compassion.

But, Mr. Speaker, we need more than just talk and good will; we need action. We need ABC, abstinence, faithfulness, and condoms. Mr. Speaker, I hope that this Congress will address this issue with resources and conviction.

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

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

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman for yielding me this time.

Mr. Speaker, we have heard statistic after statistic. We have heard number after number. It is very clear that HIV/AIDS is indeed an emergency situation in the African American community. It is a real problem across the country in all communities. The question that comes is: What do we really do about it?

I commend the President for mentioning in his State of the Union address an additional focus on the issue. I agree with my friend from Florida who suggests that we need abstinence and education information, but we really need a comprehensive approach to the problem. We must have enough resources for treatment, we must focus on prevention, and we must focus on changing and altering lifestyles.

Mr. Speaker, America has within it the resources to really deal with this issue; we just need the will. I commend the gentlewoman from California for her leadership and all of those who have pledged to do what they can. I also commend all of those individuals in my community. I have been publicly tested three times to help convince individuals to be tested, to do the things that are necessary. Churches are getting more involved, as they should. We must continue.

Mr. Speaker, according to the 2000 Census, African Americans make up 12.3 percent of the Nation's population but account for 40 percent of the estimated AIDS cases diagnosed since the epidemic began. Through science, research, and medical advancements, there are better treatments, prevention efforts, and a decline in AIDS diagnoses and deaths, except for African Americans. Between 1999 and 2003, AIDS diagnoses among African-Americans increased by 7 percent, compared to a 3 percent decline among White Americans. Deaths among African Americans remained fairly stable but declined by 18 percent among White Americans over this period. In 2003, 59 children younger than 13 years of age in our country had a new AIDS diagnosis, 40 of the 59 were African-American. Of the 90 infants reported as having HIV/AIDS in 2003, 62 of the 90 were African-American.

It is important Congress takes time to focus and support January 7th as National Black HIV/AIDS Awareness Day, especially since the startling statistics continue. In 2002–2003, the HIV/AIDS rates for African-American females were 19 times the rates for White females and 5 times the rate for Hispanic females. Although African-American teens ages 13–19 represent only 15 percent of the teenagers in our Nation, they accounted for 65 percent of new AIDS cases reported among teens in 2002.

In Illinois and Chicago, we also continue to lose our African-American mothers, sisters and young people—the future generation—incredibly more than any other group in American to AIDS. Approximately 66 percent of Illinois women living with HIV are African-American, while African Americans only make up 15 percent of the Illinois female population. In Chicago, African-American women are 12 times that of White women and 4 times that of Hispanic women to have AIDS. In Illinois, African-Americans accounted for 58 percent of reported AIDS cases among teens ages 13 to 19.

Mr. Speaker, I stand here today rattling off statistic after statistic because HIV/AIDS is plaguing and destroying African-American communities. Yet, I wonder how many of my colleagues or how many Americans, including African-Americans, know how devastating and destructive this disease is on one population in our country. It leads to the questions, why is more not being done? Why has this not been considered a national public health emergency? With more African-American males in prison, more African-American females living and dying with HIV/AIDS, what is to happen to the African-American children and families?

We all must get behind the National Black HIV/AIDS Awareness Day slogan "Get Educated, Get Involved, Get Tested". I am proud to have joined individuals in my congressional district last year on Worlds AIDS Day and got tested. I am also very excited and pleased that the AIDS Foundation of Chicago, AFC, introduced its new Faith in Prevention initiative last year, which aims to include 12 churches and faith-based organizations to reduce the impact of HIV and AIDS on the health of African-American men and women in Chicago. Each received a leadership grant to support activities such as HIV outreach and education, HIV prevention Ministries, support groups and awareness events.

Again, I support this legislation and thank the gentlewoman from California for her dedication to HIV/AIDS and for bring this legislation to the floor. But I remind our country—more needs to be done.

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

Mr. TOWNS. Mr. Speaker, I yield 3 minutes to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, I thank the gentleman from New York (Mr. TOWNS) for yielding me this time and for his leadership on this important issue.

I rise to support this resolution. Monday of this week was National Black HIV and AIDS Awareness and Information Day. It is timely for us to consider this resolution, but this can only be the beginning.

Today, African American women have a 23 times greater AIDS rate than white women, and African American men almost nine times greater rate of AIDS than their white counterparts. It was my honor, along with the gentlewoman from California (Ms. LEE), this Monday to host the Howard University National AIDS Education and Training Center here on Capitol Hill for a briefing on where we are in the epidemic and the outstanding work they have been able to do in providing technical assistance, training and support to centers and providers around our country that serve minority populations with HIV and AIDS.

It was great to hear and see the Minority HIV/AIDS Initiative funding doing exactly what it was intended to do, build capacity in heavily affected communities and improve culturally and linguistically concordant community-driven services.

Later on in the evening of Black AIDS Day, I joined New York City Council Speaker Gifford Miller and Councilman Al Vann in recognizing several community activists for their work. We also honored Debra Fraser Howze, the founder and president of the National Black Leadership Commission on AIDS, who chaired the day's activities nationally. Debra was also one of the moving forces behind the creation of the Minority HIV/AIDS Initiative, and we take this opportunity to recognize her contribution.

I also want to talk about some of the threats that are increasing the risk of HIV and AIDS, especially in women. First are the cuts in the President's budget in AIDS programs and all of health, but also the cuts in education, housing, and economic opportunity programs which will fuel the spread of this disease.

Second is the misguided decision on the part of the department not to target funding of the small initiative to the indigenous community and faith-based organizations in the most severely impacted communities of color. We have to empower our communities to be able to effect change.

Third is the ideological intrusion into good science and documented effective preventive practices. My colleagues, we cannot bury our heads in the sand and deny the effectiveness of condoms for the sexually active, and neither can you insist that abstinence-only programs be used when they ignore the reality of situations of the people who need to be protected and whose lives we need to save.

So this resolution is important, and I want to join everyone in applauding the gentlewoman from California (Ms. LEE) for her leadership and her firm stance in not allowing the sense of the resolution to be diluted, and all on this side and the other side of the aisle who supported her. But it can only be a beginning; we have a lot more to do, and we will be calling on our colleagues to join us in doing what we must to win the war against this epidemic that has come to devastate so many communities of color, HIV and AIDS.

Mr. DEAL of Georgia. Mr. Speaker, I ask unanimous consent to yield 3 minutes to the gentleman from New York (Mr. TOWNS) and that he may control that time.

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

There was no objection.

Mr. TOWNS. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, I want to join with my African American colleagues in asking and appealing to the American people to understand that HIV/AIDS is devastating to the African-American community. The Centers for Disease Control and Prevention have estimated that of all Americans living with HIV/AIDS, African Americans represent 42 percent of those cases. The same is true in my State of Ohio, but the rate for blacks in Cleveland is even higher, 56 percent.

We have to attack the stigmatization of the disease among African Americans. We must start by focusing on prevention, which is consistent with CDC guidelines, emphasizing and identifying HIV positives, and we must push for a comprehensive prevention policy that includes condoms and does not ignore science at the expense of ideology.

We must commit to increasing funding for the Minority AIDS Initiative to at least $610 million, while increasing overall budget for the Ryan White CARE Act to fully cover treatment and eliminate waiting lists for antiretroviral drugs. We must increase funding for the Ryan White CARE Act by $513 million.

We have a moral imperative to fight AIDS. We have a moral imperative to join with the African-American community in doing so.

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

Mr. TOWNS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman for his commitment to this issue, and I thank as well the author, sponsor and leader on this issue in this Congress, the gentlewoman from California (Ms. LEE).

Sometimes the Lees are walking on the same pathway, and I certainly appreciate the fact I have been able to walk with her on this avocation in recognizing the devastation of HIV/AIDS as relates to the African-American community; and I thank the gentlewoman for allowing us to join her as original cosponsors on this legislation.

Mr. Speaker, let me indicate that although we have heard from speakers all over the country, it needs to be said over and over again, this is not an isolated question dealing with HIV/AIDS. It is an epidemic. It is nationwide. It is worldwide.

HIV/AIDS cases reported for African-American women in particular have grown in numbers in the Houston area from 27 percent to 53 percent. National statistics show the same trend. Data from the Centers for Disease Control reported that African-American women diagnosed with AIDS increased 53 percent to 67 percent as a fraction of all women diagnosed with AIDS from 1985 to 2002. CDC data for 2002 indicate African-American women diagnosed with AIDS account for 50 cases per 100,000 population, nearly five times greater than the next ethnic group most affected by AIDS.

I cite those numbers not to ignore the plight of others impacted by HIV/AIDS, the Hispanic and Asian communities, African-American males, and certainly as was indicated on this floor, a lot of the transmission to African-American women comes from heterosexual sex. But we realize this impacts all populations, regardless of one's sexual orientation, and HIV/AIDS is a disease of America. It is important to emphasize this day, to salute those who continue to focus on the question of HIV/AIDS in our community. This resolution continues to tell cities to promote this.

Mr. Speaker, I conclude by saying that we ask for a national summit on this issue. I join my colleagues in ensuring that happens.

Mr. Speaker, I join my colleagues today to support H. Con. Res. 30 highlighting National Black HIV/AIDS Awareness Day. African Americans—particularly women—have been vulnerable to HIV and AIDS infections. The Centers for Disease Control reported that African Americans accounted for about half of all new HIV infections, although they represent just over 12 percent of the population.

HIV/AIDS cases reported for African-American women in the Houston area from 27 percent to 53 percent. National statistics show the same trends. Data from the Center for Disease Control reported that African-American women diagnosed with AIDS increased 53 percent to 67 percent as a fraction of all women diagnosed with AIDS from 1985 to 2002. CDC data from 2002 indicate for women diagnosed with AIDS, African-American women account for 50 cases per 100,000 population—nearly five times greater than for the next ethnic group most affected by AIDS.

CDC data for the year 2002 for men diagnosed with AIDS show that African Americans have the highest instance of reported cases with 111.9 cases per 100,000 population. The Houston Department of Health and Human Services provided me with some local data for HIV and AIDS. While the overall number of AIDS and HIV cases reported have remained more or less constant—or even declined—from 1999 to 2003, there have been increases over that time period for African Americans.

The newest HIV and AIDS therapies have proven effective in controlling the progression of the disease. However we all know about the high cost of these miracle drugs, which denies many African Americans their life saving benefit. A recent report from the U.S. Census Bureau indicates that around 20 percent of the Nation's African Americans are uninsured. That same report indicated that the poverty rate for African Americans was around 24 percent—higher than any other ethnic group identified in the study.

One group that is helping address the availability of HIV and AIDS treatments for the poor is Dr. Joseph Gathe, one of Houston's best-known AIDS doctors, and his colleagues. Dr. Gathe and his colleagues established the Donald R. Watkins Memorial Foundation in Houston in 1996—a tax exempt clinic devoted to providing quality HIV and AID therapies to the underserved and uninsured in the Houston area. On this National Black HIV/AIDS Awareness Day we want to recognize and honor people like Dr. Gathe and his co-workers who have devoted their professional lives to treating underserved patients with HIV and AIDS. HIV and AIDS are communicable diseases and effective treatment of all infected patients is a national public health priority. I hope that you will all join me in the continued support for facilities like the Donald R. Watkins Memorial Foundation and physicians like Dr. Gathe.

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

Mr. Speaker, I would just like to say that I really appreciate the work of the gentlewoman from California (Ms. LEE) and all the other Members that worked on this, including the chairman of the Subcommittee on Health, the gentleman from Georgia (Mr. DEAL), the ranking member of the Subcommittee on Health, the chairman of the full committee and of course the ranking member of the full committee and all of the staff for all of the work they have done.

This is an area that we really need to focus on. We need to work together on this issue to be able to see what we can do to bring it under control. It has been said over and over again that this is a disease that can be dealt with. The only thing we have to do is put some resources there and also work together. I think if we do that, we can bring this horrible disease under control.

I want to thank all of those who worked so hard to make us focus on this because this is something that we cannot ignore. Some things you can ignore and they will go away. If we ignore this, it is going to get bigger and bigger and bigger. The time is now to put the resources behind it and deal with it.

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

Mrs. JONES of Ohio. Mr. Speaker, I rise today to express my support for H. Con. Res. 30, supporting the goals and ideals of National Black HIV/AIDS Awareness Day.

The HIV/AIDS epidemic is not over. According to the Centers for Disease Control and Prevention, African-Americans make up 12 percent of the U.S. population, and account for half of the new HIV cases reported in the United States. HIV/AIDS is devastating Black people in Africa and America, and we must act now to turn this epidemic of our time around.

Overall, it is estimated that half of new HIV infections occur among teenagers and young adults aged 25 years and younger. Numerous studies suggest that African-American young people represent the majority of these infections. Something must be done, and we must all do our part.

In the early 1980s, HIV/AIDS was primarily considered a gay white disease in the United States. Today, however, the HIV epidemic infects and affects African-Americans more than any other population. It's not who you are, but what you do that puts you at risk for HIV/AIDS.

African Americans suffer the ''vast majority'' of deaths from AIDS-related causes, according to a Health and Human Services report. More than half of the new HIV/AIDS diagnoses in 32 states between 2000 and 2003 were among African-Americans, although African-Americans represented only 13 percent of the populations of those States, according to the Centers for Disease Control and Prevention's Morbidity and Mortality Weekly report.

During the same period, 69 percent of women who tested HIV-positive were African-American, and the HIV/AIDS prevalence rate among African-American women is 18 times the rate among non-Hispanic white women. In addition, African-American men in 2003 had the highest rate of new HIV/AIDS diagnoses than any other racial/ethnic group, about seven times the rate among white men and twice the rate among African-American women.

Mr. Speaker, I rise to reiterate my support for H. Con. Res. 30, National Black HIV/AIDS Awareness Day. Something must be done, and we must all do our part.

Mr. CUMMINGS. Mr. Speaker, today I rise to recognize National Black HIV/AIDS Awareness Day. This is a day intended to raise awareness and visibility of HIV/AIDS prevention efforts among African Americans. I applaud the efforts of Representative LEE from California in bringing this important resolution to the floor.

Mr. Speaker, this day is unfortunately very necessary. It deserves the attention of this Congress and our Nation because the face of HIV/AIDS is changing. Since the onslaught of HIV in the early 80s, the face of HIV/AIDS has become increasingly more African-American and more female.

In fact, HIV/AIDS is the leading cause of death for African Americans between the ages of 25–44.

Also, while African Americans represent only 12 percent of the population, we account for 49 percent of all reported cases of AIDS reported among adults and adolescents and the AIDS diagnosis rate among African Americans was almost 11 times the rate among whites.

For African-American women the figures are even more shocking as they account for 67 percent of all new HIV cases. Needless to say these figures are appalling and indicate we need to face this pandemic with all due urgency.

I think there are many things that we can do to help alleviate the problem, but there are two pressing items that come to mind:

First, each of us must be willing to have a difficult conversation with people we love about protecting themselves from AIDS. Having these difficult conversations can save lives.

Second, we must work together to fight the virus where it is having its most deadly impact. Federal dollars for HIV/AIDS prevention, diagnosis, and treatment should follow the epidemic and reach those who are most affected. Needless to say, more Federal funding is needed to accomplish this goal.

I applaud the President for mentioning this HIV/AIDS problem during his State of the Union Address.

However, the meager increase in the Bush budget for the Ryan White AIDS program at $2.1 billion is a good start, but, sadly not enough. That is why full funding for the Minority Aids Initiative, spearheaded by MAXINE WATERS and the Congressional Black Caucus in 1998 is so important.

Mr. Speaker, in 1998, I received some local criticism for speaking out about HIV/AIDS in Baltimore. To this day, I occasionally am told that highlighting the health crisis devastating Baltimore's African-American community reinforces negative stereotypes about African-Americans.

Nationally, however, the Centers for Disease Control and Prevention inform us that more than one-half of the adult American men infected during the last 20 years have been people of color.

Remaining silent about a threat of such magnitude would be an unthinkable moral error.

In the Congress, our public conversation about the adequacy of America's response to AIDS will continue as long as Federal policy fails to adequately protect our health.

We already know, however, that public policy and Federal funds alone will not fully safeguard those we love.

In every household, church and school, Americans must find the will to talk candidly with each other about protecting ourselves.

No one else will value our lives more than we do.

As a father, I know that talking with our children about their personal lives can be a difficult and uncomfortable duty—but we have no choice.

Eight out of every ten American women and children infected by the HIV virus since 1981 have been people of color—and one of the most cruel aspects of this plague is its preference for the young.

It has become the second leading killer of young black women—and the current trends offer no comfort.

Of the 40,000 new HIV infections reported nationally during 1999–2000, fully one-half involved young people under the age of 24.

Three-quarters of those new victims have been young people who look like us.

When we confront these appalling facts, each of us who is a parent or grandparent is faced with a difficult question.

What do we say to our young people that will help them protect themselves from this plague?

Dr. Ligia Peralta, Director of the Adolescent AIDS Clinic at the University of Maryland School of Medicine, suggests that our private conversations with our children empower them to take control of their own health.

''For young women, in particular'' she informs us, ''the greatest risk of contracting HIV/AIDS comes from an intimate relationship with someone she loves. Theoretically, she understands the risk of sexually-transmitted infection. Personally, though, she may not connect that risk with her man.''

''If her young man is not an intravenous drug user,'' Dr. Peralta continues, ''a young woman in love may think that she is safe from HIV/AIDS. She doesn't even think about the possibility that he may have been infected by another woman, or by another man.''

Therein lies their danger. In our private conversations with our children about protecting themselves from HIV/AIDS, we should counsel abstinence. As a practical matter, however, it is wise to discuss all of their options, including condoms.

With Federal help, local health departments now offer free, anonymous HIV/AIDS counseling and testing. Sexually active young people should take advantage of that service—and insist that their partners do so as well. Talking candidly with our children about intimate matters can be difficult.

It is those private conversations, however, that will save the lives of those we love. Silence about HIV/AIDS feeds the destroyer of lives.

Mr. MORAN of Virginia. Mr. Speaker, I rise in strong support of this measure, which supports the goals and ideals of National Black HIV/AIDS Awareness Day, which was February 7, 2005. This measure recognizes the fifth anniversary of National Black HIV/AIDS Awareness Day and encourages the President to emphasize the importance of addressing the HIV/AIDS epidemic among the African-American community, especially among African-American women.

The statistics on HIV/AIDS in the African-American community are alarming. Over 172,000 African-Americans are living with AIDS and this population represents 42 percent of all cases in the United States. The Centers for Disease Control and Prevention also estimate that 69 percent of all children born to HIV-infected mothers were African-American. On a whole, African-Americans

have the poorest survival rates of any racial or ethnic group diagnosed with AIDS, with 55 percent surviving after 9 years compared to 61 percent of Hispanics, 64 percent of whites, and 69 percent of Asian Pacific Islanders.

Another goal of National Black HIV/AIDS Awareness Day is to encourage State and local governments, including their public health agencies, to recognize this day and to publicize its importance among their communities as well as to encourage individuals to undergo testing for HIV.

At this time, I am particularly pleased to recognize the city of Alexandria and Wholistic Family Agape Ministries Institute for hosting a city of Alexandria Unified Outreach Event in recognition of National Black HIV/AIDS Awareness Day. In the Commonwealth of Virginia, African-American females account for 76.5 percent of the female cases and African-American males account for 55.1 percent of the cases. On February 7, Mayor Bill Euille, on behalf of the Alexandria City Council, issued a proclamation urging all citizens to take part in activities and observances designed to increase awareness and understanding of HIV/AIDS as a global challenge, to take part in HIV/AIDS prevention activities and programs, and to join the local and global effort to prevent the further spread of HIV and AIDS.

The Wholistic Family Agape Ministries Institute and the city of Alexandria should be commended for their efforts to provide information and support to the Alexandria community and help to lower the percentage of African-American individuals contracting HIV and AIDS.

Mr. ROGERS of Michigan. Mr. Speaker, today the House of Representatives will vote on House Concurrent Resolution 30 supporting the goals and ideals of National Black HIV/AIDS Awareness Day, which has been observed in February the past 5 years.

Last year, I brought together a number of African-American community leaders in Lansing, MI, with an expert on HIV/AIDS issues in the Black community. That gathering brought to light the sad statistics on this disease among African Americans across the Nation and right in my own community.

The more than 172,000 African Americans living with AIDS in the United States represents about 42 percent of cases in the Nation.

Estimates put the Michigan HIV-infected population at more than 16,000, with African-American men, at 44 percent, and African-American women, at 20 percent, outnumbering two-to-one all cases in white men—25 percent—and women—5 percent—and those of other ethnicity. Ingham County in the Eighth Congressional District is among the 15 Michigan counties that account for 84 percent of all cases of HIV/AIDS in the State.

Across the Nation, in 2003, African Americans accounted for half of all new HIV infections, even though they make up only slightly over 12 percent of the Nation's entire population. The U.S. Centers for Disease Control tell us that African-American women account for 67 percent of all new AIDS cases among women, and AIDS is one of the top three leading causes of death among African-American women ages 35 through 44.

Among African-American men, AIDS also falls in the top three of causes of death among those ages 25 through 54.

Today's vote highlights the need to support the goals and ideals of National Black HIV/AIDS Awareness Day on February 7 each year at the local, State, and national level of government and media. It also highlights the need to build awareness and education among African-American communities as we work to reduce this dangerous disease among the families and communities across the Nation.

As we acknowledge the awareness and education efforts signified by National Black HIV/AIDS Awareness Day, I am committed to working with our community and national groups as they focus on preventing this serious disease and reducing the impact it has on individual communities and states, and on our entire Nation.

Mr. LANTOS. Mr. Speaker, I rise in support of H. Con. Res. 30, supporting the goals and ideals of National Black HIV/AIDS Awareness Day. HIV/AIDS is having a devastating affect on the African American community. The statistics given by the Center for Disease Control and Prevention (CDC) are staggering. The cold numbers reveal the stunning human cost of the disease.

While African Americans make up less than 13 percent of the population in the United States, they represent almost 40 percent of the diagnosed cases of AIDS since the epidemic started. In 2003, African Americans accounted for almost 50 percent of the estimated cases diagnosed. African American women are currently the most at risk of contracting HIV/AIDS. The rate of AIDS cases among black women is 19 times higher than white women and five times the infection rate of Latinas. The infection rate among black men, while lower, is no less troubling. In 2003, 44 percent of the AIDS cases diagnosed among men were African American males.

These numbers are painful to listen to and to read. The painful realities of this world do not always make front-page news, but this issue must be addressed. We must join together in a bi-partisan, bi-cameral effort to eradicate this epidemic.

I am pleased to join with my esteemed colleague Ms. LEE in this effort and commend her distinguished and dedicated leadership on this issue. Mr. Speaker, thousands of African Americans are suffering from HIV/AIDS. On this day, National Black HIV/AIDS Awareness and Information Day, we must make a concerted effort to ensure that education, awareness and prevention are a priority in the 109th Congress.

Mr. DEAL of Georgia. Mr. Speaker, I thank the gentleman from New York (Mr. TOWNS) for his handling of the resolution on the floor today. I urge adoption of this resolution, 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. DEAL) that the House suspend the rules and agree to the resolution, H. Res. 30, 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. TOWNS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RESIGNATION AS MEMBER OF COMMITTEE ON VETERANS' AFFAIRS

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Veterans' Affairs:

HOUSE OF REPRESENTATIVES,
Washington, DC, February 9, 2005.

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

DEAR SPEAKER HASTERT: I hereby resign from the Committee on Veterans' Affairs to accept my appointment to the Committee on Homeland Security.

Also, I ask that you consider my request for a leave of absence from the VA Committee. I have been privileged to serve as Chairman of the Health Subcommittee and hope to return to the Committee sometime in the future.

Thank you for giving me an opportunity to serve our nation as a member of the new, permanent Homeland Security Committee. I appreciate all of your support.

All the best,

ROB SIMMONS,
Member of Congress.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the resignation is accepted.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 418, REAL ID ACT OF 2005

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 71 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 71

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 418) to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour and 40 minutes, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform; and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Homeland Security. After general debate the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

POINT OF ORDER

Ms. JACKSON-LEE of Texas. Mr. Speaker, I raise a point of order.

The SPEAKER pro tempore. The gentlewoman will state her point of order.

Ms. JACKSON-LEE of Texas. Mr. Speaker, pursuant to section 426 of the Congressional Budget Act of 1974, I make a point of order against consideration of the rule, H. Res. 71.

Line 10 on page 2 of H. Res. 71 states, ''All points of order against consideration of the bill are waived.'' The rule makes in order H.R. 418, the REAL ID Act of 2005, which contains a large unfunded mandate on State governments in violation of section 425 of the Budget Act. Section 426 of the Budget Act specifically states that the Rules Committee may not waive section 425, and therefore this rule violates section 426.

The SPEAKER pro tempore. The gentlewoman from Texas makes a point of order that the resolution violates section 426(a) of the Congressional Budget Act of 1974.

In accordance with section 426(b)(2) of the Act, the gentlewoman has met the threshold burden to identify the specific language in the resolution on which the point of order is predicated.

Under section 426(b)(4) of the Act, the gentlewoman from Texas (Ms. JACKSON-LEE) and the gentleman from Texas (Mr. SESSIONS) each will control 10 minutes of debate on the question of consideration.

Pursuant to consideration 426(b)(3) of the Act, after that debate, the Chair will put the question of consideration, to wit: ''Will the House now consider the resolution?''

The Chair recognizes the gentlewoman from Texas (Ms. JACKSON-LEE).

□ 1200

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Section 425 of the Budget Act states that a point of order lies against legislation which imposes an underfunded mandate against State or local governments more than 62 million per year over 5 years. At the very least, Mr. Speaker, we have before us today an unfunded mandate that will cost State governments between $660 million and $780 million over the next 5 years alone. It has come to my attention that the National Governors Association is opposed to this legislation for that very fact.

Specifically, subparagraphs b, c, d, and e of section 202 of H.R. 418 requires State governments to comply with new Federal driver's license requirements and to verify and store additional personal identification records, which the Congressional Budget Office, CBO, in its latest estimate projects to cost $120 million over the next 5 years, but last estimated costs States $240 million over 5 years. There have been no substantive changes since last year's to imply that this bill would not cost the States at least $240 million as estimated by the last Congress.

The above sections also require States to participate in an interstate database to share driver information, which CBO estimates will cost an additional $80 million over 3 years. In addition, by necessary implication, the bill would require States to develop new standards for the issuance of birth and death certificates which CBO has estimated would cost States $460 million over the next 5 years. There is overwhelming evidence before us today that this bill, which has bypassed the committee process, denies Members the opportunity to hear expert testimony on the impact of these sweeping changes or to determine alternatives to ensure that all of us are on the same page in the war against terrorism.

The opportunity to determine changes to current law or to offer amendments to the proposed legislation was not given to us, and it will impose overwhelming costs on State governments already struggling to meet the growing costs of local law enforcement's role in securing the homeland.

Even further, this bill was drafted without any input from the Governors and State legislatures and even excludes the States from the standard-setting process despite States' historic roles as the issuers of driver's licenses and other identification data. We must be in partnership with our States if we are going to have a real war against terror in the United States.

For these reasons, the Nationals Governors Association, as I indicated; the American Association of Motor Vehicle Administrators; and the National Conference of State Legislatures all strongly oppose this legislation in its present form. In a letter issued yesterday, the National Governors Association, American Association of Motor Vehicle Administrators say that they are in opposition to the driver's license provision in both H.R. 418 and H.R. 368, stating the costs of implementing such standards and verification procedures for the 220 million driver's licenses by States represents a massive unfunded mandate. This does not say that in a bipartisan manner reasoned out through committee process done very quickly that some addressing of this question cannot be properly answered.

The National Conference of State Legislatures also has voiced strong opposition, stating that NCSL is opposed to any further Federal attempts including coercion or direct preemption to usurp State authority over the driver's license process or diminish the validity or usefulness of licenses awarded at the State level. NCSL urges the Federal Government to respect the provisions and intent of the Unfunded Mandates Reform Act of 1995.

What we have here today is an assault on federalism in the legislative process. The point of order is not about whether one agrees or disagree with the sweeping policy changes of the REAL ID Act. This point of order is about the farce before us that has trampled States' rights and inflated the burden on our local governments without their input.

I urge Members to vote ''no'' on consideration of the resolution and stand up for the rights of their home States' legislature, Governor, and local governments, along with the people of the United States.

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

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

I will perhaps apologize to the gentlewoman from Texas. I had thought that the minority was well equipped to have a document which I will enter into the RECORD from the Congressional Budget Office, a cost estimate dated February 7, 2005, concerning H.R. 418, the REAL ID Act of 2005, which is a summary of the issues that the gentlewoman from Texas is bringing up.

The information that the gentlewoman is referencing is addressed within this document by the CBO. If I could, I would like to summarize for the gentlewoman, pending such time as we get her a copy of this, and I apologize that evidently one has not been provided to her. And I quote: ''As a result, the additional costs that would be imposed by H.R. 418, the REAL ID Act of 2005, would not exceed the annual threshold established in the Unfunded Mandates Act, $62 million in 2005,'' which is the annual adjustment rate for inflation. This bill authorized appropriations for grants to States and appropriations would be under that amount. And I would be pleased to make sure that the gentlewoman has that at this time.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 418—REAL ID Act of 2005

Summary: H.R. 418 would authorize the appropriation of such sums as necessary for fiscal years 2005 through 2009 for the Department of Homeland Security (DHS) to make grants to states to cover the costs of improving the security of driver's licenses as required by the bill. The legislation also would make changes to current immigration law that aim to prevent the entry of suspected terrorists into the United States. CBO estimates that implementing H.R. 418 would cost about $100 million over the 2005–2010 period, assuming appropriation of the necessary amounts. Enacting the bill would not affect direct spending or receipts.

H.R. 418 contains several intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates that those mandates would impose incremental costs on state, local, and some tribal governments above what they will likely spend under current law. CBO estimates that costs to those governments will total more than $100 million over the 2005–2009 period under current law. By comparison, we estimate that such costs would total about $120 million (over the 2006–2010 period) under H.R. 418. As a result, the additional costs that would be imposed by H.R. 418 would not exceed the annual threshold established in UMRA ($62 million in 2005, adjusted annually for inflation). The bill would authorize appropriations for grants to states to cover their costs.

This bill contains no new private-sector mandates as defined in UMRA.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 418 is shown in the following table. The costs of this legislation fall within budget function 750 (administration of justice).

	By fiscal year, in millions of dollars—					
	2005	2006	2007	2008	2009	2010
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Estimated Authorization Level	0	40	25	25	5	5
Estimated Outlays	0	40	25	25	5	5

Basis of estimate: The Intelligence Reform and Terrorism Prevention Act of 2004 (Pub. L. 108–458) authorized the appropriation of such sums as necessary for fiscal years 2005 through 2009 for the Department of Transportation to make grants to states to cover the costs of improving the security of driver's licenses as required by that act. H.R. 418 would repeal those provisions of Public Law 108–458, shift the responsibility of administering this program from the Department of Transportation to DHS, and require state and local governments to comply with more stringent provisions than under current law. H.R. 418 would authorize the appropriation of such sums as necessary for fiscal years 2005 through 2009 for DHS to make grants to states to cover the costs of complying with the bill's provisions.

Requirements for driver's licenses and identification cards

Public Law 108–458 created federal standards for issuing driver's licenses and identification cards and also imposed intergovernmental mandates on state, local, and some tribal governments. That law, however, gave broad authority to the Department of Transportation to negotiate the specific requirements of those standards. Based on information from federal, state, and local agencies, CBO assumes that the process for a negotiated rulemaking will give state and local governments the opportunity to help shape federal standards; those standards are thus likely to be less costly to implement than the requirements of H.R. 418.

In contrast, the provisions of H.R. 418 are more specific and likely would go beyond what will be required under current law. Specifically, state-licensing agencies would be required to verify the documents presented as proof of identification, residency, and citizenship status. Many of the agencies that issue those documents charge a fee for verification services. Licensing agencies also would have to upgrade computer systems to verify documents and to digitize and store electronic copies of all source documents. Finally, some states that do not currently require background checks for certain employees would face additional costs to complete those checks.

CBO estimates that these additional requirements in H.R. 418 would impose costs above those incurred under current law. Based on information from state representatives, CBO estimates that DHS would spend about $20 million over the five-year period to reimburse states for the cost of complying with the legislation, subject to appropriation of the necessary amounts.

Driver license agreement

In addition, H.R. 418 would require states to participate in the Driver License Agreement, an interstate database to share driver information that was not included in Public Law 108–458. Based on information from the Government Accountability Office and the American Association of Motor Vehicle Administrators, CBO estimates that it would cost $80 million over three years to reimburse states for the cost to establish and maintain the database.

Barriers at U.S.-Mexico border

The Illegal Immigration Reform and Immigration Responsibility Act provided for the construction of a series of roads and fences along the U.S.-Mexico border near San Diego to deter entry of illegal immigrants. All but about three miles of this barrier have been completed. Since February 2004, completion of the barrier has been delayed because of environmental conflicts with the Coastal Zone Management Act (CZMA). H.R. 418 would permit DHS to waive this act and any other laws as necessary to complete construction of the barrier.

DHS estimates that it has spent about $30 million thus far on the barrier and that it will cost an additional $32 million to complete the project. The agency has less than $2 million in unspent funds, which are currently being used to identify acceptable alternative plans to complete the barrier. In addition, the CZMA already enables the President under certain circumstances to waive laws as necessary to complete projects deemed of paramount interest to the United States.

Other provisions

Finally, CBO estimates that the bill's provisions, designed to prevent the entry of suspected terrorists into the United States, would have no significant costs because similar screening procedures already exist.

Estimated impact on state, local, and tribal governments: Procedures for processing and issuing driver's licenses and identification cards under current law are in the process of changing due to federal legislation enacted in December 2004. The Intelligence Reform and Terrorism Prevention Act of 2004 created federal standards for states to follow in issuing driver's licenses and identification cards. CBO considers these standards to be mandates because any driver's licenses or identification cards issued after that time would be invalid for federal identification purposes unless they met those requirements. CBO estimates that those enacted mandates will impose costs on state, local, and some tribal governments over the 2005–2009 period totaling more than $100 million and will exceed the annual threshold established in UMRA ($62 million in 2005, adjusted annually for inflation) in at least one of those years. Public Law 108–458 also authorized appropriations for grants to states to cover such costs.

New mandates with significant additional costs

H.R. 418 would repeal Public Law 108–458 and replace it with several new and more stringent intergovernmental mandates for processing and issuing driver's licenses and identification cards. Based on information from federal agency and state representatives, CBO estimates that those mandates would impose incremental costs on state, local, and some tribal governments above what they will likely spend under current law. CBO estimates that costs to those governments will total more than $100 million over the 2005–2009 period under current law. By comparison, we estimate that such costs would total about $120 million (over the 2006–2010 period) under H.R. 418. As a result, the additional costs that would be imposed by H.R. 418 would not exceed the annual threshold established in UMRA ($62 million in 2005, adjusted annually for inflation). The bill would authorize appropriations for grants to states to cover their costs.

Public Law 108–458 created federal standards for issuing driver's licenses and identification cards and also imposed intergovernmental mandates on state, local, and some tribal governments. That law, however, gave broad authority to the Secretary of the Department of Transportation to negotiate the specific requirements of those standards. Based on information from state and local government representatives, CBO assumes that the process for a negotiated rulemaking will give state and local governments the opportunity to help shape federal standards; those standards are thus likely to be less costly to implement than the requirements of this bill.

In contrast, the provisions of H.R. 418 are more specific and likely would go beyond what will be required under current law. Specifically, state-licensing agencies would be required to verify with the issuing agency (many that charge a fee for such verifications) each document presented as proof of identification, residency, and citizenship status. Those state agencies also would have to upgrade computer systems to verify documents and to digitize and store electronic copies of all source documents. Finally, certain states that do not currently require background checks for certain employees would face additional costs to complete those checks.

CBO estimates that these additional requirements in H.R. 418 would impose costs above those that will be imposed by the mandates in current law. The incremental additional costs, however, are unlikely, by themselves, to exceed the annual threshold established in UMRA in any one year.

Mandates with no significant additional costs

The bill also contains several other intergovernmental mandates. CBO expects, however, that these requirements would probably not impose significant additional costs on state, local, or tribal governments. Specifically, the bill would:

Authorize the Secretary of the Department of Homeland Security to waive any laws necessary to complete construction of a physical barrier between the United States and Mexico near San Diego, California, and prohibit any court from having jurisdiction to hear claims or ordering relief for damage resulting from the waiver of such laws. This provision would preempt state authority.

Require states to implement training classes for employees to identify fraudulent documents; and require documents and supplies to be securely stored. According to state officials, it is likely that states currently comply with those requirements.

Prohibit states from accepting any foreign document, other than an official passport, for identification purposes for the issuance of driver's licenses. Currently, at least 10 states accept identification cards issued by foreign governments, such as the ''matricula consular'' issued by Mexico. This prohibition would preempt state authority.

Require states to resolve any discrepancies that arise from verifying Social Security numbers, though the language is unclear as to what specific actions would be required. Currently, at least two states prohibit their employees from enforcing immigration laws, and many of those discrepancies may be related to immigration. This requirement might preempt those state laws.

Require that driver's licenses and identification cards be valid for no more than eight years. Currently two states, Arizona and Colorado, are valid for longer than eight years. These provisions would preempt those state laws and impose two to four years of additional staff costs to reissue the licenses sooner than expected. Those costs would not be incurred until eight years after the bill is enacted. In addition, four other states—Montana, New Mexico, Oregon, and Wisconsin—issue driver's licenses and identification cards that are valid for eight years. The bill authorizes the Secretary to further limit the validity of licenses and these states, as well as others, may be affected if the Secretary exercises such authority. This provision would preempt state authority.

Authorize the Secretary to prescribe the design formats of driver's licenses and identification cards to protect national security and allow for clear visual differentiation between levels and categories of documents.

Such design has traditionally been determined by states and under current law; any standards developed under the provisions of Public Law 108–458 may not require a single design. This provision would preempt state authority.

Other impacts on state and local governments

In addition to the other requirements of the bill, states would be required to participate in the Driver License Agreement, an interstate compact to share driver information. Any costs to state governments would be incurred voluntarily as a condition of receiving federal assistance.

Estimated impact on the private sector: This bill contains no new private-sector mandates as defined in UMRA.

Estimate prepared by: Federal Costs: Mark Grabowicz; Impact on State, Local, and Tribal Governments: Melissa Merrell; and Impact on the Private Sector: Paige Piper/Bach.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. CONYERS), distinguished ranking member of the full House Committee on the Judiciary.

Mr. CONYERS. Mr. Speaker, I thank the gentlewoman from Texas for yielding me this time.

I would like to join in the point that is being made by the gentlewoman from Texas to remind all of our friends that when Republicans took power in 1994, they made a solemn promise to the States that they would make sure that there would be no imposition of unfunded mandates on those States, and today we have a chance to redeem that promise by voting ''no'' on consideration of this rule, which waives the unfunded mandate requirement.

The majority may, if they have not already, attempt to argue that it is a minor mandate and show new and improved CBO estimates showing that the cost of this bill is only $125 million over the next 5 years; and, therefore, I think this warrants at minimum committee hearings in markups that has so far been denied this Congress.

So we are not asking a lot this afternoon. And I am impressed by the Governors Association. Their letter points out that while they commend the gentleman from Michigan (Chairman SENSENBRENNER) and the gentleman from Virginia (Mr. TOM DAVIS) for their commitment to driver's license integrity, they find that those bills would impose technological standards and verification procedures on States, many of which are beyond the current capacity of even the Federal Government.

Moreover, the cost of implementing such standards and verification procedures for the 220 million driver's licenses issued by the States represents a massive unfunded mandate. So they close by urging us to allow the provisions of the Intelligence Reform Act of 2004 to work.

So I commend the gentlewoman from Texas (Ms. JACKSON-LEE) for making such a very timely and important point of order, and I support her in it.

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

Mr. Speaker, I do appreciate and respect the gentleman from Michigan's joining with the gentlewoman from Texas in bringing this issue before the House today. I would offer perhaps a different vision or view of the words that the gentleman has spoken. I believe that the Republican majority did sponsor the legislation for the Unfunded Mandates Act; however, I believe at the time that was done, there was a general understanding that unfunded mandates would have a threshold that was necessary to be met so that we would have to appropriately understand those items when we would have an unfunded mandate that would be necessary for us to understand what we were placing upon the States or municipalities that we would not then appropriate money to.

The gentleman is at least correct that the Republican majority did introduce this legislation and pass it. However, the threshold that was established at that time, now as a result of inflation several years later, we are aware of, and that is why we have made sure to ask the question about what we are imposing on States for this very important issue that is within the jurisdiction of these States, but as a result of the needs of this great Nation to address driver's license inconsistencies and the integrity behind those.

We believe it is necessary. So for the gentleman to bring this point of order with the gentlewoman from Texas, purely appropriate, I would remind all of my colleagues that we have addressed this issue, that CBO has been very clear that we do not reach those thresholds which would trigger this sort of point of order. So I would ask that my colleagues would pay attention not only to this argument but to understand that we have not violated any rule as it relates to the unfunded mandate.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

I thank my colleague from Texas for his comments. I think I can start out by saying that we come from a State that is very diligent and as well very astute on their Members of Congress supporting unfunded mandates to a burdened and already overworked State budget in a growing State that would have added responsibilities with this enormous burden that this REAL ID bill would exercise against it.

Let me just say to the gentleman from Texas (Mr. SESSIONS), because I know his commitment to fiscal responsibility, let me refer him back to the CBO report of 2004. We appreciate the CBO, but we know what happened; and I think it is more important to know what the impact will be on the States on the basis of the National Governors Association and State legislatures. In 2004, on this very same bill, the CBO told what the numbers would be. It was not under $62 million. In fact, it was $80 million every single year, making it $400 million of unfunded mandates. What has happened here is that in the new report, our colleagues on the other side of the aisle have gotten the CBO to, in essence, underestimate, fudge the numbers by leaving out some of the language in the bill, but the plan is to still put on the backs and burdens of the local jurisdictions and State jurisdictions the responsibility of the birth certificate document. So I beg to differ with my colleague, and I think that our colleagues should, with their eyes open, vote on this question.

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

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

Mr. Speaker, the gentlewoman from Texas has politely articulated something that I believe is misguided and inappropriate.

The Congressional Budget Office is a professional organization that assists the United States Congress in knowing in a nonpartisan way those impacts of the laws that we pass, and I have respectfully made sure that the gentlewoman had a copy and had been advised that before she came to the floor, evidently, the minority was in possession of this new document of 2005. And the Committee on Rules, in a meeting that we had yesterday where we considered this legislation, had to understand the implications or some of the implications as it related to this act, and we rely upon the current information that has come from the Congressional Budget Office.

So I am very disappointed that my colleague has chosen to think that we have placed pressure upon this professional organization, that we have fudged the numbers; and I would say to the gentlewoman from Texas that that, I believe, is not only an unfair accusation to this Member but, more specifically, to the Congressional Budget Office, which I believe is a professional organization, delivers a product that they put their name on and makes available to all who might read it.

□ 1215

So I respectfully disagree with the gentlewoman, do not accept the characterization that she has given to this Member or to the Congressional Budget Office, and would hope that the gentlewoman would find the time perhaps later in the day to bring this issue up upon full scrutiny of the documentation to recognize that, in fact, the professional conduct of the Congressional Budget Office was correct in their assertion.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my good friend knows we all have the greatest respect for the CBO, but the CBO analyzes what they

are given. I might invite my colleague to read the CBO estimate, which clearly states that this is going to cost more than is indicated by this rule and by the legislation. In fact, it is clear that in addition, by necessary implication, the bill would require States to develop new standards for the issuance of birth and death certificates, which CBO has estimated would cost States $460 billion over the next 5 years.

I would venture to say the competents of the CBO could be put on the witness stand, and they would attest to the fact that this is what it was going to cost. So this is not in any way casting aspersions on their good work. It is what has been presented to them, and they have analyzed it. It is not an accurate picture, what has been presented to them this year, because they documented that this is a more than $450 million program.

Mr. Speaker, this violates the rule, and it violates the waiver where, in essence, the Republicans indicated in their early beginnings in the majority that they would not allow unfunded mandates to go forward on this floor. I joined them in that.

I ask my colleagues to support this point of order, so we stand here united in a bipartisan way not to support an unfunded mandate.

The actual merits of the bill, Mr. Speaker, can be discussed, as my colleague has said, later on during the day. We are discussing at this moment the value of this bill. It is excessive. It is burdensome. It is an unfunded mandate, and it might hamper our war against terrorism and the protection of our homeland. Let us try to do this in a more effective way.

Mr. Speaker, I raise my point of order, and ask my colleagues to support it.

Section 425 of the Budget Act states that a point of order lies against legislation which imposes an unfunded mandate against State or local governments more than $62 million per year over 5 years. At the very least we have before us today an unfunded mandate that will cost State governments between $660 million and $780 million over the next 5 years alone.

Specifically, subparagraphs (b), (c), (d), and (e) of section 202 of H.R. 418 require State governments to comply with new Federal driver's license requirements and to verify and store additional personal identification records, which the Congressional Budget Office, CBO, in its latest estimate, projects to cost States $120 million over the next 5 years, but last year estimated cost States $240 million over 5 years. There have been no substantive changes since last year's estimate to imply that this bill would not cost the States at least $240 million as estimated last Congress.

The above sections also require States to participate in an interstate database to share driver information, which CBO estimates will cost an additional $80 million over 3 years. In addition, by necessary implication, the bill would require states to develop new standards for the issuance of birth and death certificates, which CBO has estimated would cost States $460 million over the next 5 years.

There is overwhelming evidence before us today that this bill—which has bypassed the committee process, denying Members the opportunity to hear expert testimony on the impact of these sweeping changes to current law or to offer amendments to the proposed legislation—will impose overwhelming costs on State governments already struggling to meet the growing costs of local laws enforcement's role in securing the homeland.

Even further, this bill was drafted without any input from Governors and State legislatures and even excludes the States from the standard-setting process despite States' historic roles as issuers of driver's licenses and other identification data. For these reasons the National Governors Association, American Association of Motor Vehicle Administrators, and the National Conferences of State Legislatures all strongly oppose this legislation.

In a letter issued yesterday the National Governors Association and the American Association of Motor Vehicle Administrators stated their opposition to the drivers license provisions in both H.R. 418 and H.R. 368, stating:

> The cost of implementing such standards and verification procedures for the 220 million driver's licenses by states represent a massive unfunded mandate

The National Conference of State Legislatures also has voiced its strong opposition, stating that:

> NCSL is opposed to any further federal attempts including coersion or direct preemption, to usurp state authority over the driver's license process or diminish the validity or usefulness of licenses awarded at the state level. NCSL urges the federal government to respect the provisions and intent of the Unfunded Mandates Reform Act of 1995.

What we have before us today is an assault on federalism and the legislative process. This point of order is not about whether you agree or disagree with the sweeping policy changes of the REAL ID Act. This point of order is about the farce before us that has trampled States' rights and inflated the burden on our local governments. I urge members to vote "no" on consideration of the resolution and stand up for the rights of your home States' legislatures, Governors and local governments.

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

Mr. Speaker, we have had an opportunity to hear from the gentlewoman from Texas about a document that is old, that contained the best estimate and work at the time from the Congressional Budget Office. I have made available to the gentlewoman from Texas and for each and every Member of this body to see that the Congressional Budget Office has very clearly talked about the costs that would be associated with what might be known as an unfunded mandate. We believe, and they have concurred from the Congressional Budget Office that we are well within budgetary amounts to where we would not trigger this unfunded mandate clause.

I think it is important that we do have this law. I am glad we have debates over how much burden we are placing upon States or municipalities, but in this case, I would urge my colleagues to understand that we have the official document that is as of yesterday by the Congressional Budget Office; and I would ask that they would support our position, knowing that we have fallen within the rules of the House.

Mr. Speaker, as a result of this, I would simply say that our position is, we value and hold and believe we are well within the rules of the House of Representatives.

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

The SPEAKER pro tempore (Mr. LAHOOD). All time for debate has expired. The question is, Shall the House now consider the resolution?

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 228, nays 191, not voting 14, as follows:

[Roll No. 23]

YEAS—228

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions

Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—191

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
DeFazio
Delahunt
DeLauro
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Solis
Spratt
Stark
Strickland
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—14

Davis (IL)
DeGette
Dicks
Eshoo
Feeney
Hinchey
Jones (NC)
Lipinski
Norwood
Obey
Pence
Schiff
Snyder
Stupak

□ 1253

Messrs. OWENS, BRADY of Pennsylvania, LARSON of Connecticut, BUTTERFIELD, BERRY, CUELLAR, Ms. SCHWARTZ of Pennsylvania, CLAY, TAYLOR of Mississippi and Mrs. CAPPS changed their vote from ''yea'' to ''nay.''

Mrs. MUSGRAVE changed her vote from ''nay'' to ''yea.''

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. SCHIFF. Mr. Speaker, on rollcall No. 23, had I been present, I would have voted "nay."

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

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

This general debate rule provides for 1 hour and 40 minutes of general debate, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform, and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Homeland Security.

It waives all points of order against consideration of the bill, and provides that after general debate the Committee of the Whole shall rise without motion and no further consideration shall be in order except by subsequent order of the House.

Mr. Speaker, we are here today to begin the debate on fulfilling Congress's promise to the American people made in the wake of the tragedy of September 11, 2001, that our government will do everything it can to protect them from another deadly attack on our homeland. This promise was made in the days immediately following September 11 when President Bush committed to the American people that the full force of American power would be used to bring terrorists and their sponsors to justice.

This promise was continued by the efforts of the September 11 Commission and the subsequent efforts of Congress to study the frailties and oversights of our national security system that the 9/11 terrorists were able to identify, exploit and use against us. And this promise will continue again today through the consideration of the REAL ID Act of 2005, which has been authored by my good friend, the chairman of the Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENSENBRENNER).

This legislation continues the reform mission begun by Congress in the 9/11 Recommendations Implementation Act. By implementing the additional security measures including the REAL ID Act, Congress will help to ensure that our borders are secure, that terrorists cannot travel to America, and that the rule of law is respected by those who come to our Nation.

The narrowly constructed legislation by the gentleman from Wisconsin (Mr. SENSENBRENNER) accomplishes this goal by focusing on four common-sense areas: implementing much-needed driver's license reform, closing the asylum loopholes, defending our borders, and strengthening our deportation laws.

Implementing the driver's license reforms included in H.R. 418 will provide greater security for the American people because lax standards and loopholes in the various current State issuance processes allow terrorists to obtain a driver's license, often multiple drivers' licenses from different States, and abuse these fake identities for illegal and harmful purposes. The September 11 hijackers had within their position at least 15 valid driver's licenses and numerous State-issued identification cards listing a wide variety of addresses.

These terrorists were able to exploit many of the benefits conferred upon them by the possession of these cards, such as enabling the bearer to acquire other corroborating identification documents, transfer funds to U.S. bank accounts, obtain access to Federal buildings, purchase a firearm, rent a car or board a plane, just to name a few.

By establishing minimum document and issuance standards for the Federal acceptance of driver's licenses, requiring applicants to prove that they are in the country legally, and requiring identification documents to expire simultaneously with the expiration of lawful entry status, this legislation will ensure that individuals harboring malicious intent who have illegally entered or who are unlawfully present in the United States, cannot have access to these valuable and sensitive documents.

Closing the asylum loopholes identified by H.R. 418 will provide greater security for the American people because as the 9/11 Commission staff report noted, ''A number of terrorists . . . abused the asylum system.'' By strengthening judges' ability to determine whether asylum-seekers are truthful and credible, we will be able to prevent future terrorists from gaming the system by applying for asylum as a means to avoid deportation after all other recourses for remaining in the United States have been denied to them. This will prevent abuses to the system like the case of the ''Blind Sheik'' Abdul Rahman, who was able to stay in the United States and force an immigration judge to hold a hearing on the asylum claim only weeks before his followers bombed the World Trade Center.

Defending our physical borders, as provided for in the Real ID bill, will provide greater security for the American people. We know from the 9/11 Commission that the hijackers had 25 contacts with consular officers and 43 contacts with immigration and customs authorities. As a result, the 9/11

Commission and Congress have recommended and taken a number of appropriate actions that have made it more difficult for terrorists to enter the United States through the visa or other legal immigration process; and this bill will go even further toward attaining that goal. But closing down only the legal means by which they will try to enter and infiltrate our country is simply not enough.

Because increased vigilance has made entering the country through normal, regular channels more difficult, we must also be increasingly prepared for the certainty that terrorists will try to use illegal, clandestine methods to enter our country and to do us harm, and we must now take steps to close those gaps in our border security where we are most vulnerable.

Finally, strengthening our deportation laws as provided for by H.R. 418 will provide greater security for the American people. Currently, although it seems unbelievable, not all terrorism-related grounds for keeping an alien out of the U.S. are also grounds for deportation. This means that terrorists and their closest advocates can be denied entry to the United States for their actions in support of terrorism, but if they are able to make it to our shores, we cannot deport them for those same actions.

The REAL ID Act would bring some common sense to this troubling oversight and make the law consistent by providing that all terrorist-related offenses that make aliens inadmissible would also be grounds for deportation. It would also provide that any alien contributing funds to a terrorist organization would also be deportable.

Mr. Speaker, this rule is intended to allow debate to begin on this important legislation and to give Members an opportunity to come to the floor and to voice their support or concerns about its contents as the Committee on Rules finalizes an appropriate rule for consideration of possible amendments. I encourage all of my colleagues to improve America's national security by supporting this rule to begin the debate on this legislation.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume, and thank the gentleman from Texas (Mr. SESSIONS) for yielding me time.

Mr. Speaker, I rise today to oppose this rule and H.R. 418. The anti-immigrant provisions contained in this bill are unconscionable. We are a nation of immigrants, a nation that people, from time immemorial, have journeyed to for freedom. As Ronald Reagan said, ''America is a shining light on the hill.'' Well, apparently, Mr. Speaker, today that light is red.

We find ourselves in the second week of the second month of this legislative session, and we have yet to have a bill come to the floor with an open rule. And I remind the majority that that is shutting America out with reference to this debate.

□ 1300

We are here today without a final rule because of a lack of agreement on which amendments to allow. Well, I have a simple solution, one that should be obvious to all of us. I say, allow all amendments to be brought to the floor for a full and free debate by the House of Representatives as envisioned by this Nation's Founding Fathers who were immigrants. Let Congress work its will on this legislation.

To stifle debate on a bill as ill conceived as H.R. 418 is undemocratic to the core. Mr. Speaker, there is no reason for hesitation. This is the only bill of substance on the House's agenda this week. We have the opportunity to conduct an open debate on each radical section of this bill. As a country that prides itself on spreading democracy throughout the world, we must practice what we preach. Allow the people to have their say by bringing H.R. 418 to the floor with an open rule. Do not shut America out.

The changes to asylum law contained in H.R. 418 will not improve our homeland security. Terrorists do not have the right to seek asylum in our country and are already prohibited from doing so, but those who would legitimately seek refuge at our shores ought not to be turned away from our golden door through this bill's misguided attempt at curbing immigration.

Nor will erosion of our personal privacy improve our security. The collection of unnecessary personal information by State agencies in an attempt to discern each and every person's immigration standard goes against the very freedom this Nation was founded on by immigrants and must be rejected.

Our Nation's security is of paramount importance; but in an effort to achieve that goal, let us, a thriving Nation of immigrants, not turn our backs on our history and our future. So before we replace the Statue of Liberty's torch with a ''Do Not Enter'' sign, let us reconsider in the most open of debates what that says about our great Nation.

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

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Mr. Speaker, I rise in strong support of this rule to provide for consideration of this counterterrorism bill of which I am an original cosponsor.

This is the REAL ID Act. It closes, among other things, the 3-mile hole in the fortified U.S.-Mexico border fence near San Diego. Border security must be a pillar of our national security policy. Recent press accounts have reported that al Qaeda operatives have joined forces with alien smuggling rings like MS–13 in order to enter the United States, particularly through our porous southern border.

This bill establishes strong security standards for the issuance of driver's licenses that all States must comply with to eliminate weak links in identity security.

The nineteen 9/11 hijackers had 63 validly issued driver's licenses and other forms of identification between them, and they were using these IDs to move around the country undetected, plotting and planning. In fact, eight of them were even registered to vote. They then used the bogus licenses that they had to board U.S. planes.

H.R. 418 cracks down on asylum fraud by ensuring all terrorism-related grounds of inadmissibility are grounds for deportation. The Blind Sheik, Omar Abdel Rahman, who led a plot to bomb New York City landmarks, used an asylum application to avoid his deportation. It is a fact that terrorists have continued to use and abuse asylum laws to stay in our country.

As the 9/11 Commission found, abusing our asylum law is ''the primary method,'' in their words, used by terrorist aliens, like the 1993 World Trade Center bombers Ramzi Yousef and Ahmad Ajaj, to remain in the United States. Both, in the words of the 9/11 Commission, ''concocted bogus political asylum stories when they arrived in the United States.'' So if we want to make it harder for terrorists like Yousef and Ajaj to abuse our asylum system, support this counterterrorism bill.

The ninth circuit created an extremely disturbing precedent that has made it easier for suspected terrorists to receive asylum. The circuit has held that if a foreign government harasses an alien because he has been affiliated with a terrorist group, the alien is eligible for asylum because he could be persecuted on account of the political opinion of that terrorist group. Since members of terrorist organizations are eligible to receive asylum, under this doctrine an alien could receive asylum expressly because he was an admitted member of a terrorist organization.

The bill returns the law to its original understanding and overturns this ninth circuit precedent by requiring that asylum applicants establish that race, religion, nationality, membership in a particular social group, or political opinion was or will be a central reason for their claimed persecution.

These are commonsense changes to national security and to border security.

Mr. HASTINGS of Florida. Mr. Speaker, I am privileged to yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), my very good friend who serves on the Committee on Rules with me.

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Florida for yielding me the time.

Mr. Speaker, I rise to express my deep frustration with the process being used by the Republican leadership in this House. The bill before us today radically changes, among other things,

the asylum law of this country. Religious groups, civil rights groups, human rights groups have all expressed grave concerns with this legislation.

There are serious and legitimate concerns with this bill, but the chairman of the Committee on the Judiciary did not hold a single hearing or markup in the 109th Congress. In fact, the bill bypassed the Committee on the Judiciary completely. Despite the chairman's rhetoric, there are provisions included in this bill that were never considered in the last Congress.

The pattern of abuse by the Republican leadership continues unchecked. Major bills are being rushed to the floor without even a passing glance by the committee of jurisdiction. Bills are being brought up without Members getting the chance to read them. Thoughtful amendments are routinely denied an opportunity even to be debated.

The rule that we are considering right now provides for only general debate. Later today, the Committee on Rules will meet again on H.R. 418 to decide whether the amendment process will be open or closed.

Yesterday, among several other amendments, our colleagues, the gentleman from New York (Mr. NADLER) and the gentleman from Florida (Mr. MEEK), testified that they believed the asylum provisions in this bill will make it harder for a persecuted person to gain asylum in the United States. They have an amendment to strike that language from the bill, and I hope the House will have an opportunity to consider that amendment.

Those who gain asylum are legitimately fleeing from persecution in their home countries. They are fleeing for their lives; but under this bill, a woman forced by her government to have an abortion who tries to flee from such oppression will be forced to return to her home country. I cannot believe that the United States Government would be that cruel and we would turn our backs on people who need asylum in order to truly be free from torture and persecution.

Let me be clear. Every one of us wants to make this country safer and more secure and prevent any further attacks, but this bill is not going to do it. Asylum already is a highly scrutinized process and is very difficult to get. By law, terrorists are already barred from gaining asylum. What we need is better enforcement of the laws we already have, not a bill that restricts the flow of the persecuted just because a few in this body either do not like immigrants or feel the need to pander to political pressures from immigrant haters in their districts.

As I said, there are other amendments that were offered last night in the Committee on Rules by both Democrats and Republicans, a total of 14. They are all important. They are all relevant to this bill. They all should be considered.

Mr. Speaker, this is an important issue. For many, it is a life or death issue. The least we can do is give this bill an open rule. This is the very least we can do given the lousy process that we have been shown.

What we should do, however, is send this bill back to committee, allow the committee to hold hearings and discuss this thoughtfully. Let us hear from the experts. Let us all understand the impact of this bill. Let the committee do a markup and send the bill to the full House for a vote.

We can do better, and I would appeal to my colleagues on the other side of the aisle to urge their leadership to stop trashing the rules, procedures, and traditions of this House. No matter what our views are on this bill, no matter what a person's political party or ideology is, all of us I hope can agree that the current process undercuts democracy and diminishes this great House of Representatives.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. BLUNT), our whip.

Mr. BLUNT. Mr. Speaker, I thank the gentleman for yielding the time.

Mr. Speaker, I am here to support the rule and encourage this body to move forward with legislation that we have already debated many times in the last Congress and legislation that really solves a problem.

I do suggest that using terms like ''immigrant hater'' does not help this debate. This is about border security. It is not about those of us who reach out to help immigrants, particularly those immigrants who are here legally and lawfully all the time. It is not even about whether they are disadvantaged by people who are here illegally.

This is about three significant border security issues. One is ID and clearly ID issued by States is important and significant. The bipartisan commission that looked into 9/11 dealt specifically with this issue, something that has been overlooked in much of our debate now, the almost-sanctified 9/11 Commission. That commission said travel documents are as important as weapons and urged the Congress to do something about travel documents that did not reflect the true status of individuals.

In fact, on September 11, driver's licenses became weapons of mass destruction.

In the United States today, a driver's license is all it takes to transfer money to a bank account, to enter a Federal building or other vulnerable facility, to board a train or an airplane. Lax standards and loopholes in the current issuance processes allow terrorists to obtain driver's licenses, often multiple licenses from different States.

In southwest Missouri, where I am from and right in the middle of the country, of the 1,387 people who were detained by the office there who were illegally in the country in the year that ended September 30, 50 percent of those people had a state-issued driver's license or state-issued ID card, not at all difficult to get.

Of the 19 terrorists on 9/11, they had five dozen driver's licenses between them and used those driver's licenses to get on the planes that crashed into the World Trade Center, the Pentagon, and a field in Pennsylvania.

This act would require identity documents to expire at the same time a visa expires, so that someone who is here on an appropriate 6-month visa, as, in fact, much to our amazement, some of the 9/11 terrorists were, are not given a 6-years' driver's license when the documents they do produce say they can legally be here for 6 months.

This bill also tightens the process of applying for asylum in the United States to close loopholes in the system that have been taken advantage of by terrorists. This issue was widely debated on the floor last year. The example I gave was the terrorist who was here from Jordan who had bombed an international school in Jordan full of American kids. Well, that terrorist had not committed a crime in this country and under the current law was allowed to stay here unsupervised in a country full of American kids. Certainly that is not acceptable. That person should have had to have a hearing. This legislation requires that.

I urge that we adopt the rule and the legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I am privileged to yield 3 minutes to the gentlewoman from California (Ms. HARMAN), my good friend, the ranking member of the Permanent Select Committee on Intelligence.

Ms. HARMAN. Mr. Speaker, I thank my colleague who ably serves on the Permanent Select Committee on Intelligence, as well as the Committee on Rules, for the time.

Mr. Speaker, as the lead conferee on the intelligence reform bill, I oppose the rule on H.R. 418 and the underlying bill because they will not make us safer. What H.R. 418 will do is undermine several key provisions of the Bipartisan Intelligence Reform and Terrorism Prevention Act, which Congress passed and the President signed into law just 2 months ago.

Those who claim that the so-called REAL ID Act will enhance national security are flat wrong. Remember, all of the September 11 hijackers entered this country with legal immigration documents. Legislation prohibiting illegal immigrants from obtaining driver's licenses would not have stopped a single 9/11 hijacker.

We dealt with this issue responsibly in the intelligence reform legislation. The law establishes tough minimum Federal standards for driver's licenses so that all driver's licenses have certain key security features.

□ 1315

The law also requires the Transportation Security Administration to set newer standards within 6 months for identification documents which may be used to board commercial airplanes. These provisions are much stronger

than what is being proposed by H.R. 418, yet H.R. 418 would repeal these critical new security upgrades.

Mr. Speaker, I wholeheartedly agree that if we want to cut down on illegal immigration, we must improve border security. Just 2 weeks ago, an astute crane operator at the Port of Los Angeles discovered 32 Chinese stowaways in a container that had just been unloaded from a Panamanian freighter. The State of California already prohibits illegal immigrants from getting a driver's license, but that did not discourage these stowaways from trying to sneak into California and the United States.

The people at our ports and our borders are our first line of defense. That is why the Intelligence Reform bill included authorization for 10,000 new border guards, 40,000 new detention beds to hold people awaiting deportation, and 4,000 new immigration inspectors. Yet the President's 2006 budget does not include funding for any of these new security improvements. If we are going to serious about border security, we need more resources and more people at the border.

I urge my colleagues to retain the REAL ID provisions in the Intelligence Reform bill and reject this imposter. We already have the tools for securing driver's licenses, and our borders that will truly make our country safer.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), chairman of the Committee on the Judiciary.

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

Much has been and will be said about this bill's impact on making it more difficult for terrorists to get identification to conduct their terrorist activities and the reform of the asylum laws and the plugging of the fence south of San Diego. However, there is an issue of public safety involved in this bill as well.

Yesterday, a criminal complaint was unsealed in the Federal Court in Chicago which showed that there was a huge scam in getting Wisconsin driver's licenses for illegal aliens to drive trucks. And in at least one instance, the case of Nasko Nazov, who is an illegal alien from Macedonia, 3 days after he obtained this driver's license, he killed four people, a family of four, in a truck-car accident in Baileyton, Tennessee.

Now, the criminal complaint says that the scam worked as follows: Foreign nationals paid sponsors in Chicago up to $2,000 for help in getting a commercial driver's license. Several Wisconsin residents were paid a one-time fee for use of their addresses. The clients were transported from Chicago to Milwaukee via van to banks in Milwaukee, where they used the Wisconsin addresses to open checking accounts.

After the checks were printed, the clients brought them to the Division of Motor Vehicles as proof of their residency required to take their written tests. In Wisconsin, the written tests were given in English, Spanish, and Russian. People who spoke other languages had to bring their own interpreters. Some of the interpreters helped the clients cheat on the tests.

In some cases, the sponsors accompanied the clients to a private facility that has a contract with the State to conduct road tests. Employees there accepted payments that ensured that the clients passed the test whether or not they knew how to drive a truck.

Now, because Wisconsin does not require proof of legal residency in the United States in order to get a driver's license, whether it is a regular license or a commercial driver's license, Mr. Nazov got a license validly issued by the Wisconsin Department of Motor Vehicles, and 3 days later killed a family of four on a highway in Tennessee with a truck he did not know how to drive.

Now, legislation like this would have been a key move in preventing an illegal alien from getting this driver's license, a driver's license he could not have gotten in the State of Illinois. I think this proves that there is more involved to this than border security. There is an issue of public safety. And if you do not believe that, ask the family of the people who were killed in Tennessee.

Mr. Speaker, I submit for the RECORD the story from the Milwaukee Journal Sentinel entitled ''Tennessee Deaths Bring New Charge.''

TENNESSEE DEATHS BRING NEW CHARGE: TRUCKER ILLEGALLY OBTAINED LICENSE HERE

(By Gina Barton)

A man who got a commercial truck driver's license illegally in Wisconsin killed a family of four on a Tennessee freeway, then lied about his actions, according to a criminal compliant unsealed Tuesday in federal court in Chicago.

Nasko Nazov, an illegal immigrant from Macedonia, is charged with lying to a federal grand jury during an offshoot of ''Operation Safe Road,'' the federal investigation that ultimately led to criminal charges against former Illinois Gov. George Ryan. The investigation also revealed that in Wisconsin at least 600 people from other states cheated on written exams, bribed officials administering road tests or lied about their residency to get truck driver's licenses, according to court records.

If convicted, Nazov, 45, of Downers Grove, Ill., faces a maximum penalty of five years in prison, a fine of up to $500,000 and deportation. He also is wanted in Tennessee on reckless homicide charges, said Randall Sanborn, spokesman for the U.S. attorney's office in Chicago.

Nazov—who has never lived in Wisconsin—received a Wisconsin commercial driver's license on March 4, 2003, according to court records. Three days later he caused a fatal wreck on I–81 near Baileyton, Tenn., according to media reports. Edward Dean Armstrong III; his wife, Melissa; his 10-year-old daughter, Brittany; and his 6-year-old son, Dean, all were killed. The family was returning home to Virginia after visiting family in Knoxville, Tenn., according to the reports. Their 1998 Saturn was stuck in traffic because of an earlier accident. Nazov, who was driving a tractor-trailer, first hit a pickup, then plowed into the Armstrongs' car, shoving it under another large truck.

''We believe there are up to 1,000 suspect licenses, and this shows the risk inherent in each of those,'' U.S. Attorney Steve Biskupic said Tuesday.

A Milwaukee investigation parallel to the one in Chicago is continuing, he said.

Both probes center on foreign nationals. According to court records in the Chicago case, the scheme worked like this:

The foreign nationals paid sponsors in the Chicago area up to $2,000 for help getting a commercial driver's license.

Several Wisconsin residents were paid a one-time fee for use of their addresses.

Clients were transported from Chicago via van to banks in Milwaukee, where they used the Wisconsin addresses to open checking accounts.

After the checks were printed, the clients brought them to the Division of Motor Vehicles as the proof of residency required to take their written tests.

In Wisconsin, the written tests are given in English, Spanish or Russian. People who speak other languages must bring their own interpreters. Some of the interpreters helped the clients cheat on the tests.

In some cases, the sponsors accompanied the clients to a private facility that has a contract with the state to conduct road tests. Employees there accepted payments that ensured the clients passed their tests, whether or not they knew how to drive a truck.

The Wisconsin rules for licensing are less strict than those in Illinois. There, written tests are offered only in English, and translators are not allowed. Road tests in Illinois must be conducted at state offices, not private facilities.

Nazov listed an address in the 4200 block of W. Loomis Road in Greenfield on his driver's license application, according to the charging documents. He testified before a grand jury in June 2004 that he had lived there for a few months with his girlfriend. He told federal investigators he remembered only her first name, Julie, and that she has since left the country. He could not provide them with a description of the building, according to the documents.

The owner of the building said he had never rented an apartment to Nazov or to a woman named Julie. The owner also found letters from the Wisconsin Department of Transportation addressed to Nazov and four other people at the building, according to the documents. The owner, who told investigations he had not authorized anyone to use the address, has not been charged.

Nazov, who speaks Macedonian, took his written test with the help of an interpreter, according to court records.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. BERMAN), my very good friend.

Mr. BERMAN. Mr. Speaker, I thank very much my friend from Florida for yielding me this time.

Mr. Speaker, my opposition to H.R. 418 is for two reasons, one that is broader in the context of the problems we face, and one is specific to asylum. I am just going to address the former on the issue of debating essentially an unobjectionable rule that simply allows for general debate and urge opposition on that ground alone.

The placement of the bill on this agenda at this particular time is a manifestation of the triumph of ideology over common sense, and it is a

response to spasms of anger rather than a reflection of sober analysis. Contrary to the arguments of the Republicans, including my friend, the chairman of the committee, including the majority leader of this House, the issues of immigration reform, border security, national security, and public safety are inextricably linked. But we hear not one word or hint of any intention on the part of the majority in this House, in contrast with both the President and the leadership in the Senate, of ever dealing with the fundamental issue.

Our immigration system is broken. The results of that breakdown endanger American security. Between 8 and 14 million people are in this country without legal status. They live in our shadows. They utilize false documents. Their true identity is unknown. For the most part, they work and pay taxes. And, except for their illegal status, they observe our laws.

They provide the overwhelming proportion of the workforce in critical industries. They are located throughout the country and they are subject to all kinds of exploitation, but for a variety of reasons, they have no intention of leaving this country. A few among them, without doubt, a few among them mean harm to Americans and are plotting terrorist acts. The status quo is simply intolerable.

But where the proponents of this bill are so wrong, so self-defeating, is in thinking that piecemeal fixes like this have anything to do with protecting Americans against those who are plotting to harm us. Only a comprehensive approach that deals with issues like defense, like a nonforgeable identifier, a nonforgeable Social Security card, effective enforcement, and coming to terms with the status of the 8 to 14 million people who are working and linked to working and have committed no other crimes, getting them out of the shadows so we can know who they are, we can fingerprint them and match them to watch lists. That is the only way to deal with the problem.

Look at our situation. The majority leader says ''This bill is a border security bill. It is a Homeland Security bill. Immigration reform is a completely different subject.''

The chairman of our committee, the gentleman from Wisconsin (Mr. SENSENBRENNER), says ''It is to everybody's best interest to separate out the security questions from the immigration questions.'' But you cannot. President Bush knows that. He realizes that these gentlemen are wrong, that this analysis is wrong, that this piecemeal approach is not going to do the job; and he has repeatedly called for a comprehensive reform of our immigration system because ''The current system results in diverting homeland security resources to chasing people who are here because they want to put food on their table. They take resources away from catching criminals and terrorists.'' That is the President.

Senator CORNYN, the new chairman of the Subcommittee on Immigration and Claims, no liberal he, realizes that the strategy of the gentleman from Wisconsin is a mistake. He said it pretty specifically, ''I don't believe we can deal with border security and homeland security without dealing with immigration reform.''

Aside from the asylum provisions, I do not have any heartburn about these, of course, in a world where we have fixed the system so it does not have 8 to 14 million people here out of status, illegally, undocumented, and people who should not get driver's licenses. But this will not solve the problem. There will be people who are not going to be here legally, who will have driver's licenses after this bill passes, and there will be people with false IDs after this bill passes; and you will not have dealt with the fundamental issue.

For that reason, more than any other, although the fundamental change of the asylum system that is going to keep people fleeing persecution from finding their historic asylum in this country, without dealing anything with terrorists who are already eligible for asylum, is another reason to oppose this bill, and I urge opposition on it.

Mr. SESSIONS. Mr. Speaker, I would like to inquire of the time remaining for both sides.

The SPEAKER pro tempore (Mr. MILLER of Florida). The gentleman from Texas (Mr. SESSIONS) has 13 minutes remaining, and the gentleman from Florida (Mr. HASTINGS) has 14 minutes remaining.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. SHADEGG), the chairman of the Republican Policy Committee.

Mr. SHADEGG. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in strong support both of this rule and the underlying bill, the REAL ID Act. I also want to thank the gentleman from Wisconsin (Mr. SENSENBRENNER) for his effort in bringing this legislation to the floor.

All of the reforms contained in the REAL ID Act are crucial to our national security interests, and all of them will help make America less vulnerable to terrorist attack. The bill's provisions include long-overdue and very common-sense safeguards that were recommended specifically by the 9/11 Commission. Let me point out just one of those.

''Secure identification should begin in the United States,'' wrote the bipartisan 9/11 Commission. They went on to say, ''The Federal Government should set standards for the issuance of birth certificates and sources of identification, such as driver's licenses. Fraud in identification documents is no longer just a problem of theft. At many entry points to vulnerable facilities, including gates for boarding aircraft, sources of identification are the last opportunity to ensure that people are who they say they are and to check whether they are terrorists.'' The bipartisan 9–11 Commission called for this legislation.

Just a moment ago I heard one of my colleagues say this legislation does not improve upon the bill we passed dealing with the issue just a few months ago. I beg to disagree. Her point was, it does not address the issue of those who are here illegally, yet it very much does so. A provision of this bill pushed by my colleague, the gentleman from Arizona (Mr. FLAKE), for a number of years, provides that a driver's license may not have an expiration date beyond the date upon which someone's visa expires. That would specifically go to people here illegally.

Let me point out how it would have applied to the 9/11 hijackers. Looking at Nawaf Alhazmi, his visa expired in January of 2001, yet he got a Florida's driver's license in June of 2001, he got a Virginia ID card in August of 2001, and he got a reissued Virginia ID card in September of 2001.

A second hijacker, Hani Hanjour was in the same situation. He was in violation of his visa when he obtained a Virginia State ID in August of 2001 and a Maryland ID in September of 2001.

These are critical reforms to making America safer. I urge my colleagues to vote for both the rule and the underlying legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to my very good friend, the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Speaker, I thank my classmate and colleague for yielding me this time, and I rise in opposition to this legislation.

It is interesting that we are discussing the driver's license the day after the President's budget was released that did not fund the border patrol officers we authorized 2 months ago. Instead of 2,000, the President only wants to authorize 200 new border officers. We are attacking the driver's license issue, which seems strange, when we should be attacking the person who may be getting it.

I always hear that ''Guns don't kill people, people do.'' Well, that driver's license does not kill anybody. It is the person who does it. Let us go after that person. And that is what those 2,000 border patrol officers for the next 2 years are supposed to do.

□ 1330

You know, building a fence is a good idea. But, again, I think it ought to be built like other construction projects, subject to competitive bidding and environmental concerns. There is bound to be a way we can build a fence that is environmentally safe along the desert in Southern California.

I have a district in Texas, and I know that we need secure identification cards that are used like driver's licenses. But we have one of the largest minority immigrant populations in the

country, and more people immigrate to the United States through Texas every day. Having secure ID cards not only helps protect our homeland, but also helps our law enforcement keep our roads safer and enables them to do a better job. That is why we addressed this issue 2 months ago and required, under the Intelligence Reform Act, the Department of Homeland Security to establish standards, guidelines for ID cards.

The REAL ID Act goes far beyond that. That is what I am concerned about. This legislation even goes beyond this by preventing any form of judicial review to such waivers.

Our government was founded on checks and balances. And as much as a Member of Congress would like to eliminate the Supreme Court or the court system, you can not do it. The Constitution makes sure that we are equal branches of government.

And, again, I support barriers. I support tightening security. I support additional border patrol, but attacking driver's licenses is the wrong effort.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas, (Mr. GOHMERT).

Mr. GOHMERT. I thank the gentleman from Texas (Mr. SESSIONS) for yielding me this time.

Mr. Speaker, I do rise to address support for the rule and the underlying legislation and, specifically, a few of the allegations that have been made about this legislation. First of all, there has been an allegation made that this violates States' rights. Many of us are firm believers and supporters of States' rights, and the fact is, the States have the right to give a driver's license to whomever they wish. That is their State's right.

However, this legislation says, if you are going to use that identification card to get on transportation that is in interstate commerce or otherwise, then it is going to have to meet certain minimum standards. So you have the States' rights. However, this Federal Government has the obligation to protect its citizens, and it is something that should not and will not be taken lightly.

As regards another aspect, asylum, we have a situation in which a legislative body, as it has come to be, that is also known as the Ninth Circuit Court of Appeals, has enacted legislation that overcomes and overwhelms a judge's right and ability to judge credibility as it should. That has to be overcome by this legislative body, trumping that legislative body called the Ninth Circuit. That is what we are trying to do.

I have heard friends across the aisle say that Americans have journeyed freely in the past and that this goes against the very freedoms which this Nation was founded on. But the truth is, try getting on an airplane. We do not have freedom anymore. And the more liberties that we forgo withdrawing at the border, and restricting and making sure people who are coming in do not mean us harm, then the more liberties we are going to lose in this country.

So it is important that we make sure we have that water metaphorically flowing into this lake to give it life, but it is even more important that we restrict those who would harm us from coming in, as they would.

Mr. HASTINGS of Florida. Mr. Speaker, before yielding to my good friend from Massachusetts, I yield myself such time as I may consume.

I would say to my colleague from Texas (Mr. GOHMERT) I have not had an opportunity to talk to him, and I simply want to point out to him that all of us that have feelings regarding States' rights line up in many respects alike. But the gentleman needs to know that the National Governors Association and the American Association of Motor Vehicle Administrators, the National Conference of State Legislators all oppose this legislation. And the primary reason that they do would be, had I known the gentleman 20 years ago, or 10 years ago, he would have been arguing that the Federal Government is sending unfunded mandates to the States.

Well, welcome to the Federal Government. This is an unfunded mandate.

Mr. Speaker, I am privileged to yield 4 minutes to my very good friend, the gentleman from Massachusetts (Mr. FRANK).

(Mr. FRANK of Massachusetts asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. FRANK of Massachusetts. Mr. Speaker, first we have to talk about the procedure. This is a complicated bill. It includes several different subjects, asylum, identification, a fence, yet apparently the majority is contemplating, at most, one amendment.

This is legislation by hostage-taking. You put a whole bunch of things together, including several that are controversial, so if Members oppose any one of them, they will be extorted into voting for the whole package.

We are in the process now, after the election in Iraq, of trying to persuade the Shiia, who will be in the overwhelming majority, to practice democracy, not to abuse their majority, but in fact to encourage members of the minority to participate. It is essential for us to be able to salvage what is going on in Iraq for there to be an agreement on the part of the Sunni Muslims to participate.

In other words, we are telling the people of Iraq that to practice democracy means respect for minority rights.

And here we have the majority in the House of Representatives, a fairly narrow majority, apparently contemplating forcing an up-or-down vote on controversial legislation, maybe allowing one amendment, clearly repressing the strong desire of the minority to be able fully to debate it. In the end, the majority will decide, but they don't even want the debate.

And I guess I know, Mr. Speaker, it is a violation to address the TV audience, and I will not do so. But I will express the hope that if there are any members of the Iraqi Provisional Assembly watching this, they understand the message that is very important. Please do not try this at home. Do not, in the Iraqi assembly, show disrespect for the rights of the minority.

That is the hallmark of this outrageous procedure. And why are we doing it?

It is 1:35 on Wednesday. We are going to finish this debate, general debate and have the rest of the day to do nothing, tomorrow then maybe debate one or two amendments. There is no reason why.

You know what?

What about an open rule?

What about democracy?

What about bringing a complicated bill to the floor and letting Members offer amendments and the majority will win.

You are not afraid, apparently, of losing the vote. You are afraid of losing the argument. And I understand why.

Let me talk now about asylum. This Congress created the United States Commission on International Religious Freedom in 1998. That commission just issued a very lengthy report, very critical of the inhumane aspects of our asylum operation.

Mr. Speaker, I include for the RECORD the article from the New York Times, documenting that report at this point.

[From the New York Times, Feb. 8, 2005]

ASYLUM SEEKERS TREATED POORLY, U.S. PANEL SAYS

(By Nina Bernstein and Marc Santora)

Thousands of people who come to the United States saying they are seeking refuge from persecution are treated like criminals while their claims are evaluated—strip-searched, shackled and often thrown into solitary confinement in local jails and federal detention centers—a bipartisan federal commission found in a report to be released today.

The report, by the United States Commission on International Religious Freedom, an agency created by Congress in 1998, describes an ad hoc system run by the Department of Homeland Security that has extreme disparities in who is released or granted asylum, depending on whether someone seeks refuge in Texas or New York, comes from Iraq or Haiti, or is represented by a lawyer.

The New York metropolitan region ranks among the harshest in terms of the conditions of detention centers, with constant surveillance, stark quarters and degrading treatment. Those awaiting a court decision on asylum are also less likely to be freed. For example, 3.8 percent of asylum seekers were freed from the detention center in Elizabeth, N.J., compared with 94 percent in San Antonio. There were 8.4 percent released from the detention center in Queens, while in Chicago 81 percent were let go.

One of the experts who examined the centers for the commission, Craig Haney, a psychologist who briefed the Senate Judiciary Committee on the subject yesterday, said he was shocked by what he found.

''I was taken aback by the severity of conditions, the severity of deprivations and, frankly, the expense,'' he said in an interview. He said that one of 19 centers examined

handled asylum seekers differently from criminals—in Broward County, Fla., where many seeking refuge are from Cuba and where former Cuban refugees form a potent political force. At $83 a day, the Florida center costs less than half the $200 per detainee of the Queens detention center, though both are run by the same company.

The report said that women and children seeking asylum, ''whose trauma histories and emotional needs may be more severe and require more specialized training,'' were at greater risk of harm.

Among other recommendations, the commission urged that a high-level protector of refugees be appointed to monitor the system and correct inequities.

Manny Van Pelt, a spokesman for Immigration and Customs Enforcement, an agency within Homeland Security that oversees the detention of asylum seekers, defended the system.

''We have a robust inspections program that conducts audits of our detention facilities nationwide, and our detention facilities are accredited and subjected to regular inspection by the U.N. High Commission for Refugees,'' he said in an interview. ''They are clean and they are safe environments. Even better, the detention system protects the public.''

The commission had been asked by Congress to examine the effectiveness of the nation's asylum regulations, created in part as a response to the 1993 World Trade Center bombings, in an effort to balance the country's desire to shelter those suffering from persecution abroad with its need to keep out criminals and terrorists.

The system, known as expedited removal, requires those seeking asylum at airports and borders to be sent back immediately unless they are found to have a ''credible fear'' of persecution when questioned by immigration officers. Those who pass the test—a vast majority—are then detained until an immigration judge decides the validity of their claim. Unless they are released pending a decision, the average detainee is held for 64 days and a third stay more than 90 days—some even years, the report found.

The number of asylum seekers, and the rate at which they are freed, have both dropped sharply since the terrorist attacks of 2001, the study showed. But rates of asylum also differed sharply by national groups between 2000 and 2004, with more than 80 percent of Cubans given a permanent right to stay, along with more than 60 percent of Iraqis. By contrast, just more than 10 percent of those from Haiti and fewer than 5 percent of those from EI Salvador were granted asylum. Detainees represented by lawyers were up to 30 times more likely to gain asylum, but in some places fewer than half the detainees had lawyers.

With the exception of the operation at George Bush Intercontinental Airport in Houston, the report found that asylum seekers were not pressed to withdraw their asylum claims before the interview, nor were claims summarily denied. But it found that judges often wrongly used airport statements to deny asylum later.

Before the change in the law, only asylum seekers with criminal records were detained. Now, nearly all are locked up with ordinary criminals. In 2003, 5,585 men and 1,015 women seeking asylum were jailed. To cut down on that number, the commission recommended that the airport interviewers, and not just immigration judges, be given the authority to grant asylum on the spot when warranted.

Severe psychological damage is among the effects of throwing people seeking refuge together with criminals in ''stark conditions,'' the report said, describing 24-hour lights, chained walks to go eat, no privacy even to use the toilet and little chance to exercise outdoors. Detainees are allowed to work but paid $1 a day.

Five of the 19 detention centers examined had mental health staff, and none had guards trained to work with victims of torture or repression. In most places the treatment for those considered suicidal was solitary confinement. A footnote pointed out that isolation was ''likely to exacerbate depression,'' not prevent suicide.

''The whole detention system is there to break you down further,'' one former detainee told interviewers in the report. ''You are not even allowed to cry. If you do, they take you to isolation.''

Cut off from the outside world and not allowed incoming calls, even from a lawyer, the detainees are at high risk for depression, the commission said, and some even said they gave up their quest for asylum because of the unbearable conditions.

Since the 1996 change in immigration law, critics have complained that the system is subjecting those fleeing torture and repression to harsh conditions in detention that can drag on for years. But this is the first bipartisan examination based on an inside view.

One of the Republican commission members, Michael K. Young, the president of the University of Utah and an adviser to President George H. W. Bush, said great pains were taken to make the two-year effort politically balanced. ''That is one of the things that gives this report real strength,'' he said.

Preeta D. Bansal, a Democrat who chaired the commission, said more research is needed, especially on the reasons for the sharp drop in asylum seekers. ''We have been told that in foreign countries the Department of Homeland Security is being employed to prevent people from even getting on board airplanes,'' said Ms. Bansal, a former solicitor general of New York State. ''We think further follow-up needs to be done.''

The report comes the same week that asylum legislation is to be introduced in the House by Representative F. James Sensenbrenner Jr., a Wisconsin Republican and chairman of the Judiciary Committee. Among other visions, the bill, known as the Real ID Act, would make it harder for refugees to get asylum.

So we have a bipartisan Committee on International Religious Freedom critical of our denial of asylum rights. And what is the response of the majority? Let us make a bad situation worse.

Mr. Speaker, why not an open amendment procedure so those of us who have paid attention to this report could offer amendments that embody it? Why will we not be allowed to offer amendments from this interreligious commission, and it is an interreligious commission.

I know one of the problems the majority has, and I sympathize, but apparently somebody has Bowdlerized their Bibles. And I sympathize; these are people who have Bibles, but their Bibles have big things missing. For example, we often hear Leviticus quoted on the floor of the House. Leviticus 19, chapters 33 and 34, ''When an alien lives with you in your land, do not mistreat him. The alien living with you must be treated as one of your native-born. Love him as yourself, for you were aliens in Egypt.''

Now, that is in Leviticus. I know Leviticus gets turned on and off here like an electric bulb, but it does now seem to me that kind of cafeteria approach to religion is something the majority has adopted. Here we have it in Leviticus. This is undoubtedly why the Catholic bishops have spoken out against this bill and have asked some of us to oppose it. But again, religion is to be invoked selectively so religious values are for another time, not when there is political hay to be made by taking this popular stance.

What we have is an undemocratic procedure being mobilized to suppress, even debate, and an opportunity to consider the report of this commission in the service of a doctrine which would seem to me to violate some fundamental religious principles. I guess the majority has the votes to do that if they want to, but they have a day to reconsider, and I hope perhaps something will change their minds.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. GINGREY), one of the bright new members of the Committee on Rules.

Mr. GINGREY. Mr. Speaker, I thank my colleague on the Committee on Rules. I rise in full support of the rule and the underlying bill.

I remind my colleagues on the other side of the aisle, who keep saying, we are not given enough time and we are rushing all of these complicated issues that we have not discussed, but these provisions I remind my colleagues, they were in the original bill that we passed on the House side, the Intel bill. Unfortunately, they were taken out by the Senate conferees.

We are asking to do the things that the 9/11 Commission, all 10 of them, in their unanimous report, asked us to do. Listen to this: ''If terrorist travel options are reduced, they may be forced to rely on means of interaction which can be more easily monitored and to resort to travel documents which are more readily detectable.''

The 9/11 Commission Report, page 65, ''All but one of the 9/11 hijackers acquired some form of United States identification document, some by fraud.'' Acquisition of these forms of identification would have assisted them in boarding commercial flights, renting cars, and other necessary activities.

The 9/11 Commission Report, page 390, ''My daughter worked at the Republican Convention this summer. I worried about her. Unbeknownst to me, during the convention an illegal alien from Pakistan was picked up and arrested for attempting to bomb the Herald Square subway station. She rode on that subway every day going back and forth to work.'' He was quoted as saying, ''I want at least 1,000 to 2,000 to die in a single day.'' And that alien had applied for asylum.

Mr. Speaker, these are sensible provisions. We are completing the work of the Intel bill, and I support it. We need to get it done and we need bipartisan support.

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

Mr. Speaker, I ask the gentleman from Georgia (Mr. GINGREY) whether he is on the Committee on the Judiciary.

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

Mr. HASTINGS of Florida. I yield to the gentleman from Georgia.

Mr. GINGREY. Mr. Speaker, I am not on the Committee on the Judiciary.

Mr. HASTINGS of Florida. Mr. Speaker, the gentleman from Georgia and I are on the Committee on Rules, and we know this measure did not come up until 2 hours just before we went in there. We also know there were no hearings. We also know that the 9/11 Commission went much further than what the gentleman presented here today.

Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. BERMAN), a member of the Committee on the Judiciary, to give a more exemplary outline of what transpired.

Mr. BERMAN. Mr. Speaker, what I would have asked the gentleman from Georgia (Mr. GINGREY), had he been willing to yield some time, was to show me where in the 9/11 Report it makes any reference to making any of the changes in the asylum law that are being proposed by the majority here in this bill. There is no reference to that whatsoever, because the 9/11 Commission knew that terrorists and threats to national security cannot get asylum.

Instead, the majority, because it does not agree with the Commission on Religious Freedom, because it does not accept fundamental traditions of people who have a well-founded fear of persecution based on their political attitudes or their ethnicity or their religion or their gender, they do not want to make sure they are able to get asylum, they dump a whole bunch of things that have nothing to do with terrorism in here, not recommended by the 9/11 Commission Report, and then try to claim we are simply fulfilling the 9/11 Commission recommendations.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma (Mr. SULLIVAN).

Mr. SULLIVAN. Mr. Speaker, I rise in strong support of this rule and H.R. 418, the REAL ID Act of 2005. The 9/11 Commission Report stated that the abuse of the immigration system and a lack of interior immigration enforcement were unwittingly working together to support terrorist activity.

This bill will establish common-sense requirements for proof of identification for all driver's licenses and State-issued identification cards. This would stop the abuse of our asylum system by terrorist aliens and finish construction of a border fence that will secure one of the most trafficked corridors for illegal aliens and safeguard the United States Naval base in San Diego, California.

We know that all but one of the 9/11 hijackers acquired some type of U.S. identification documents. In fact, the 19 hijackers had 63 driver's licenses among them. These licenses assisted the terrorists in boarding commercial flights, renting cars and other activities necessary to carry out their horrible plans.

□ 1345

This legislation ensures that terrorists will not be able to game our system any longer and we cannot allow mass murderers into our country any longer.

Mr. Speaker, according to the U.S. Immigration and Customs Enforcement Agency, more than 3 million illegal aliens came across our border last year, and I bet probably more than that. We have no idea where they are or where they are from. However we do know that during the 9-month period from October, 2003, through June, 2004, over 44,000 non-Mexican aliens were caught trying to cross the northern and southern U.S. borders. Among these aliens, several hundred were from the Mideast countries unfriendly to the United States. Without this legislation, many more will come; and this is a risk we cannot afford to take.

Mr. HASTINGS of Florida. Mr. Speaker, I gather those unfriendly nations were like Saudi Arabia where 15 of the 19 hijackers came from.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HINOJOSA), who lives in south Texas and is on the Texas-Mexican border and may have some experiences in this regard.

Mr. HINOJOSA. Mr. Speaker, I rise in opposition to H.R. 418, the REAL ID Act. I do come from south Texas, and I was born and raised in the area, and I can speak to this situation.

The REAL ID Act turns its back on American values. If this act were to pass, America would no longer be the beacon of hope for individuals fleeing persecution. Instead, it would block victims of torture and other forms of persecution from being granted refugee status in the United States and will deport them into the hands of their persecutors.

The asylum process already includes extensive security checks, and asylum applicants are checked against data banks with DHS, with FBI, the State Department, and with the CIA.

Today's Washington Post reports that individuals seeking asylum in this country are often mistreated and incarcerated with criminals in the name of security as their cases are being processed. Our national policy must not be to add to the sufferings of refugees. This legislation will compound the problem.

This legislation undermines the bipartisan Intelligence Reform and Terrorism Protection Act that we passed just a few months ago. It deletes security provisions of the Intelligence Reform Act that had the overwhelming support of both parties, including, one, establishing minimum standards for driver's licenses and identification cards necessary to gain access to Federal facilities; two, establishing identification procedures to board a plane; and, three, mandating a GAO study on potential weaknesses in the U.S. asylum system.

The REAL ID Act attempts to shift the burden of immigration enforcement to the States, and immigration is a Federal responsibility. It is time for us to take that responsibility seriously and pass real comprehensive immigration reform.

I strongly urge my colleagues to oppose H.R. 418, the REAL ID Act.

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

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

I remind my colleagues that there was no hearing with reference to this matter. There are 43 new Members in the House of Representatives who have absolutely no opportunity to have voiced themselves regarding this matter. There is a new Committee on Homeland Security that is now permanent, rightly so. There was no hearing there. The gentleman from Wisconsin's (Mr. SENSENBRENNER) manager's amendment came to the Committee on Rules 2 hours before we had an opportunity to see it, and I would urge in the House how many have read it even at this point.

More importantly, Mr. Speaker, the Immigration and Naturalization Service, BICE, in the authorized budget that we presented to the President, it required 800 new officials for that agency. Only 143 are in the President's budget.

I also include for the RECORD the National Conference of State Legislatures' letter in opposition and the National Governors Association and American Association of Motor Vehicle Administrators' opposition to this measure.

Additionally, there are others who are too numerous to mention without great prolixity, but I will cite in the RECORD some of the organizations that oppose this measure: the AFL–CIO; the American Jewish Committee; the Anti-Defamation League; the Asian American Legal Defense and Education Fund; Catholic Charities USA and Catholic Bishops; Hebrew Immigrant Aid Society; the Irish American Unity Conference; the Korean American Coalition; the Mexican American Legal Defense and Educational Fund, and a footnote, all of the colleagues in the House that are Latino and African American have signed on to a letter opposing this measure; the National Conference of State Legislatures that I just mentioned; the National Council of La Raza; the Service Employees International Union; the Arab-American Anti-Discrimination Committee. And, Mr. Speaker, the Republican Liberty Caucus opposes this measure.

And in addition, thereto, in case someone thinks that there are a whole bunch of left wing crazies that are out

here trying to protect the personal rights of individuals, the Gunowners of America Association opposes this measure and the American Conservative Union. I would think, then, that those 100-plus organizations should give us a lot of food for thought before we proceed.

IDENTITY SECURITY, DRIVER'S LICENSES AND STATE IDENTIFICATION CARDS

OFFICIAL POLICY STATEMENT

States traditionally have maintained authority over the issuance of driver's licenses and state identification cards. The principal purpose of the driver's license is to certify individuals to operate a motorized vehicle and to secure automobile insurance. Driver's licenses also are used for numerous other purposes, including proof and verification of identity and as documents to qualify for a variety of commercial, financial, educational, governmental and other services. The driver's licensing process and related regulatory activities are crucial for maintaining public safety, bolstering security, and reducing fraud and counterfeiting. States have renewed their scrutiny of driver's licenses and have enacted and considered legislation to strengthen application processes, require expanded proof of identity, modify qualifications for license and identification card approval, deter fraudulent activity, and bolster privacy protections.

Although states retain authority over the driver's license application and issuance processes, Congress recently passed the Intelligence Reform and Terrorism Prevention Act of 2004 to overhaul the nation's intelligence systems. This legislation included federal standards for state issued driver's licenses and personal identification cards that the states must enact or face the refusal of federal agencies to accept these documents for any official purpose. Although NCSL opposed this federal mandate, NCSL worked with Congress to ensure that state elected officials are included on a negotiated rulemaking committee, which will devise the federal standards, to apply the standards only to newly issued documents, and to require the Secretary of the Department of Transportation to identify the cost of the federal standards on states prior to their implementation.

NCSL is committed to preserving the congressional intent of the Act by ensuring that state legislatures are represented on the negotiated rulemaking committee. NCSL strongly believes that the negotiated standards should provide states with maximum flexibility within the framework of the federal Act to implement the standards. NCSL encourages the Secretary of Transportation to exercise his authority under the Act to grant states extensions of the effective date if they make reasonable efforts to comply, and NCSL is committed to working with Congress and the Secretary to delay the implementation of the Act if Congress fails to appropriate funds to implement the standards. NCSL further encourages the Secretary to exercise his authority under the Act to include individuals from organizations that represent civil liberties and privacy interests on the negotiated rulemaking committee.

Although there is a need to strengthen the driver's license application process and to address inadequacies, states remain best positioned to accomplish these goals. States have direct experience with driver's license formatting, identity verification procedures and systems, customer service, qualifying and insuring drivers, testing potential and licensed drivers, and driver training. State laws and regulations guide these activities. States also are mindful of needs to protect consumers, taxpayers, business concerns and privacy, all of which must be taken into account while enhancing security and public safety. Any federal standards should be narrowly limited to those areas enumerated in the federal Act and should in no way limit the ability of states to innovate to strengthen the integrity of document verification and issuance.

NCSL supports the innovative efforts at the state level to address security concerns with driver's license issuance. Currently, individual states are considering legislative and regulatory actions, interstate compacts, model legislation, intergovernmental agreements, data sharing, standards development through recognized standards-developing entities, and enhanced legislative and executive branch coordination. NCSL will provide organizational support to states as they opt to pursue any or all of these or other avenues to reform. NCSL will oppose any federal legislative or regulatory effort to require states to adopt specific model legislation or participate in an interstate compact.

NCSL believes that the federal government does have a significant role in assisting states with matters regarding non-citizens and their qualification for and use of state-issued driver's licenses and identification cards. States need direct links to verifiable, timely and accurate date regarding status, duration of stay, application for change in status and related information. The expanding number of visas, backlogs on applications for status changes and inability to either access or navigate Department of Homeland Security data systems are among the problems requiring resolution so that states can administer non-citizen applications for driver's licenses and identification cards. Without these changes, states cannot be expected to, nor be held accountable for, providing enhanced security in their driver's license application and issuance processes.*

This discussion has rekindled debate and concern about the development of a national identification card or national driver's license. NCSL continues to believe that there is no compelling reason to establish such national cards or licenses and will work with Congress and federal officials to ensure that such an establishment is not achieved—either intentionally or unintentionally—through legislation, regulation or rulemaking process.

NCSL believes that states must establish am ore cooperative working relationship on this issue with the federal government. Therefore, NCSL supports a federal role in providing technical support, highlighting successful models, facilitating discussion and providing necessary funding for changes made at the discretion of the states.

NCSL is opposed to any further federal attempts including coercion or direct preemption, to usurp state authority over the driver's license process or diminish the validity or usefulness of licenses awarded at the state level. NCSL urges the federal government to respect the provisions and intent of the Unfunded Mandates Reform Act of 1995.

AMERICAN ASSOCIATION OF MOTOR VEHICLE ADMINISTRATORS,
February 8, 2005.

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

Hon. THOMAS DELAY,
Majority Leader, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

DEAR MR. SPEAKER, REPRESENTATIVE DELAY AND REPRESENTATIVE PELOSI: We write to express our opposition to Title II of H.R. 418, the ''Improved Security For Driver's Licenses and Personal Identification Cards'' provision, and H.R. 368, the ''Driver's License Security and Modernization Act''. While Governors and motor vehicle administrators share your concern for increasing the security and integrity of the driver's license and state identification processes, we firmly believe that the driver's license and ID card provisions of the Intelligence Reform and Terrorism Prevention Act of 2004 offer the best course for meeting those goals.

The ''Driver's Licenses and Personal Identification Cards'' provision in the Intelligence Reform Act of 2004 provides a workable framework for developing meaningful standards to increase reliability and security of driver's licenses and ID cards. This framework calls for input from state elected officials and motor vehicle administrators in the regulatory process, protects state eligibility criteria, and retains the flexibility necessary to incorporate best practices from around the states. We have begun to work with the U.S. Department of Transportation to develop the minimum standards, which must be completed in 18 months pursuant to the Intelligence Reform Act.

We commend Chairman Sensenbrenner and Chairman Davis for their commitment to driver's license integrity; however, both H.R. 418 and H.R. 368 would impose technological standards and verification procedures on states, many of which are beyond the current capacity of even the federal government. Moreover, the cost of implementing such standards and verification procedures for the 220 million driver's licenses issued by states represents a massive unfunded federal mandate.

Our states have made great strides since the September 11, 2001 terrorists attacks to enhance the security processes and requirements for receiving a valid driver's and ID card. The framework in the Intelligence Reform Act of 2004 will allow us to work cooperatively with the federal government to develop and implement achievable standards to prevent document fraud and other illegal activity related to the issuance of driver's licenses and ID cards.

We urge you to allow the provisions in the Intelligence Reform Act of 2004 to work. Governors and motor vehicle administrators are committed to this process because it will allow us to develop mutually agreed-upon standards that can truly help create a more secure America.

Sincerely,

RAYMOND C. SCHEPPACH,
Executive Director, National Governors Association.

LINDA R. LEWIS,
President and CEO, American Association of Motor Vehicle Administrators.

The SPEAKER pro tempore (Mr. MILLER of Florida). The time of the gentleman from Florida (Mr. HASTINGS) has expired.

Mr. SESSIONS. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the favorite son from San Dimas, chairman of the Committee on Rules.

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule, which will simply allow us to consider general debate, and in 7 minutes we are going to be up in the Committee on Rules considering a number of those issues that the gentleman from Florida just raised,

deciding what it is that we will debate here on the House floor tomorrow. So the process is still ongoing and Members are involved in that, and it is one that we look forward to considering before too long.

I want to congratulate the gentleman from Dallas, Texas (Mr. SESSIONS) for his very strong commitment to all homeland security issues, a top priority.

And I will say, Mr. Speaker, that border security is a critically important aspect of the number one priority that we have at the Federal level. The five most important words in the middle of the preamble of the U.S. Constitution are ''provide for the common defense,'' and securing our borders is a priority, and it should be of any sovereign nation.

The gentleman from Wisconsin (Mr. SENSENBRENNER) and I had the privilege of serving as conferees last fall as we sought to implement the recommendations of the 9/11 Commission. Unfortunately, our friends in the other body decided not to include provisions that would provide guidelines to ensure that the likes of Mohammed Atta who flew a plane into the World Trade Center just days before he was to appear in court because of a traffic violation that he had had with a driver's license, that was something that we felt strongly should have been incorporated to rectify that in the 9/11 Commission recommendations. Unfortunately, our colleagues in the other body chose to ignore that.

The gentleman from California (Mr. OSE) worked hard to ensure that we would be able to complete the 3½-mile gap through what is known as Smugglers Gulch, an area that is today devastated environmentally because people cross the border illegally. Unfortunately, our colleagues in the other body refused to accept that.

Both of those things were issues that were of concern to the 9/11 Commission; and if we look at the 9/11 Commission report, they make it very clear that we need to address these kinds of issues as they relate to border security.

So what we decided, of course, at the end, as we prepare to implement that, was that we would, as soon as the 109th Congress convened, proceed with passage of this very important aspect of our border security and, by virtue of that, our national security. That is why I think this measure should enjoy strong bipartisan support. This is an issue that Democrats and Republicans alike can come together on to ensure that we do, we do, secure our borders. So I think that we have a wonderful opportunity here to deal with border security.

The issue of immigration reform is another question. I am supporting this effort on border security in part because I am convinced that we will be able to, down the road and I hope soon, address the immigration reform question. I happen to believe that it is important for us to identify the people who are here in this country illegally. And, yes, I am opposed to granting blanket amnesty, as is President Bush, but I do believe that moving in the direction of some sort of worker program is something that we must look at and must address. But we are taking a proper step in finally doing what we wanted to have incorporated in the 9/11 Commission package that we passed out of here, and I congratulate all my colleagues who have been involved in this.

Mr. CANNON. Mr. Speaker, I rise today in support of the rule on H.R. 418.

Our Nation's immigration policy has been of top concern in recent years, and for good reason. With between eight and twelve million illegal aliens in the United States, it is obviously a problem out of control.

We need to increase border security and fix our immigration laws. We need a system that will encourage well-intentioned, contributing aliens out of the shadows and allow them to pay a reasonable penalty so they can come into compliance with the law.

Americans are rightly concerned about the security and the integrity of the Nation's borders because the system is broken. Some are concerned about the possibility of terrorists crossing our borders and coming into our cities.

But we cannot effectively fight terrorism if we fail to make the distinction between them and busboys and housekeepers.

From 1990 to 2000, the number of U.S. Border Patrol agents nearly tripled, but illegal immigration increased by as much as 5.5 million.

Increasing enforcement resources to keep out willing immigrant workers, as we did throughout the 1990s, has not worked. It has failed, and we need enforcement to be much more narrowly focused on criminals and potential terrorists.

Today, we are considering H.R. 418. This legislation begins the debate on the enforcement aspects of immigration and addresses the narrow issue of driver license security.

I have reservations about the gradual move toward what could become a National ID card, but this legislation begins to address issues necessary to focus efforts in enforcement.

Mr. Speaker, I intend to vote in favor of H.R. 418, but while doing so, I suggest that enforcement, border security and immigration reform must be worked on together.

In fact, fixing the broken system requires a broader strategy that includes both enforcement and the creation of adequate legal channels for immigration that serve the Nation's interests.

By creating legal channels for those looking for a better life and looking to fill jobs that Americans will not fill, we enhance our enforcement efforts. The responsible authorities can focus their resources first on the worst actors.

Our immigration laws and policies must reflect the realities we face today. Our economy demands workers, but our national security demands that we identify those lurking in the shadows.

Enhanced enforcement must be the top priority for immigration policy.

The American people are not anti-immigrant. We are concerned about the lack of coherence in our immigration policy and enforcement.

As part of today's debate, we must realize that the Congress needs to address the other issues with immigration reform now.

Broader immigration reform has been outlined by President Bush. I commend him for his act of leadership.

He has outlined the solution and now Congress must act quickly in crafting legislation. This bill is our first step in a long journey to restore public confidence in an open, welcoming immigration code.

LET US GIVE THANKS TO OUR IMMIGRANTS

[From the Wall Street Journal, Nov. 24, 2004]

(By Rupert Murdoch)

When B.C. Forbes sailed for America from Scotland in 1904, he was following a course well worn by generations of Scots.

I know how the founder of Forbes magazine must have felt. The Murdochs originally hail from the same part of Scotland. Today, we are part of the most recent wave of immigrants attracted by the bright beacon of American liberty.

These days, it's not always easy to talk about the benefits of immigration. Especially since 9/11, many Americans worry about borders and security. These are legitimate concerns. But surely a nation as great as America has the wit and resources to distinguish between those who come here to destroy the American Dream—and the many millions more who come to live it.

The evidence of the contributions these immigrants make to our society is all around us—especially in the critical area of education. Adam Smith, another Scotsman, knew that without a decent system of education, a modem capitalist society was committing suicide. Well, our modern public school systems simply are not producing the talent the American economy needs to compete in the future. And it often seems that it is our immigrants who are holding the whole thing up.

In a study on high school students released this past summer, the National Foundation for American Policy found 60 percent of the top science students, and 65 percent of the top math students, are children of immigrants. The same study found that seven of the top award winners at the 2004 Intel Science Talent Search were immigrants or children of immigrants. This correlates with other findings that more than half of engineers—and 45 percent of math and computer scientists—with Ph.D.s now working in the U.S. are foreign born.

It's not just the statistics. You see it at our most elite college and university campuses, where Asian immigrants or their children are disproportionately represented. And a recent study of 28 prestigious American universities by researchers from Princeton and the University of Pennsylvania found something startling: that 41 percent of the black students attending these schools described themselves as either immigrants or children of immigrants.

The point is that by almost any measure of educational excellence you choose, if you're in America you're going to find immigrants or their children at the top. I don't just mean engineers and scientists and technicians. In my book, anyone who comes here and gives an honest day's work for an honest day's pay is not only putting himself closer to the American Dream, he's helping the rest of us get there too.

As Ronald Reagan said at the Statue of Liberty, ''While we applaud those immigrants who stand out, whose contributions are easily discerned, we know that America's heroes are also those whose names are remembered by only a few.''

Let me share some of these names with you.

Start with Eddie Chin, an ethnic Chinese Marine who was born a week after his family fled Burma. You've all seen Cpl. Chin. Because when Baghdad fell, he was the Marine we all watched shimmy up the statue of Saddam Hussein to attach the cable that would pull it down.

Or Lance Cpl. Ahmad Ibrahim. His family came to the U.S. from Syria when the first Gulf War broke out. Now Cpl. Ibrahim hopes to be deployed to Iraq—also as a Marine—to put his Arabic language skills in the service of Corps and Country.

Or what about Cpl. José Gutierrez, who was raised in Guatemala and came to America as a boy—illegally! Cpl. Gutierrez was one of the first Marines killed in action in Iraq. As his family told reporters, this young immigrant enlisted with the Marine Corps because he wanted to ''give back'' to America.

So here we have it—Asian Marines, Arab Marines, Latino Marines—all united in the mission of protecting the rest of us. Isn't this what Reagan meant when he said that the bond that ties our immigrants together—what makes us a nation instead of a collection of individuals—is ''an abiding love of liberty''? So the next time you hear people whining about what a ''drain'' on America our immigrants are, it might be worth asking if they consider these Marines a drain.

Maybe this is more clear to businessmen because of what we see every day. My company, News Corporation, is a multinational company based in America. Our diversity is based on talent, cooperation and ability.

Frankly it doesn't bother me in the least that millions of people are attracted to our shores. What we should worry about is the day they no longer find these shores attractive. In an era when too many of our pundits declare that the American Dream is a fraud, it is America's immigrants who remind us—by dint of their success—that the Dream is alive, and well within reach of anyone willing to work for it.

We are fortunate to have a president who understands that. Only a few days ago, the White House indicated that it intended to revive an immigration reform which the president had first offered before 9/11 and tried to revive back in January.

Politically speaking, a guest-worker plan is no easy thing. But as President Bush realizes, we'll never fix the problem of illegal immigration simply by throwing up walls and trying to make all of us police them. We've tried that for a decade or so now, and it's been a flop. What we need to do first is to make it easier for those who seek honest work to do so without having to disobey our laws. Fundamentally that means recognizing that an economy as powerful as ours is always going to have a demand for more workers.

Such a policy would benefit us all: It would help those who want nothing more than to work legally move out of the shadows. It would help our security forces stop wasting resources now spent on hunting down Mexican waitresses and start devoting them to tracking the terrorists who really threaten us. It would help the economy by providing America with the labor and talent it needs.

Given the tremendous pressures on President Bush and the considerable opposition from within his own ranks, the politically expedient thing for him to do would be to drop it. But he hasn't, and I for one am encouraged by his refusal to give in.

The immigrant editor B.C. Forbes spent much of the 20th century championing the glories of American opportunity. We who have arrived more recently likewise will never forget our debt we owe to this land—and the obligation to keep that same opportunity alive in the 21st.

Mr. Murdoch is chairman and chief executive of News Corporation. This is adapted from a speech he gave last Thursday, in acceptance of the 2004 B.C. Forbes Award.

[From the Orlando Sentinel, Jan. 2, 2005]

IMMIGRATION REFORM: A 3-LEGGED STOOL

(By Bishop Thomas Wenski)

While not a major theme of last fall's campaign, a debate on immigration reform will be front and center in the early days of the new Bush administration. Early last year, President Bush acknowledged that our immigration system is broken and needs to be fixed. For this he deserves credit. Recognizing that there is a problem is a critical first step toward finding a solution.

In the past 10 years, more than $20 billion has been spent on adding Border Patrol agents, building fencing and employing technology to prevent border crossings. During roughly the same period, however, estimates on the net number of undocumented entering the country have risen from about 300,000 per year to about 500,000 per year. More disturbing is that, in the past five years, more than 2,000 migrants have lost their lives perishing in remote portions of the American Southwest.

And yet those who survive the gauntlet of a dangerous border crossing find work in short order. Our economy needs their manpower: the Labor Department projects that, by the year 2008, there will be 6 million more low-skilled jobs available than Americans able to fill them. At the same time, these workers contribute billions to the tax and Social Security systems.

Truth be told, our current system, instead of discouraging undocumented migration, makes it inevitable because adequate provisions in law do not exist to match up willing workers from other countries with unfilled jobs here. Work visas for unskilled workers are absurdly small compared to the demand—5,000 in the permanent system and up to 66,000 in the temporary one. Family-unity visas can be even scarcer, with waiting times as long as 10 years for Mexican families to be reunited with a relative who is a U.S. citizen or legal resident.

We need immigration reform legislation with three major components, akin to a three-legged stool. The administration plan proposed last January addresses only one leg—employment—which is insufficient to support the weight on the system.

First, any new proposal should feature means for undocumented long-term residents to access permanent residency. Legalization does not necessarily mean amnesty. It can be conditioned on any number of criteria including—for example, ''sweat equity'' the undocumented have already accrued through their work in the United States. Such a legal remedy would stabilize both immigrant families and the labor force.

Second, it should reform the employment-based legal immigration system in a way that increases legal avenues to work while protecting the rights of both foreign-born and U.S. workers. This would permit future flows of workers to enter safely and legally and reduce deaths at the border.

Third, the plan should shorten waiting times under the family reunification system. Too often, our current system separates husbands from wives and parents from children, a morally unacceptable outcome in a nation built upon the strength of the family.

Anti-immigrant polemicists ignore the human tragedy and familial dislocation enabled by the status quo, while discounting the invaluable contributions immigrants make to our nation. Americans are, as a whole, fair-minded people. We cannot continue to accept the benefits of undocumented laborers but be unwilling to extend to them the protection of the law. The undocumented are not ''breaking'' the law as much as they are being ''broken'' by the law.

After our country's unhappy experience with Jim Crow ''laws'' that resulted in the creation of a large black underclass, we should not repeat the same mistake in tolerating the creation of a large immigrant underclass by not affording legal remedies that would afford them the protection of law and the opportunity for upward mobility.

We applaud the president for recognizing how the present immigration regime hurts both Americans and undocumented immigrants in America. The new Congress should work with President Bush to enact a comprehensive solution to our immigration crisis. Only such a ''three-legged'' comprehensive approach will protect human rights and prepare our nation for the challenges of the future.

[From the Sun-Sentinel, Jan. 9, 2005]

FOR DOABLE POLICY

Resolving the dilemma posed by many millions of ''undocumented'' workers in America requires compromise that few will find completely satisfying. Temporary work permits will please neither those who want all illegal immigrants deported nor those who want another round of amnesty.

Amnesty is politically untenable, and deporting millions of people is not doable. It would require enormous amounts of money and manpower from a government that is already strapped to meet current social obligations and international commitments.

President Bush told reporters recently that he wants U.S. Border Patrol agents chasing ''crooks and thieves and drug-runners and terrorists, not good-hearted people who are coming here to work.'' The president is seeking levelheaded immigration legislation that could improve domestic security and put policy in line with the needs of the globalized American economy.

The most sensible approach would offer legitimacy to those who have worked diligently in America, while imposing and enforcing tough employer sanctions against companies that continue to employ undocumented workers. This would weaken the so-called magnet effect that lures otherwise law-abiding people to jump the border.

Such a policy requires several key provisions. One would obligate illegal immigrants to come out of the shadows to prove their identities in return for some form of legitimate status.

This type of trade-off serves U.S. interests by identifying those who are here ''to work,'' as the president has said. Bringing them out of the woodwork would allow law enforcement agents to focus more sharply on catching those who are here to do harm.

A reform bill should take into account the brainpower needs of the U.S. economy. There are untold numbers of people around the world who are standing in line to legally enter the United States, and many of these would-be immigrants possess skills that American employers need.

Since the Sept. 11 attacks, this process has become cumbersome and counterproductive. Immigration reform should streamline the process for granting skilled foreigners access to the United States, particularly those well-suited for workplaces that have a tough time finding qualified hands.

There's no reason the United States can't have a policy that promotes safety while meeting the needs of the workplace.

Congress and the White House can find suitable resolutions to the security, social and labor quandaries posed by immigration if prejudices and stigmas are shoved aside in

favor of rational proposals that bolster U.S. security and global competitiveness.

Ms. HART. Mr. Speaker, the REAL ID Act completes the mission of the 9/11 Commission recommendations by implementing common sense reforms to strengthen our borders security and better protect our homeland.

IMPLEMENTING MUCH NEEDED DRIVER'S LICENSE REFORMS

Driver's licenses have become the primary identification document in the United States, enabling individuals to get other identity documents, transfer funds to a U.S. bank account, obtain access to federal buildings and other vulnerable facilities, purchase a firearm, rent a car and board a plane.

Lax standards and loopholes in the current issuance processes allow terrorists to obtain driver's licenses—often multiple licenses from different states—and abuse the license for identification purposes.

The Sept 11th hijackers had, within their possession, at least 15 valid drivers licenses and numerous State issued identity cards with a large variety of addresses.

Identification documents are the last opportunity to ensure that people are who they say they are and to check whether they are terrorists.

The REAL ID Act would require applicants to provide proof they are in the country legally. Currently, eleven states do not have such a requirement, meaning a majority of states have already recognized the need for tighter standards, but unnecessary and dangerous gaps in the system still exist.

The REAL ID Act would require identity documents to expire at the same time as the expiration of lawful entry status, preventing those who have illegally entered or are unlawfully present in the U.S. from having valid identification documents.

States would still issue driver's licenses and identification cards and would control their own driver database.

CLOSING ASYLUM LOOPHOLES

The 9–11 Commission's staff report on "9–11 and Terrorist Travel" found that "a number of terrorists . . . abused the asylum system".

Examples of Terrorists Abusing Our Asylum Laws:

The "Blind Sheik", Sheik Omar Abdel Rahman, led a plot to bomb New York City landmarks. Rahman used an asylum application to avoid deportation to Egypt after all other means of remaining in the U.S. failed.

The 9/11 Commission staff report noted than an immigration judge held a hearing on Rahman's asylum claim weeks before his followers bombed the World Trade Center.

During the Republican Convention last August, an illegal alien from Pakistan was picked up and arrested for attempting to bomb the Herald Square subway station and plotting to bomb the Verrazano Narrows bridge. He was quoted as saying that "I want at least 1,000 to 2,000 to die in one day." The alien had applied for asylum.

A number of courts, specifically the 9th Circuit Court has severely undermined current authorities by limiting the factors that judges can consider when assessing the credibility of an alien seeking asylum. This impairment encourages asylum fraud.

The REAL ID Act would strengthen judges' ability to determine whether the asylum seeker is truthful. This provision codifies the factors immigration judges use to assess credibility and prevents the 9th Circuit from further undermining our national security.

DEFENDING BORDERS

In 1996 Congress approved building the 14 mile long San Diego Border Fence on the Mexico-U.S. border, right next to a major U.S. Navy base.

The San Diego Sector covers an area of more than 7,000 square miles and contains 66 linear miles of international border with Mexico. Directly to the south of the San Diego Sector area of responsibility lie the Mexican cities of Tijuana and Tecate, which have a combined population of more than two million.

For decades, this area had been the preferred corridor for entry into the United States by unknown or undocumented persons due to the highly populated cities north and south of the border, as well as relatively quick access to national transportation hubs such as LAX.

Construction of the fence was halted when radical environmentalists claimed that the area was a habitat of a rare bird. As a result, eight years later, the fence remains incomplete and is an opportunity for aliens to cross the border illegally.

This incomplete fence allows border security gaps to remain open. We must close these gaps because they remain a threat to our national security.

The REAL ID Act will require the completion of this important security fence.

STRENGTHENING DEPORTATION LAWS

Under current immigration laws, prohibitions on some terrorist-related activities only apply to aliens who are trying to enter the U.S., but not to those who already reside within our borders. Therefore, if an alien seeking a visa has been found to participate in certain terrorist-related activity, he/she is prohibited from entering the U.S. But if an alien is found to have participated in the same terrorist activity in the U.S., he/she may not be deportable.

The REAL ID Act would finally make the laws consistent by providing that all terrorist-related offenses and making aliens inadmissible which would also be grounds for their deportation.

The REAL ID Act provides that any alien contributing funds to a terrorist organization would be deportable.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

PLAN FOR SECURING THE NUCLEAR WEAPONS, MATERIAL, AND EXPERTISE OF THE STATES OF THE FORMER SOVIET UNION—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

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 International Relations:

To the Congress of the United States:

Consistent with section 1205 of the National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314), I am providing a report prepared by my Administration on implementation during 2003 of the plan for securing nuclear weapons, material, and expertise of the states of the former Soviet Union.

GEORGE W. BUSH.

THE WHITE HOUSE, *February 8, 2005*.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 418, soon to be considered.

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

There was no objection.

REAL ID ACT OF 2005

The SPEAKER pro tempore. Pursuant to House Resolution 71 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 418.

□ 1359

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 418) to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence, with Mr. CULBERSON in the chair.

The Clerk read the title of the bill.

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

General debate shall not exceed 1 hour and 40 minutes, with 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; 40 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Government Reform; and 20 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Homeland Security.

The gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes of debate from the Committee on the Judiciary.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

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

□ 1400

Mr. Chairman, in December, the President signed into law legislation intended to respond to the recommendations of the 9/11 Commission. Unfortunately, the legislation that was enacted failed to include several key provisions critical to addressing vulnerabilities found in both the 9/11 Commission Report and of the 9/11 staff report on terrorist travel. To that end, on January 26th of this year, I introduced H.R. 418, the REAL ID Act. The bill, which now has 139 cosponsors, encompasses four of the most important border and document security provisions that the House overwhelmingly approved as a part of H.R. 10 last year.

The goal of the REAL ID Act is straightforward. It seeks to prevent another 9/11-type terrorist attack by disrupting terrorist travel. The 9/11 Commission terrorist travel report stated that ''Abuse of the immigration system and the lack of interior enforcement were unwittingly working together to support terrorist activities.''

The report further states that ''Members of al Qaeda clearly valued freedom of movement as critical to their ability to plan and carry out the attacks prior to September 11th.''

Finally, the report observed, ''If terrorist travel options are reduced, they may be forced to rely on means of interaction which can be more easily monitored and to resort to travel documents that are more easily detectable.''

The REAL ID Act contains four provisions aimed at disrupting terrorist travel. First, the legislation does not, does not, try to set States' policy for those who may or may not drive a car, but it does address the use of a driver's license as a form of identification to a Federal official such as an airport screener at a domestic airport.

American citizens have the right to know who is in their country, that the people are who they say they are, and that the name on the driver's license is the real holder's name, not some alias.

Second, this legislation will tighten our asylum system, which has been abused by terrorists. The 9/11 Commission staff report on terrorist travel states that ''Once the terrorists had entered the United States, their next challenge was to find a way to remain here.'' Their primary method was immigration fraud.

Irresponsible judges have made asylum laws vulnerable to fraud and abuse. We will end judge-imposed presumptions that benefit suspected terrorists in order to stop providing a safe haven to some of the worst people on Earth. The REAL ID Act will reduce the opportunity for immigration fraud so that we can protect honest asylum seekers and stop rewarding the terrorists and criminals who falsely claim persecution.

Liberal activist judges in the Ninth Circuit have been overturning clearly established precedent and are preventing immigration judges from denying bogus asylum applications by aliens who are clearly lying. If criminal juries can sentence a defendant to life imprisonment or execution based on adverse credibility determinations, certainly an immigration judge can deny an alien asylum on this basis. It is one of the foundations of our system of jurisprudence that juries and trial judges should be able to decide cases on the basis of credibility or lack of credibility of witnesses. This bill will again allow immigration judges to deny asylum claims based on the lack of credibility.

The bill also overturns an even more disturbing Ninth Circuit precedent that has made it easier for terrorists to receive asylum. The circuit has actually held that an alien can receive asylum on the basis that his or her government believes that the alien is a terrorist.

Third, the REAL ID Act will waive Federal laws to the extent necessary to complete gaps in the San Diego border security fence which is still stymied 8 years after congressional authorization. Neither the public safety nor the environment are benefiting from the current stalemate.

Finally, the REAL ID Act contains a common-sense provision that helps protect Americans from terrorists who have infiltrated the United States. Currently, certain terrorism-related grounds of inadmissibility to our country are not also grounds for deportation of aliens already here. The REAL ID Act makes aliens deportable from the United States for terrorism-related offenses to the same extent they would be inadmissible to the United States to begin with. The act provides that any alien who knowingly provides funds or other material support to a terrorist organization will be subject to immigration consequences.

The REAL ID Act will make America a safer place. It is even endorsed by the 9/11 Families for a Secure America, an association of family members of 9/11 victims.

I urge my colleagues to support this bill.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, February 9, 2005.

Hon. JOE BARTON,
Chairman, House Committee on Energy and Commerce, Washington, DC.

DEAR CHAIRMAN BARTON: Thank you for your letter, dated February 8, 2005, regarding H.R. 418, the ''REAL ID Act.'' As you noted, some of the provisions of the bill contained in section 102 fall within the Rule X jurisdiction of the Committee on Energy and Commerce. I appreciate your willingness to forgo consideration of the bill, and I acknowledge that by agreeing to waive its consideration of the bill, the Committee on Energy and Commerce does not waive its jurisdiction over these provisions.

Pursuant to your request, I will include a copy of your letter and this response in the Congressional Record during consideration of H.R. 418 on the House floor.

Sincerely,

F. JAMES SENSENBRENNER, Jr.,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, February 8, 2005.

Hon. F. JAMES SENSENBRENNER, Jr.,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN SENSENBRENNER: I understand that you will shortly bring H.R. 418, the REAL ID Act of 2005, to the House floor. This legislation contains provisions that fall within the jurisdiction of the Committee on Energy and Commerce.

Section 102 of the bill provides the Secretary of Homeland Security with the authority to waive applicable environmental law, such as the Resource Conservation and Recovery Act (RCRA) and the Comprehensive Environmental Response, Compensation, and Liability Act CERCLA, for the purpose of building roads and barriers. As you know, Rule X of the Rules of the House of Representatives gives the Committee on Energy and Commerce jurisdiction over these statutes.

I recognize your desire to bring this legislation before the House in an expeditious manner. Accordingly, I will not exercise my Committee's right to a referral. By agreeing to waive its consideration of the bill, however, the Energy and Commerce Committee does not waive its jurisdiction over H.R. 418. In addition, the Energy and Commerce Committee reserves its right to seek conferees on any provisions of the bill that are within its jurisdiction during any House-Senate conference that may be convened on this or similar legislation. I ask for your commitment to support any request by the Energy and Commerce Committee for conferees on H.R. 418 or similar legislation.

I request that you include this letter in the Congressional Record during consideration of H.R. 418. Thank you for your attention to these matters.

Sincerely,

JOE BARTON,
Chairman.

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

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

Mr. Chairman, I rise, regrettably in opposition to this anti-immigrant legislation.

Mr. Chairman, if we truly believe in all we have heard about the importance of freedom and liberty from our President and others, then we have no other choice but to vote down this bill which denies so much freedom and liberty to the immigrants in our own country.

H.R. 418 includes provision after provision limiting the rights of refugees, imposing onerous new driver's license requirements on the States, unfunded mandates, making it easier to deport legal immigrants, waiving all Federal laws concerning construction of barriers and fences anywhere within the United States and denying immigrants long-standing habeas corpus rights. This is a work of art that has to be examined very, very carefully and very critically.

If this measure becomes law, this will close America's doors to Cubans fleeing

from their country, religious minorities attempting to escape religious persecution, women fleeing from sex trafficking, rape or forced abortions.

Unfortunately, in our history, there have been a number of examples of this overreaction in the past. For example, during the Civil War, General Ulysses Grant, no less, sought to expel the Jews from the South. The aftermath of World War I brought the notorious Red scare, and the very long remembered anti-immigrant Palmer raids from the attorney general of that era. Of course, World War II gave us the searing memory of the unconscionable internment of Japanese Americans.

In the wake of the 9/11 tragedy, and even after the PATRIOT Act, which did its share of violating the rights of those who were in this country, this legislation would even further target immigrants for crimes they have not committed and for which they are not responsible.

At some point we have to treat terrorism as a problem that requires intelligent response, as opposed to an excuse to scapegoat immigrants.

For all these reasons, there are so many groups lined up behind the American Civil Liberties Union to oppose the bill: immigration rights groups, civil rights groups, civil liberty organizations, private rights groups, labor organizations, environmental groups, Native American rights, States' rights and international human rights groups.

So, I urge us in good conscience and serious concern over the direct and the subtle import of this legislation, please, we cannot and should not close ourselves off to the most vulnerable members of our society.

Mr. Chairman, I ask unanimous consent that the gentlewoman from Texas (Ms. JACKSON-LEE) be permitted to manage the bill on this side of the floor.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2½ minutes to the distinguished gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Chairman, I thank the gentleman from Wisconsin (Chairman SENSENBRENNER) for yielding me time.

Mr. Chairman, this bill is the first step back on the long road to real homeland security. First, this bill prevents terrorists and others from getting driver's licenses by requiring applicants to prove that they are in the country legally. Driver's licenses can be used to board an aircraft, open a bank account and get a job. To preserve our security, we must deny terrorists the ability to obtain this form of identification.

In addition, this legislation makes it harder for terrorists to exploit our asylum system. It also requires the completion of the 14-mile San Diego border fence, which Congress approved in 1996.

Finally, Mr. Chairman, this legislation strengthens our ability to deport terrorists. Current law makes terrorists inadmissible for certain offenses but not deportable for those same offenses.

Congress can improve homeland security by passing this legislation. But if the administration wants to continue to protect the lives of Americans, it can also take immediate steps to change policies that have encouraged illegal immigration. It should start by requesting funding for all of the border enforcement positions that Congress authorized last year. The President's budget only requests enough funds for 210 new border patrol agents, even though Congress authorized 2,000 new agents.

Further, the administration must start fining employers for hiring illegal immigrants. Last year it did not fine a single employer. The administration also should change its policy of recognizing consular identification cards issued by other countries. These cards are simply not secure or reliable. They give terrorists and illegal aliens another way to remain undetected in the United States.

Mr. Chairman, the REAL ID Act marks the beginning of an effort to make America safer. I hope the administration will fully support us in this effort.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I believe that what we do today is a matter that could have been approached in a bipartisan manner. As I look at the Members on the floor of the House, each and every one is sincere in their commitment to the war on terrorism. And let me applaud them for that. I applaud the chairman of the full Committee on the Judiciary. Let me applaud the ranking member. A number of Members who are here on the floor are Committee on the Judiciary members. I want to applaud them for the work that has been done on this issue.

That is why I believe that the REAL ID Act could have been addressed in regular order, the regular order of committee hearings, the regular order of taking testimony from governors and legislators and local government officials. But now the REAL ID Act is an attempt to breathe life into immigration provisions that were stripped from the Terrorism Reform and Prevention Act. These provisions were viewed as controversial then and they are no less controversial now.

Opposition to this legislation at this time is by no means a reflection on anyone's commitment to the war on terrorism, but the REAL ID Act should have been subjected to hearings and markups before being brought to this floor.

□ 1415

First of all, it is an unfunded mandate of almost $500 million.

Supporters of H.R. 418 are afraid that terrorists are using our asylum laws as a means of entering and remaining in the United States. This fear has to be put into perspective. Terrorists are statutorily barred from asylum eligibility, and it is not apparent why they should choose such a complicated, time-consuming method for entering and remaining in the United States, in any event. In addition, large numbers of advocates, religious organizations and others who understand asylum laws and realize that there are still religious and political persecution today, realize that this bill is misdirected.

As we stand here on the floor, the Committee on Rules is determining whether the Nadler amendment will be admitted that responds to the crisis we face in the asylum laws if this bill is to be passed in its present form.

We know that the 9/11 hijackers entered and remained in the United States as nonimmigrant visitors. Visitor visas only require a 2-minute interview with an American Consulate office. The applicant just has to establish that he will return to his country at the end of the authorized period of stay. This is much easier than the steps required for obtaining asylum.

I too want to have a kind of organized system that bars terrorists, but putting into effect a national ID card is not what the 9/11 Commission said. In fact, they made it very clear. This legislation will force the United States in its national database and in its requirement standardizing ID driver's licenses and birth certificates which puts us on that road without hearings, without oversight, and without question of America's civil liberties.

I know that the polls and all the phone calls in Members' offices have said we do not want illegal aliens driving cars. Well, do you want individuals on our highways and byways that are not licensed? Are you taking away the 10th amendment of the United States to allow them to be able to standardize those documents? I do believe that we can standardize them by a biometric system, but we have intruded on the rights of States when they too can work with the Federal Government making the system work.

I think there are valuable aspects of this bill; not using certain ID for certain Federal purposes, which may in fact include travel. But the overbroadness of this particular legislation, barring any laws to be utilized in the building of a fence, eliminating environmental laws, work laws, criminal laws is overbroad.

Lastly, I would say, we are the land of the free and the brave. We have always welcomed those fleeing from persecution. This legislation bars that opportunity, and I would ask my colleagues to oppose it and for us to go back to the drawing board and work for freedom and the war against terrorism in a bipartisan way.

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

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. CHABOT), the chairman of the Subcommittee on the Constitution.

Mr. CHABOT. Mr. Chairman, I rise in strong support of the REAL ID Act, and I want to thank the distinguished chairman of the Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENSENBRENNER), for his efforts in this matter. It is very important.

This bill is about common sense. It is about protecting our borders and making our country safer. The 9/11 Commission report revealed many disconcerting facts, none more unnerving than the fact that all but one of the 9/11 hijackers who were here temporarily obtained valid driver's licenses, enabling them to travel freely about the country. That is absurd, and the American people know it. This bill finally does something about that absurdity. We cannot continue to let our laws be exploited and circumvented by future terrorists to further their plans of violence, destruction, and murder. With the REAL ID Act in place, we can better prevent future tragic events from occurring.

Mr. Chairman, I urge my colleagues to pass this critical piece of legislation.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I am very pleased to yield 3 minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ), a distinguished member of the House Committee on the Judiciary.

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to revise and extend her remarks.)

Ms. LINDA T. SÁNCHEZ of California. Mr. Chairman, I am a proud daughter of immigrants who is honored to serve my country. I consider it a privilege to be able to give something back to this country that has given so much opportunity to generations of immigrants over the years.

Like millions of immigrants here today, my family came to this country in search of the American Dream: a better life for their children so that their children could receive a quality education, some day own a home, and earn a fair wage.

I stand before my colleagues today angered and outraged that under the guise of national security, the Republican Party is trying to punish those seeking the same dreams that my parents sought. If the Republicans and this administration really want to strengthen national security, they should start, I would think, by providing full funding for the Department of Homeland Security. Instead, the administration's budget slashes funding for the COPS program by $480 million and guts funding for local firefighters by $215 million. This leaves our first responders without the critical resources they need.

The administration's budget also breaks the promise of putting an additional 2,000 border patrol agents on the job in 2006 as promised in landmark intelligence reforms passed last year and endorsed by the 9/11 Commission. Instead, the President's budget provides funding for a mere 210 agents, a 90 percent cut over the 9/11 Commission recommendations.

The truth of the matter is that Republicans are using national security as a facade to alienate law-abiding, hard-working, and tax-paying immigrants. There are 8 million undocumented immigrants in this country who are cleaning our offices, caring for our children and elderly, and picking the fruits and vegetables that we consume. Most of these jobs most Americans do not want. Without these immigrants, our economy would falter.

What we should be doing is allowing immigrants a path to citizenship and access to driver's licenses so they become a part of our American system. This will make our country safer, and it will strengthen our national security.

We need comprehensive reform that supports our economy and values our immigrants. If the REAL ID Act is passed today, it will deny driver's licenses to those immigrants and slam the door shut on refugees seeking asylum from blood-thirsty regimes.

America is a country built by immigrants, and we should remain a country that is opening and welcoming to those who seek freedom. It is a sad day when Republicans use the pretext of national security to attack immigrants who pose no real threat to our security. Americans deserve better, and I urge my colleagues to vote ''no'' on H.R. 418.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. HOSTETTLER), the distinguished chairman of the Subcommittee on Immigration.

Mr. HOSTETTLER. Mr. Chairman, I rise in support of H.R. 418, the Real ID Act.

The REAL ID Act incorporates four of the 9/11 Commission recommendations that are necessary to effectively protect our constituents from terrorists seeking to exploit loopholes in our immigration system. This bill will close several of those dangerous loopholes.

In addition to providing important Federal security guidelines for driver's licenses, the REAL ID Act also includes other important homeland security measures, including the deportability of terrorists, preventing terrorists from gaming the asylum system, and implementing border security measures in San Diego.

Currently, the terrorists and their supporters can be kept out of the United States; but as soon as they set foot into the U.S. on tourist visas, we cannot deport them for many of the very same offenses. This hinders our ability to protect Americans from those alien terrorists who have infiltrated the United States. H.R. 418 makes aliens deportable for the same terrorist-related offenses as those that would prevent them from being admitted to the United States in the first place.

Another deficiency in current law is based on a flawed understanding of how terrorist organizations operate.

The Immigration and Nationality Act now reads that if an alien provides funding or other material support to a terrorist organization, the alien can escape deportation if they can show that he did not know that the funds or support would further the organization's terrorist activity; i.e., his donation did not immediately go to buying explosives.

As Kenneth McKune, former associate coordinator for Counterterrorism at the State Department, explained, ''Given the purposes, organizational structure, and clandestine nature of foreign terrorist organizations, it is highly likely that any material support to these organizations will ultimately inure to the benefit of their criminal, terrorist functions, regardless of whether such support was ostensibly intended to support nonviolent, nonterrorist activities.''

Money given to terrorist organizations is fungible. Senator DIANE FEINSTEIN has rightly stated that ''I simply do not accept that so-called humanitarian works by terrorist groups can be kept separate from their other operations. I think the money will ultimately go to bombs and bullets rather than babies, or, because money is fungible, it will free up other funds to be used on terrorist activities.''

The REAL ID Act is written so that an alien who provides funds or other material support to a terrorist organization would be deportable unless he did not know and should not reasonably have known that the organization was a terrorist organization.

Mr. Chairman, I urge the support and passage of H.R. 418.

Ms. JACKSON-LEE of Texas. Mr. Chairman, it is my pleasure to yield 3 minutes to the distinguished gentleman from New York (Mr. NADLER), a strong advocate for preserving the Constitution.

Mr. NADLER. Mr. Chairman, the supporters of this legislation are completely correct that obviously real terrorist threats exist and we must act forcefully to safeguard our national security. But this bill is really three or four or five separate bills entirely, some of them unexceptional, some of them very questionable.

Under the excuse of national security, for example, the asylum provisions in this bill completely gut the possibility of many legitimate victims of persecution to be granted asylum. Asylum law is supposed to be about protecting individuals, including women and children, from serious human rights abuses; it is not supposed to be about seizing on any possible basis to deny a claim or return people to persecution.

Proponents of this bill have been making dramatic claims about terrorists abusing the asylum system to get into this country to perform acts of terrorism. But since 9/11, in fact, since the 1996 act, most asylum-seekers are in jail while resolution of their cases are pending so they cannot pose a threat. What this bill does is to change the standards by which the judgment is made as to whether they should get asylum; but while it is being judged, they are in jail. So this has nothing to do with alleviating a threat to this country.

For example, one provision would change current law to require that the applicant prove that his or her race, religion, et cetera is a central reason instead of merely a major reason for the legitimate fear of persecution in order to get asylum. This would force asylum applicants to prove the state of mind of their persecutors. What is the central reason of several different reasons? It makes it almost impossible to grant asylum.

Now, this was not, and some of the points in the manager's amendment were not in the bill before us last year. No one has ever seen some of these provisions until yesterday. This provision, at least, and I am gratified that the Committee on Rules made the amendment to be in order by me and the gentleman from Florida (Mr. MEEK) and the gentlewoman from Texas (Ms. JACKSON-LEE) to strike this section of the bill, and in order for it to be passed tomorrow so that the Committee on the Judiciary can properly vet this bill or the asylum provisions can be properly looked at and we can deal with it adequately.

This section, in my judgment, would subject hundreds, maybe thousands, of people to being tortured or abused or shot because of their race, color, religion, creed, or opposition to a dictatorial regime back home, because it would make it impossible for them to get asylum. I think when this House examines this carefully, and when the committee examines this carefully, it will come to that conclusion. Maybe we out to change the asylum provisions, but we ought to do it after careful consideration.

So I hope that this bill will not be passed in its current form, and that my amendment will be passed so that we can give proper consideration to some of these provisions that do not really aid the national security, but do gut protection for people who need those protections.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. DANIEL E. LUNGREN), our recently returned prodigal son.

(Mr. DANIEL E. LUNGREN of California asked and was given permission to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Mr. Chairman, I rise in support of H.R. 418.

Twenty-six years ago, when I first came to this Chamber, we were speaking about border security. Sixteen years ago, when I left this Chamber, we were speaking about border security; and here we are again.

A fundamental aspect of national sovereignty is that a nation is able to control its own borders. The nature of this requirement is of particular importance in the post-9/11 environment in which we must all live. In years past, when those of us on the Subcommittee on Immigration confronted this challenge, there were traffickers and human cargo and narcotics and the increasing problem of criminal gangs who profit from such enterprises. Today, however, we must deal with the additional worry that these channels of illicit commerce may also include those who enter our country to kill innocent Americans and the related concerns of weapons of mass destruction.

The Real ID Act, introduced by the gentleman from Wisconsin (Chairman SENSENBRENNER), is an important step in meeting this challenge. In conjunction with the additional border patrol positions authorized by this body at the close of the last Congress, H.R. 418 will remove the impediments to completing the fence along the San Diego corridor of our southern border.

□ 1430

I want to commend my predecessor in the Third Congressional District in California, Mr. Doug Ose, who worked hard to remove the regulatory obstacles to completion of the fence.

In today's post-9/11 environment, it is one component in an integrated U.S. border security system. There is simply no excuse for the failure to complete the remaining 3½ miles of the security fence. The language offered by our colleague from Wisconsin would allow us to do so.

In our system of governance, the United States Government and specifically the Congress have given us what is tantamount to plenary jurisdiction over immigration law. As a former attorney general in my State, I can make the observation that in most areas of the law enforcement, the States and local governments have primary jurisdiction. That is not the case with immigration enforcement. As a former President of the other party put it in a different context, ''The buck stops here.''

Although I am a committed believer in federalism, the nature of the task and the language of Article I, section 8, are clear. While this bill in no way preempts State law with respect to the issuance of driver's licenses, it does entail a modest notion that the immigration laws enacted by this body ought to mean something.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am delighted that the gentleman from New York (Mr. NADLER) has indicated that the amendment has been made in order, and I do want to acknowledge that he is the ranking minority member of the Subcommittee on the Constitution of the Committee on the Judiciary.

Mr. Chairman, how much time remains?

The Acting CHAIRMAN (Mr. SIMPSON). The gentlewoman from Texas (Ms. JACKSON-LEE) has 5½ minutes remaining. The gentleman from Wisconsin (Mr. SENSENBRENNER) has 8 minutes remaining.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 1½ minutes to the distinguished new member from the great State of Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Chairman, the most troubling aspect of this bill is that related to asylum.

Today's laws for seeking asylum are the result of lessons learned after World War II. After the war, America reflected with shame on how this shining beacon of democracy and freedom turned its back on 1,000 Jews who fled for their lives on the ship called the St. Louis. We turned the St. Louis away, not even allowing it to dock in America. It is estimated that over half of those refugees eventually died.

Today, in Haiti, Cuba and other countries, thousands face death, religious persecution, torture and property confiscation. This bill virtually closes the door to those who might seek asylum in America.

Let us not forget the lessons of history. I urge my colleagues to keep the doors open to those seeking justifiable refuge.

Regarding driver's licenses, the 9/11 tragedy has been referred to here on this floor referencing the terrorists who obtained driver's licenses. Let me remind my colleagues that this bill would not affect that situation at all, as all of the terrorists were in this country legally and could have obtained driver's licenses regardless of this law.

We should heed what Florida Governor Jeb Bush said last year when he was talking about driver's licenses for illegal immigrants. He said, ''We shouldn't allow them to come into the country to begin with, but once they're here, what do you do? Do you basically say that they are lepers to society, that they do not exist?''

He concluded by saying, ''A policy that ignores them is a policy of denial.'' I agree and I urge my colleagues to vote against this bill.

Mr. SENSENBRENNER. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. Mr. Chairman, I rise in strong support of the REAL ID Act and with a particular sense of gratitude toward the gentleman from Wisconsin (Mr. SENSENBRENNER), who has doggedly brought this legislation to the Hill for one reason and one reason only.

9/11 is not theoretical for me. I was here. I was on the Capitol grounds, and

my family during the school year lives in the Washington D.C., area, and like millions of other families in New York and Washington, D.C., was imperiled.

As the 9/11 Commission Report stated, ''For terrorists, travel documents are as important as weapons.'' On page 390 of the report they point out that ''All but one of the 9/11 hijackers acquired some form of U.S. identification by fraud and that acquisition of these forms of identification assisted them in boarding commercial flights.''

By bringing this legislation today, the gentleman from Wisconsin (Mr. SENSENBRENNER) is making my family safer in this post-9/11 America, and also closing asylum loopholes, strengthening our deportation laws. It is time for Congress to get real and pass the REAL ID Act and make our families and our Nation safer.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. FILNER), who has been able to determine the difference between immigration laws and laws to fight terrorism; and also his district contains the discussed fence.

Mr. FILNER. Mr. Chairman, I thank the gentleman from Wisconsin (Mr. SENSENBRENNER) and all of those on the Republican side who are so concerned about my district. I represent the California border between Mexico and the United States.

This so-called fence that you want to put in my district is really a giant public works project that does enormous harm. I wish you were equally concerned about the 50 million gallons of sewage that flows into my district that we should be treating. I wish you were concerned about the legal border crossings, that take four or five hours some days. I wish you would be concerned about my local health facilities who treat the undocumented and refund those dollars.

But, no, you want to put a public works project in that waives all existing environmental laws necessary to ensure the construction of roads, barriers, cut and fills, taking down mountains. This would result in an enormous waste of millions of Federal and State dollars that have already been contributed to restore and protect this area in San Diego, its historical, its cultural, its environmental resources.

Ironically, the United Nations Ramsar Convention recently bestowed the prestigious label of ''Wetlands of International Importance'' on this 2,500-acre national wildlife refuge and state park that you are going to destroy.

Now, we know we have to have border security. We live right there. You think we want to be overrun with terrorists? We know what it takes. We know what a smart border is. And what you are suggesting is not a smart border. For a minimal security benefit and maximum dollars spent, you will do irreparable damage to areas along the western portion of the U.S.-Mexico border.

This multitiered fence, road building, cut and fill, shaving down of mountains will destroy, as I said, an environmentally sensitive area, violate several sections of the Coastal Act and destroy acres of sensitive habitat and wetlands and coastline.

This sensitive habitat plays a vital role in the sustainability of the binational ecosystem. Vote down this bill.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. FORBES).

Mr. FORBES. Mr. Chairman, I rise today in support of the REAL ID Act, and I thank the chairman for his courage and hard work on this vital measure.

Over a decade ago, the ability of Ramzi Yousef, the mastermind behind the 1993 World Trade Center bombing to be granted asylum and to move freely in the country should have signaled that something was terribly wrong with our system. It did not, and 8 years later, 19 terrorists collectively carrying a total of 63 valid U.S. driver's licenses, boarded planes to finish Yousef's work.

It is now over 3 years since that tragic September 11th. Today, we are considering a vital piece of legislation to address three key failures of current security policy. First, the REAL ID Act mandates standards to obtain driver's licenses; second, it tightens our Nation's asylum laws, which easily allow suspected terrorists into our Nation; and finally, it addresses the need to secure our borders.

These concepts are not rocket science. The need for these reforms has been reiterated over and over, and in expert testimony, in anecdotal evidence from security professionals, in scholarly research and in evidence presented from our Nation's justice and military personnel. But the fact of the matter is, the most compelling reason to pass this bill is just plain old common sense.

We can not repeat enough what the 9/11 Commission said: ''For terrorists, travel documents are as important as weapons.'' They are right. They also said, ''It is elemental to border security to know who is coming into the country.''

Today, more than 9 million people have entered the United States outside the legal immigration system. The security chain protecting America is only as good as its weakest link. It does not take a congressman or a national security expert to tell you this. Most Americans know that despite the rhetoric we hear against this bill, as long as we ignore the need for border security, we place them and their families at risk.

I strongly urge my colleagues to vote in favor of the REAL ID Act.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we are on the floor today because the representation has been made to the American people and to our colleagues that this legislation is legislation that relates and responds to the crisis in the war on terror. We all are united in that war, but this is an immigration bill, and I do believe we should do immigration in a bipartisan manner.

Let me make it very clear, the 9/11 terrorists would not have been thwarted by this legislation. In fact, all 19 of the 9/11 hijackers had documents to enter the country legally. And under this particular legislation, the terrorists would not have been prevented from using these documents to obtain driver's licenses.

I think the real crux is as was quoted in the words of Governor Jeb Bush, ''What do you do with them?'' illegal aliens who are working in our hotels and factories, who are working every day in our States and our cities and our counties?

The last thing, Mr. Chairman: Do we remember Bosnia and Kosovo? These were people seeking asylum. I think we have to judge ourselves by reason and reasonable policy. I join my colleagues in working together to secure the homeland, but in this instance, this does not follow the 9/11 recommendations. This commission did, in fact, say that they wanted secure documents, and identification should begin in the United States. It did not document or indicate in which manner we should be able to do that.

I would have hoped that H.R. 620, the Security Measures Feasibility Act, which would ask the hard questions of how and what is the best vehicle in order to be able to establish these secure documents, would have been the better approach. Now we undermine the States' ability for safety and security in their own States, and we undermine the very principles of this Nation, which are to open the doors for those fleeing persecution both in terms of religious and political persecution.

What about the Cubans? What about the Haitians, the Liberians, the Sudanese, the Bosnians? What about those fleeing, as my colleague has indicated, our Jewish individuals who were fleeing persecution? I simply say that we have a better way of doing this. I wish we could do it together.

I hope my colleagues will oppose this bill so we might do this effort in a bipartisan manner.

Mr. Chairman, I rise in opposition to H.R. 418, the REAL ID Act. The REAL ID Act is an attempt to breathe life into immigration provisions that were stripped from the Intelligence Reform and Terrorism Prevention Act. These provisions were viewed as controversial then, and they are no less controversial now. The REAL ID Act should have been subjected to hearings and markups before being brought to the floor.

The supporters of the H.R. 418 are afraid that terrorists are using our asylum laws as a means of entering and remaining in the United States. This fear has to be put into perspective. Terrorists are statutorily barred from asylum eligibility, and it is not apparent why they

would choose such a complicated, time consuming method for entering and remaining in the United States in any event.

The 9/11 hijackers entered and remained in the United States as nonimmigrant visitors. Visitors' visas only require a two-minute interview with an American Consulate Officer. The applicant just has to establish that he will return to his country at the end of the authorized period of stay. This is much easier than the steps required for obtaining asylum, which, among other things, require the applicant to establish a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

The Intelligence Reform and Terrorism Prevention Act established a study to find out the extent to which terrorists are attempting to use our asylum laws to enter and remain in the United States and what weaknesses they are exploiting. We need to wait for that information before we consider any bills on revising our asylum laws. Changes should be designed to deal specifically with weaknesses that we know are being exploited.

The approach in the REAL ID Act is to raise the bar on the burden of proof, which would result in a denial of relief to bona fide asylum seekers without any assurance that the changes would discourage terrorists from seeking asylum. For instance, in addition to showing that the alleged persecution would be "on account of" one of the enumerated grounds, the applicant would have to establish that the persecution was or will be "a central reason for persecuting the applicant." In effect, the asylum applicant would have to establish what was in the mind of the persecutor. It is not apparent how this would discourage terrorists from fabricating asylum claims. The only certainty is that it would make it more difficult for bona fide asylum seekers to meet their burden of proof. The unfairness of this approach is illustrated by a comment that the Honorable Sandra Day O'Connor made recently about the asylum laws of our country. She said:

> The United States offers protection in the form of asylum to individuals fleeing persecution in other nations. In most cases, however, asylum seekers find themselves alone, destitute and facing deportation. Asylum law is governed by a labyrinth of statutes, regulations, and case law, but, unlike criminal defendants, only those asylum seekers who can afford to hire an attorney or who are fortunate enough to secure pro bono counsel are represented.

The REAL ID Act would codify the standards that adjudicators use in making credibility findings in asylum proceedings. The codification would encourage adverse credibility findings against asylum applicants who cannot produce corroborating evidence of their account, or whose demeanor is inconsistent with an immigration judge's preconceived expectations. This can be very unfair. People fleeing persecution often lack the opportunity and the ability to secure the legal evidence needed to corroborate their claims, and demeanor is a function in some cases of cultural background rather than credibility. For instance, it is considered rude in some cultures to stare into another person's eyes during a conversation, but the failure to look someone in the eyes indicates deception in this country.

The REAL ID Act also would expand the categories of people who can be excluded or deported as a terrorist. The broad net this would create would ensnare innocent people who have made donations or been involved in some other way with organizations they did not know were terrorist organizations. The defense to removal on that basis would be to demonstrate by clear and convincing evidence that you did not know, and should not reasonably have known, that the organization was a terrorist organization. This can be an impossible burden to meet. For instance, how would you prove by clear and convincing evidence that you did not notice a person who entered this room 5 minutes ago?

The REAL ID Act also includes sections on security measures for drivers' licenses and identification cards. We have already enacted legislation to improve security measures for drivers' licenses and identification cards. The Intelligence Reform and Terrorism Prevention Act we just enacted requires the Secretary of Transportation, in consultation with the Secretary of Homeland Security, to promulgate regulations establishing minimum standards for driver's licenses or personal identification cards issued by a State for use by Federal agencies for identification purposes. Before being published as proposed regulations, the standards would be subjected to a negotiated rule making committee that would include the affected stakeholders such as State elected officials and State motor vehicle departments. The recommendations of this committee are required to include an assessment of the benefits and the costs of the measures in the proposed regulations.

In contrast, the REAL ID Act would impose specific requirements on the States now, without giving the States and the other stakeholders an opportunity to provide input on what these requirements should be, and without an assessment of the benefits and costs of the measures. If the security measures were to prove to be impossible or too costly to implement, it would require an act of Congress to change them.

Before we can address the merits of the security measures that would be required by the REAL ID Act, we need answers to the following questions. (1) Are the States capable of establishing and implementing the security measures Mr. SENSENBRENNER is proposing? For instance, his bill calls for two categories of drivers' licenses, one for citizens and permanent residents and another for aliens who have nonimmigrant status. The licenses for nonimmigrants would be tied to periods of lawful status and extensions of the status. Can the State motor vehicle departments handle this increased work load? Will the States be able to provide the training needed to evaluate the many immigration documents that reflect lawful nonimmigrant status? (2) How much would it cost to establish, implement, and maintain these security measures? We do not have unlimited resources. We cannot evaluate whether these safety measures are worth what they would cost unless we know what they would cost. (3) How long would it take to establish and implement these security measures? I have introduced a bill that would establish a study to find the answers to these questions, "The Security Measures Feasibility Act."

The REAL ID Act also would restrict the privilege of obtaining a driver's license to aliens who have lawful status. My Security Measures Feasibility Act would establish a study of the consequences that would result from forcing millions of undocumented aliens to drive without drivers' licenses.

Sheriff Timothy Bukowski of Kankakee, Illinois, has made an important observation on this matter. According to Sheriff Bukowski, the issuance of drivers' licenses is a safety issue, not an immigration issue. I agree with Sheriff Bukowski, a driver's license is more than just a privilege to the driver, it also is a device that the States use to make our highways safer.

Austin Assistant Chief of Police Rudy Landerso explains it this way. "[W]e strongly believe it would be in the public interest to make available to these communities the ability to obtain a driver's license. In allowing this community the opportunity to obtain driver's licenses, they will have to study our laws and pass a driver's test that will make them not only informed drivers but safe drivers." I would just add that it also requires them to have insurance.

The REAL ID Act contains a provision that would provide the Secretary of Homeland Security with authority to waive all laws he deems necessary for the expeditious construction of the barriers authorized to be constructed by section 102 of the Illegal Immigration Reform and Immigration Responsibility Act of 1996, IIRIRA. To my knowledge, a waiver this broad is unprecedented. It would waive all laws, including laws protecting civil rights; laws protecting the health and safety of workers; laws, such as the Davis-Bacon Act, which are intended to ensure that construction workers on federally-funded projects are paid the prevailing wage; environmental laws; and laws respecting sacred burial grounds. It so broad that it would not just apply to the San Diego border fence that is the underlying reason for this provision. It would apply any other barrier or fence that may come about in the future. At the very least, we should have a hearing to consider the consequences of such a drastic waiver.

I am concerned also by the piecemeal approach that the REAL ID Act is taking to immigration reform. We need comprehensive immigration reform, not fixes for a few specific problems. This view is shared by our colleagues on the Senate side. Senator JOHN MCCAIN has expressed the need to have comprehensive immigration reform. I have heard that he will be working on comprehensive immigration legislation with Senator EDWARD KENNEDY. We can do the same thing in the House of Representatives. I invite my colleagues who are supporting the REAL ID Act to work with me on comprehensive immigration reform. In the meantime, however, passage of this piece-meal, ill-advised bill would be a step backwards. I urge you to vote against it.

The Acting CHAIRMAN. The time of the gentlewoman from Texas (Ms. JACKSON-LEE) has expired.

Mr. SENSENBRENNER. Mr. Chairman, I yield 2 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Chairman, I thank the chairman for yielding me time. I thank the chairman for leading on this most important issue.

On September 11, our Nation suffered the most horrible attack ever on American soil at the hands of those with a deep-seated, enduring hatred for freedom. Since that day, we have made

great strides in improving our Nation's security, but several gaps leave our Nation vulnerable to attacks, just like those we suffered that day.

The REAL ID bill would close loopholes and make Americans more secure. The situation in California where a State environmental commission is blocking a national security barrier from being finished must be remedied. A 3-mile gap remains in a fence which would prevent people from crossing over our southern border in an area that is home to a military base. Half a million people are caught there each year trying to get across, and that does not include those who get on through. They are their own environmental problem as well.

The REAL ID bill would give the Secretary of Homeland Security the authority he needs to ensure that our national security is not compromised for dubious environmental concerns.

Our asylum system presently welcomes fraud by those who seek to do our Nation harm. The REAL ID bill would allow our immigration judges to use common sense to protect Americans while still providing a safe harbor for those who truly need refuge in our country.

It is outrageous that we can keep people out of this country based upon terrorist links, but the minute they are in this country, we cannot deport them. The REAL ID bill would fix this problem, which poses a great danger to our citizens.

Perhaps most importantly, our Nation's security will remain at risk so long as we give validity to those who are in our Nation illegally in the form of State driver's licenses and other ID's. Driver's licenses in our country are de facto ID cards. They allow people to blend in, move freely, rent apartments, go to work, board airplanes. If States do not require some valid form of U.S. Government-issued ID to get a driver's license, any person could walk in off the street and claim to be a legal alien in search of a license, and be granted one.

To say that this is not an issue of national security is beyond the limits of reasonability. The REAL ID bill would ensure those to whom we issue government IDs and driver's licenses are in the U.S. legally and make it more likely that those to whom we issue ID's do not intend to harm Americans. We must close these loopholes.

I thank the chairman and I ask the Congress to act.

□ 1445

Mr. SENSENBRENNER. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, several speakers on the other side said that if this bill was law at the time of 9/11, it would not have made any difference on what ID the terrorists used to get on the planes. That is flat out wrong.

What the bill say is that anyone who is admitted to this country on a temporary visa will have their driver's license expire as to the date of their visa.

Now, Mohammed Atta, who is the ring leader of 9/11 murderers, entered the United States on a 6-month visa. That visa expired on July 9, 2001. He got a driver's license from the State of Florida on May 5, 2001. That was a 6-year driver's license. Had this bill been in effect at the time, that driver's license would have expired on July 9, and he would not have been able to use that driver's license to get on a plane because it was an expired ID. Read the bill.

Secondly, relative to the asylum issue, what this bill does is two things. First of all, it says the burden of proof is on the applicant for asylum to prove that they qualify. What is wrong with that? The burden of proof is on anybody who is the plaintiff or an applicant in any type of proceeding. They have got to prove that they are entitled to the relief that they are requesting, and I will just read from page 3 of the bill.

In General. The burden of proof is on the applicant to establish that the applicant is a refugee, within the meaning of the law. To establish that the applicant is a refugee, the applicant must establish that race, religion, nationality or membership in a particular social group or political opinion was or will be the central reason for persecuting the applicant.

So nobody, nobody who falls under that definition will be denied asylum under this bill.

Secondly, it says that in sustaining the burden, it allows the trier of fact, the immigration judge in this case, to determine the credibility of the witnesses. Now, the trier of the fact, whether it is a judge or a jury in any other legal proceeding, bases determinations on the credibility of the witnesses as to what verdict is reached. Without this bill, a person can come before an immigration judge, be determined by that judge that they are lying through their teeth, and still get asylum. That is just flat out wrong, and it is a distortion of the type of jurisprudence that we have had where court proceedings are supposed to determine exactly what the truth is.

There is no one who is lying through their teeth that should be able to get relief from the courts, and I would just point out that this bill would give immigration judges the tool to get at the Blind Sheik who wanted to blow up landmarks in New York, the man who plotted and executed the bombing of the World Trade Center in New York, the man who shot up the entrance to the CIA headquarters in northern Virginia, and the man who shot up the El Al counter at Los Angeles International Airport. Every one of these non-9/11 terrorists who tried to kill or did kill honest, law-abiding Americans was an asylum applicant. We ought to give our judges the opportunity to tell these people no and to pass the bill.

The Acting CHAIRMAN. All time for debate by this committee has expired. For what purpose does the gentlewoman from Texas rise?

Ms. JACKSON-LEE of Texas. Mr. Chairman, do I have time for a unanimous consent request?

The Acting CHAIRMAN. The gentlewoman may make a unanimous consent request.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield to the gentlewoman from California (Ms. SOLIS) for a unanimous consent request.

(Ms. SOLIS asked and was given permission to revise and extend her remarks.)

Ms. SOLIS. Mr. Chairman, I would simply like to submit my statement for the RECORD on this particular issue in opposition to the REAL ID Act.

Mr. Chairman, I rise today in strong opposition of the REAL ID Act. H.R. 418 is mean-spirited legislation that threatens our national security by depriving law enforcement officials of critical information on many adults who are physically present in the United States. The driver's license REAL ID Act will also impose additional requirements on states, without providing funding, and interfere with what is inherently a state responsibility. The REAL ID Act will also raise insurmountable hurdles for refugees seeking asylum.

This bill will negatively affect women refugees seeking asylum from honor killings, rape and sex trafficking, since most women cannot provide direct proof of torture. I do not understand how supporters of this bill can turn their backs on victims of sex trafficking in the name of protecting homeland security.

Finally, I am particularly disappointed that the authors of this bill have ignored real security threats. Like the need to upgrade the safety of our chemical and nuclear plants. Instead they have introduced a sweeping new law that allows the Department of Homeland Security to unilaterally strip away civil rights, labor, health and environmental laws to build a border fence. This will be done without any recourse for the average American citizen impacted by the construction. This doesn't make our country safer, it just takes away the liberties that make America a model for the world.

I strongly urge all Members to vote "no" on H.R. 418.

The Acting CHAIRMAN. The gentleman from Virginia (Mr. TOM DAVIS) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes of debate from the Committee on Government Reform.

The Chair recognizes the gentleman from Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

I rise today in support of H.R. 418. I want to thank my colleague from Wisconsin for his leadership and tireless efforts to secure our Nation's borders.

Last year, the Congress passed the Intelligence Reform and Terrorism Prevention Act, enacting into law many of the recommendations made by the 9/11 Commission.

Unfortunately, not all of the recommendations were included in the

first round of legislation, which is why we are here today. The gentleman from Wisconsin (Chairman SENSENBRENNER) and I committed to working together to make sure that one of the first orders of business considered by the House in the 109th Congress would be to address some of the recommendations in our jurisdictions that the Congress failed to address last year.

I want to use my time today to discuss the provisions contained in H.R. 418 that fall within the jurisdiction of the Committee on Government Reform which I chair: security measures for Federal acceptance of state-issued driver's licenses and personal identification cards, commonly referred to as identity security.

Last year's 9/11 Commission report identified a number of gaps and weaknesses in our Nation's intelligence and homeland security systems, providing recommendations for Congress to consider in fixing these problems. One of the most pressing recommendations proposed by the commission and one that fell within the jurisdiction of the Committee on Government Reform appears on page 390 of the 9/11 Commission report. It is the following:

> Secure identification should begin in the United States. The Federal Government should set standards for the issuance of birth certificates and sources of identification, such as driver's licenses. Fraud in identity documents is no longer just a problem of theft. At many entry points to vulnerable facilities, including gates for boarding aircraft, sources of identification are the last opportunity to ensure that people are who they say they are and to check whether they are terrorists.

For terrorists, travel documents are as important as weapons. The 9/11 hijackers relied on a wide variety of fraudulent documents. We know that the 19 hijackers held 63 driver's licenses or ID cards.

Based upon guidelines proposed by State motor vehicle administrators and adopted by a number of States throughout the country, our committee worked with other interested stakeholders to craft legislation that would establish minimum standards to be accepted of state-issued identification that could be used for Federal purposes. These important provisions were overwhelmingly passed by the House as part of H.R. 10 and heralded by the 9/11 victims' families.

Unfortunately, the House-passed provisions critical to strengthening identity security were dropped from the bill in conference. Instead, language was included that would set up a general framework for a Federal role in this area, but the language was filled with so many loopholes and opt-out clauses for States that it really only made matters worse.

We find ourselves here today to correct these mistakes and to again enact meaningful reform. H.R. 418 provides the Congress with this opportunity.

Our approach is very straightforward. Our legislation would set forth minimum document and issuance standards for Federal acceptance of driver's licenses and state-issued personal identification cards. The legislation would provide 3 years for States to come into compliance with these standards if their driver's licenses are to be recognized for Federal Government purposes and their documents as proof of an individual's identity.

As the 9/11 Commission concluded, fraud in identity documents is no longer just a problem of theft. As we continue to strengthen our intelligence function to better identify and track terrorists, those individuals will be forced to find ways to conceal their identity in order to avoid detection.

We know that the 9/11 hijackers used the United States as their staging area for training and preparation in the year prior to the attacks, traveling into and out of and around the country with little fear of capture. In fact, several of the hijackers lived less than 15 miles away from this building while making final preparations for their attack. We are dedicated to making sure we do not provide such a hospitable environment in the future.

As chairman of the committee that oversees federalism issues, I am mindful of concerns about the Federal Government imposing burdens on States, so-called unfunded mandates. My response is threefold. One is that this is a national security issue that requires a unified national response rather than 50 separate responses. Secondly, the legislation authorizes grants to States to conform to the minimum standards set forth in the act. Third, I am confident that these minimum standards will not be a heavy lift for a majority of the States in our Nation. It is the handful of States that continue to have lax security standards more than 3 years after 9/11 that may have the most work to do.

It is crucial that we do everything we can to enhance the security of the American people, and this important legislation takes a significant step in frustrating terrorists' attempts to integrate into our society. I urge my colleagues to support H.R. 418 and strengthen identity security.

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

Ms. NORTON. Mr. Chairman, I will be managing this bill; but before my opening remarks, I yield such time as he may consume to the gentleman from California (Mr. WAXMAN), and we are fortunate that the ranking member of the full committee has come on to the floor.

Mr. WAXMAN. Mr. Chairman, I thank my colleague for yielding time to me.

I rise today to raise serious concerns with some of the provisions in H.R. 418 that have not been thoroughly considered, in large part because the bill was not considered by our committee.

No matter what our views are on immigration, States' rights or a national ID, my colleagues should carefully review the driver's license requirements of H.R. 418. Simply stated, the bill imposes costly new requirements on States that simply cannot be achieved in 3 years allotted by the bill; and while States may attempt to comply, the bill's unreasonable deadlines and inadequate funding will create confusion and frustrate the public.

Congress previously recognized that States should play an integral role in implementing new driver's license standards. That is why the 9/11 legislation that we passed just 2 months ago directed the Department of Homeland Security to consult with the States first and then issue appropriate regulations. H.R. 418 repeals this sound regulatory approach and leaves the States without a voice.

One of the biggest problem areas is that the bill requires State departments of motor vehicles to verify the issuance, validity, and completeness of birth certificates with issuing agencies. Currently, birth certificates are not issued or maintained in a uniform manner. States, counties, cities and localities all across the country issue birth certificates. In fact, experts estimate that up to 14,000 jurisdictions within the United States currently issue birth certificates. Many of these jurisdictions do not have automated records but keep paper copies at the local courthouse. Even if they were to begin automated records of new births, they would still need to automate millions of preexisting birth certificates.

H.R. 418 also requires States to verify the issuance, validity and completeness of various other documents with various Federal agencies that do not yet have fully automated systems in place.

These requirements will be expensive and time-consuming. Ultimately the databases will be built that will allow States to conduct rapid verification of these birth certificates and other documents; but in most States and localities, they do not currently exist, and the experts say it will take a whole lot longer than 3 years to create them.

That is why the bill is opposed by the States. It is opposed by the National Governors Association, the National Conference of State Legislatures and even the DMV trade association, the American Association of Motor Vehicle Administrators.

The best timeline estimate from State DMVs is that will take 10 to 12 years for all of the required automation to occur. Yet H.R. 418 requires verification within just 3 years.

In the meantime, what will happen? States will not be able to issue same-day driver's licenses, the public will be frustrated, and homeland security will not be advanced.

In addition to the unworkable nature of the driver's license provisions in this bill, I want to raise my deep concern about section 102 of this legislation. This section provides the Secretary of Homeland Security the authority to waive any law for the purposes of building immigration barriers along

the border. I do not understand why we need to provide the administration with unilateral authority to waive labor laws, State and local laws, environmental laws, tax codes and criminal laws.

□ 1500

This does not apply just in San Diego. It applies throughout the Nation.

I am sad to say this bill presents a dangerous new precedent. The Federal Government has never before had unilateral authority to waive child labor laws, civil rights laws, and environmental laws. For Republican Members who want to rein in the unchecked authority of the Federal Government, they might want to carefully examine this provision, which expands it enormously. I urge my colleagues to oppose the legislation.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 2 minutes to the distinguished gentlewoman from Michigan (Mrs. MILLER), a former Secretary of State of the State of Michigan, which issues driver's licenses in Michigan, and someone who has been very helpful in crafting this bill.

Mrs. MILLER of Michigan. Mr. Chairman, I thank the gentleman from Virginia for yielding me this time, and I rise today in very, very strong support of the identification reforms that are in this legislation. These reforms, in my opinion, are extremely necessary to help us better protect our identity documents and to secure our borders.

This legislation will help America to better protect our Nation from those who wish to do us harm. No longer will we allow terrorists free access to state-issued identity documents as a way to use the tools of our freedom against us. No longer will we stand idly by and watch terrorists harm our homeland.

State-issued driver's licenses and State identification cards are the most widely used form of identification in the Nation. It is the backbone, quite frankly, of our identity. It provides legitimacy to any person who holds this form of identification. Driver's licenses are used in everyday instances, such as boarding an airplane or enrolling in a flight school.

Does that sound familiar? Well, it should. Because according to the 9/11 Commission Report, all but one of the 9/11 hijackers acquired some form of U.S. identification documents, some by fraud. All but one of the hijackers used a state-issued driver's license on that horrific day.

Even more frightening is the fact that a regular driver's license is your passport to obtain a commercial driver's license, from which then, of course, you can then try to obtain a hazardous materials license, an endorsement on your commercial driver's license. It is bad enough to think about giving terrorists access to our roadways and our aircraft, but it is unthinkable to give them access to 40,000 gallons of liquid propane, as an example.

This legislation also closes a loophole which has allowed illegal aliens to get access to our driver's licenses. Our message on this issue is clear: if you are not in this country legally, then you will not be given legal sanctions on our roads. If you are in America on a visa, you will be issued a driver's license; but it will expire on the same day as your visa.

Muhammed Atta, as has been said, came to America on a 6-month visa, but he was issued a 6-year Florida driver's license. I struggled with this issue, as the chairman had said. In my former role as the Secretary of State in Michigan, where I served as the chief motor vehicle administrator, I was forced to issue drivers' licenses to illegal aliens. Unfortunately, Michigan is one of the States that continues this practice. It has become a State of choice for illegals to obtain a license. We must stop this practice.

I urge my colleagues to support the bill.

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume, and I sympathize with the gentlewoman from Michigan that she cannot get her State to do what she believes is the right thing for her State to do. I caution those from the States that the Federal Government is not the place to get the States to take appropriate action. Watch out when you open up that can of worms.

Mr. Chairman, the ink is not just damp; it is wet on perhaps the most important legislation we passed in the last half century, the bipartisan national security or 9/11 law; and H.R. 418, H.R. 368 come along right after to overturn the law.

Why is this bill here? To hear some who have preceded me, you would think the 9/11 Commission just left this out. What were they thinking?

What they were thinking is that this is a Federal Republic, and they tried to deal with the fact that we were dealing with a State function and that the Federal Government was moving in on a State function that we have had nothing to do with before. That is difficult to do.

So what did they say we should do? The 9/11 bill required just the kind of thoughtful rulemaking process that this issue needs to keep us from stepping all over each other and getting into needless controversy so that you bring people to the table and get a workable compromise. Under the process in the bill, the States must be at the table.

Remember, those are the entities that are mandated to carry out these procedures. This is an unfunded mandate, so they must pay for these procedures. So you say, let us bring you in. You are in disagreement, some of you are like Michigan, some are like other States, but let us sit down and figure it out. If you cannot, then we will have to work out a compromise in the Department of Homeland Security.

I thought that is the way we did things in this country, Mr. Chairman. I thought that the other side of the aisle extols federalism all the time; yes, even in hard times; and, yes, even when you are dealing with hard issues like terrorism.

So what is happening now? The Select Committee on Homeland Security, and I am on the committee, is establishing a committee that includes State officials, representatives of State driver's license agencies, and of course officials from the Department of Homeland Security so that the Federal Government is at the table big foot, big time, not to worry, we are covered, we are final here. So why shut the States out all together? Why not listen to the 9/11 Commission and say let us try to reconcile as much as this before we fly off the handle?

The issue is not about what to do. Let us concede, Mr. Chairman, straight up that something must be done. That is the procedure provided for in the 9/11 bill passed just 2 months ago. We must do something. What to do; how to do it. The bill lays out how to do it. By September 2005, this committee, under the aegis of the Department of Homeland Security, will provide recommendations, a detailed assessment of the costs and the benefits of its proposals.

By June 2006, a proposed regulation based on the committee's recommendations, with such changes as should occur by December 2006, the Federal agencies will accept only new licenses that conform with these minimum standards.

What is wrong with that procedure? What is wrong with that procedure? It is difficult to find fault with that kind of careful procedure in a Federal republic, especially when you consider the supremacy clause and that the Congress of the United States can overturn regulations. So what are you afraid of, since in fact the ball stops when it comes to a matter of national security with the Federal Government?

Why are we trying to shut the States out? Why are those who speak up for the States whenever it suits their fancy putting down the States now? I do not agree with everything that is happening in the States; I just do not believe we should pass a piece of regulation that says you are not in this, except you better pay for it and you better do what it takes to enforce it within 3 years, although experts tell us it will take a dozen years for them to even begin to get through competently what it is we are asking them to do.

What is mandated is a negotiated rulemaking process that incorporates the practical issues that nobody in this Congress knows anything about, the issues that the States pass. It is a reckless bill. It would literally undo the 9/11 legislation and mandate on this issue.

I am asking that we come to an agreement before we vote down our own States on how to proceed, regardless of where you stand. Experts are telling us that it will be a dozen years before the States begin to even come

into mild conformance with this bill, and yet there will be hearings by the Members who are on this very floor criticizing the States and calling them before them to explain why illegals are still getting licenses in their States. How dare they do what we knew they could do in the first place.

So I hope you will keep the States at the negotiating table and join the National Governors Association, the National Conference of State Legislatures in rejecting these bills and retaining the far more thoughtful rulemaking process Congress has just passed as part of the historic 9/11 Intelligence Reform legislation.

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

Mr. TOM DAVIS of Virginia. Mr. Chairman, may I inquire of the time on each side.

The Acting CHAIRMAN (Mr. SIMPSON). The gentleman from Virginia (Mr. TOM DAVIS) has 13 minutes remaining, and the gentlewoman from the District of Columbia (Ms. NORTON) has 8½ minutes remaining.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Before I recognize the next chairman, I wish to respond to the gentlewoman's question of why are we doing this. We are doing this because the 9/11 Commission Report asked that we do it. They made it a priority. We are doing it because our committee, the committee the gentlewoman sits on, the one I chair, authorized this last year and the House overwhelmingly passed this last year.

The 9/11 victims' families have a letter that also requests this. And we are doing it because when I get on an airplane and somebody shows an ID to get on the airplane, I would like to know they are who they say they are. I think every other American would like to have that assurance in safety as well.

And by the way, we do not tell the States what to do. They can issue a license to whoever they want to issue a license to. But if they want to use that State license for Federal purposes, like getting on an airplane, they are going to have to be able to show that the people are who they said they were.

Also, Mr. Chairman, we worked with the American Association of Motor Vehicle Administrators in crafting this legislation, and 3 years is ample time.

Mr. Chairman, I submit for the RECORD, the letter of the victims' families, which I just referred to:

9/11 FAMILIES FOR A SECURE AMERICA,
New York, NY, October 19, 2004.

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

DEAR CHAIRMAN DAVIS: 9/11 Families for a Secure America, comprised of the families of hundreds of the victims of the September 11 terrorist attacks, are writing to express the support of our members for the provisions in H.R. 10, the 9/11 Recommendations Implementation Act, to establish minimum document and issuance standards for federal acceptance of state-issued driver's licenses and birth certificates. As the Conference Committee on the intelligence reform bills begins to consider the identity management security provisions contained in S. 2845 and H.R. 10, we plead with the conferees to remember our murdered loved ones and adopt the language of the House-passed bill.

These provisions would go a long way toward closing the loopholes that allowed 19 terrorists—all of whom had violated our immigration laws in one way or another—to obtain sixty-three authentic state driver's licenses, which allowed them to live here unnoticed while they honed their plot to murder our loved ones. To us, who have suffered horrific grief, loss and rage, it is beyond belief that even one Member of Congress would oppose a law that will stop the next Mohammed Atta from obtaining the ''valid ID'' that will allow him to board an airplane.

The state-issued driver's license has become the preferred identification document in America. It allows the holder to cash a check, rent a car or truck, board an airplane, purchase a firearm, enter a federal or state building, register to vote, and obtain other federally-issued documents. Despite the vast benefits simple possession of a driver's license now confers on its holder, it is one of the easiest documents to obtain, whether by citizen or illegal alien, friend or enemy.

Recognizing this fact, the 9/11 Commission recommended that, ''The federal government should set standards for the issuance of birth certificates and sources of identification, such as drivers licenses.'' We commend the House for taking the necessary and appropriate action on this important issue.

Supporters of the Senate position have argued that a negotiated rulemaking process is the appropriate action to take in order to establish minimum standards. We could not disagree more strongly, knowing that inevitably the final rules will lack any teeth. The standards included in H.R. 10 come directly from the State Administrators of these programs and from law enforcement, developed since the terrorist attacks on our nation and founded on long-standing principles and best practices.

We believe it is perfectly appropriate for Congress to establish baseline standards and give authority to the Secretary of Homeland Security and the Secretary of Transportation to work with the States and issue regulations on how individual States can come into compliance. This is particularly true because experience in many States has shown that implementation of these standards involve minuscule financial costs. Also, states' rights issues are in no way infringed since H.R. 10 only affects federal non-recognition for federal purposes of licenses from nonconforming states.

Congress has promised us repeatedly that they would honor our loved ones who were murdered three years ago by enacting reforms to ensure that Americans will never again face the same horror. The House provisions on identity management security are vital in this effort, and we urge you to oppose the Senate language, which will protect a status quo that aided the murderers who tore apart our families on September 11, 2001.

In the names of our dead and ourselves we ask you: how much longer will you permit terrorists to obtain drivers' licenses? For what reasons can you possibly oppose such an essential law?

And to those of you who are opposed: are you prepared to accept the responsibility for the next 9/11 terrorists who utilize US-issued drivers licenses?

Sincerely,

Peter Gadiel & Jan Gadiel, Parents of James, age 23, WTC, North Tower 103rd Floor.

Al Regenhard, Det. Sgt. (retired) NYPD, Parents of firefighter Christian Regenhard.

Joan Molinaro, Mother of Firefighter Carl Molinaro, age 32.

Grace Godshalk, Mother of William R. Godshalk, age 35, WTC, South Tower, 89th Floor.

Colette Lafuente, Wife of Juan Lafuente, WTC visitor.

Wil Sekzer, Detective Sergeant (Retired) NYPD, Father of Jason, age 31, WTC, North Tower, 105th floor.

Bruce DeCell (NYPD, Retired), Father in law of Mark Petrocelli, age 29, WTC, North Tower, 105th floor.

Lynn Faulkner, Husband of Wendy Faulkner, South Tower.

Bill Doyle, Father of Joseph, age 24, WTC, North Tower.

April Gallop, Pentagon Survivor.

Diana Stewart, Only wife of Michael Stewart.

Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. CANTOR), the deputy whip, who has been so active on this issue, and introduced the first legislation in this House that would have tied visa expiration to a driver's license date.

Mr. CANTOR. Mr. Chairman, I congratulate the chairman and the Committee on Government Reform for reporting out this bill that is so important that this Congress take action on and take action on now.

Of course we need to do this. Of course we need to pass the REAL ID Act. Because as the chairman just said, certainly all of us who board planes want to know that there is some integrity to our ID system in this country and that terrorists are not boarding planes by the use of a state-issued identification card. This is not conjecture. This is what happened on 9/11. This is what the 9/11 Commission suggested that we take action on, and this is what we are here doing today.

As the chairman suggested, I am proud to say that in 2003 Virginia, under the leadership of former Attorney General Jerry Kilgore, acted to close this dangerous loophole. The General Assembly passed and the Governor signed into law a provision which requires the minimum standard, which says that anyone applying for a license in Virginia must have legal status in this country; that they must have a visa; and that the license that would be issued would coterminate with the termination or expiration of that visa.

This is just common sense. Why do we want terrorists to have a license issued by a State to go and board our airplanes and commandeer those airplanes into a building? It is time for Congress to act, to provide and mandate a minimum standard for States when they issue State IDs, including driver's licenses, to require that individuals who have that privilege be here in this country legally.

Mr. Chairman, I thank the gentleman from Virginia (Mr. TOM DAVIS) for his leadership on this, and I urge passage of the REAL ID Act.

Ms. NORTON. Mr. Chairman, I yield myself such time as I may consume to make a point of correction. What we

are doing today is not mandated by the 9/11 Commission, nor is it mandated by the law we passed. It is contrary to the law we passed. It is mandated by the fact that we held up the law we passed and it was promised to two chairmen.

Mr. Chairman, I yield 2½ minutes to the gentleman from Massachusetts (Mr. LYNCH).

Mr. LYNCH. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I rise in opposition to the so-called REAL ID Act of 2005.

Mr. Chairman, while I have enormous respect for the gentleman from Virginia, the chairman of the full committee, I must take exception to the assertions that have been made by a lot of speakers here today that somehow this bill will prevent or would have prevented the 9/11 attacks from occurring. I just want to point out that regardless of the number of licenses that the terrorists held on September 11, they were all obtained because those individuals were in the country legally on student visas. And student visa holders in the future, even after this act is passed, will still have the opportunity to get licenses. So that argument is indeed bogus.

But I want to talk about the most egregious parts of this bill. Under this bill, it would allow the Secretary of the Department of Homeland Security to nullify all of our laws while fulfilling his responsibilities under the scope of this act. And putting aside the schizophrenic immigration policy we have heard from the Republican Party, you have a President that wants to have open borders and basically amnesty to allow open borders for low-wage workers to come in, and then you have a Republican House that is saying that all those coming in must not have licenses. They must be pedestrians.

□ 1515

Mr. Chairman, under this act, what this means for American citizens is, our civil rights laws will be set aside under this bill. Our nondiscrimination laws will be set aside under this bill. Our health and safety laws will be set aside under this bill. Our environmental laws will not apply under this bill. And child labor laws will not apply under this bill. Most troubling of all, the public bidding laws of this country will not apply under this bill for this project.

Right now on the committee that I serve with the esteemed chairman, we are investing no-bid contracts that were given to Halliburton. We have millions of dollars in overcharges to the United States taxpayer, we have bribery charges, and we are doing all kinds of investigation on that no-bid.

There is no reason that the civil rights laws and the public bidding laws should be set aside. If that were not the most extreme example, they have removed any opportunity for judicial review under this act. There will be no review of the Secretary's action in setting aside all of those laws, no recourse.

It is ironic, Mr. Chairman, that while we have our soldiers in uniform protecting democracy, we are giving it away under this bill.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

I note on page 390 of the 9/11 Commission Report, it recommends secure identification should begin in the United States. The Federal Government should set standards for the issuance of birth certificates and sources of identification such as driver's licenses.

Mr. Chairman, I yield 1½ minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Chairman, our committee chairman is exactly right; we can go to page 384 in the 9/11 Commission Report. And I encourage all of my constituents to do this, look at this: ''For terrorists, travel documents are as important as weapons.'' And what is the number one travel document? It is a driver's license. It is a huge gaping hole that we have. That is why it is imperative that we pass the REAL ID Act today and we set a national standard.

Maybe that is just too much common sense for some of my friends that do not want us to do that, but if someone is going to use a travel document as a driver's license and use it as a way to circumvent our laws and harm our citizens, then it is imperative that we close that loophole. Having standards that all the States would follow is a great way to close that loophole.

I would encourage my colleagues to support the REAL ID Act.

I thank the gentleman from Virginia (Chairman TOM DAVIS) for his good work on this issue, and I encourage our constituents to read this report and see the importance of the actions that we are taking today.

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

I just want to say to the chairman that I could not agree more that the 9/11 Commission mandated secure identification standards by the Federal Government, and that is exactly what the 9/11 bill provides after rulemaking with the States at the table. What is being proposed is a unilateral process.

Mr. Chairman, I yield 1½ minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Chairman, I rise today in strong opposition to H.R. 418. I am deeply concerned about several aspects of this proposed legislation. This legislation, if passed, would be a terrible setback with regards to three critical areas: defending the people of the United States from terrorism, due process for immigrants, and environmental protection. The bill would undo security provisions that were passed just last year under the Intelligence Reform Act.

Families of September 11th victims stated the impact of this legislation will not make us safer from terrorism. Instead, it would prevent people from fleeing persecution, from obtaining relief, making our highways more dangerous and undermine our security.

Section 102 of this bill would eliminate Homeland Security and border patrol's responsibility to inform and involve communities in proposed construction projects along the entire U.S. border and the requirement to consider less harmful alternatives to proposed actions.

This would allow Homeland Security to operate in secrecy in critically important areas such as Cabeza Prieta and Buenos Aires National Wildlife Refuge and Organ Pipe National Monument that are all in my district. Many of our most precious wildlife depend upon protected public lands along U.S. borderlands for migration corridors between countries.

In addition, this section would waive laws requiring consultations with Native nations regarding activities on tribal lands, grave sites or archaeological and sacred sites.

Finally, in a rush to deport anyone, H.R. 418 would deny due process for immigrants and asylum seekers. This is un-American. It is against what we stand for, and it is against what we are asking the world to replicate in democracy across this Earth.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Chairman, I rise today to voice my strong support for the REAL ID Act, particularly its provisions calling for stronger standards for obtaining driver's licenses. Page 47 of the 9/11 Commission Report, ''Without freedom of movement, terrorists cannot plan, conduct surveillance, hold meetings, train for their mission or execute an attack.''

Others have argued that the proposal involves an unprecedented preemption of State authority regarding the issuance and production of driver's licenses. This is untrue. Let me be clear: We are not preempting State authority in this area. What we are doing is establishing minimum standards for Federal acceptance of such documents. This is consistent with actions taken by individual States. Today, Nevada and New Mexico do not accept as proof of identity a State-issued driver's license or identification card from States that do not meet their standards.

The federalism issue is one of extreme importance, and that is exactly why the language has been crafted as it has. Driver's licenses have become the primary form of identification in the United States. They permit people to apply for other forms of identification, transfer funds to bank accounts, obtain access to Federal buildings, purchase firearms and board airplanes.

The majority of the States have recognized the privilege that a license brings and have set high standards for obtaining them. However, 10 States, including my State of North Carolina,

issue valid driver's licenses and identification cards without requiring proof of legal status. That is scary.

According to the 9/11 Commission Report, these travel documents are just as important as weapons are to terrorists.

The REAL ID Act would require that Federal agencies accept only driver's licenses and State-issued identification cards from States that prove the legal status of applicants. The bill would also require States to review the legality of existing license holders upon renewal or replacement. The bill does not seek to set State policy for who may or who may not drive a car. It aims to set rigorous standards for what may be used as a form of ID to a Federal official.

As I have stated before, I am a strong advocate of States' rights. However, if certain States act irresponsibly and place the national security of the rest of the country at risk, then Congress must get involved. We must do what it takes to make America safe.

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

Mr. Chairman, my good friend alluded to the support of the American Association of Motor Vehicle Administrators, and I include for the RECORD their letter indicating that they oppose both bills that are before us.

NATIONAL GOVERNORS ASSOCIATION,
AND AMERICAN ASSOCIATION OF
MOTOR VEHICLE ADMINISTRATORS,
February 8, 2005.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.
Hon. THOMAS DELAY,
Majority Leader, House of Representatives, Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.

DEAR MR. SPEAKER, REPRESENTATIVE DELAY AND REPRESENTATIVE PELOSI: We write to express our opposition to Title II of H.R. 418, the ''Improved Security For Driver's Licenses and Personal Identification Cards'' provision, and H.R. 368, the ''Driver's License Security and Modernization Act''. While Governors and motor vehicle administrators share your concern for increasing the security and integrity of the driver's license and State identification processes, we firmly believe that the driver's license and ID card provisions of the Intelligence Reform and Terrorism Prevention Act of 2004 offer the best course for meeting those goals.

The ''Driver's Licenses and Personal Identification Cards'' provision in the Intelligence Reform Act of 2004 provides a workable framework for developing meaningful standards to increase reliability and security of driver's licenses and ID cards. This framework calls for input from State elected officials and motor vehicle administrators in the regulatory process, protects State eligibility criteria, and retains the flexibility necessary to incorporate best practices from around the States. We have begun to work with the U.S. Department of Transportation to develop the minimum standards, which must be completed in 18 months pursuant to the Intelligence Reform Act.

We commend Chairman Sensenbrenner and Chairman Davis for their commitment to driver's license integrity; however, both H.R. 418 and H.R. 368 would impose technological standards and verification procedures on States, many of which are beyond the current capacity of even the Federal government. Moreover, the cost of implementing such standards and verification procedures for the 220 million driver's licenses issued by States represents a massive unfunded Federal mandate.

Our States have made great strides since the September 11, 2001 terrorists attacks to enhance the security processes and requirements for receiving a valid driver's license and ID card. The framework in the Intelligence Reform Act of 2004 will allow us to work cooperatively with the Federal government to develop and implement achievable standards to prevent document fraud and other illegal activity related to the issuance of driver's licenses and ID cards.

We urge you to allow the provisions in the Intelligence Reform Act of 2004 to work. Governors and motor vehicle administrators are committed to this process because it will allow us to develop mutually agreed-upon standards that can truly help create a more secure America.

Sincerely,

RAYMOND C. SCHEPPACH,
Executive Director, National Governors Association.
LINDA R. LEWIS,
President and CEO, American Association of Motor Vehicle Administrators.

Ms. NORTON. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, the problem with this bill is that it is an immigration bill posing as an identification bill. Instead of listening to what the States told us needed to be done to make driver's licenses more secure, what we have done is to basically make State motor vehicle employees unwitting immigration agents. It does little to improve homeland security, and it is certain to prove overwhelming and ineffective.

Now, I support what the gentleman from Virginia (Chairman TOM DAVIS) is trying to do to improve the integrity of driver's licenses, but I find it curious that the leadership of the House has chosen to largely ignore the multiple references in the 9/11 Commission Report to the value of on-card biometric technology in improving the integrity of identification cards. The problem is that these digital images are not sufficient. Matching the image with the face is more prone to error than the technology that would use biometric data. Two fingerprints transformed into numeric algorithm, that works.

What we have here does not work. I think we are going to find the States letting us know that. Unfortunately, it will be too late. We will miss an opportunity.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I look forward to working with the gentleman from Virginia (Mr. MORAN) on this issue as we move forward.

Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut (Mr. SHAYS), the chairman of the Subcommittee on National Security.

Mr. SHAYS. Mr. Chairman, welcome to the world of Mohammed Atta: Legal visa to come in, 6 months; driver's license from Florida, 6 years.

Like many in this Chamber, I was a strong supporter of the intelligence reform legislation passed last year, but when I voted for it, I believed we needed to go further in several areas, including strengthening driver's license guidelines.

In my home State of Connecticut, we take strong steps to ensure the integrity of our identification cards, but we are not perfect. To receive a driver's license in Connecticut, you must prove you are a legal resident of the State, and you are not a legal resident of the State if you are not legally present in the United States, period.

This is common sense to me. Driver's licenses are verifiable forms of identification in the United States. Providing such identification cards to people who are illegally present in our country presents serious concerns.

The problem, however, is that not all States maintain this high standard. That means that someone who is illegally present in the United States and takes advantage of a weak law in another State can obtain a driver's license and use the document to identify him or herself in the State of Connecticut. They can also use that document to access Federal buildings, rent a vehicle or get on a plane.

Tightening access to State-issued identification cards is an important and necessary improvement for our homeland security. Many Members have raised concerns about the impact of driver's license provisions in H.R. 418 in our home States. Connecticut Governor Jodi Rell stated, ''In my view, if a noncitizen is lawfully in this country, he or she should be able to obtain a driver's license for the time frame in which he is lawfully allowed to be here. Conversely, if someone is in this country illegally, he or she should not be able to obtain a driver's license in Connecticut or any other State.''

I could not agree more with her. Frankly, most of our constituents could not agree more with her.

Let me raise one other point about this legislation and commend the chairman for including this provision. A legally present visitor to the United States can obtain a driver's license in Connecticut, as he can in other States. However, in Connecticut we issue licenses for 6 years at a time. In that time, visitors can leave and come back, whether legally or illegally, an untold number of times. During subsequent visits, this person can continue to use the license for whatever purpose he or she wants. This is wrong. Frankly, it is stupid.

Requiring a temporary ID for persons temporarily in our country is a no-brainer. I do not think Mohammed Atta would like it, but, I do not care what he wants.

□ 1530

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

do want everybody to know what we are voting on here. We oppose this bill. We favor the 9/11 intelligence bill passed 2 months ago. That requires that driver's licenses be issued under Federal standards; that is Federal law. After the States have had an opportunity to have some input, the final would be a Federal bill. The only difference between us and those on the other side is they want to keep the States out of the process all together.

Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Chairman, I rise in opposition to H.R. 418. The first thing is America will not sleep any more securely with the passage of this piece of legislation, as well intended as it may be, because I am not going to question the motives of my colleagues on the other side of the aisle. But why do a useless thing? Why would the State legislatures, why would the State Governors, why would every Latino advocacy group come against this? Why would the National Council of Bishops here in the States come out against this? It is for various reasons. But they all acknowledge that there is not a conspiracy going on here to thwart the efforts at security by these groups. No one would accuse these individuals of that, because this does not do anything. It only burdens the State and does not get us anywhere.

But more importantly, and I really believe this, this is an anti-immigrant bill in the guise of some sort of security consideration, which it does not further.

And so we ask, who are these immigrants? I have a simple answer for all of us. Look in the mirror. That is who we are talking about. We all got here one way or another, some earlier than others. We are all immigrants. What this bill is really about is not bad people coming into this country to do bad things to this country. It is about preventing good people coming into this country to do good things.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I am happy to yield 2 minutes to the gentleman from Ohio (Mr. TURNER), the former mayor of Dayton and chairman of our Subcommittee on Technology, Information Policy, Intergovernmental Relations and the Census.

Mr. TURNER. Mr. Chairman, I thank the gentleman for his leadership on this most important issue affecting our country. I am a cosponsor of the REAL ID Act that calls for necessary reforms in our driver's license processes to make it harder for terrorists to obtain driver's license to use them for acts of violence in our country.

Driver's licenses can be used by terrorists to enter buildings, obtain other forms of identification, and board flights. The loopholes that currently exist in issuing driver's licenses have to be closed to stop those who would use driver's licenses as a tool in committing terrorist acts on our own soil.

In fact, as we have heard, we know that many of the hijackers who attacked our Nation on September 11 possessed valid driver's licenses and many other state-issued identity cards.

The REAL ID Act would require applicants to prove that they are in this country legally. The debate here somewhat surprises me because I bet if you asked the American people if in order to get a driver's license, if you have to prove that you are in this country legally, overwhelmingly I believe the people in this country would believe that not only is it the right thing to do but they would be surprised to find out that it is not already a requirement.

The 9/11 commission stated that all but one of the 9/11 hijackers acquired some form of U.S. identification, and that for terrorists travel documents are as important as weapons. And their recommendation stated secure identification should begin in the United States. The Federal Government should set standards for the issuance of birth certificates and sources of identification such as driver's licenses.

Last year as we heard the steady beat to implement the 9/11 Commission recommendations, certainly, their recommendation that the Federal Government have standards for driver's licenses is something that we ought to enact, and I support this bill.

Ms. NORTON. Mr. Chairman, how much time do I have remaining?

The Acting CHAIRMAN (Mr. SIMPSON). The gentlewoman has 2 minutes remaining.

Ms. NORTON. Mr. Chairman, I yield the last 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentlewoman's courtesy in permitting me to speak on this, and I agree with her very strongly. Make no mistake, our side of the aisle is supportive of this legislation. We want to work with the State and local authorities first to do it right. These are the people who feel these concerns every bit as strongly as Members of Congress. In fact, they are on the line every day providing for the safety and security of our constituents in a much more immediate sense than we are. Do not be afraid to work with them.

But with all due respect to the gentlewoman from the District of Columbia, I have one other provision that deeply offends me as a former elected official, as a Member of this body and somebody who believes in checks and balances.

I look at section 102. I wish that it were buried in the legislation, but it is not. It is right here in the beginning. If this provision, the waiver of all laws necessary for quote improvements of barriers at the border was to become law, the Secretary of Homeland Security could give a contract to his political cronies that had no safety standards, using 12-year-old illegal immigrants to do the labor, run it through the site of a Native American burial ground, kill bald eagles in the process, and pollute the drinking water of neighboring communities. And under the provisions of this act, no member of Congress, no citizen could do anything about it because you waive all judicial review.

Now, bear in mind you are giving this authority to the head of Homeland Security, hardly a paragon of sensitivity and efficiency. Anybody who stands in those lines week after week or watches the bizarre color-coded warning system knows that that is hardly the exemplar.

Security at the borders is important; and if somebody has a problem with building a security fence, by all means, Congress should deal with it. But as far as I know, no committee has been called upon to do that yet. There are important waiver provisions that are available. But waiving all laws for construction is an inappropriate decision. And with all due respect, it is a dangerous precedent that anybody on either side of the aisle should be deeply offended by.

The Acting CHAIRMAN. The gentleman from Virginia (Mr. TOM DAVIS) has 1½ minutes remaining.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from San Diego, California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I reject the statement made a minute ago that this is an anti-immigration bill. I support the Sensenbrenner bill. I think security is a national issue. But to suggest that this is an anti-immigrant bill is, in my opinion, wrong. We support legal immigration into this country. It is what has made this country so great. But we also need to take care of security.

If you want to come in on a visa, you want to come in to be a citizen, support it. But if you are here illegally, it is wrong.

Each year I have one family, just last year, the father survived. The wife died. He lost a child to illegal immigrants. I wish that was the only case. Each year we have several of these. Illegal immigrants driving and causing accidents, and people say, well, they are here; they have got to go to work. Well, they will go to work if we can get them to be legal. But not if they are here illegally. If they are in this country illegally, they need to go out and come back legally with a visa or proper method.

And that is why I support the Sensenbrenner bill, to make sure we do not have metricula cards, we do not have driver's licenses to illegals, and that the driver's license has a clip to ensure that it is proper by the Federal Government.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Let me just sum up and say this does not require anything from the States as far as driver's licenses go. States do not have to do anything under this for their driver's licenses. They can issue driver's licenses to whomever they want. But if they intend to use those

licenses for Federal purposes, we have a right to say what the criteria should be and under those circumstances, they are going to have to show legal presence. It is not anti-immigrant. In fact, this allows the States to issue two different sets: one for illegal immigrants, one for everyone else. It takes the national security issue away from the argument there.

Finally, the opt-out provisions in the current legislation that was passed just a few months ago are disastrous. We were worse with the 9/11 response that passed this Congress than we were without it. This rectifies that. It closes that loophole.

Out of respect for the victims, the families, the work of the 9/11 Commission, I urge my colleagues to support this legislation.

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

The Acting CHAIRMAN. The gentleman from California (Mr. COX) and the gentleman from Mississippi (Mr. THOMPSON) each will control 10 minutes of debate from the Committee on Homeland Security.

The Chair recognizes the gentleman from California (Mr. COX).

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

I am happy to join this debate as the chairman of the Committee on Homeland Security and welcome the gentleman from Mississippi (Mr. THOMPSON), my ranking member.

We are here because each day thousands of people illegally enter the United States. They know where to cross. They know how to get a driver's license. And if they are caught, they even know how to rig our legal system to stay in the country nonetheless. What has been the result of this broken system?

On January 25, 1993, Mir Aimal Kansi stood at the entrance of the Central Intelligence Agency and gunned down five people. A month later Ramzi Yousef masterminded the first bombing of the World Trade Center. Both men were in the country because they were awaiting the outcome of their asylum applications. This legislation will fix that loophole.

On September 11, 2001, according to the 9/11 Commission report, the 19 hijackers responsible for the 9/11 terrorist attacks carried between them 13 U.S. driver's licenses and 21 state-issued ID cards. Several of these hijackers had overstayed their visas, and they were unlawfully in this country. But their driver's licenses permitted them to board those airplanes nonetheless. This bill fixes that problem.

The laws that we are operating under today allow terrorists to enter our country and to plan and carry out attacks in the United States. The reality is that this homeland security vulnerability is being exploited by terrorists and criminal aliens every day. H.R. 418 makes necessary changes to ensure that terrorists do not obtain identification, as did the 9/11 hijackers, that will permit them to board airplanes or access Federal facilities or easily travel within the United States.

The most literal security gap that this bill addresses is the 3-mile hole in the San Diego border fence. Recent press accounts have reported that al Qaeda operatives have joined forces with human smuggling rings in order to enter the United States. As we now know, the 9/11 hijackers were interviewed 25 times by U.S. consular officers; they had 43 contacts with Immigration and Customs authorities. But because of administration and congressional initiatives requiring the screening of all foreign nationals entering the United States, terrorists will be forced to resort to crossing our borders illegally. The border security fence, therefore, which thus far has been mired in bureaucratic delays, is part of our national security efforts and must be completed now.

For decades the border between San Diego and Mexico has been the preferred corridor for entry into the United States by unknown or undocumented persons. With highly populated cities both north and south of the border as well as relatively quick access to national transportation hubs such as LAX, it is the perfect place for aliens to slip across the border and gain quick access to U.S. communities and transportation networks. The important infrastructure assets in the area, including in particular the largest naval base on the west coast of the United States and the busiest seaport in the United States, makes securing this area even more important.

From September through November, 2004, the border patrol apprehended over 23,000 individuals with criminal records including 84 wanted for murder and 151 wanted for sexual assault. In 2004 border patrol agents arrested almost 1.2 million illegal aliens with 11.6 percent of those apprehended in the San Diego sector alone, despite the fact that the San Diego sector is roughly 1 percent of our border area. Over the past 2 years, the three border patrol stations responsible for patrol of the existing 14 miles of border fence in the San Diego sector have apprehended approximately 200 special interest aliens annually from countries such as Afghanistan, Iran, Iraq, Pakistan, and Turkey.

Completion of this fence will not only reduce the number of illegal crossings in the area but will also allow the Border Patrol to redeploy manpower and redirect precious resources to other important homeland security missions along the border. And like the other border fence areas, the San Diego sector can expect to see a reduction in crime, including murder, as well.

Of the 14 miles authorized by Congress several times, 9 miles of the triple fence have been completed. But only in Washington would people construct a fence with a big hole in it. The final 3½ miles has been held up due to bureaucratic red tape and lawsuits. The border patrol has worked to alleviate the environmental concerns that have been raised. In fact, the U.S. Department of the Interior's Fish and Wildlife Service concluded in July, 2003, that construction of the fence ''is not likely to jeopardize'' the continued existence of any relevant endangered species in the area. Furthermore, not completing the fence will continue to cause other environmental damage in the area due to large numbers of persons crossing illegally through this area and subsequent pursuit by the border patrol, as well as large amounts of trash and refuse left in the wake of smugglers and illegal crossers.

As chairman of the Committee on Homeland Security and a California resident, I am extremely concerned by the roadblocks that different bureaucratic groups have used to justify thwarting this important project. For example, in September of 2003, the San Diego Border Patrol requested entry to a section of county-owned land located in the 3½ mile section in dispute and located about 300 feet from the U.S.-Mexican border in order to, first, improve the road for safety of the border patrol agents; and, two, take soil samples in order to address environmental concerns pertaining to construction of the fence.

□ 1545

But the San Diego County Department of Parks and Recreation denied access, saying there was no authority to enter upon the land.

After months of negotiation, I have been told that the issue was finally resolved, but this clearly demonstrates that Federal action is necessary to ensure that the fence is completed and that border security remains a priority. The time for delay and bureaucratic obstruction is over. We must complete this fence, and we must pass H.R. 418.

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

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

Mr. Chairman, the Republican majority claims that this bill is an effort to prevent terrorists from entering the United States, not an effort to play partisan politics over immigration reform. I would like to take them at their word, but if this bill really were about keeping terrorists out of the country, why is the Republican majority not talking about the real threats of terrorists' entry? Why is the Republican majority not concerned about the complete lack of an interagency border security plan? And why does the President's budget not fully fund the mandates in the 9/11 intelligence bill, which we passed and he signed a few short months ago? Why sign a bill if you have no intention of actually funding the items in the bill?

Mr. Chairman, just one example: The President's budget only provides for 210

new border patrol agents, even though the 9/11 intelligence bill authorized up to 2,000. We have caught at least one suspected terrorist who illegally waded across the Rio Grande. Why is the Republican majority not talking about the failure of this administration to ensure that our frontline officers are able to check suspicious individuals against a comprehensive terrorist watch list?

More than 3 years after 9/11, why are more of our frontline personnel using obsolete name-checking systems, that have trouble telling the difference between ''bin Laden'' and ''Lyndon?'' Is this real security? Does this make America safer?

This bill wholly fails to address these and other critical gaps in our border security. The bill focuses on people already in the United States instead of keeping terrorists out.

The one aspect of this bill that seems directed at keeping people out of the United States is section 102. I understand this section originated from a desire to complete approximately 3 miles of a 14-mile fence along the border near San Diego. Let me be clear: I am not against building a fence, but I do not think a fence will keep terrorists out of America.

Homeland security expert Stephen Flynn, who is a retired commander of the U.S. Coast Guard, and Jeane Kirkpatrick, Senior Fellow in National Security Studies at the Council on Foreign Relations, testified before the Senate Foreign Relations Committee that ''Great powers have been building great walls throughout history. The Great Wall of China and the Berlin Wall went up at considerable expense and treasure and ultimately failed to block or contain the forces they purported to obstruct.''

Mr. Flynn says that efforts by the United States to ''protect'' the southwest border, including installing a fence between San Diego and Tijuana, are similarly fated to fail.

Mr. Chairman, it is clear that this is not a good bill, and we are completely in opposition to it.

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

Mr. COX. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. KOLBE).

Mr. KOLBE. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I rise in support of the passage of H.R. 418. Many of these protections that are contained in this legislation are long overdue. They are necessary to protect our homeland.

In particular, I am supportive of the provisions that deal with enhancing our driver's licenses by providing for some uniformity in the standards used to issue those driver's licenses and for finishing the border fence in southern California. We ought not to let some vague problem of the environment keep us from finishing this important part of our border security. But that is one step in the process of border security.

I am serious about the problem of border security. I represent a district that has more apprehensions of illegal immigrants than any other district on the southern border, in fact, more apprehensions than all the other districts combined.

As someone working hard for a long time to help secure our border, I can confidently say the most effective and efficient way to deal with this is to have comprehensive immigration reform. The President of the United States has recognized this. We need to create an avenue for those not crossing for malicious reasons to be funneled through the ports-of-entry along the border. That will allow us to deal with the real problem.

Mr. Chairman, I urge us to support H.R. 418, and then turn our attention to comprehensive immigration reform legislation.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. Lofgren).

Ms. ZOE LOFGREN of California. Mr. Chairman, yesterday, the U.S. Commission on International Religious Freedom, a federally mandated bipartisan commission, released a comprehensive report documenting the mistreatment of asylees in America. For those seeking asylum, we strip-search them and then we thrown them in jail with criminals.

As we debate this bill, thousands of people seeking safety from persecution are in jail with criminals in the United States. They are here fleeing from torture, from rape; some are here seeking freedom because they have been denied the opportunity to practice their religion, say Christianity, in a place where religion is not permitted. But when they get here, we lock them up. And today we are considering a bill that will make it harder for those fleeing oppression, trying to find safe haven in our Nation.

This bill does nothing to make us safer. In fact, we have heard references to those who came prior to the first World Trade Center bombing. We made changes in the law subsequent to that. That fix has already been done. We do not need to do what is before us today.

So it is surprising we are not addressing today the shocking findings of the Commission Report.

Mr. Chairman, I want to say something else. This bill, despite the protestations, is in fact creating a de facto national ID card. It establishes one type of ID that most Americans will carry. All our information will be held in databases linked together and ready-made for use by the Federal Government. How much will they really know about each and every one of you?

This is not just about immigrants, this is about all Americans; and I think we need a national conversation about whether we want that form of big brother.

Mr. COX. Mr. Chairman, I ask unanimous consent that debate be extended for 1 additional minute, to be divided equally between majority and minority.

The Acting CHAIRMAN (Mr. LAHOOD). Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COX. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. MCCAUL).

Mr. MCCAUL. Mr. Chairman, I rise in support today of the REAL ID Act. As the former Chief of Counterterrorism in the U.S. Department of Justice for the Western District of Texas, I had jurisdiction over the Mexican-Texas border. I dealt, firsthand really, with the day-to-day threats our Nation faces, and asked the question, Why are we not doing more to secure our borders?

Many of those intent on doing our Nation harm claim political asylum as their Trojan horse to gain access to our borders. Individuals like the 1993 World Trade Center bomber, Ramzi Yousef, claimed political asylum and was ordered to appear at a hearing. Yet Yousef, like a majority of those given notices, failed to show up at the hearings. This bill will make it easier to deport suspected terrorists.

Terrorists have taken advantage of other holes in our laws. The 19 hijackers on September 11th had fraudulently obtained dozens of American visas, passports and driver's licenses, documents used to open bank accounts, establish residency and, yes, to fly airplanes.

This border security legislation provides the safety measure that to obtain a driver's license, the person must simply prove they have a legal right to remain in our Nation.

For the safety and security of our Nation, our families and our freedom, I urge my colleagues to support this bill. The 9/11 Commission recommended it. We owe it to the victims of the national tragedy to pass this legislation.

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey (Mr. MENENDEZ), the chairman of the Democratic Caucus,

Mr. MENENDEZ. Mr. Chairman, as one of the conferees on the intelligence reform law enacted last December, I want to remind Members that it contained 43 sections and 100 pages of immigration-related provisions. These tough, but smart new measures enacted just 2 months ago include, among others, adding thousands of additional border patrol agents, Immigration and Customs investigators and detention beds, criminalizing the smuggling of immigrants and establishing tough minimum standards for driver's licenses, just as the 9/11 Commission recommended.

Now we need to implement and fully fund these tough measures to ensure our Nation's safety. Unfortunately, the President's budget chose not to fund the 2,000 new border patrol agents or 8,000 additional detention beds that

were called for in the intelligence reform bill. So much for being tough.

H.R. 418 would further undermine these tough measures by repealing several of these provisions. The bill would repeal a GAO study to ascertain any vulnerability in the current asylum system and replace it with new burdens that would be impossible for many true asylum seekers to meet.

Proponents of this legislation have misled us by suggesting that different terrorists have received asylum. No terrorist has ever been granted asylum in the United States.

We further ensured that terrorists would not be granted asylum with the administrative changes of 1995 and the expedited removal system done legislatively in 1996. Now we detain anyone seeking asylum that arrives at our border without documents.

But asylum encourages citizens of other countries to fight for positive change in their own country, without risking U.S. military lives. If their life is endangered, they should have a chance to seek asylum in the United States. Unfortunately, the legislation before us would make that nearly impossible.

Finally, if a person is a terrorist, I do not want to deport them so they have another chance at doing harm to the United States. I want to detain them, prosecute them, imprison them to the fullest extent of the law.

The bill would repeal the tough minimum standards for driver's licenses called for by the 9/11 Commission and included in the intelligence reform law with provisions that federalize all driver's licenses, take away States' rights, place huge unfunded mandates on the States, without advancing the paramount objective of making State-issued identity documents more secure and verifiable. That is why the National Conference of State Legislatures strongly opposes this legislation.

Mr. Chairman, if you truly want to implement tough yet smart measures to ensure our Nation's security, vote down this legislation, and let us fully fund and implement the tough and smart provisions that were included in the intelligence reform bill.

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

Mr. THOMPSON of Mississippi. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. REYES), someone who has significant knowledge about border patrol agents.

Mr. REYES. Mr. Chairman, I thank the gentleman from Mississippi for yielding me time.

Mr. Chairman, as the only Member of Congress with a background in immigration and experience in actually defending our Nation's borders, and after being here for 8 years in the House, I am profoundly disappointed at how much we talk about this issue and how little we do when it comes to immigration.

Prior to coming to Congress, I served for 26½ years in the United States Border Patrol, so I know firsthand about the effort to protect our borders and how to keep America secure. Since coming to Congress, I have heard a lot about how we need to crack down on illegal immigration in this country, but have seen very little action when it comes to providing adequate funding for the kinds of programs that I know work in dealing with the problem of illegal immigration.

□ 1600

For instance, just this week, with the release of the President's budget, as my colleague mentioned, last August we were tough on the issue of immigration by saying we wanted 10,000 new border patrol agents and we wanted to create 40,000 new detention beds. The administration in their budget wants to hire 210 border patrol agents. They are silent on the issue of detention.

The administration also has proposed zeroing out very important programs to communities that deal with undocumented aliens, programs like the State Criminal Alien Assistance program, the State Prosecutors program, all zeroed out in this budget.

Mr. Chairman, the reason I am going to oppose this legislation is because I am sick and tired of coming here and talking, talking about the issue. I am sick and tired of hearing arguments on who is going to do what. Just last Monday, I was with some of my former colleagues at a port of entry in El Paso, and they were asking me what kind of immigration reform would come out of this effort. Regrettably, Mr. Chairman, I told them, look, we said we were going to fund 10,000 agents; we got 210. That is why I am going to vote against this legislation, and I urge my colleagues to do the same. Let us have a real and earnest debate on what needs to be done to protect this country.

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

Mr. THOMPSON of California. Mr. Chairman, I yield the balance of the time to the gentleman from California (Mr. FARR).

Mr. FARR. Mr. Chairman, I thank the gentleman for yielding me this time.

I have been watching this debate all morning, and I am really concerned about what is happening here on the floor of the House of Representatives. I have never heard so much misstatement of fact about a piece of legislation that is very important.

The problem is, this legislation never had a hearing in committee, never had public review. We have never looked at the language; I doubt that any Members have read the bill in its entirety. That is not what this House is all about, because this law is a very, very serious law, and it is going to affect people's lives.

I have heard statements here on the floor that the recommendations in this bill are in the 9/11 Commission. Let me give an example. Section 102, which deals with the border fence, the commission never even mentioned the border fence. Why? Because it is not a problem. We have been building it. What we have run into is a couple of environmental snags. So what does this bill do? It says okay, waive all that. Waive the law. This is a precedent that has never been done before in the United States Congress. Waive all laws, whether those laws pertain to Indian burial grounds, whether they are labor laws, discrimination laws, small business laws, environmental laws. We will just waive them. And guess what, no court, as it says, "no court shall have jurisdiction."

What kind of a measure is this? Do we just run into problems and we come to the floor of Congress and say, just get rid of the law? Here is a country that celebrated the tearing down of the Berlin Wall, a country that celebrated the elections in Iraq so people will have the rule of law; and then when we have the rule of law, we just waive it. There was no request from the State of California for this bill. Mexico, our biggest trade partner, nothing like this; and what we are saying to the world is, do not worry, we are just going to cram through everything and forget the law.

This is wrong, and I am going to have an amendment on the floor tomorrow to repeal it. I hope everyone votes for it.

Mr. COX. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I would say to my friend, the gentleman from California (Mr. FARR), during the last debate I invited him to come down and look at the 7-mile area in that fence, because it is a problem. I am looking forward to working with him, because if you are an environmentalist, it is hard pan. I mean, it has totally destroyed the plants, the animals, the lizards, and it is like a venturi tube.

The gentleman from California (Mr. HUNTER) first came to me in 1990 and asked where we could get landing mat, and we put that up. Why? Because the number of rapes of Mexicans who were coming across, the number of drugs that were coming across. There is one strand of wire on the ground where you could just drive from one field to another with a loaded truck, and it has stopped a lot of that.

Does the fence stop illegal immigration? No. But it sure frees up a lot of the border patrol and makes it easier for them, and that 7 miles is like a venturi tube and it forces our border patrol into that area.

I agree with the gentleman from Texas (Mr. REYES), and I am going to work with anybody over there, especially him, because he does have the expertise and he is a good friend. I agree with him that the President's budget does not include the funding. But no Clinton budget ever passed either, and we are going to add that; and with the help of my friend, we are going to add the funding for those new border patrol.

Mr. COX. Mr. Chairman, I yield the balance of our time to the distinguished majority leader, the gentleman from Texas (Mr. DELAY).

Mr. DELAY. Mr. Chairman, I would just say to my good friend from Texas (Mr. REYES), who is an expert, and we all value his input, we are going to do immigration reform in this Congress. We are looking forward to working with him on immigration reform. But what we are here today about is border security, border security and closing loopholes.

I just want to thank both sides of the aisle for the thoughtful way that they have conducted this debate. I want to thank the gentleman from Wisconsin (Chairman SENSENBRENNER) and the gentleman from Virginia (Chairman TOM DAVIS) and the gentleman from California (Chairman COX) for their hard work in getting this bill to the floor so early in the new session.

Of all of the issues being debated before us today, the controversy I find most confusing is the section regarding the standardization of driver's licenses. After all, Mr. Chairman, the war on terror is not being fought in a vacuum.

There was a time, to be sure, when identification fraud was a matter of concern principally to bouncers and bartenders, but that was before September 11, 2001. Since that day, Mr. Chairman, ID fraud has represented a clear and present danger to the national security of the United States, plain and simple. Without standards for the issuance or content of driver's licenses, the American people are needlessly put at risk. As long as America boasts the civilized world's most open laws concerning immigration and mobility while remaining its greatest terrorist target, we must ensure that people coming in and out of our country are not here to do our people harm.

When someone enters this country and can get a driver's license, he can board a plane, open a bank account, and get a job. If he plans to do these things not to make a better life for himself, but with the express intent of killing Americans, and that treachery could be curbed simply by reforming the way we issue driver's licenses, how can we not?

The REAL ID Act requires that applicants for driver's licenses prove that they are in the United States legally, very simple, and that a foreign traveler's license expires with his visa.

These are hardly Draconian measures, Mr. Chairman, nor are the sections of the bill that strengthen our deportation and asylum processes. These processes are not just loopholes; they are gaping, yawning chasms in the law waiting to be exploited. They are risks, threats even, to the security of our homeland and to our success in the war on terror. The reforms in the REAL ID Act are overdue, no less an authority than the 9/11 Commission itself says so.

So I just urge all of my colleagues to support this legislation to further help ensure that such events as three Septembers ago never again scar our homeland.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. LAHOOD). When proceeding in the Committee of the Whole under an order of the House that establishes time limits on general debate, the Committee of the Whole may not alter that order, even by unanimous consent. The Chair should not have entertained the earlier request of the gentleman from California.

Mr. CANNON. Mr. Chairman, I would like to submit a statement for the RECORD from the Americans for Tax Reform.

FEBRUARY 9, 2005.

Our nation's immigration and border control policies cry out for reform. While our best border control officers should be preventing the next terrorist incursion into our country, they are instead hunting down willing workers. The attacks of September 11th called for new and updated thinking in all areas of federal law enforcement, and immigration reform has been a glaring omission.

America's immigration system must be reformed in a responsible, welcoming, adult manner along the lines laid out by President Bush. Willing workers should be matched with willing employers, citizenship and residency applications must be streamlined, and the focus must shift to protecting the nation from terrorists.

Border security has been increased since 9/11, and should continue to be so. The latest technology must be used to make sure America's border is free of terrorist incursions. In order to let the border guard do their job of defending America, the President supports giving foreign laborers guest worker cards, ''to match willing workers with willing employers.''

President Bush is opposed to amnesty for illegal immigrants. He also does not want to give foreigners in the guest worker program any advantage over those who are trying to become citizens through normal, due process channels.

Congress should support President Bush's common-sense plan to reform and strengthen America's broken immigration system even as border security is addressed today in the House of Representatives.

GROVER NORQUIST,
President.

Ms. WOOLSEY. Mr. Chairman, when we shut our doors to the world we shut the door of democracy. President Bush wants the United States to be a leader in promoting freedom around the world, but we fail at home when we deny freedoms to those who desire the American dream. H.R. 418 fails to reform our system. Instead, it weakens our democracy.

If you vote for this bill you are saying we don't care if you have been persecuted because of your religion or beaten because of your gender. Stay in your own country. You are not entitled to our freedoms.

If you vote for this legislation you are saying that the United States doesn't care about federal or state laws as long as it means being able to close our border. Who cares if building a wall on our border endangers our environment? Out of 2,000 plus miles along our border with Mexico, you are saying that finishing 3 miles of that fenced area in Southern California is so important that we should throw out the principles of our democracy and let one man have the power to waive any laws that he wants without any oversight. Are you sure that this is a democratic country?

Mr. Chairman, shutting out people around the world from our democracy and throwing away the ideals of freedom that we hold so dear is no to way to be an example for the world. We need immigration reform but this legislation is not the right answer. I urge my colleagues to join me in opposing this legislation.

Mr. HOEKSTRA. Mr. Chairman, I rise to express my strong support of H.R. 418. Chairman SENSENBRENNER has presented for the consideration of the House a commonsense bill that will disrupt travel of would-be terrorists who would seek to do us harm right here in America. When enacted, these provisions will be yet another set of effective tools to help prevent another September 11-type attack.

All of these provisions are derived from provisions of the House-passed version of H.R. 10, the 9–11 Recommendations Implementation Act of 2004. During the conference with the other body on what became the Intelligence Reform and Terrorism Prevention Act of 2004, the provisions contained in H.R. 418 were either dropped in their entirety or modified so substantially as to virtually defeat the fundamental purpose of the provision.

A majority of the conferees on the part of the House very reluctantly agreed in order to get a conference agreement on the fundamental reform of the Nation's intelligence community. We are all original cosponsors of H.R. 418. As chairman of the conference, I thought that these provisions made sense then and they make sense now and should be enacted.

The core provisions of H.R. 418 establish a set of fundamental standards that state-issued identification cards, including driver's license, must meet to be recognized for Federal identification purposes, such as entering a Federal building. The bill provides the various States with 3 years to make any necessary modifications to their identification cards, if they so chose. The bill provides the Secretary of Homeland Security with discretion to extend the deadline for good cause upon application by an individual state. The bill does not impede the authority of individual states to determine who may operate a motor vehicle or who may be issued a State personal identification card for non-Federal purposes.

Some argue that the Intelligence Reform and Terrorism Prevention Act of 2004 already addresses this issue adequately. I simply disagree. The enacted provision requires a negotiated rulemaking process, without any absolute certitude that the negotiations on the proposed consensus regulations will be concluded by the date specified in the act. No hard date for implementation of these fundamental standards is specified.

H.R. 418 also restores the authority of an immigration judge to make a determination whether to grant or deny an individual application for asylum. At its core, the provision makes explicit the judge's authority to assess the creditability of the assertions of oppression being made by the applicant, just as judges and juries do each day with respect to criminal defendants. As some assert, H.R. 418 does not require the asylum applicant to produce documentary evidence in order to be granted asylum. It grants an immigration judge the authority to request the applicant to provide evidence to support the applicant's oral testimony and that of witnesses' supporting the applicant. H.R. 418 clearly states that the applicant is not required to provide documentary evidence if ''the applicant does not have the evidence or cannot obtain the evidence without departing the United States.''

H.R. 418 includes a provision specifying that offenses which currently provide grounds to deny a would-be terrorist entry into the United States are also grounds for the deportation of such persons, if they have somehow managed to enter the country illegally. Today, that is not the case. This glaring gap in the law must be closed.

Finally, H.R. 418 provides the Secretary of Homeland Security with authority to waive environmental laws, so that the border fence running 14 miles east from the Pacific Ocean at San Diego may finally be completed. Authorized by Congress in 1996, it has yet to be completed because of on-going environmental litigation. It is time to complete this much needed barrier to help secure one of the most used corridors for illegal entry, which is adjacent to the numerous facilities of the United States Navy and Marine Corps in San Diego.

Mr. Chairman, I commend Chairman SENSENBRENNER for his leadership and urge my colleagues to support H.R. 418.

Mrs. BONO. Mr. Chairman, I would like to thank Chairman SENSENBRENNER for his tireless efforts and leadership in getting the REAL ID Act to the floor and for championing national security issues and the crisis we face today with our Nation's border security. I would also like to thank my colleagues in the Southern California delegation for their efforts and for helping to protect not only their districts, but also the Nation's borders as well.

San Diego Border Fence: For too long our Nation has been playing chicken with our national security by ignoring the need to take a comprehensive approach to border security issues, particularly as they pertain to the Mexican border. The Mexican border has long been a porous and unguarded route for anyone wishing to sneak into the United States to inflict harm on our Nation and our citizens, including terrorists.

In particular, the San Diego sector covers an area of more than 7,000 square miles and 66 miles of international border with Mexico. Beyond that section of the border are the Mexican cities of Tijuana and Tecate, which boasts a combined population of more than 2 million people. This area of the border has been a heavily traveled route for illegal immigrants and potential terrorists due to the major cities and transportation hubs, such as LAX airport in Los Angeles. This area alone accounts for nearly 50 percent of national apprehensions of illegal immigrants nationwide.

A significant number of illegal immigrants that have been apprehended in this area can be directly attributed to the San Diego fence that was constructed a few years ago. The San Diego fence is a project that was started several years ago, but a 3.5-mile section of the fence was not completed due to environmental concerns. The portions of the San Diego fence that have been built have proven to be successful and are credited with significant declines in attempted border crossings in that area. The existing fence needs improvements and must be extended 3.5 miles to its originally planned length.

This legislation puts those priorities front and center by granting the Secretary of Homeland Security the authority to waive all Federal laws in order to complete the fence. In addition, this bill will increase the funding to improve the existing fence with a 3-tiered fence system and complete the original designed length. While environmental issues plays an appropriate role in our Nations' policies, the environmental and national security impacts of having illegal immigrants trample this portion of the border is greater than the concerns regarding building and completing the fence. Lastly, recent press accounts have reported that Al Qaeda operatives have joined forces with alien smuggling rings in order to enter the United States, particularly through the southern border with Mexico. The time to act on the San Diego border fence is now.

Drivers' License: REAL ID Act also bolsters stronger security standards for the issuance of drivers' licenses to aliens. This bill will establish requirements that help prove lawful presence in the United States prior to issuing a license to individuals. In addition, it is critical that all states must comply to eliminate weak links in the domestic identity security. We have all seen the failures of cards such as the Matriculate Consular cards and the widespread fraud that can take place. This bill requires tough physical security requirements to reduce counterfeiting and to ensure state compliance with such standards. Lastly, drivers' licenses that are issued in compliance with the new regulations will expire when an alien's visa expires to alleviate any confusion or ability for terrorists to maintain a false/fake drivers license while their visa has expired. Connecting the two forms of identification will ensure that law enforcement officers and federal agents will be on notice when a visa expires and will not be fooled by a separate and fake state ID that has not expired.

Asylum Provisions: Finally, the REAL ID Act will tighten the asylum system that has been abused and gamed by terrorists for years. This bill allows judges to determine a witnesses' credibility in their asylum cases. Without this change, judges have no discretion in determining the credibility of witnesses testifying that they are being persecuted. Judge's hands have been tied over the years and must just grant asylum in every case where persecution has been raised and have not been able to go beyond that point. This has allowed terrorists who have been persecuted in their home country for being terrorists to seek shelter in the United States. Currently, this argument cannot be used against them and is not grounds for deportation.

This bill gives the power to refuse terrorists entry to the United States and allows terrorists to be deported back to their home country. Terrorists have long been abusing our system in order to gain entry. This bill provides a list of long-accepted commonsense factors that an immigration judge can consider in assessing credibility, such as the demeanor, candor, responsiveness and consistency of an asylum applicant or other witness. It is essential for judges to be able to determine asylum cases based on the credibility or lack of credibility of witnesses.

Again, I would to thank Chairman SENSENBRENNER for his efforts in getting this bill to the floor and I strongly urge my colleagues to vote in favor of this bill because these reforms are necessary to our national security.

Mr. NEUGEBAUER. Mr. Chairman, I rise today in support of H.R. 418, the REAL ID Act of 2005. First, I would like to thank Chairman SENSENBRENNER and the Judiciary Committee for their leadership on this bill, and for their dedication to securing our borders and protecting Americans from terrorists.

My objective throughout debate over H.R. 10 was to get a bill that fully addressed all of our nation's security concerns. That means not only reforming how we gather and use intelligence, but also how we fight terrorism at home. I believe that the final bill that came to the floor fell short. That's why I voted against it.

However, the REAL ID Act implements crucial provisions that were dropped from H.R. 10 and fixes several glaring holes in our border security. One of the most important provisions in this legislation asks states to work with the Department of Homeland Security to establish and use standards for drivers' licenses.

Many states already have licenses that are difficult to counterfeit. Other states don't have stringent safeguards.

Some have argued that this bill creates a national ID. It doesn't. I would oppose any bill that did so. This bill simply requires states to make it harder for someone like Muhammad Atta to get a driver's license, and to use that license to carry out terror plans.

As the 9/11 Commission noted: "All but one of the 9/11 hijackers acquired some form of U.S. identification document, some by fraud." Increased ID security will make it more difficult for terrorists to obtain documents through fraud and conceal their identity. Deterring terrorists from receiving state issued IDs will make it more likely that they will be detected by law enforcement.

This bill also tightens our asylum system—a system that has been abused by terrorists with deadly consequences—by allowing judges to determine whether asylum seekers are truthful.

Additionally, the bill will protect the American people by ensuring that grounds for keeping a terrorist out of the country are also grounds for deportation. Incredibly, we have legal justification to prevent an individual from entering the country if they have known terrorist ties, however, under current U.S. law once they set foot inside the border we cannot deport them. This hinders our ability to protect Americans from foreign terrorists who have infiltrated the United States.

I think all Americans—and those of us on both sides of the aisle—can agree that the 9/11 Commission identified a number of improvements that will help upgrade our intelligence and enhance America's security. This bill provides common sense provisions to help prevent another 9/11-type attack by protecting our borders and disrupting terrorist travel in the United States. I urge members to vote in favor of the REAL ID Act.

The Acting CHAIRMAN. All time for general debate has expired. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. MCCAUL) having assumed the chair, Mr. LAHOOD, The Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 418) to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence, had come to no resolution thereon.

HONORING THE LIFE AND ACCOMPLISHMENTS OF THE LATE OSSIE DAVIS

Mr. WESTMORELAND. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 69) honoring the life and accomplishments of the late Ossie Davis.

The Clerk read as follows:

H. RES. 69

Whereas the late Ossie Davis, actor and civil rights leader, was born Raiford Chatman Davis, the oldest of five children born to Laura Cooper and Kince Davis, on December 18, 1917, in Cogdell, Georgia;

Whereas Ossie Davis graduated in the top 5 percent of his high school class, received a National Youth Administration scholarship, and walked from Waycross, Georgia, to Washington, D.C., to attend Howard University, where he studied with Alain Leroy Locke, the first black Rhodes Scholar;

Whereas Ossie Davis began his career as a writer and an actor with the Rose McClendon Players in Harlem in 1939;

Whereas during World War II Ossie Davis served in the Army in an African-American medical unit, including service as an Army surgical technician in Libya, where he worked on stabilizing some of the 700,000 soldiers wounded in that war for transport back to State-side hospitals;

Whereas Ossie Davis made his Broadway debut in 1946 in *Jeb*, where he met his wife, actress Ruby Dee, who he married in 1948;

Whereas Ossie Davis went on to perform in many Broadway productions, including *Anna Lucasta, The Wisteria Trees, Green Pastures, Jamaica, Ballad for Bimshire, A Raisin in the Sun, The Zulu and the Zayda*, and *I'm Not Rappaport*.

Whereas in 1961, he wrote and starred in the critically acclaimed *Purlie Victorious*;

Whereas Ossie Davis' first movie role was in *No Way Out* in 1950, followed by appearances in *The Cardinal* in 1963, *The Hill* in 1965, and *The Scalphunters* in 1968;

Whereas Ossie Davis made his feature debut as a writer/director with *Cotton Comes to Harlem* in 1970 and later directed *Kongi's Harvest* in 1971, *Black Girl* in 1972, *Gordon's War* in 1973, and *Countdown at Kusini* in 1976;

Whereas Ossie Davis held numerous leading and supporting television and motion picture roles throughout his distinguished career;

Whereas Ossie Davis was a leading activist in the civil rights era of the 1960s when he joined Dr. Martin Luther King, Jr. in the crusade for jobs and freedom and to help raise money for the Freedom Riders;

Whereas Ossie and Ruby Dee Davis, having protested the injustices of the McCarthy Era House Committee on Un-American Activities in the 1950s, were blacklisted from Hollywood;

Whereas Ossie and Ruby Dee Davis raised their voices for numerous causes, including support for the United Negro College Fund, vocal opposition to the Vietnam War, and participation in the August 28, 1963, March on Washington, D.C., at which the Rev. Martin Luther King, Jr. delivered his ''I Have a Dream'' speech.

Whereas Ossie Davis served for 12 years as master of ceremonies at the annual National Memorial Day Concerts on the grounds of the United States Capitol and was an advocate on behalf of the Nation's veterans;

Whereas Ossie Davis eulogized both Dr. Martin Luther King, Jr., and Malcolm X at their funerals;

Whereas Ossie Davis was inducted into the Theater Hall of Fame in 1994 and received innumerable honors and citations throughout his life, including the Hall of Fame Award for Outstanding Artistic Achievement in 1989, the United States National Medal for the Arts in 1995, the New York Urban League Frederick Douglass Award, NAACP Image Award, and the Screen Actor's Guild Lifetime Achievement Award in 2001;

Whereas Ossie Davis and his wife, Ruby Dee, are the parents of three children and have recently published their joint autobiography, *With Ossie and Ruby: In This Life Together*; and

Whereas Davis enjoyed a long and luminous career in entertainment along with his wife before he died in Miami, Florida, at the age of 87 on Friday, February 4, 2005, where he was making a movie called ''Retirement'': Now, therefore be it

Resolved, That the House of Representatives—

(1) recognizes the extraordinary contributions to the Nation of the late Ossie Davis for his service to the Nation in the military, as a civil rights leader, and as an actor;

(2) honors him as a great American and pioneer in the annals of American history; and

(3) expresses its deepest condolences upon his death to his wife Ruby Dee Davis, his other family members, and his friends.

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

The Chair recognizes the gentleman from Georgia (Mr. WESTMORELAND).

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, America was dealt an awful setback over the weekend in Miami, Florida. The distinguished actor, director, producer and advocate Ossie Davis passed away at the age of 87. He died doing what he loved most: he was shooting a movie.

Mr. Speaker, Ossie Davis stood out both in the fields of theater and human justice. We have enjoyed all of Davis's regal performances in recent movies like ''Grumpy Old Men,'' ''The Client,'' ''Do the Right Thing,'' and ''Jungle Fever,'' and in television programs like ''Evening Shade.''

Mr. Speaker, Ossie Davis was also a powerful social advocate. He was a tireless worker on behalf of the civil rights, and particularly voting rights, for all Americans.

It is remarkable to note that Ossie Davis was also half of one of the most revered couples of American stage and screen. Mr. Davis's wife, Ruby Dee Davis, appeared in more than 20 films and scores of theater productions herself. In December, the Kennedy Center here in Washington honored both Ossie and Dee Davis as part of the 27th Kennedy Center Honors for their extraordinary contributions to the arts. The two were married for 57 years. Ossie Davis is survived by his wife.

If my distinguished colleague, the gentleman from Georgia (Mr. BISHOP), would indulge me, I would wish to offer the most sincere condolences of all Members of the House to Ruby Dee and the Davis family during these heart-rending days.

Mr. Speaker, the president of the Screen Actors Guild, Melissa Gilbert, made this fitting statement last week following the death of Mr. Davis, who was a Screen Actors Guild Life Achievement Award recipient: ''Along with his remarkable wife, Ruby Dee, Ossie Davis's impact on America can be seen not only in his rich body of creative works, but equally so as a passionate advocate for social justice and human dignity.''

Mr. Speaker, I thank the gentleman from Georgia for proposing this resolution to the House. I am proud to be a cosponsor of House Resolution 69 that honors the life of Ossie Davis. I urge adoption of this resolution.

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

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 6 minutes to the gentleman from Georgia (Mr. BISHOP), the originator of this legislation.

Mr. BISHOP of Georgia. Mr. Speaker, I thank the gentleman for yielding me this time. First, I would like to thank the gentlewoman from California (Leader PELOSI) and the gentleman from Texas (Leader DELAY) and the members of the Committee on Government Reform; the gentleman from Virginia (Chairman TOM DAVIS), the gentleman from California (Ranking Member WAXMAN), my good friend, the gentleman from Illinois (Mr. DAVIS), as well as their staffs, for helping to move this important resolution, H. Res. 69, to the floor as quickly as they did. Let me also thank the gentleman from Georgia (Mr. KINGSTON), who represents Georgia's first district which includes the town of Cogdell, Georgia, the birth place of Ossie Davis and, Waycross, Georgia, where Mr. Davis grew up, for his cosponsorship and for his efforts to bring this resolution to the floor in short order. Also, I thank my colleague, the gentleman from Georgia (Mr. WESTMORELAND), for his efforts and his activity in helping to honor this great Georgian.

□ 1615

We are here today to honor a great American, a veteran, a civil rights leader, a social justice activist, and a tremendous talent, Mr. Ossie Davis. We lost him this past Friday, February 4, at the age of 87.

Ossie once said, ''Struggle is strengthening. Battling with evil gives us the power to battle evil even more.'' Empowered and inspired by his own struggle, Ossie fought for what was right. He fought with his voice, with his example, with his art.

Above all, Ossie Davis was an artist. The eldest of five children, Ossie Davis

grew up with the gruesome realities of lynchings and the Ku Klux Klan, yet he was inspired by Shakespeare. At the age of 18 with nothing more than a $10 bill and the dream of becoming a playwright, Ossie Davis hitchhiked from rural Georgia to Washington, D.C., where he studied at Howard University. He left school 3 years later only to live his dream of becoming a writer and an actor with the Rose McClendon Players in Harlem in 1939.

His acting career was interrupted in World War II when the Army sent him to Liberia, where he served at the Army's first black station hospital before being transferred to Special Services to write and produce stage shows for the troops.

He returned to the States committed to the power of art and its capacity to make viewers more human, to teach them to live.

He was a trailblazer for African Americans on stage. He debuted on Broadway in 1946 in ''Jeb,'' and while the show ran for only 9 days, it was during that production that he met his wife, actress Ruby Dee. I would be negligent if I did not recognize and highlight the importance of this event as it inspired the marriage of one of the most revered and important couples ever to appear on stage and screen.

Ossie appeared in dozens of TV programs and more than 30 films, beginning with the 1950's ''No Way Out,'' with Dee and Sidney Poitier, and culminating with last year's ''She Hate Me.'' As a playwright, he was most famous for the 1961's controversial send-up of racial stereotypes, ''Purlie Victorious,'' a production which would inspire his relationship with Malcolm X.

Believing that art and activism can go hand-in-hand, Ossie Davis never shied away from roles that took on the status quo. Rather, he sought them out on stage and in life.

When singer-actor Paul Robeson was targeted by the anti-Communist witch-hunts of the 1950s, Ossie Davis and Ruby Dee were steadfast in their support even as they were blacklisted themselves. They were brave.

They were at the forefront of the 1963 March on Washington, and when their friend Malcolm X was assassinated, Davis delivered a moving eulogy for the controversial leader, whom he praised as ''our own black shining prince'' and ''our living black manhood,'' words that at the time took courage to deliver.

Ossie Davis and Ruby Dee raised their voices for numerous causes, including support for the United Negro College Fund and vocal opposition to the war in Vietnam. But above all, Ossie Davis was an artist, his roles ultimately too numerous to count, yet all were memorable; and we take comfort that he left this world doing what he loved.

As Spike Lee said, ''For an actor, if you've got to go, that's the way to go out, still working, still ready to go.''

I know that my colleagues will now join me in recognizing the tremendous achievements and body of work that Ossie Davis has left as his legacy. Our sincerest condolences go out his family and all who knew and loved him.

But this is why we today in the United States House of Representatives join in consideration of H. Res. 69, which recognizes the extraordinary contributions to the Nation of the late Ossie Davis, for his service to the Nation in the military, as a civil rights leader and as an actor, and honors him as a great American and pioneer in the annals of American history, and expresses its deepest condolences upon his death to his wife, Ruby Dee Davis, his other family members and all of his friends and fans across the world.

Thank you, Ossie. We will miss you.

Mr. WESTMORELAND. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Speaker, I would like to thank Members on both sides of the aisle. Ossie Davis was more than just an actor. All of us benefited from Ossie Davis as more than just an actor.

I once heard him say that in every role that he played it was important to serve as a positive role model, and I think he did that. He held high standards. His family should be proud. He went about his work of activism very quietly, but yet he was very, very effective because when you do that, most people listen. And I think he was effective in more ways than as someone who stood up and beat on his chest. He served at a positive role model.

I want to thank Ossie Davis for his role in supporting this country and for being a role model.

Earlier today I wanted to also speak on the Tuskegee Airmen because they also served as a role model. I have been honored by being with the Tuskegee Airmen on several occasions. They fought for their country. They never lost a single bomber that they escorted, and they served this country proudly and also served as positive role models. Many of those role models are still alive today.

So I would like to thank again Members on both sides of the aisle. Let us honor Ossie Davis for the man that he was, for the activist that he was, for the actor that he was, and the father that he was.

Mr. DAVIS of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, what a sad occasion. We come to pay a great tribute to a great American. And I want to join with my colleagues who are all here in recognition of this.

Ossie Davis personified all that is good and what is right about America. Coming out of the backwoods of Georgia, Cogell, Georgia, he soon became recognized as a renaissance man, to do so many things so well, actor, playwright, writer, civil rights leader, humanitarian, all of these things.

I happened to know and got to know him through his work in the Alliance Theater in Atlanta and on the trips he made down to Florida A&M University. And on so many occasions when he spoke, everybody listened. And one of the things he enjoyed most was a poem that I think best personifies Ossie Davis. And he would use this poem at the end of everything that he would say.

He would say, ''Well, son, I'll tell you, you know, life for me ain't been no crystal stair. It's had tacks in it and splinters and boards torn up, no carpet on the floor, bare. But all the while I's been aclimbing on and reaching landings and turning corners and sometimes going in the dark where there ain't been no light. So, boy, don't you stop. Don't you sit down on the steps because you find it's kinda hard. Don't you fall now. For I's still climbing. I's still going on, honey. You see, life for me ain't been no crystal stair.''

Life was no crystal stair to Ossie Davis. And, you know, the Lord works in strange and mysterious ways; this is Black History Month, and He chose this month to bring Ossie Davis home.

We salute you, our shining black prince.

Mr. WESTMORELAND. Mr. Speaker, I have no further speakers at this moment, and I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. BARROW).

Mr. BARROW. Mr. Speaker, it is an honor to have the opportunity to pay my respects to a fellow native Georgian, especially a man like Ossie Davis.

On the stage and on the screen or in the public spotlight, Ossie Davis used his art and his talent to open America's eyes, exposing the inequality and injustice of racial segregation, fighting the witch-hunts of the 1950s, and providing a voice of strength and honor for those Americans struggling just to gain their basic freedoms.

Those of us who grew up during the turbulent times of the 1950s and 1960s will remember the challenges our country faced, and we will never forget those individuals who led our country through those years.

Ossie Davis was an activist and an artist, but he was also a leader whose life we should celebrate. Without question, Ossie and his wife of 56 years, Ruby Dee, are role models for all generations to remember.

I urge all my colleagues to pay our respects and extend our condolences to Ruby Dee and the entire Davis family by supporting H. Res. 69.

Mr. DAVIS of Illinois. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. LOWEY).

Mrs. LOWEY. Mr. Speaker, I rise today in honor of Ossie Davis, a civil rights advocate, a celebrated actor, dedicated family man, upstanding resident of Westchester County, and my dear friend. I feel very fortunate to have known Ossie and to have represented him and his wife, Ruby Dee, for the last 16 years.

Ossie Davis will be remembered by millions of Americans as an outstanding actor. From his very first movie role in the 1950s ''No Way Out'' to roles in such classics as ''Raisin In The Sun,'' ''Roots: The Next Generation,'' ''Miss Evers' Boys,'' Ossie's accomplishments as an actor were truly amazing. He well deserved the many honors and awards he received, most recently as a Kennedy Center Honoree along with his wife, Ruby Dee.

But Ossie's legacy goes well beyond all that. His advocacy or civil rights is legendary. At a time when such activism would cost an actor his career, he refused to be silent in the face of injustice and he used his celebrity to draw attention to the plight of African Americans. From his eulogy at the funeral for Dr. Martin Luther King, Jr., to his memorable voice-overs for the United Negro College Fund, uttering the now-famous words, ''A mind is a terrible thing to waste,'' Ossie continued throughout his life to fight for civil rights and he became one of the towering figures in that struggle.

I have so much admiration for all that Ossie Davis did for my community, for Westchester County and the Nation. I am proud to have represented him in the Congress.

I join my constituents, all his friends, his fans and the world in mourning his passing. Our thoughts and prayers are with Ruby and his entire family. I urge my colleagues to join me in support of this resolution to honor the legacy of Ossie Davis.

Mr. DAVIS of Illinois. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I want to thank the gentleman from Illinois (Mr. DAVIS) for his leadership and for yielding me time and also to the gentleman from Georgia (Mr. BISHOP) for this resolution.

It is with truly a deep sense of sadness and sorrow that I come to the floor today to say a few words about a truly great American. Ossie Davis also is a true American patriot. He was called to serve in Liberia during World War II. He later transferred to the Special Services where he wrote and produced stage shows for our troops.

Ossie was a trailblazer whose courage extended far beyond the stage and screen into the civil rights movement and the fight against racial discrimination. He truly was a man for all seasons.

□ 1630

Ossie always spoke truth to power. During Senator McCarthy's anti-Communist witch hunts of the 1960s, Ossie Davis sued for voting rights and spoke out in support of the singer and actor, a great hero, Paul Robeson, though it resulted, of course, in him getting blacklisted.

Ossie not only was at the forefront of the march on Washington in 1963, but he courageously delivered a moving and memorable eulogy at the funeral of Malcolm X.

I have known Ossie Davis and Ruby Dee for many years and love them very much and will cherish many, many memories of this great and humble man. They were personal friends and supporters of my predecessor, Congressman Ron Dellums, who loved them very much.

I must thank Ossie Davis for his phone calls during very controversial and challenging moments for me personally after casting difficult votes. I will always remember and cherish his wisdom, his concern and his support; and I am deeply grateful for his words of encouragement.

My condolences go out to his beautiful and intelligent and brilliant wife, his life companion, Ruby Dee, and his entire family. The world has lost a great man of distinction who will be sorely missed.

May his soul rest in peace.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentlewoman from California (Ms. WATERS), another contemporary and friend and colleague of Ossie Davis.

Ms. WATERS. Mr. Speaker, I thank the gentleman from Illinois (Mr. DAVIS) for yielding this time to me.

Mr. Speaker, it is very difficult for me to accept the fact that Ossie Davis has passed. I am deeply saddened by his departure, and I will truly miss him. I loved Ossie Davis and I love Ruby Dee, his wife of over 50 years. They are my friends, and whenever I had the opportunity to be with them, I chose to spend my time that way.

His death is an incalculable loss to the world of arts and entertainment, but more importantly, to the legions who for more than 60 years were inspired by his intense commitment to social justice and improving life for African Americans.

Ossie and Ruby were pioneers who opened many a door previously shut tight to African American artists and planted the seed for the success that artists of color enjoy today. A towering figure as a playwright, screenwriter, director and producer and actor, Ossie Davis's career spans more than half a century, and his enormous body of work includes award-winning performances on stage, television, and more than 50 motion pictures.

Many times he put his career on the line and took the heat for supporting our campaigns and events. He and Ruby sued in Federal court for black voting rights and risked their careers revisiting McCarthyism. Yet because Ossie was a man of integrity and conscious, the labels did not stick and attempts to discredit him all failed.

In 1982, Ossie Davis joined the Congressional Black Caucus and other groups from the black leadership community to develop ''the Plan,'' which still guides us today in the work that we must do in order to reach racial and economic equality.

At the time, Ossie said when he was developing the plan, ''Give us a plan of action, a 10 black commandments, simple, strong, that we can carry in our hearts and in our memories no matter where we are and reach out and touch and feel the reassurance that there is behind everything we do; a simple, moral, intelligent plan that must be fulfilled in the course of time, even if all of our leaders, one by one, fall in battle.''

I am going to miss him.

Mr. Speaker, these are wise words from a truly remarkable man.

I never thought of Ossie as 87 years old, Mr. Speaker. The fact that young artists continued to seek his advice and counsel until his final days is proof that he remained young in spirit. I will dearly miss my friend Ossie Davis. My thoughts and prayers are with Ruby Dee and his family.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentlewoman from Georgia (Ms. MCKINNEY).

Ms. MCKINNEY. Mr. Speaker, I had the honor of knowing Ossie Davis. I met him during my 2-year hiatus from Congress, and after learning of my story, he joined the thousands of Americans who, too, were outraged at my treatment by the dominant political personalities of the day and the media. He and his wife were committed to my return to Congress and acted on that commitment. The Dee-Davis family mourns but all of America mourns, too.

Ossie Davis is of particular note because he utilized the platform of an arts icon as a part of his struggle against injustice in this country.

Ossie Davis could have led a comfortable life. Ossie Davis could have led a quiet life, but Ossie Davis chose to stand and stand again when doing so invited discomfort and controversy.

I was honored to have had the opportunity to meet him personally. My condolences go out to his family and admirers, and I am pleased to make this statement from the floor of the United States House of Representatives for all America and for history to know the stalwart warrior legacy left to us by the late great Ossie Davis.

Mr. DAVIS of Illinois. Mr. Speaker, may I inquire as to how much time I have left.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Illinois (Mr. DAVIS) has 3½ minutes remaining.

Mr. DAVIS of Illinois. Mr. Speaker, could I indulge my colleague to yield to us maybe 6 minutes?

Mr. WESTMORELAND. Yes, I yield.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentlewoman from Detroit, Michigan (Ms. KILPATRICK).

Ms. KILPATRICK of Michigan. Mr. Speaker, I thank the gentleman for yielding me 2 minutes.

I, too, want to add my appreciation for the soul of Mr. Ossie Davis: courageous, king, gentleman, warrior, friend. We honor him today and his memory, for when he walked in a room, we knew that the strength of African American men was being represented wherever he went.

When he spoke, when he gave his time, when he reached out to all of us to let us know that we could be whatever it is that we wanted to be and with God in us, as he was in Mr. DAVIS, we knew that we would overcome.

To Ruby Dee and her family for over 50 years, thank you for sharing him with us. Mr. Ossie Davis, he lives today and he will always live because he is an example to all of us how we should live with dignity and pride, face challenges head on, and speak the truth.

Thank you, Mr. DAVIS, and may you rest in peace.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield 2 minutes to the energetic gentlewoman from Houston, Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank my friend and colleague for his leadership in managing this very special tribute that a very distinguished Member of Congress, the gentleman from Georgia (Mr. BISHOP), has allowed us to be able to join him on. I thank the gentleman from Georgia (Mr. BISHOP) for letting us acknowledge to the world our appreciation and respect for Ossie Davis and for Ruby Dee.

Ossie Davis belonged to the world, and he belonged to those of us in America, regal, tall, forthright and honest and certainly an enormous story teller. I understand now that he is a son of Georgia, the red soil of Georgia; but in fact, he was a hero of America.

Thank you, Ruby Dee, for sharing him. Thank you for the exemplary commitment that two people showed to the world of 50-plus years and how pleased we were that we were able to give in 2004 to Ossie Davis and Ruby Dee the Kennedy Center Honors.

I stand here today, Mr. Speaker, not so much to chronicle all of the attributes and contributions that Ossie Davis made. When he was willing to stand tall in the midst of the civil rights era, when he could use his talents simply to enhance himself, he decided to use that eloquent voice to fight for justice and equality and stand alongside of A. Philip Randolph, to stand alongside of Martin King, to stand alongside those who could not speak for themselves.

Growing up in nearby Waycross and Valdosta and being born in Cogdell, Georgia, in 1917, one would think that he would succumb to being just a rural country boy; but he took those beautiful and wonderful roots and made them the strength of America and the strength of himself.

I will just simply say, may he rest in peace. God bless him and God bless Ruby Dee and his family.

Mr. Speaker, I am pleased to be here today to recognize the extraordinary contributions of the late Ossie Davis for his service to the Nation in the military, as a civil rights leader, and as an actor. I would like to express my deepest condolences upon his death to his wife Ruby Dee Davis, his other family members, and his friends.

Ossie Davis, the actor distinguished for roles dealing with racial injustice on stage, screen and in real life, died last week at the age of 87.

He was the longtime husband and partner of actress Ruby Dee. Ossie Davis wrote, acted, directed and produced for the theater and Hollywood, and was a central figure among black performers of the last five decades. He and Dee celebrated their 50th wedding anniversary in 1998 with the publication of a dual autobiography, "In This Life Together."

In 2004, Ossie Davis and his wife Ruby Dee were among the artists selected to receive the Kennedy Center Honors.

When not on stage or on camera, Davis and Dee were deeply involved in civil rights issues and efforts to promote the cause of blacks in the entertainment industry. They nearly ran afoul of the anti-Communist witch-hunts of the early 1950s, but were never openly accused of any wrongdoing.

Ossie Davis was the oldest of five children of a self-taught railroad builder and herb doctor, was born in tiny Cogdell, GA, in 1917 and grew up in nearby Waycross and Valdosta. He left home in 1935, hitchhiking to Washington to enter Howard University, where he studied drama, intending to be a playwright.

His career as an actor began in 1939 with the Rose McClendon Players in Harlem, then the center of black culture in America. There, the young Ossie Davis met or mingled with some of the most influential figures of the time, including the preacher Father Divine, W.E.B. DuBois, A. Philip Randolph, Langston Hughes and Richard Wright.

Along with film, stage and television, the couple's careers extended to a radio show, "The Ossie Davis and Ruby Dee Story Hour," that ran on 65 stations for 4 years in the mid-1970s, featuring a mix of black themes.

Ossie Davis, you will be missed.

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

I believe that all of our speakers who are here have had an opportunity to speak. I will use the rest of our time to close.

I want to thank the gentleman from Georgia for yielding a portion of the time, and I want to thank all of those who came over to speak. There were a number of additional individuals who had signed up but were not able to get here, people like the gentleman from Michigan (Mr. CONYERS), the gentleman from New Jersey (Mr. PAYNE), the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), the gentleman from Maryland (Mr. CUMMINGS), the gentlewoman from California (Ms. WATSON), the gentleman from New York (Mr. TOWNS), and unfortunately, they were not able to come.

I simply want to indicate that Ossie Davis and Ruby Dee were as much a part of being activists as they were being actors, and I want to thank the gentleman from Georgia (Mr. BISHOP) for giving us all the opportunity to share in his life today.

In November of 2003, we launched something called the State of the African American Male, and Ossie Davis and Ruby Dee were the luncheon speakers. Of course, the luncheon had standing room only, people trying to get in; and it was at that gathering where Ossie Davis stated that it was his personal mission to reverse the trends affecting young black males, such as drug tradition, high dropout rates and criminal issues.

Ossie Davis will forever live in our hearts and minds through his community outreach, his talents on and off camera, and as a loving father and husband. He will also be recognized on the world stage as a pioneer of the civil rights movement, fighting for justice, equality and what he knew were the right things to do.

Ossie Davis felt a collective effort of change was needed in our community and our country, but as he once said, ''It's not the man, it's the plan.''

Today, we honor the man, but we will never forget the plan, the life and the influence of Ossie Davis.

Mr. Speaker, I yield the remainder of our time to the gentlewoman from the District of Columbia (Ms. NORTON), for our final words, as she has just dashed in, another contemporary and friend of his.

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding me the time; and I hasten to add, he did not mean that I was 87 years old, but he is right that I regard myself as a good friend of Ossie Davis and Ruby Dee, and if I may say so, Ossie Davis and Ruby Dee are the most remarkable couple in the history of arts and letters in the United States, ever; and now we have lost one half of that couple, and America across this land mourns the passing of a great artist.

Mr. Speaker, Ossie Davis was a renaissance man. A renaissance man is not a Jack of All Trades. One definition says: a man who has broad intellectual interests and is accomplished in areas of both the arts and the sciences.

The notion of the renaissance man comes from the great Renaissance era, the Italian Renaissance, the English Renaissance. Out of the English Renaissance came such new talents as William Shakespeare.

Ossie Davis merits the title Renaissance man. There is no area of the arts in which he did not excel, and he did not start with the arts. He insisted upon being a man of his time and a man of his race. To have been a renaissance man in your time, no matter who you were, whatever your advantages, is to live up to an impossible standard, but to have been born in the worst years of segregation and lynching and mob violence in our country, in the South of the United States and to have risen to be a man of letters and of the arts who, of course, most recently was honored with the greatest honors of our country at the Kennedy Center is to give new meaning to the very words Renaissance man.

Who are the men who are understood to be Renaissance men? To give my

colleagues a cross-section of them, Leonardo Da Vinci, Paul Robeson, Thomas Jefferson.

□ 1645

We use that word when we think of men whose talents are so broad and so wide, as evidenced in the works they have produced, that there is no other word for them. We cannot simply call them an artist. We cannot simply call them a producer. We cannot simply call them a playwright. We cannot simply call them a stage actor. Because they are all those things.

And then, of course, to have been the kind of artist who understood that without compromising his art he could become a leader in the greatest revolution of our time, the civil rights revolution, is to have set a standard that all of us must admire.

Mr. Speaker, I appreciate that this resolution has come from the whole House, and I ask the whole House to join me and the country in celebrating the fact that Ossie Davis proves that if you let a man's talent shine, he will overcome whatever you have to throw up and whatever you have to throw out.

We are blessed, we are honored that a renaissance man of his immense talent lived among us and gave so much of his talent to his country and to his world.

Mr. WESTMORELAND. Mr. Speaker, I yield myself the balance of my time to urge all Members to vote for House Resolution 69.

Mr. PAYNE. Mr. Speaker, I rise today to join my colleagues in honoring the life and accomplishments of a monumental figure in our history.

Ossie Davis was one of our most prominent and active civil rights leaders. He was a voice of freedom. A voice that would not falter in the face of danger. A voice that could not be silenced in a time of injustice. He stood with Martin Luther King, Jr. in the fight for equality and participated in the March on Washington in 1963. He was even blacklisted from Hollywood in 1950s for his political beliefs.

I had the honor of meeting Ossie Davis and his wife Ruby Dee last year at a 25th anniversary gala for Crossroads Theater in New Brunswick, New Jersey. Ossie and Ruby were being honored for their long-time support of the historic African-American theater. They generously donated their time to participate in fundraisers for the theater and played a key role in helping Crossroads thrive.

During the 87 years of his life, Ossie Davis demonstrated the true definition of a role model. He graduated in the top 5 percent of his class in high school. On a quest for higher knowledge and education, Ossie hitch hiked from his home in Cogdell, Georgia all the way to Washington, DC to attend Howard University. Ossie also dutifully served his country for 4 years in World War II as a surgical technician.

Ossie Davis was a man who frequently chose the path less traveled and broke down barriers, especially on Broadway and in the entertainment industry. Using the arts, he capitalized on every opportunity to build awareness about the racial injustices occurring in this country. He wrote several screen plays, including the critically acclaimed "Purlie Victorious" and "Cotton Comes to Harlem". Ossie even had a radio show with his wife, "The Ossie Davis and Ruby Dee Story Hour," which ran on 65 stations for four years in the mid-1970s. Ossie has received numerous honors for his work including being inducted into the Theater Hall of Fame in 1994 and being among the artists to receive the Kennedy Center honors in 2004.

Ossie Davis will always be remembered as one our most cherished civil rights leaders. In celebration of his life and accomplishments, I strongly urge that we pass this resolution.

Mr. RANGEL. Mr. Speaker, I rise to honor the life of an extraordinary, artist, activist, and American, Ossie Davis. Just two months ago I made remarks to the House about Ossie and his wife Ruby Dee, on the occasion of their acceptance of Kennedy Center Honors. It is with great sorrow that I know make remarks on his passing.

I am consoled only by the fact that Ossie leaves behind a life of great achievement. Along the way he established himself as one Black America's greatest ambassadors to the arts, and one of this country's major contributors to human and civil rights. Born and raised in Georgia, he would lived the cruelties of the Jim Crow South. He also saw how his parents endured the struggles of that period. It aspired in him a desire to write. As he once said, "I decided to become a writer so that I could tell their stories."

In 1935 he would hitchhike to Washington DC, to study at Howard University. There he would study drama, with the intent of being a playwright. During his time in Washington he would witness the great African America opera singer Marian Anderson perform on the steps of the Lincoln Memorial, after she barred from performing at Constitution Hall. The beautiful and inspiring performance solidified his decision to purse a career in the arts so that he would be able to share is culture with the world.

In 1939 he came to Harlem—at that time the culture center of Black America. There he would begin to hone his craft as a member of the Rose McClendon Players, an African American acting company. He would also meet and be influenced by some of the great Black figures of the time, such as, W.E.B DuBois, A. Philip Randolph, and Langston Hughes.

World War II would soon interrupt Ossie's stay in Harlem. In the war, he served as an Army surgical technician in an all African American unit. Shocked by the Nazis' treatment of Jews and frustrated by the inequities he saw in the Army, he returned to America in 1945 determine to bring about change through his work.

In 1946, Davis made his Broadway debut in the play Jeb, winning rave reviews. It was on the set of that play that he would meet his wife and life partner Ruby Dee. He went on to perform in many Broadway productions, including Anna Lucasta, The Wisteria Trees, Green Pastures, Jamaica, Ballad for Bimshire, The Zulu and the Zayda, and the stage version of I'm Not Rappaport. He is probably best known on stage for his role in A Raisin in the Sun (1959), a role he would reprise again in the play's film version.

He starred in numerous film and TV roles throughout his career. Though a veteran of the movie biz, he continued to star in some of the most cutting-edge films of the last few years. He has been a staple in almost all of director Spike Lee's films including, Jungle Fever, Get on the Bus, School Daze and the classic Do the Right Thing.

Ossie also distinguished himself as writer and director. He wrote or directed many numerous films and plays, the most well known being the 1970 film Cotton Comes to Harlem. In particular he wrote frequently about the civil rights struggle of African Americans. One of the plays Davis wrote and directed was The People of Clarendon County, about one of the cases that led to the 1954 U.S. Supreme Court decision prohibiting school segregation. He also wrote dramas about the brutal 1955 killing of the black teenager Emmett Till, the Montgomery bus boycott, and Martin Luther King.

He was a two-time Tony Award nominee, first nominated in 1958 for Best Featured Actor in a Musical for his performance in Jamaica. He was again nominated in 1970 for the musical Purlie, based on his 1961 play Purlie Victorious. Ossie would go on to receive many honors and citations, including the Hall of Fame Award for Outstanding Artistic Achievement in 1989; the Theater Hall of Fame in 1994; the U.S. National Medal for the Arts in 1995; and the Kennedy Center Honor in 2004.

Outside of the stage and screen, Ossie spoke out on some of the most controversial issues on the day—moves that were extremely risky to his career. With wife Ruby by his side, he would stand up for victims of the McCarthy-era witch-hunts, including the famous Black entertainer and activist Paul Robson. He also openly embraced the great leader Malcolm X, at a time when many prominent African Americans feared doing so. Whether through his participation in the March on Washington, to his suit in federal court to guarantee Black voting rights, to his arrest for protesting the wrongful killing of African immigrant Amadou Diallo, he remained an activist. A February 9, 2005 op-ed in the New York Post attests to this fact.

It is said that on the day that Ossie passed, the Broadway stages dimmed their lights in his honor. There is a sweet irony to this, because the impact that he had on this country will never dim. Through his work and deeds, the legacy of Ossie Davis will shine bright forever.

[From the New York Post, Feb. 9, 2005]

BEING OSSIE

HE NEVER FEARED A RIGHTEOUS FIGHT

(By Leonard Greene)

The irony in the death of actor Ossie Davis, of course, is that the person most qualified to deliver his eulogy is sadly unavailable.

If you ever led a people's movement, or spoke out against war, or empowered the underclass, or fought for freedom, or made men stand up straight or took a bullet while speaking for voiceless garbagemen, there was no better man to speak at your memorial than the man who married Ruby Dee.

Just ask anyone who crowed into Harlem's Faith Temple Church on that cold day in February, in 1965, when the masses said goodbye to one of their many martyrs.

Malcolm X had died in a hail of angry bullets, and those who were also wounded needed to hear just the right words.

"Malcolm was our manhood, our living, black manhood," Davis said to the sad assembled crowd. "This was his meaning to his people. And, in honoring him, we honor the best in ourselves."

Three years later, after another bullet rang out, and another strong black leader was silenced, Davis again searched within, and found more words to soothe. Martin Luther King Jr. had been assassinated the day before in Memphis, and tensions in New York were running high

''How much, America, do you expect us to bear?'' Davis said at a memorial rally in Central Park. ''There is not time left. For every Martin they cut down, there must be a hundred Martins to step into his shoes.''

Davis never did find his hundred. He never even found five or 10. There could only ever be one Martin. So Davis did the next best thing.

He continued being Ossie.

Often, being Ossie meant lending his name, voice and body to a cause when others were silent or invisible.

Whether he was organizing the historic 1963 March on Washington—where King gave his ''I Have a Dream'' speech—or trying to save the famed Apollo Theater, Davis was as dedicated to a righteous outcome as he was to getting his lines right.

''I've known Ossie since I was a teenager, and he has supported my efforts, sometimes alone, in the struggle for civil and human rights,'' said the Rev. Al Sharpton, an activist in his own right. ''Ossie was always gentle, committed and supportive.''

Sharpton recalls the months after Amadou Diallo, an unarmed immigrant, was shot to death by police on the Bronx street six years ago.

Many prominent rappers, who had decried police brutality in the lyrics they spat out over sampled beats, wouldn't step outside their studios to actually protest against it.

But when Davis, 81 at the time, and his wife were asked to participate, they wasted no time getting arrested.

For Davis, ''action'' meant something more than a word from a director.

In the end, the Rev. James Forbes and the Rev. Calvin Butts, two community icons, will share officiating duties at Davis' funeral Saturday.

Despite the challenge, their task will be somewhat easier because their subject—unlike Malcolm and Martin—lived to see 40 years. Twice.

And therein lies the answer to the hypothetical that has intrigued us for a generation: What would have become of Malcolm and Martin if they had been allowed to grow old? Chances are they would have gotten gray, and moved a little slower—two fires that still burned, but would not go out.

They would have been dismissed by some as past their prime. Yet they would have kept on walking, and kept on talking, and kept on fighting for justice and good schools until the very last breath escaped from their dying lips.

Just like Ossie.

Mr. LEWIS of Georgia. Mr. Speaker, America has lost more than an entertainer. We have lost one of the most committed and dedicated citizens that I have ever known. We grew up with Ossie Davis. During the March from Selma to Montgomery, during the struggle in Birmingham he was one of the people that the Civil Rights Movement depended on to help mobilize people and support for our efforts.

He was a fighter for civil liberty, for civil rights, for social justice, and for peace. Whether it was speaking out against violence abroad or violence here at home, he lent his voice. Whether it was narrating a film or serving as master of ceremonies at a civil rights rally, he was there. He dedicated his life and his art to the causes of justice and peace.

Ossie's career spanned the last five decades as a writer, and actor, director and producer for the theater and in film. He was a trailblazer for African Americans. He served our country in World War II as a surgical technician in the first black station hospital and also entertained his fellow soldiers as a writer and producer of stage shows. He came home from war and used his talents both on stage and off to make the world a better place.

He and his wife Ruby Dee shared their lives and their art and together received Kennedy Center Honors for their lifetime achievements in the arts, the National Medal of the Arts and the Screen Actor Guild's Lifetime Achievement Award.

He was a friend, a great talent, a leader, and a great American. He will be greatly missed.

Mr. OWENS. Mr. Speaker, most of the world knows that Ossie Davis was the ''Man with a Plan''. He urged the African American leadership to unite behind a blueprint for liberation, progress and prosperity. Today I would also like to note that Ossie Davis was the man always available to support a just cause. His great fame and success never led him to succumb to the isolation of stardom. He was a natural superstar who never lost his touch with activists and the common man. Personally I owe many debts to Ossie Davis and Ruby Dee. I first met him at civil rights rallies in the sixties. When he was called he showed up for rallies and demonstrations and never indicated any fear of reprisals at the box office. In 1982, as I campaigned for Congress, he responded to my call for help and hosted a fundraiser for MAJOR OWENS, the little known, underdog candidate for the district previously represented by Congresswoman Shirley Chisholm. Some years later he responded to my plea for his presence at an ''All-Night Teach-In'' held at the Borough of Manhattan Community College to protest devastating budget cuts of education and social programs. My last face to face meeting with Ossie Davis occurred at a Brooklyn College ''Rally for the Restoration of Democracy in Haiti''. That was in October of 2004, just four months ago. Again, not worrying about the consequences of his public statement, Ossie Davis denounced the murder of democracy in Haiti by the Bush administration. To the very end he was a ''Man with a Plan'' available to promote truth, freedom and justice. His life and the record of his achievements will long endure to inspire millions in the future.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I join our Nation in mourning and remembering one of our finest citizens, Mr. Ossie Davis.

Born Raidford Chatman Davis or ''Ossie'' in Cordell, Georgia in 1917, Ossie Davis knew at an early age exactly what he wanted to do in life. He decided to attend college at Howard University to become a playwright.

Many of us knew Ossie as an actor and political activist but he also served in the United States Army during World War II, where he was stationed at the Army's first black station hospital before being transferred to special services to write and produce stage shows for the troops.

During the civil rights era, Ossie and his wife Ruby Dee fought tirelessly to promote equal rights and justice for African-Americans subjected to segregation. And although he suffered tremendous loss professionally, his career has been nothing short of stellar.

Besides an outstanding career on Broadway, Ossie Davis should also be remembered as a pioneer in the film and theatre world, including his performance in the movie classic, ''A Raisin in the Sun.''

I will fondly remember when the couple traveled in the early 1980s to my district of Dallas to shoot their show, ''With Ossie & Ruby'', a public television series produced by a local television station. They were also very generous to local charities, including the Black Academy of Arts and Letters.

His marriage of more than 50 years to actress, Ruby Dee is truly an inspiration to many people, young and old. Last year, they both received the Kennedy Center Honors for their lifetime of achievement in the arts.

Mr. Speaker, we should all learn by the example of the life of Ossie Davis. Our nation will remember his courage, determination, humility, and service to our country.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in support of H. Res. 69 that honors the life and accomplishments of the late Ossie Davis, an American actor and activist par excellence.

When you think about the importance of images, and the lives you can influence with images, you have to agree that Ossie Davis has stood tall as an image well respected by several generations of Americans, in particular African American youth.

As an actor, playwright, and filmmaker, Ossie Davis crafted images that reflect what is good about African American manhood. His tall stature, his deep voice, his choice of roles that successfully portrayed the lives, hopes and dreams of African American men from youth to senior, gave the world a view of the best that we can be.

As an activist, Ossie Davis did not fail to speak up for his fellow man, he was a vibrant part of the struggle for civil rights in this country. He lent his voice and his energies to those causes that benefited not only himself, but many of those around him.

Ossie Davis's legendary partnership with Ruby Dee as an artist, an activist and as a husband and father, was also a strong and enduring image for all American families.

I commend Ossie Davis at the culmination of his life, for contributing to the health of the African American community by providing us with healthy images of ourselves to treasure and to pass on to our children.

The Congressional Black Caucus has lost a friend in Ossie Davis. He helped to frame our mission all those years ago by emphasizing to us at the first Annual Legislative event that ''it is not the man, it's the plan.'' Over the years we have been encouraged by his friendship and we will miss his counsel.

Mr. KINGSTON. Mr. Speaker, most people will remember Ossie Davis as the deep-voiced actor who paved the way for African-American performers. He helped widen horizons for blacks on stage and screen while fighting for civil rights from Washington to Hollywood.

Born in Codgell, Ga, in my district, Raiford Chatman Davis was known as ''RC.'' This was later misunderstood to be ''Ossie'' and he kept the name his entire life.

Ossie Davis grew up in Waycross and Valdosta, Georgia. He later hitchhiked to Washington, DC to attend Howard University to study drama. Ossie Davis had intended to be a writer, but his fame came from his incisive and wide-ranging acting performances over five decades, even as he wrote plays and screenplays and directed and produced.

Ossie and his wife, Ruby Dee, were married in 1948. Their marriage was a true partnership, and during their decades together they worked to make America a better place. They entertained us in the films and theater productions they starred in together. They were tireless activists during the civil rights era. They persevered when blacklisted during the McCarthy era. Nothing shook their devotion to each other or to the causes that motivated them.

In December, when Ossie Davis was honored at the Kennedy Center, Sean "P-Diddy" Combs said that Davis helped pave the road for two generations of black performers.

Ossie Davis said that night, "We knew that every time we got a job and every time we were onstage, America was looking to make judgments about all black folks on the basis of how you looked, how you sounded, how you carried yourself. So any role you had was a role that was involved in the struggle for black identification. You couldn't escape it."

In an example of art imitating life, Ossie Davis delivered the eulogy in the film "Malcolm X." it was the same eulogy he had actually delivered at Malcolm X's memorial service. Davis was politically active, especially with the civil rights movement, and he was also an opponent to Senator Joseph McCarthy's Communist witch hunt of the 1950s.

[From the Ledger, Feb. 9, 2005]

OSSIE DAVIS WAS A TRAILBLAZER IN LIFE, ART

(By Wendell Brock)

Ossie Davis helped break the color barrier on Broadway, was a quiet but conscientious force in the civil rights movement and—late in his 65-year career in the entertainment industry—became a picture of cool among a younger generation of African-American artists, including filmmaker Spike Lee, pop mogul Sean P. Diddy Combs and Atlanta director Kenny Leon.

The tall, lumbering Davis and his wife, the actress Ruby Dee, were a luminous and nearly inseparable celebrity couple. Together, they received the National Medal of the Arts from President Clinton in 1995 and the prestigious Kennedy Center Honors last year.

But at the end of the day, Davis, who died Friday at 87, remained a generous, easily approachable senior statesman for the arts who never forgot his humble beginnings as the son of a South Georgia railroad worker who could not write his name.

''He was just a model of how you can be an artist and an activist, that one did not negate the other,'' Lee said Friday. ''That one did not have to be scared that if you speak out, it would kill or wipe out your career. It is a great loss, but we will celebrate his life.''

''Ossie and Ruby are like the godfather and godmother of American theater,'' said Leon, recalling how the couple attended previews of his Broadway production of ''A Raisin in the Sun'' last year and gave notes to stage newcomer Combs. ''Ossie is certainly the soul of black theater.''

Davis, who was in Miami Beach filming a comedy called ''Retirement,'' was found dead in his hotel room early Friday morning. The passing of the tall, robust octogenarian with the rich baritone caught his family and colleagues by surprise.

At the time of her husband's death, Dee was in New Zealand working on her own film project. A family spokesman said Friday afternoon that the actress was en route to the couple's home in New Rochelle, N.Y., and that arrangements would be announced later.

Besides Dee, Davis is survived by three children: Nora; Hasna; and Guy, a blues artist; and seven grandchildren.

Dee and Davis were frequently in Atlanta, where she starred in ''St. Lucy's Eyes'' at the Alliance Theatre, and they were honored by the Atlanta Film Festival, both in 2003. They made frequent appearances at Spelman, Morehouse and Morris Brown colleges, as well as Clark Atlanta University.

''He and Ruby Dee were like the Lunt and Fontanne for African-Americans, and all of us as Americans,'' said Kent Gash, associate artistic director of the Alliance Theatre. ''He was just always so real, and that was always so true about his work, both as an actor and as a writer. He just quietly pushed a lot of barriers out of the way and continued to do this amazing work for an incredible period of time. . . . He paved the way for so many of us in American theater.''

C.B. Hackworth, the writer and producer of the special, said Davis told him he had been ill when they met him in early January to do filming.

''He said, 'I'm not at my best, but don't worry, I'll do it as many times as you need.' He was a consummate professional,'' Hackworth said.

The oldest of five children, the artist was born Raiford Chatman Davis in tiny Cogdell, Ga., on Dec. 18, 1917, and grew up in nearby Waycross and Valdosta. His mother's pronunciation of his initials R.C. was heard as Ossie. He left home in 1935, hitchhiking to Washington to enter Howard University, where he studied drama, intending to be a playwright.

By 1939, he'd made his way to Harlem, N.Y., where he got work as an actor and mingled with the likes of Langston Hughes, W.E.B. Du Bois and Richard Wright.

He and Dee first worked together in the 1946 Broadway play ''Jeb.'' In December 1948, on a day off from rehearsals from another play, they took a bus to New Jersey to get married.

''They were so close that it felt almost like an appointment we finally got around to keeping,'' Dee wrote in their 1998 autobiography, ''In This Life Together.''

''I thought it was a pretty good use of a Thursday,'' Davis wrote with his trademark pithiness.

He appeared in dozens of TV programs and more than 30 films, beginning with 1950's ''No Way Out,'' with Dee and Sidney Poitier, and culminating in last year's ''She Hate Me.''

But perhaps his most enduring film legacy is his six-picture run with Lee: ''School Daze,'' ''Do the Right Thing,'' ''Jungle Fever,'' ''Malcolm X,'' ''Get on the Bus'' and ''She Hate Me.''

''When he started working with Spike Lee, it revitalized his career,'' said film historian Donald Bogle. ''I actually think he's better (in the Lee films) than he was as a younger actor. He's so powerful, so assured.''

Davis and Dee often found themselves in the eye of social and political change.

With a voice as comforting and mellifluous as a country preacher, he gave eulogies at the funerals of the Rev. Martin Luther King Jr. and Malcolm X, whom he called ''our own black shining prince—who didn't hesitate to die, because he loved us so.''

Besides his extensive acting and directing credits for stage, film and TV, Davis was the author of eight plays, including 1961's ''Purlie Victorious,'' a comedy lampooning racial stereotypes.

In 1970, Davis co-wrote the book for ''Purlie,'' a musical version of the play. A revival of the musical is planned for Broadway next season.

The rousing gospel song, ''Walk Him up the Stairs,'' is a highlight of that show. Sung at a funeral, it is likely to have a special resonance when Davis' story returns to Broadway.

''He took the hearts of millions with him, and I will never get over not having him to talk to,'' said actor Burt Reynolds. ''I'll still talk to him every night, I know he's sitting next to God, now, and I know God envies that voice, and I hope he listens when Ossie tells him his ideas of what brotherhood means.''

Mr. CUMMINGS. Mr. Speaker, I rise today to honor Mr. Ossie Davis, an American legend. Ossie Davis was an actor and an activist who believed the function of art was to better society. He said he could not imagine art without struggle, and he could not imagine struggle without being knee deep in it. His worthy struggled ended on February 4, 2005, at the age of 87, while practicing the craft he loved so dearly on the set of the movie Retirement.

Mr. Speaker, throughout his life, Ossie Davis was knee deep in struggle. He was born in 1917, in Cogdell, Georgia, the heart of the segregated South. His mother named him Raiford Chatman Davis, RC for short. But when his mother pronounced his initials to the white nurse in attendance, the nurse misheard her, and recorded the infant's name as Ossie. Fearful of challenging the white nurse's authority, Laura Davis accepted her son's new name.

Mr. Speaker, Ossie Davis's childhood was not an easy one. His father oversaw the building of railroads in Georgia. A manager and supervisor, Kince Charles Davis was an anomaly in the segregated South. In fact, his esteemed position made the Davis family the target of racism and threats of violence. More than once, the KKK threatened to shoot Kince Davis "like a dog."

Mr. Speaker, from a young age, Ossie Davis took refuge from racism by plunging into his studies. He loved Shakespeare and dreamed of becoming a writer and an actor himself. In 1939 he followed his dreams to New York City, and joined the Rose McClendon Players. He befriended the intellectual giants of the Harlem Renaissance, basked in the glow of their brilliance, and was inspired by their passion for empowerment through the unity of arts and politics.

Ossie Davis made sacrifices for his craft. After an evening performance, he would often retire to a nearby park bench. But for Davis, the sacrifices were well worth it. Towards the end of his life, Davis recalled the moment he understood his mission as a black artist. In 1939, he heard Marian Anderson, who had been banned from performing in Constitution Hall, sing in front of the Lincoln Memorial. According to USA Today, he told students at Cornell University in the 1990s, "I understood fully for the first time the importance of black song, black music, black arts. I was handed my spiritual assignment that night."

Mr. Speaker, Ossie Davis believed he had a responsibility to his race and a responsibility to his country. In 1942, he enlisted in the Army and served as a surgical technician in Liberia. His patriotism, his heartfelt belief in what America could and should be, guided him throughout his life. He chose to perform in plays that showcased America's promise, while demonstrating its flaws. One such play was "Jeb," an American Negro Theater production about a black soldier returning from World War II only to encounter racism in the country for which he fought. "Jeb" was an important piece of social commentary. For Ossie Davis, it was doubly important, because it was in "Jeb" that he met his wife, his partner in love and life, as well as in art and activism, Ruby Dee.

Mr. Speaker, the union of Ossie Davis and Ruby Dee was among the most fruitful acting partnerships in American history. Together, they made well over 150 films and plays. They also made history. During the fiery days of the Red Scare, Davis and Dee, who were nearly blacklisted themselves, stood up for their friend Paul Robeson, and for America's key freedoms. Reflecting on those trying years, Davis told the Boston Globe in 2003, ''I'm sure my wife and I suffered, but we never knew whether we were being punished for being black or being red.''

Mr. Speaker, Ossie Davis and Ruby Dee fought for an end to racism in American cities and in American film. They crusaded for civil liberties and protested for peace. They served as MC's during the 1963 March on Washington. They worked with black leaders like Dr. Martin Luther King, Jr., Malcolm X, and Fannie Lou Hamer. Upon their deaths, Davis eulogized Malcolm X and Martin Luther King, Jr.

Ossie Davis understood the value of hard work, the potential for collective action, and the crucial responsibility of government. When President Reagan proposed a 50% cut in the National Endowment for the Humanities budget, Davis registered his dissent to the House Appropriations Subcommittee. He said, ''I was able to pull myself up by my bootstraps—but only because the Federal Government provided the boots.''

Ossie Davis was an actor and activist, a player and a poet, a husband and a father, an example to us all. Mr. Speaker, my words are insufficient to memorialize this great man. Instead, I leave you with Ossie Davis's wise words, from an interview with Tavis Smiley on National Public Radio. ''We can't float through life, we can't be incidental or accidental. We must fix our gaze on a guiding star as soon as one comes up on the horizon. And once we've attached ourselves to that star, we must keep our eyes on it and our hands on the plough.''

Mr. Speaker, let us let Ossie Davis's words be our guiding star. May he rest in peace.

Mr. PASCRELL. Mr. Speaker, I rise today in support of H. Res. 69, a resolution honoring the life and accomplishments of the late actor, director, veteran, and civil rights activist Ossie Davis.

Ossie Davis was born in Cogdell, Georgia in 1917. Davis realized his love for acting and writing while attending Howard University, here in Washington, D.C. After finishing his education, Davis moved to Harlem, New York on a quest to start his acting career. Before he could move into acting, Davis was drafted by the United States Army. He served in the Army medical unit during World War II.

Ossie Davis appeared in almost all forms of entertainment. He was brilliant to watch on stage and knew how to captivate an audience. On screen he made all the characters he played come to life right before our eyes. Even as great as he was on stage and film, Davis' passion was writing. He wanted to move audiences not just by his acting but by his written word.

Davis and his wife Ruby Dee, also an established actor, were very active in civil rights issues and promoting African-Americans in the entertainment industry. They sued for African-American voting rights, and when their friend, Paul Robeson, was blacklisted, they stood by his side only to become a victim themselves. Ossie and Ruby Dee were proud participants in the March on Washington in 1963.

Davis received several awards throughout his career, including the Screen Actors Guild Lifetime Achievement award and the Kennedy Center Honor, which he received with his wife in 2004.

In particular, I will recall his powerful voice as host of the annual National Memorial Day Concert held on the West Lawn of the Capitol. As an eleven-time host of the concert, his appearance each and every year was an inspiring addition to our remembrance of those who served our nation.

Mr. Speaker, I was truly saddened upon learning of his passing this past Friday. I would like to express my deepest condolences to Ossie Davis' family. My thoughts are with his wife Ruby Dee and his three children Guy Davis, Hasna Muhammad, and particularly Nora Day, a proud resident of Montclair, NJ.

Mrs. JONES of Ohio. Mr. Speaker, I rise today to express my support for H. Res. 69, honoring the life and accomplishments of the late Ossie Davis.

Ossie Davis was a devoted African American, husband, father, actor, director, soldier, activist, and pioneer. He was born in 1917 in Cogdell, GA and was the son of a railroad worker. Ossie Davis was passionately involved in civil rights issues and efforts to advance the cause of African Americans in the entertainment industry. Known for taking roles that tackled racial injustice, he understood the importance of black song, black music, and black arts.

His career as an actor began in 1939 with the Rose McClendon Players in Harlem. It was there that he met and mingled with some of the most influential figures of his time, including Langston Hughes, A. Phillip Randolph and W.E.B. DuBois.

His acting career was interrupted when he was asked to serve in the Army during World War II. He served in Libya at an African American medical unit as an Army Surgical technician, where he stabilized some of the 700,000 soldiers wounded in that war.

In 1948, Ossie Davis debuted on Broadway in ''Jeb,'' a play about a soldier returning home. His co-star was Ruby Dee, his wife of 56 years, whose stage career paralleled his own. The couple went on to write, direct, and star in several films, most notably ''Cotton Comes to Harlem'' in 1970 and ''Countdown at Kusini'' in 1976. Ossie appeared in over 80 productions and was honored by the Kennedy Center for Performing Arts in 2004.

I had the unique opportunity to meet and spend time with Ossie Davis over the years, and cherished every moment. He was a man of character, wisdom, dignity, and excellence. He embodied a sly humor and genuine kindness that many will remember him by. My thoughts and prayers go out to his family, friends, and all who loved him. As we celebrate Black History Month, let us remember the life and accomplishments of the late Ossie Davis, a true pioneer and advocate of African Americans in the entertainment industry and in life.

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from Georgia (Mr. WESTMORELAND) that the House suspend the rules and agree to the resolution, H. Res. 69.

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:

House Concurrent Resolution 6, by the yeas and nays;

House Concurrent Resolution 26, by the yeas and nays; and

House Concurrent Resolution 30, by the yeas and nays.

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

EXPRESSING SENSE OF CONGRESS THAT DEPARTMENT OF DEFENSE CONTINUE TO EXERCISE ITS AUTHORITY SUPPORTING ACTIVITIES OF BOY SCOUTS OF AMERICA

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 6.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. HEFLEY) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 6, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 418, nays 7, not voting 8, as follows:

[Roll No. 24]

YEAS—418

Abercrombie	Boozman	Clay
Ackerman	Boren	Cleaver
Aderholt	Boswell	Clyburn
Akin	Boucher	Coble
Alexander	Boustany	Cole (OK)
Allen	Boyd	Conaway
Andrews	Bradley (NH)	Conyers
Baca	Brady (PA)	Cooper
Bachus	Brady (TX)	Costa
Baird	Brown (OH)	Costello
Baker	Brown (SC)	Cox
Baldwin	Brown, Corrine	Cramer
Barrett (SC)	Brown-Waite, Ginny	Crenshaw
Barrow	Burgess	Crowley
Bartlett (MD)	Burton (IN)	Cubin
Barton (TX)	Butterfield	Cuellar
Bass	Buyer	Culberson
Bean	Calvert	Cummings
Beauprez	Camp	Cunningham
Becerra	Cannon	Davis (AL)
Berkley	Cantor	Davis (CA)
Berman	Capito	Davis (FL)
Berry	Capps	Davis (IL)
Biggert	Capuano	Davis (KY)
Bilirakis	Cardin	Davis (TN)
Bishop (GA)	Cardoza	Davis, Jo Ann
Bishop (NY)	Carnahan	Davis, Tom
Bishop (UT)	Carson	Deal (GA)
Blackburn	Carter	DeFazio
Blunt	Case	DeGette
Boehlert	Castle	Delahunt
Boehner	Chabot	DeLauro
Bonilla	Chandler	DeLay
Bonner	Chocola	Dent
Bono		Diaz-Balart, L.

Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
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
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Portman
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
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)
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
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
Wu
Wynn
Young (AK)
Young (FL)

NAYS—7

Blumenauer
Frank (MA)
Kucinich
Lee
McDermott
Stark
Woolsey

NOT VOTING—8

Eshoo
Feeney
Hinchey
Hinojosa
Ros-Lehtinen
Rush
Snyder
Stupak

□ 1715

Mr. McDERMOTT and Ms. WOOLSEY changed their vote from ''yea'' to ''nay.''

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

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HONORING THE TUSKEGEE AIRMEN

The SPEAKER pro tempore (Mr. LAHOOD). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 26.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alabama (Mr. ROGERS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 26, 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 423, nays 0, not voting 10, as follows:

[Roll No. 25]

YEAS—423

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
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
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
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
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Portman
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
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)
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
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 (AK)
Young (FL)

NOT VOTING—10

Eshoo
Feeney
Gordon
Hinchey
Hinojosa
Mica
Ros-Lehtinen
Rush
Snyder
Stupak

□ 1724

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MICA. Mr. Speaker, I was unavoidably detained and was unable to vote on rollcall vote No. 25. Had I been present, I would have voted "yea" on this measure.

SUPPORTING GOALS AND IDEALS OF NATIONAL BLACK HIV/AIDS AWARENESS DAY

The SPEAKER pro tempore (Mr. LAHOOD). The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 30, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. DEAL) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 30, as amended, 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 422, nays 0, not voting 11, as follows:

[Roll No. 26]

YEAS—422

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
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
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Etheridge
Evans
Everett
Farr
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
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
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Portman
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
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)
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
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 (AK)
Young (FL)

NOT VOTING—11

Eshoo
Fattah
Feeney
Hinchey
Hinojosa
Johnson (CT)
Kucinich
McHugh
Ros-Lehtinen
Snyder
Stupak

□ 1730

So (two thirds having voted in favor thereof) the rules were suspended and the concurrent 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.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 418, REAL ID ACT OF 2005

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 109–4) on the resolution (H. Res. 75) providing for further consideration of the bill (H.R. 418) to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence, which was referred to the House Calendar and ordered to be printed.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. BOUSTANY). 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.

MERCK SAW VACCINE RISKS

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. Mr. Speaker, over the past 4 or 5 years, I have, as chairman of the Committee on Government Reform and chairman of the Subcommittee on Health and Human Rights, held a number of hearings regarding mercury in vaccines and what kind of an impact it had on children.

When we first started having the hearings, we were concerned that there was an epidemic of autism and other

neurological disorders in children, and we found from scientists who testified before the committee over the years that there was no doubt that one of the major contributing factors to neurological problems, including autism among children, was the mercury in vaccines under the title of Thimerosal, which is a preservative.

Thimerosal is a preservative which contains 50 percent ethyl mercury, and as children got more and more vaccinations, as many as 30 now before they start in the first grade, the incidence of neurological disorders, autism and other childhood mental problems, grew dramatically. It used to be 1 in 10,000 children were autistic, according to the Centers for Disease Control. Now it is 1 in 150. We have an absolute epidemic of autism.

The pharmaceutical companies for years have said that there is no correlation between the mercury in vaccines and the autism and other neurological childhood disorders, and things like Alzheimer's in adults. But this past week on the front page of the Los Angeles Times there was a very, very long article, and I want to read to you, Mr. Speaker, some of the things that were in that article.

The title of the article was "'91 Memo Warned of Mercury in Vaccines and Shots." '91 was the year. The March 1991 memo, obtained by the Times, shows that nearly a decade before our Federal health agency first publicly disclosed the potential dangers of mercury in vaccines, senior executives from Merck & Company, a major pharmaceutical company, were already aware that infants were getting an elevated dose of mercury in vaccinations containing the widely used preservative Thimerosal, a preservative containing nearly 50 percent mercury by weight.

In fact, the memo clearly states, "If eight doses of Thimerosal-containing vaccine were given in the first 6 months of life, the mercury given, say to an average-size infant of 12 pounds, would be 87 times the daily allowance of mercury for a baby of that size." Eighty-seven times.

The memo further states, "It is reasonable to conclude that Thimerosal should be removed from single-dose vials when it can be removed, especially where use in infants and young children is anticipated."

At the time this memo was written, U.S. health authorities were recommending an aggressive expansion of the immunization schedule for children in their first 6 months of life, adding five new shots to the schedule. And many of these shots, as well as shots already included in the vaccine immunization schedule, contained mercury and Thimerosal.

What did the pharmaceutical company do after learning this? They did nothing. Absolutely nothing. It took 8 years before they started removing Thimerosal from any of the children's vaccines.

It is criminal, it is criminal in my opinion, that this sort of thing takes place. Mercury in any vaccination, whether it is a child's vaccination or an adult vaccination, should be removed. Mercury is one of the most toxic substances on Earth. It is toxic to the neurological system of adults and, especially, infants, and yet children have been getting as many as 30 vaccinations before they start in the first grade of school; and we have an absolute epidemic of neurological problems, including autism.

Mr. Speaker, I will submit this article for the RECORD. I am going to send a "Dear Colleague" around to all of my colleagues, and I hope everybody, and my good friend the gentlewoman from California has been working with me on this for a long time, I hope that everybody will pay attention and talk to their pharmaceutical representatives and get mercury out of all vaccinations, but especially every childhood vaccination. The future of America depends on that, because these children are going to grow up, they are going to become dependent upon the taxpayer and it is going to cost all of us trillions of dollars if we do not deal with the problem now.

[From the Los Angeles Times, Feb. 8, 2005]

'91 MEMO WARNED OF MERCURY IN SHOTS

(By Myron Levin)

A memo from Merck & Co. shows that, nearly a decade before the first public disclosure, senior executives were concerned that infants were getting an elevated dose of mercury in vaccinations containing a widely use sterilizing agent.

The March 1991 memo, obtained by The Times, said that 6-month-old children who received their shots on schedule would get a mercury dose up to 87 times higher than guidelines for the maximum daily consumption of mercury from fish.

"When viewed in this way, the mercury load appears rather large," said the memo from Dr. Maurice R. Hilleman, an internationally renowned vaccinologist. It was written to the president of Merck's vaccine division.

The memo was prepared at a time when U.S. health authorities was aggressively expanding their immunization schedule by adding five new shots for children in their first six months. Many of these shots, as well as some previously included on the vaccine schedule, contained thimerosal, an antibacterial compound that is nearly 50% ethyl mercury, a neurotoxin.

Federal health officials disclosed for the first time in 1999 that many infants were being exposed to mercury above health guidelines through routine vaccinations. The announcement followed a review by the U.S. Food and Drug Administration that was described at the time as a first effort to assess the cumulative mercury dose.

But the Merck memo shows that at least one major manufacturer was aware of the concern much earlier.

"The key issue is whether thimerosal, in the amount given with the vaccine, does or does not constitute a safety hazard," the memo said. "However, perception of hazard may be equally important."

Merck officials would not discuss the contents of the memo, citing pending litigation.

Separately, the drug giant is trying to fend off a legal onslaught over Vioxx, the popular painkiller it introduced in 1999. The company, based in Whitehouse Station, N.J., faces hundreds of lawsuits claiming that the drug caused heart problems and that Merck concealed the risks. Merck, which in September pulled Vioxx off the market, has denied the allegations.

The legacy of thimerosal, meanwhile, also is causing problems for Merck and other drug companies.

More than 4,200 claims have been filed in a special federal tribunal, the Vaccine Injury Compensation Program, by parents asserting that their children suffered autism or other neurodevelopmental disorders from mercury in vaccines. A handful of similar claims are awaiting trial in civil courts. The plaintiffs cite various scientific studies that they say prove the dangers of thimerosal, including at the levels found in vaccines.

Thimerosal has been largely removed from pediatric vaccines in recent years in what health officials have described as a precautionary measure. (This has been accomplished as drug makers have voluntarily switched from multi-dose vials of vaccine, which require a chemical preservative like thimerosal, to single-dose containers.)

In September, Gov. Arnold Schwarzenegger signed legislation prohibiting vaccines with more than trace amounts of thimerosal from being given to babies and pregnant women. Iowa has a similar ban.

For their part, Merck and other vaccine makers, along with many government health officials and scientists, say there is no credible evidence of harm from the amounts of mercury once widely present in kids' shots. They cite a report in May by a committee of the national Institute of Medicine concluding that the evidence "favors rejection of a causal relationship" between vaccines and autism.

The seven-page Merck memo was provided to The Times by James A. Moody, a Washington lawyer who works with parent groups on vaccine safety issues. He said he obtained it from a whistle-blower whom he would not name.

The memo provides the "first hard evidence that the companies knew—or at least Merck knew—that the children were getting significantly more mercury" than the generally accepted dose, the lawyer said.

He also provided a copy to attorneys for Vera Easter, a Texas woman who blames thimerosal for the condition of her 7-year-old son, Jordan, who is autistic and mentally retarded. The Easter lawsuit is pending in U.S. District Court for the Eastern District of Texas. The defendants include Merck; rival vaccine makers GlaxoSmithKline, Aventis Pasteur Inc. and Wyeth; and thimerosal developer Eli Lilly & Co.

Easter's lawyer, Andy Waters, described the memo as "incredibly damning and incredibly significant." After receiving it in the fall, he confronted Merck lawyers about why he hadn't seen it earlier.

In a letter to Waters in October, Merck attorneys said they had in fact made available 32 boxes of records, but that the copying service hired by the plaintiffs for some reason had failed to copy several of the boxes—including the one with the Hilleman memo.

"The memo," said company spokeswoman Mary Elizabeth Blake, "was produced voluntarily by Merck in the ordinary course of discovery proceedings."

Hilleman is a former senior vice president of Merck who developed numerous vaccines for the company. A 1999 profile in the Philadelphia Inquirer said that "it is no exaggeration to assert, as many scientists do, that Maurice Hilleman has saved more lives than any other living scientist."

Hilleman, 85, currently director of the Merck Institute for Vaccinology, had officially retired and was a consultant to Merck

when he wrote the '91 memo. He declined to be interviewed.

The memo was sent to Dr. Gordon Douglas, then head of Merck's vaccine division and now a consultant for the Vaccine Research Center at the National Institutes of Health. Douglas also declined to comment.

The memo stated that regulators in several countries had raised concerns about thimerosal, including in Sweden, where the chemical was being removed from vaccines.

''The public awareness has been raised by the sequential wave of experiences in Sweden including mercury exposure from additives, fish, contaminated air, bird deaths from eating mercury-treated seed grains, dental amalgam leakage, mercury allergy, etc.,'' the memo said.

It noted that Sweden had set a daily maximum allowance of mercury from fish of 30 micrograms for a 160-pound adult, roughly the same guideline used by the FDA. Adjusting for the body weight of infants, Hilleman calculated that babies who received their shots on schedule could get 87 times the mercury allowance.

The Swedish and FDA guidelines work out to about four-tenths of a microgram of mercury per kilogram of body weight. A stricter standard of one-tenth of a microgram per kilogram has been adopted by the Environmental Protection Agency and endorsed by the National Research Council.

These standards are based on methyl mercury, the type found in fish and airborne emissions from power plants. Though toxic, the ethyl mercury in thimerosal may be less hazardous than methyl mercury, some scientists say, because it is more quickly purged from the body.

''It appears essentially impossible, based on current information, to ascertain whether thimerosal in vaccines constitutes or does not constitute a significant addition to the normal daily input of mercury from diverse sources,'' the memo said.

''It is reasonable to conclude'' that it should be eliminated where possible, he said, ''especially where use in infants and young children is anticipated.''

In the U.S., however, thimerosal continued to be added throughout the '90s to a number of widely used pediatric vaccines for hepatitis B, bacterial meningitis, diphtheria, whooping cough and tetanus.

It was added to multi-dose vials of vaccine to prevent contamination from repeated insertion of needles to extract the medicine. It was not needed in single-dose vials, but most doctors and clinic preferred to order vaccine in multi-dose containers because of the lower cost and easier storage.

The Hilleman memo said that unlike regulators in Sweden and some other countries, ''the U.S. Food and Drug Administration . . . does not have this concern for thimerosal.''

A turning point came in 1997 when Congress passed a bill ordering an FDA review of mercury ingredients in food and drugs.

Completed in 1999, the review revealed the high level of mercury exposure from pediatric vaccines and raised a furor. In e-mails later released at a congressional hearing, an FDA official said health authorities could be criticized for ''being 'asleep at the switch' for decades by allowing a potentially hazardous compound to remain in many childhood vaccines, and not forcing manufacturers to exclude it from new products.''

It would not have taken a rocket science'' to add up the amount of exposure as the prescribed number of shots was increasing, one of the e-mails said.

While asserting that there was no proof of harm, the U.S. Public Health Service in July 1999 called on manufacturers to go mercury-free by switching to single-dose vials. Soon after, Merck introduced a mercury-free version of its hepatitis B vaccine, replacing the only thimerosal-containing vaccine it was still marketing at the time, a company spokesman said.

By 2002, thimerosal had been eliminated or reduced to trace levels in nearly all childhood vaccines. One exception is the pediatric flu vaccine made by Aventis and still sold mainly in multidose vials.

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

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

SMART SECURITY AND THE CASE FOR LEAVING IRAQ, PART 5

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, people around the world were greatly moved by the courage of millions of Iraqis who braved death to cast a ballot on January 30, Iraq's first democratic elections in over 50 years. The Iraqi elections, however, did not justify this destructive war, neither the lies used to sell it nor the incompetence with which it has been managed.

The elections will not bring back the 1,500 American soldiers who have been killed or heal the over-10,000 American troops who have been wounded, and they certainly cannot bring back the untold thousands of Iraqis who have lost their lives. These elections will not reimburse the American taxpayers nearly $200 billion spent over the last 3 years, and the elections will not stop the vicious insurgency that is terrorizing Iraqi communities.

But the elections do demonstrate that Iraqis are prepared to manage their own affairs. That is why I believe that now is the time to develop and implement a plan to bring our soldiers home and end the U.S. military presence in Iraq absolutely as soon as possible.

Together with 27 cosponsors, I have introduced H. Con. Res. 35, calling for a plan to end this military mishap. Earlier today I wrote to the gentleman from Illinois (Chairman HYDE) and the gentleman from California (Mr. LANTOS), the chairman and ranking member of the Committee on International Relations, asking them to hold hearings on this matter.

The Bush administration spared no superlative in talking about the significance of the Iraqi elections. Such a momentous watershed event, however, would seem to demand a shift in our thinking about Iraq. But not for President Bush. He actually has become more emboldened by the election. He sees this as a mandate to keep our soldiers in Iraq as long as he wants. He and his surrogates are even engaging in provocative saber-rattling in the direction of Iran.

The Iraq elections did not vindicate the doctrine of preemptive war, and they do not undo all the death and destruction that has occurred as a result. They demonstrated that the Iraqis can and should take control of their own destinies. Leaving will not be sufficient to defeat the insurgency, but staying absolutely will intensify it.

What is fueling the insurgency and what gave rise to it in the first place is our continued military presence in Iraq. Our troops, whom the administration assured us would be embraced as liberators, are the focal point of anti-American extremism, making them sitting ducks.

Let me be clear: I am not advocating a cut-and-run strategy. It would be irresponsible for the United States to abandon the Iraqi people. What we must do is play a role in facilitating their transition to stable democracy. We ought to work with Iraq's elected officials, the United Nations and the Arab League to create an international peacekeeping force that will keep Iraq secure. Much of the money we are spending on this military campaign should be diverted to infrastructure projects that will improve Iraqis' lives, such as road construction, new schools, water processing plants and more.

Up to this point, Iraq's economic development has been scandalously mismanaged by the Bush administration, as billions of dollars appropriated by Congress have not actually been put to work on the ground. All future investments must be made with the needs of Iraqis being paramount, not the United States Government contractors and not other war profiteers.

Mr. Speaker, I believe a focus on developmental and humanitarian aid in Iraq would be a model for a radically new approach to national security. We need what I call SMART security, which is a Sensible, Multilateral, American Response to Terrorism.

Instead of resorting to the military option and spending needlessly on weapons systems, the SMART security plan that I propose calls for building multilateral partnerships, partnerships that enable us to foil terrorists and stop weapons of mass destruction proliferation.

A SMART security plan would address the conditions that led to terrorism in the first place: poverty, hopelessness, despair. Instead of troops, we should send scientists, educators, urban planners and constitutional experts to the troubled regions of the world.

It is time, Mr. Speaker, for the United States to play the role of Iraq's ally and partner, not its occupier. It is time to give Iraq back to its own people. It is time to truly support our troops by beginning to bring them home. The first step is for the chairman and ranking member of the Committee on International Relations to hold hearings on this matter now.

The Iraqi elections, however, will never justify the destructive war, and

it will never stand up to the lies that we heard to sell it.

SETTING BACK AMERICA'S DEFENSE

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

Mr. GINGREY. Mr. Speaker, in Washington, officials commonly use studies and reports to legitimize various policies, and often the guidelines by which these studies are established can force a researcher into predetermined results. Traditionally, the Quadrennial Defense Review, or QDR, has been above this type of sincere process, as it is a serious exercise intended to produce a Pentagon strategic blueprint for defending our Nation from future threats. This year, however, I fear that the new QDR guidelines will overtly deemphasize conventional threats, which would result in long-term setbacks for our national defense.

I recognize the need to focus greater attention on the current asymmetric threat of terrorism and the need to drastically rein in Federal spending this year to decrease the budget deficit. However, it should not come at the expense of our ability to defeat well-established threats in the future.

Released on Monday, the Pentagon's 2006 budget would cut off the procurement of the F/A–22 Raptor after 2008. With these cuts, several high-tech sectors within our Nation's defense industrial base would be crippled, costing America good-paying jobs, future innovation and, most important, critical military capabilities.

Mr. Speaker, under the proposed budget, the Pentagon would buy just 179 F/A–22 Raptors, well short of the original 381 proposed by the Air Force. In exchange for nominal short-term savings, the move would significantly increase the cost of each aircraft at a time when production would otherwise be affordable through economy of scale. Investing nearly $30 billion in research and development in the world's best fighter jet and then buying less than what the Air Force needs to guarantee future air dominance just does not make sense.

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It is as if we discovered the cure for cancer and then we skimped on the lifesaving drugs.

Remarkably, the proposed cuts appear to have been made against the advice of the war planners, because Pentagon bureaucrats are ignoring the Air Force wartime requirement of the 381 F/A–22s, a number that the Secretary accepted in the last QDR. The Pentagon arrived at these pre-9/11 force levels because the F/A–22 offers unique capabilities against growing threats in the western Pacific and elsewhere. Also, a recent military exercise between the United States and Air Force fighter pilots from India, called COPE India, proved beyond a doubt that the new foreign-made fighters now outmatch our F–15s, F–16s, and F–18s.

Furthermore, these bureaucrats are ignoring the impact that the proposed F/A–22 cuts will have on future domestic high technology production and design capacity. The American aerospace industry stands to lose more than 40,000 jobs nationwide, with some 160 suppliers in 43 States. This dismantling of our home-grown technology base would come just when subsidized foreign competitors are jockeying to displace United States manufacturing. Once lost, these hard-acquired skills will not easily return to our workforce; and, in some cases, they will never return.

In the end, at stake are vital national interests: American technology know-how, our global positions in the aerospace industry, and, most importantly, the safety of our men and women serving overseas. We must focus our armed services on more than just the asymmetries of a global war on terrorism. We cannot ignore, Mr. Speaker, a rising China, nuclear Iran, increasingly unstable North Korea, and other unconventional military threats that may need to be faced by the capabilities found in the F/A–22.

It is the job of any administration to produce an annual budget that satisfies the Nation's immediate needs like the war in Iraq. But we in Congress also have a leadership responsibility to prevent rash and unwise decisions destined to actually increase spending and cripple our ability to effectively defend against future threats.

EQUAL TAXATION FOR ALL AMERICANS WILL ENSURE SOCIAL SECURITY BENEFITS

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

Mr. DEFAZIO. Mr. Speaker, I had the first of a number of town hall meetings in my district last weekend on the issue of Social Security. I had an overflow crowd and had to turn people away, because people are confused and anxious and they want some facts. So I will try and explain a bit tonight what I explained to them there.

There are two issues. One is the ideological or public policy issue of privatization. The other is the financial and fiscal stability of Social Security. They are totally separate, as the President admitted last week during his round of staged town hall meetings around the country.

For the future stability of Social Security, here is what the concern is: conservative projections by the actuaries of Social Security say that 40 years from now, we might only have enough income coming into Social Security to pay 75 percent of promised benefits. The Congressional Budget Office says 50 years from today, 80 percent of promised benefits. So there is a problem that is out there. We should resolve that.

I have proposed in the past three Congresses legislation to do that; it is done simply, to say that all Americans who work for wages and salary should pay the same amount of tax on all of their earnings. Millionaires today pay a tiny fraction of their income to Social Security because after $90,000, no one pays. Someone who earns $30,000 a year pays 6 percent of their income. If you lift the cap, you create so much income for Social Security, that you could exempt the first $4,000 of earnings.

So under my proposal, everybody who earns less than $90,000 a year gets a tax break. The less you earn, the bigger the tax break. So that is one way of resolving that.

The President has a different proposal. He says we should cut benefits. He is not sure which way he would choose, but his commission chose a method that would reduce benefits 40 years from today by 40 percent. So the President takes a possible potential reduction in benefits 40 years in the future of 25 percent, and he guarantees a reduction in benefits today of 40 percent. That is a heck of a way to solve a potential possible future problem, by guaranteeing people they will get less.

Then he says he wants to create private accounts. Let me tell my colleagues what the President's proposal is for privatizing accounts. People would be able to divert some of their FICA tax into an account controlled by the government with a limited range of investments; the President said they would be very conservative and very limited, because he does not trust people to invest conservatively; controlled by the government, chosen by the government; and one would not be able to borrow against it, unlike Federal employees with their TSP. You could not withdraw it early, unlike Federal employees and other people with 401(K)s and pay a penalty and withdraw it. And at the end of your working life, the government would say to you, this is the President of the United States' plan: well, that money you diverted over there, we assume if Social Security had kept your money, it would have earned inflation plus 3 percent, so we are going to subtract that from what you earned with your investments. And if you did not earn more than inflation plus 3 percent, the government will actually reduce your already-reduced Social Security benefit; and if you manage to beat the market and beat that, they will let you have that money only after they force you into this so-called plan, let me have my money; the President's idea of privatization, the government controls it, the government lends it to you, the government borrows the money to lend it to you, and then if you beat the market, the government forces you to buy an annuity from an insurance company. That is the President's so-called privatization plan.

People say to me, I want to control my money, I can do better. I say, well, here is what the President is proposing. Nobody is proposing that you can opt out of Social Security and just invest on your own. People forget that this is one leg of a three-legged stool for retirement, a guaranteed insurance plan, Social Security, a defined benefit, something that is getting harder and harder to get, not adequate to live really comfortably on in retirement, but something that will be there for you when you retire; something that will be there for your spouse and/or children if you die before you retire; something that will be there for you if you are disabled.

I had people coming to my town halls and talk about their parents dying and getting the survivor's benefit; I had people come to my town halls and talk about becoming totally disabled and getting that lifeline from Social Security. Those things would not be available under a privatization plan. You would get what was in your account after the government took back the inflation plus 3 percent earnings against your private account. That would be all your heirs would get. Survivors would get what you would get on disability, plus a minuscule, doubly-reduced Social Security benefit.

This is not well thought out. We need to assure future generations Social Security will be there. We can do that by taxing all Americans the same for their Social Security benefit. That will more than assure the future of the fund. In fact, as I said earlier, my plan gives everybody who earns less than $94,000 a tax break. We do not need to have people gamble with the government controlling their investments and then take money back from them just before they retire.

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

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

ORDER OF BUSINESS

Mr. KINGSTON. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes at this time.

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

There was no objection.

CONSIDERING ALL PLANS FOR SAVING SOCIAL SECURITY

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

Mr. KINGSTON. Mr. Speaker, I wanted to speak tonight about Social Security and some of the debate that is going on. I want to thank the gentleman from Oregon for putting forth a proposal, because I think it is important for Democrats to put forth proposals, because it seems like a number of Members of Congress are still in denial that there is a problem, and they kind of argue a little bit about nomenclature. They might say, well, it is a problem, but it is not a crisis. It is kind of like this: if my house is on fire, it is a crisis, but if I have termites eating away at the foundation, that is a problem. Either way, you have to address it.

I appreciate President Bush for somewhat following in President Clinton's footsteps and saying we have to address this. President Clinton actually did say that the Social Security situation was a crisis. I do not want to get bogged down in that.

Here is what we know. In the year 2018, because of so many baby boomers retiring, more money will be going out of the system than is coming in. Real simple. In the year 2042, everybody seems to be agreeing that by then we will have exhausted whatever money is in there and, if we want to continue the Social Security program, we have to reduce the benefits by 27 percent.

Now, what the President has said is that if you take that 12.4 percent and you take 2 percent of it and put it into a personal investment account similar to the Thrift Savings Account that most Members of Congress have, and I know there are a lot of Democrats, probably all the Democrats have it, I know probably all the Republicans have it, but if you let people have plans like that, that it would out-perform their Social Security.

The President is saying, we do not want to increase taxes, we do not want to cut benefits, we certainly do not want to endanger survivor benefits or benefits for children. There has been a suggestion by the previous speaker that those would be in jeopardy. That is not the case at all.

But here is what my staff was able to get me today on what that government, the Thrift Savings Account which so many Members of Congress and most members of the Federal employment have. You go in there and you select a certain amount of investments. You can choose between A, B, C, or D. But in the G fund, for example, the last 10 years, it has earned on average 6 percent. The C fund, it has earned on average over the last 10 years, 11 percent. The F fund, which is a fixed income investment, 6.9 percent over the last 10 years. And the S fund, which is a relatively newer fund, it has earned about 5.3 percent since 2001. There is also a newer ''I'' fund, but it has only been up for 2 years.

Now, how can we as a society say to a 25-year-old just entering the workplace that for the next 40 years, you have to work and receive on your Social Security benefits about 2 percent, when you could have what your Member of Congress has: a fund where you choose anywhere from a return of 5 percent to 11 percent, or more. And these are 10-year averages, and if you look at the lifetime of the stock market versus the lifetime of Social Security return, certainly you would be making more money.

But why is the President doing this? He is doing this because the Social Security program was started in 1935. At that time there were 60 workers to every one retiree. In the 1950s, there were 16 workers to every retiree. And today, there are three workers per retiree, and soon it will be down to two workers per retiree. And that is why we have to take advantage of some of the new products that are out there in the financial investment world. A lot of people say, well, why do we change this program? Again, we change it because that worker-to-retiree ratio has changed so much.

Now, I have a dad who is 87 years old, a mom who is 80 years old, my wife, her parents are both alive. They all get Social Security, and they depend on Social Security. What I am reassured by is that for them, retirees and near retirees, people aged 55 and up, there is going to be no change. For the people who are younger than them, it is a voluntary program.

But when I go on college campuses, as I did last week in St. Mary's, Georgia, to Coastal Georgia Community University, I say to them, how many of you think Social Security will be there for you, and zero hands go up. I say, wait a minute, there are survivor benefits, spouse benefits, other options that are out there, other ways to get Social Security money and still, they all say, it is not going to be there for us.

We owe it to the next generation to protect and preserve Social Security and do something today. Every year that we postpone it, it is another $600 billion deeper in the hole. We have to address this.

I want to close with this, Mr. Speaker. I know I am out of time. I know again my friend from Oregon says he has a proposal; we need to look at it. We need to look at all of the proposals, Democrats, Republicans and Independents, and together we need to come together for what is in the best interests of all generations of America.

PUBLICATION OF THE RULES OF THE COMMITTEE ON INTERNATIONAL RELATIONS, 109TH CONGRESS

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

Mr. HYDE. Mr. Speaker, in accordance with clause 2(a) of rule XI of the Rules of the House, I am submitting the Rules of Procedure of the Committee on International Relations for printing in the CONGRESSIONAL RECORD. On February 9, 2005, the Committee adopted by non-record vote, a quorum

being present, the following Committee Rules of Procedure.

RULES OF PROCEDURE, THE COMMITTEE ON INTERNATIONAL RELATIONS

RULE 1. GENERAL PROVISIONS

The Rules of the House of Representatives, and in particular, the committee rules enumerated in clause 2 of Rule XI, are the rules of the Committee on International Relations (hereafter referred to as the ''Committee''), to the extent applicable. A motion to recess and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are privileged non-debatable motions in Committee.

The Chairman of the Committee on International Relations (hereinafter referred to as the ''Chairman'') shall consult the Ranking Minority Member to the extent possible with respect to the business of the Committee. Each subcommittee of the Committee is a part of the Committee and is subject to the authority and direction of the Committee and to its rules, to the extent applicable.

RULE 2. DATE OF MEETING

The regular meeting date of the Committee shall be the first Tuesday of every month when the House of Representatives is in session pursuant to clause 2(b) of Rule XI of the House of Representatives. Additional meetings may be called by the Chairman as he may deem necessary or at the request of a majority of the Members of the Committee in accordance with clause 2(c) of Rule XI of the House of Representatives.

The determination of the business to be considered at each meeting shall be made by the Chairman subject to clause 2(c) of Rule XI of the House of Representatives.

A regularly scheduled meeting need not be held if, in the judgment of the Chairman, there is no business to be considered.

RULE 3. QUORUM

For purposes of taking testimony and receiving evidence, two Members shall constitute a quorum.

One-third of the Members of the Committee shall constitute a quorum for taking any action, except: (1) reporting a measure or recommendation; (2) closing Committee meetings and hearings to the public; (3) authorizing the issuance of subpoenas; and (4) any other action for which an actual majority quorum is required by any rule of the House of Representatives or by law.

No measure or recommendation shall be reported to the House of Representatives unless a majority of the Committee is actually present.

A record vote may be demanded by one-fifth of the Members present or, in the apparent absence of a quorum, by any one Member.

RULE 4. MEETINGS AND HEARINGS OPEN TO THE PUBLIC

(a) Meetings

(1) Each meeting for the transaction of business, including the markup of legislation, of the Committee or a subcommittee shall be open to the public except when the Committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of the meeting on that day shall be closed to the public, because disclosure of matters to be considered would endanger national security, would compromise sensitive law enforcement information, or would tend to defame, degrade or incriminate any person or otherwise violate any law or rule of the House of Representatives. No person other than Members of the Committee and such congressional staff and departmental representatives as they may authorize shall be present at any business or markup session which has been closed to the public. This subsection does not apply to open Committee hearings which are provided for by subsection (b) of this rule.

(2) The Chairman may postpone further proceedings when a record vote is ordered on the question of approving any measure or matter, or adopting an amendment. The Chairman may resume proceedings on a postponed request at any time. When exercising postponement authority, the Chairman shall take all reasonable steps necessary to notify Members on the resumption of proceedings on any postponed record vote. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(b) Hearings

(1) Each hearing conducted by the Committee or a subcommittee shall be open to the public except when the Committee or subcommittee, in open session and with a majority present, determines by record vote that all or part of the remainder of that hearing on that day should be closed to the public because disclosure of testimony, evidence or other matters to be considered would endanger the national security, would compromise sensitive law enforcement information, or otherwise would violate any law or rule of the House of Representatives. Notwithstanding the preceding sentence, a majority of those present, there being in attendance the requisite number required under the rules of the Committee to be present for the purpose of taking testimony—

(A) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security, would compromise sensitive law enforcement information, or violate paragraph (2) of this subsection; or

(B) may vote to close the hearing, as provided in paragraph (2) of this subsection.

(2) Whenever it is asserted by a member of the Committee that the evidence or testimony at a hearing may tend to defame, degrade, or incriminate any person, or it is asserted by a witness that the evidence or testimony that the witness would give at a hearing may tend to defame, degrade, or incriminate the witness—

(A) such testimony or evidence shall be presented in executive session, notwithstanding the provisions of paragraph (1) of this subsection, if by a majority of those present, there being in attendance the requisite number required under the rules of the Committee to be present for the purpose of taking testimony, the Committee or subcommittee determines that such evidence or testimony may tend to defame, degrade, or incriminate any person; and

(B) the Committee or subcommittee shall proceed to receive such testimony in open session only if the Committee, a majority being present, determines that such evidence or testimony will not tend to defame, degrade, or incriminate any person.

(3) No Member of the House of Representatives may be excluded from nonparticipatory attendance at any hearing of the Committee or a subcommittee unless the House of Representatives has by majority vote authorized the Committee or subcommittee, for purposes of a particular series of hearings, on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this subsection for closing hearings to the public.

(4) The Committee or a subcommittee may by the procedure designated in this subsection vote to close one (1) subsequent day of hearing.

(5) No congressional staff shall be present at any meeting or hearing of the Committee or a subcommittee that has been closed to the public, and at which classified information will be involved, unless such person is authorized access to such classified information in accordance with Rule 20.

RULE 5. ANNOUNCEMENT OF HEARINGS AND MARKUPS

Public announcement shall be made of the date, place, and subject matter of any hearing or markup to be conducted by the Committee or a subcommittee at the earliest possible date, and in any event at least one (1) week before the commencement of that hearing or markup unless the Committee or subcommittee determines that there is good cause to begin that meeting at an earlier date, in consultation with the Ranking Minority Member of the Committee or subcommittee, as the case may be. Such determination may be made with respect to any markup by the Chairman or subcommittee chairman, as appropriate. Such determination may be made with respect to any hearing of the Committee or of a subcommittee by its Chairman, with the concurrence of its Ranking Minority Member, or by the Committee or subcommittee by majority vote, a quorum being present for the transaction of business.

Public announcement of all hearings and markups shall be published in the Daily Digest portion of the Congressional Record. Members shall be notified by the Chief of Staff of all meetings (including markups and hearings) and briefings of subcommittees and of the full Committee.

The agenda for each Committee and subcommittee meeting, setting out all items of business to be considered, including whenever possible a copy of any bill or other document scheduled for markup, shall be furnished to each Committee or subcommittee Member by delivery to the Member's office at least 24 hours (excluding Saturdays, Sundays, and legal holidays) before the meeting. Bills or subjects not listed on such agenda shall be subject to a point of order unless their consideration is agreed to by a two-thirds vote of the Committee or subcommittee or by the Chairman and Ranking Minority Member of the Committee or subcommittee.

RULE 6. WITNESSES

(a) Interrogation of Witnesses

(1) Insofar as practicable, witnesses shall be permitted to present their oral statements without interruption subject to reasonable time constraints imposed by the Chairman, with questioning by the Committee Members taking place afterward. Members should refrain from questions until such statements are completed.

(2) In recognizing Members, the Chairman shall, to the extent practicable, give preference to the Members on the basis of their arrival at the hearing, taking into consideration the majority and minority ratio of the Members actually present. A Member desiring to speak or ask a question shall address the Chairman and not the witness.

(3) Subject to paragraph (4), each Member may interrogate the witness for 5 minutes, the reply of the witness being included in the 5-minute period. After all Members have had an opportunity to ask questions, the round shall begin again under the 5-minute rule.

(4) Notwithstanding paragraph (3), the Chairman, with the concurrence of the Ranking Minority Member, may permit one (1) or more majority members of the Committee designated by the Chairman to question a witness for a specified period of not

longer than 30 minutes. On such occasions, an equal number of minority Members of the Committee designated by the Ranking Minority Member shall be permitted to question the same witness for the same period of time. Committee staff may be permitted to question a witness for equal specified periods either with the concurrence of the Chairman and Ranking Minority Member or by motion. However, in no case may questioning by Committee staff proceed before each Member of the Committee who wishes to speak under the 5–minute rule has had one opportunity to do so.

(b) Statements of Witnesses

Each witness who is to appear before the Committee or a subcommittee is required to file with the clerk of the Committee, at least two (2) working days in advance of his or her appearance, sufficient copies, as determined by the Chairman of the Committee or subcommittee, of his or her proposed testimony to provide to Members and staff of the Committee or subcommittee, the news media, and the general public. The witness shall limit his or her oral presentation to a brief summary of his or her testimony. In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall, to the extent practicable, include a curriculum vitae and a disclosure of the amount and source (by agency and program) of any Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness, to the extent that such information is relevant to the subject matter of, and the witness' representational capacity at, the hearing.

To the extent practicable, each witness should provide the text of his or her proposed testimony in machine-readable form, along with any attachments and appendix materials.

The Committee or subcommittee shall notify Members at least two working days in advance of a hearing of the availability of testimony submitted by witnesses.

The requirements of this subsection or any part thereof may be waived by the Chairman or Ranking Minority Member of the Committee or subcommittee, or the presiding Member, provided that the witness or the Chairman or Ranking Minority Member has submitted, prior to the witness's appearance, a written explanation as to the reasons testimony has not been made available to the Committee or subcommittee. In the event a witness submits neither his or her testimony at least two working days in advance of his or her appearance nor has a written explanation been submitted as to prior availability, the witness shall be released from testifying unless a majority of the Committee or subcommittee votes to accept his or her testimony.

(c) Oaths

The Chairman, or any Member of the Committee designated by the Chairman, may administer oaths to witnesses before the Committee.

RULE 7. PREPARATION AND MAINTENANCE OF COMMITTEE RECORDS

An accurate stenographic record shall be made of all hearings and markup sessions. Members of the Committee and any witness may examine the transcript of his or her own remarks and may make any grammatical or technical changes that do not substantively alter the record. Any such Member or witness shall return the transcript to the Committee offices within five (5) calendar days (not including Saturdays, Sundays, and legal holidays) after receipt of the transcript, or as soon thereafter as is practicable.

Any information supplied for the record at the request of a Member of the Committee shall be provided to the Member when received by the Committee.

Transcripts of hearings and markup sessions (except for the record of a meeting or hearing which is closed to the public) shall be printed as soon as is practicable after receipt of the corrected versions, except that the Chairman may order the transcript of a hearing to be printed without the corrections of a Member or witness if the Chairman determines that such Member or witness has been afforded a reasonable time to correct such transcript and such transcript has not been returned within such time.

The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule VII of the House of Representatives. The Chairman shall notify the Ranking Minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of the rule, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any Member of the Committee.

The Committee shall, to the maximum extent feasible, make its publications available in electronic form.

RULE 8. EXTRANEOUS MATERIAL IN COMMITTEE HEARINGS

No extraneous material shall be printed in either the body or appendices of any Committee or subcommittee hearing, except matter which has been accepted for inclusion in the record during the hearing or by agreement of the Chairman and Ranking Minority Member of the Committee or subcommittee within five calendar days of the hearing. Copies of bills and other legislation under consideration and responses to written questions submitted by Members shall not be considered extraneous material.

Extraneous material in either the body or appendices of any hearing to be printed which would be in excess of eight (8) printed pages (for any one submission) shall be accompanied by a written request to the Chairman, such written request to contain an estimate in writing from the Public Printer of the probable cost of publishing such material.

RULE 9. PUBLIC AVAILABILITY OF COMMITTEE VOTES

The result of each record vote in any meeting of the Committee shall be made available for inspection by the public at reasonable times at the Committee offices. Such result shall include a description of the amendment, motion, order, or other proposition, the name of each Member voting for and against, and the Members present but not voting.

RULE 10. PROXIES

Proxy voting is not permitted in the Committee or in subcommittees.

RULE 11. REPORTS

(a) Reports on Bills and Resolutions

To the extent practicable, not later than 24 hours before a report is to be filed with the Clerk of the House on a measure that has been ordered reported by the Committee, the Chairman shall make available for inspection by all Members of the Committee a copy of the draft committee report in order to afford Members adequate information and the opportunity to draft and file any supplemental, minority or additional views which they may deem appropriate.

With respect to each record vote on a motion to report any measure or matter of a public character, and on any amendment offered to the measure or matter, the total number of votes cast for and against, and the names of those Members voting for and against, shall be included in any Committee report on the measure or matter.

(b) Prior Approval of Certain Reports

No Committee, subcommittee, or staff report, study, or other document which purports to express publicly the views, findings, conclusions, or recommendations of the Committee or a subcommittee may be released to the public or filed with the Clerk of the House unless approved by a majority of the Committee or subcommittee, as appropriate. A proposed investigative or oversight report shall be considered as read if it has been available to Members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day). In any case in which clause 2(l) of Rule XI and clause 3(a)(1) of Rule XIII of the House of Representatives does not apply, each Member of the Committee or subcommittee shall be given an opportunity to have views or a disclaimer included as part of the material filed or released, as the case may be.

(c) Foreign Travel Reports

At the same time that the report required by clause 8(b)(3) of Rule X of the House of Representatives, regarding foreign travel reports, is submitted to the Chairman, Members and employees of the committee shall provide a report to the Chairman listing all official meetings, interviews, inspection tours and other official functions in which the individual participated, by country and date. Under extraordinary circumstances, the Chairman may waive the listing in such report of an official meeting, interview, inspection tour, or other official function. The report shall be maintained in the full committee offices and shall be available for public inspection during normal business hours.

RULE 12. REPORTING BILLS AND RESOLUTIONS

Except in unusual circumstances, bills and resolutions will not be considered by the Committee unless and until the appropriate subcommittee has recommended the bill or resolution for Committee action, and will not be taken to the House of Representatives for action unless and until the Committee has ordered reported such bill or resolution, a quorum being present.

Except in unusual circumstances, a bill or resolution originating in the House of Representatives that contains exclusively findings and policy declarations or expressions of the sense of the House of Representatives or the sense of the Congress shall not be considered by the Committee or a subcommittee unless such bill or resolution has at least 25 House co-sponsors, at least ten of whom are Members of the Committee.

For purposes of this Rule, unusual circumstances will be determined by the Chairman, after consultation with the Ranking Minority Member and such other Members of the Committee as the Chairman deems appropriate.

The Chairman is directed to offer a motion under clause 1 of rule XXII of the Rules of the House whenever the Chairman considers it appropriate.

RULE 13. STAFF SERVICES

(a) The Committee staff shall be selected and organized so that it can provide a comprehensive range of professional services in the field of foreign affairs to the Committee, the subcommittees, and all its Members. The staff shall include persons with training and experience in international relations, making available to the Committee individuals with knowledge of major countries, areas, and U.S. overseas programs and operations.

(b) Subject to clause 9 of Rule X of the House of Representatives, the staff of the Committee, except as provided in paragraph

(c), shall be appointed, and may be removed, by the Chairman with the approval of the majority of the majority Members of the Committee. Their remuneration shall be fixed by the Chairman, and they shall work under the general supervision and direction of the Chairman. Staff assignments are to be authorized by the Chairman or by the Chief of Staff under the direction of the Chairman.

(c) Subject to clause 9 of Rule X of the House of Representatives, the staff of the Committee assigned to the minority shall be appointed, their remuneration determined, and may be removed, by the Ranking Minority Member with the approval of the majority of the minority party Members of the Committee. No minority staff person shall be compensated at a rate which exceeds that paid his or her majority staff counterpart. Such staff shall work under the general supervision and direction of the Ranking Minority Member with the approval or consultation of the minority Members of the committee.

(d) The Chairman shall ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities under the rules of the Committee. The Chairman shall ensure that the minority party is fairly treated in the appointment of such staff.

RULE 14. NUMBER AND JURISDICTION OF SUBCOMMITTEES

(a) Full Committee

The Full Committee will be responsible for oversight and legislation relating to: foreign assistance (including development assistance, Millennium Challenge Corporation, the Millennium Challenge Account, HIV/AIDS in foreign countries, security assistance, and Public Law 480 programs abroad); the Peace Corps; national security developments affecting foreign policy; strategic planning and agreements; war powers, treaties, executive agreements, and the deployment and use of United States Armed Forces; peacekeeping, peace enforcement, and enforcement of United Nations or other international sanctions; arms control and disarmament issues; the Agency for International Development; activities and policies of the State, Commerce, and Defense Departments and other agencies related to the Arms Export Control Act, the Export Administration Act, and the Foreign Assistance Act including export and licensing policy for munitions items and technology and dual-use equipment and technology, and other matters related to international economic policy and trade; international law; promotion of democracy; international law enforcement issues, including narcotics control programs and activities; Broadcasting Board of Governors, Overseas Private Investment Corporation, Trade and Development Agency, and related agency operations; embassy security; the United Nations, its affiliated agencies and other international organizations, including assessed and voluntary contributions to such organizations; international broadcasting; public diplomacy, including international communication, information policy, international education, and cultural programs; and all other matters not specifically assigned to a subcommittee. The Full Committee may conduct oversight with respect to any matter within the jurisdiction of the Committee as defined in the Rules of the House of Representatives.

(b) Subcommittees

There shall be seven (7) standing subcommittees. The names and jurisdiction of those subcommittees shall be as follows:

1. Functional Subcommittees

There shall be two subcommittees with functional jurisdiction:

Subcommittee on International Terrorism and Nonproliferation. Oversight and legislative responsibilities over the United States' efforts to manage and coordinate international programs to combat terrorism as coordinated by the Department of State and other agencies, including diplomatic, economic, and military assistance programs in areas designed to prevent terrorism, and efforts intended to identify, arrest, and bring international terrorists to justice. Oversight of, and (to the degree applicable to matters outside the Foreign Assistance Act, the Arms Export Control Act, the Export Administration Act, sanctions laws pertaining to individual countries and the provision of foreign assistance) legislation pertaining to: nonproliferation including matters relating to arms transfer policy; export control policy including the transfer of dual use equipment and technology; matters involving nuclear, chemical, biological and other weapons of mass destruction; legislation aimed at the promotion of sanctions and other nonproliferation matters generally.

Subcommittee on Oversight and Investigations.—With the concurrence of the full Committee Chairman, oversight and investigations of all matters within the jurisdiction of the Committee.

2. Regional Subcommittees

There shall be five subcommittees with regional jurisdiction: the Subcommittee on Europe and Emerging Threats; the Subcommittee on the Middle East and Central Asia; the Subcommittee on the Western Hemisphere; the Subcommittee on Africa, Global Human Rights and International Operations; and the Subcommittee on Asia and the Pacific. Two of the regional subcommittees, the Subcommittee on Europe and Emerging Threats and the Subcommittee on Africa, Global Human Rights and International Operations, shall also have functional jurisdiction.

The regional subcommittees shall have jurisdiction over the following within their respective regions:

(1) Matters affecting the political relations between the United States and other countries and regions, including resolutions or other legislative measures directed to such relations.

(2) Legislation with respect to disaster assistance outside the Foreign Assistance Act, boundary issues, and international claims.

(3) Legislation with respect to region- or country-specific loans or other financial relations outside the Foreign Assistance Act.

(4) Resolutions of disapproval under section 36(b) of the Arms Export Control Act, with respect to foreign military sales.

(5) Legislation and oversight regarding human rights practices in particular countries.

(6) Oversight of regional lending institutions.

(7) Oversight of matters related to the regional activities of the United Nations, of its affiliated agencies, and of other multilateral institutions.

(8) Identification and development of options for meeting future problems and issues relating to U.S. interests in the region.

(9) Base rights and other facilities access agreements and regional security pacts.

(10) Oversight of matters relating to parliamentary conferences and exchanges involving the region.

(11) Concurrent oversight jurisdiction with respect to matters assigned to the functional subcommittees insofar as they may affect the region.

(12) Oversight of all foreign assistance activities affecting the region.

(13) Such other matters as the Chairman of the Full Committee may determine.

The Subcommittee on Europe and Emerging Threats.—In addition to its regional jurisdiction, responsibility for legislation and oversight over emerging threats.

The Subcommittee on Africa, Global Human Rights and International Operations. —In addition to its regional jurisdiction, responsibility for oversight of, and (to the degree applicable to matters outside the Foreign Assistance Act, the Arms Export Control Act, the Export Administration Act, and the provision of foreign assistance) legislation pertaining to implementation of the Universal Declaration of Human Rights, and other matters relating to internationally-recognized human rights, including sanctions legislation aimed at the promotion of human rights and democracy generally; the Department of State and related agency operations; the diplomatic service; foreign buildings; parliamentary conferences and exchanges; and, the American Red Cross; oversight of international population planning and child survival activities; the United Nations, its affiliated agencies and other international organizations, including assessed and voluntary contributions to such organizations; international broadcasting; and, public diplomacy, including international communication, information policy, international education, and cultural programs.

RULE 15. POWERS AND DUTIES OF SUBCOMMITTEES

Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the full Committee on all matters referred to it. Subcommittee chairmen shall set meeting dates after consultation with the Chairman, other subcommittee chairmen, and other appropriate Members, with a view towards minimizing scheduling conflicts. It shall be the practice of the Committee that meetings of subcommittees not be scheduled to occur simultaneously with meetings of the Full Committee.

In order to ensure orderly administration and fair assignment of hearing and meeting rooms, the subject, time, and location of hearings and meetings shall be arranged in advance with the Chairman through the Chief of Staff of the Committee.

The Chairman of the Full Committee shall designate a Member of the majority party on each subcommittee as its Vice Chairman.

The Chairman and the Ranking Minority Member may attend the meetings and participate in the activities of all subcommittees of which they are not members, except that they may not vote or be counted for a quorum in such subcommittees.

RULE 16. REFERRAL OF BILLS BY CHAIRMAN

In accordance with Rule 14 of the Committee and to the extent practicable, all legislation and other matters referred to the Committee shall be referred by the Chairman to a subcommittee of primary jurisdiction within two (2) weeks. In accordance with Rule 14 of the Committee, legislation may also be referred to additional subcommittees for consideration. Unless otherwise directed by the Chairman, such subcommittees shall act on or be discharged from consideration of legislation that has been approved by the subcommittee of primary jurisdiction within two (2) weeks of such action. In referring any legislation to a subcommittee, the Chairman may specify a date by which the subcommittee shall report thereon to the Full Committee.

The Subcommittee on Africa, Global Human Rights and International Operations and the subcommittees with regional jurisdiction shall have joint jurisdiction over legislation regarding human rights practices in particular countries within the region.

The Chairman may designate a subcommittee chairman or other Member to

take responsibility as manager of a bill or resolution during its consideration in the House of Representatives.

RULE 17. PARTY RATIOS ON SUBCOMMITTEES AND CONFERENCE COMMITTEES

The majority party caucus of the Committee shall determine an appropriate ratio of majority to minority party Members for each subcommittee. Party representation on each subcommittee or conference committee shall be no less favorable to the majority party than the ratio for the Full Committee. The Chairman and the Ranking Minority Member are authorized to negotiate matters affecting such ratios including the size of subcommittees and conference committees.

RULE 18. SUBCOMMITTEE FUNDING AND RECORDS

(a) Each subcommittee shall have adequate funds to discharge its responsibility for legislation and oversight.

(b) In order to facilitate Committee compliance with clause 2(e)(1) of Rule XI of the House of Representatives, each subcommittee shall keep a complete record of all subcommittee actions which shall include a record of the votes on any question on which a record vote is demanded. The result of each record vote shall be promptly made available to the Full Committee for inspection by the public in accordance with Rule 9 of the Committee.

(c) All subcommittee hearings, records, data, charts, and files shall be kept distinct from the congressional office records of the Member serving as chairman of the subcommittee. Subcommittee records shall be coordinated with the records of the Full Committee, shall be the property of the House, and all Members of the House shall have access thereto.

RULE 19. MEETINGS OF SUBCOMMITTEE CHAIRMEN

The Chairman shall call a meeting of the subcommittee chairmen on a regular basis not less frequently than once a month. Such a meeting need not be held if there is no business to conduct. It shall be the practice at such meetings to review the current agenda and activities of each of the subcommittees.

RULE 20. ACCESS TO CLASSIFIED INFORMATION

Authorized persons.—In accordance with the stipulations of the Rules of the House of Representatives, all Members of the House who have executed the oath required by clause 13 of Rule XXIII of the House of Representatives shall be authorized to have access to classified information within the possession of the Committee.

Members of the Committee staff shall be considered authorized to have access to classified information within the possession of the Committee when they have the proper security clearances, when they have executed the oath required by clause 13 of Rule XXIII of the House of Representatives, and when they have a demonstrable need to know. The decision on whether a given staff member has a need to know will be made on the following basis:

(a) In the case of the Full Committee majority staff, by the Chairman, acting through the Chief of Staff;

(b) In the case of the Full Committee minority staff, by the Ranking Minority Member of the committee, acting through the Minority Chief of Staff;

(c) In the case of subcommittee majority staff, by the Chairman of the subcommittee;

(d) In the case of the subcommittee minority staff, by the Ranking Minority Member of the subcommittee.

No other individuals shall be considered authorized persons, unless so designated by the Chairman.

Designated persons.—Each Committee Member is permitted to designate one member of his or her staff as having the right of access to information classified confidential. Such designated persons must have the proper security clearance, have executed the oath required by clause 13 of Rule XXIII of the House of Representatives, and have a need to know as determined by his or her principal. Upon request of a Committee Member in specific instances, a designated person also shall be permitted access to information classified secret which has been furnished to the Committee pursuant to section 36 of the Arms Export Control Act, as amended. Upon the written request of a Committee Member and with the approval of the Chairman in specific instances, a designated person may be permitted access to other classified materials. Designation of a staff person shall be by letter from the Committee Member to the Chairman.

Location.—Classified information will be stored in secure safes in the Committee rooms. All materials classified top secret must be stored in a Secure Compartmentalized Information Facility (SCIF).

Handling.—Materials classified confidential or secret may be taken from Committee offices to other Committee offices and hearing rooms by Members of the Committee and authorized Committee staff in connection with hearings and briefings of the Committee or its Subcommittees for which such information is deemed to be essential. Removal of such information from the Committee offices shall be only with the permission of the Chairman under procedures designed to ensure the safe handling and storage of such information at all times. Except as provided in this paragraph, top secret materials may not be taken from the SCIF for any purpose, except that such materials may be taken to hearings and other meetings that are being conducted at the top secret level when necessary. Top secret materials may otherwise be used under conditions approved by the Chairman after consultation with the Ranking Minority Member.

Notice.—Appropriate notice of the receipt of classified documents received by the Committee from the Executive Branch will be sent promptly to Committee Members through the Survey of Activities or by other means.

Access.—Except as provided for above, access to materials classified top secret or otherwise restricted held by the Committee will be in the SCIF. The following procedures will be observed:

(a) Authorized or designated persons will be admitted to the SCIF after inquiring of the Chief of Staff or an assigned staff member. Access to the SCIF will be afforded during regular Committee hours.

(b) Authorized or designated persons will be required to identify themselves, to identify the documents or information they wish to view, and to sign the Classified Materials Log, which is kept with the classified information.

(c) The assigned staff member will be responsible for maintaining a log which identifies (1) authorized and designated persons seeking access, (2) the classified information requested, and (3) the time of arrival and departure of such persons. The assigned staff member will also assure that the classified materials are returned to the proper location.

(d) The Classified Materials log will contain a statement acknowledged by the signature of the authorized or designated person that he or she has read the Committee rules and will abide by them.

Divulgence.—Classified information provided to the Committee by the Executive Branch shall be handled in accordance with the procedures that apply within the Executive Branch for the protection of such information. Any classified information to which access has been gained through the Committee may not be divulged to any unauthorized person. Classified material shall not be photocopied or otherwise reproduced without the authorization of the Chief of Staff. In no event shall classified information be discussed over a non-secure telephone. Apparent violations of this rule should be reported as promptly as possible to the Chairman for appropriate action.

Other regulations.—The Chairman, after consultation with the Ranking Minority Member, may establish such additional regulations and procedures as in his judgment may be necessary to safeguard classified information under the control of the Committee. Members of the Committee will be given notice of any such regulations and procedures promptly. They may be modified or waived in any or all particulars by a majority vote of the Full Committee.

RULE 21. BROADCASTING OF COMMITTEE HEARINGS AND MEETINGS

All Committee and subcommittee meetings or hearings which are open to the public may be covered, in whole or in part, by television broadcast, radio broadcast, and still photography, or by any such methods of coverage in accordance with the provisions of clause 3 of House rule XI.

The Chairman or subcommittee chairman shall determine, in his or her discretion, the number of television and still cameras permitted in a hearing or meeting room, but shall not limit the number of television or still cameras to fewer than two (2) representatives from each medium.

Such coverage shall be in accordance with the following requirements contained in Section 116(b) of the Legislative Reorganization Act of 1970, and clause 4 of Rule XI of the Rules of the House of Representatives:

(a) If the television or radio coverage of the hearing or meeting is to be presented to the public as live coverage, that coverage shall be conducted and presented without commercial sponsorship.

(b) No witness served with a subpoena by the Committee shall be required against his will to be photographed at any hearing or to give evidence or testimony while the broadcasting of that hearing, by radio or television is being conducted. At the request of any such witness who does not wish to be subjected to radio, television, or still photography coverage, all lenses shall be covered and all microphones used for coverage turned off. This subparagraph is supplementary to clause 2(k)(5) of Rule XI of the Rules of the House of Representatives relating to the protection of the rights of witnesses.

(c) The allocation among cameras permitted by the Chairman or subcommittee chairman in a hearing room shall be in accordance with fair and equitable procedures devised by the Executive Committee of the Radio and Television Correspondents' Galleries.

(d) Television cameras shall be placed so as not to obstruct in any way the space between any witness giving evidence or testimony and Member of the Committee or its subcommittees or the visibility of that witness and that Member to each other.

(e) Television cameras shall operate from fixed positions but shall not be placed in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(f) Equipment necessary for coverage by the television and radio media shall not be installed in, or removed from, the hearing or meeting room while the Committee or subcommittee is in session.

(g) Floodlights, spotlights, strobe lights, and flashguns shall not be used in providing

any method of coverage of the hearing or meeting, except that the television media may install additional lighting in the hearing room, without cost to the Government, in order to raise the ambient lighting level in the hearing room to the lowest level necessary to provide adequate television coverage of the hearing or meeting at the current state-of-the-art level of television coverage.

(h) In the allocation of the number of still photographers permitted by the Chairman or subcommittee chairman in a hearing or meeting room, preference shall be given to photographers from Associated Press Photos, United Press International News pictures, and Reuters. If requests are made by more of the media than will be permitted by the Chairman or subcommittee chairman for coverage of the hearing or meeting by still photography, that coverage shall be made on the basis of a fair and equitable pool arrangement devised by the Standing Committee of Press Photographers.

(i) Photographers shall not position themselves, at any time during the course of the hearing or meeting, between the witness table and the Members of the Committee or its subcommittees.

(j) Photographers shall not place themselves in positions which obstruct unnecessarily the coverage of the hearing by the other media.

(k) Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(l) Personnel providing coverage by still photography shall be then currently accredited to the Press Photographers' Gallery Committee of Press Photographers.

(m) Personnel providing coverage by the television and radio media and by still photography shall conduct themselves and their coverage activities in an orderly and unobtrusive manner.

RULE 22. SUBPOENA POWERS

A subpoena may be authorized and issued by the Chairman, in accordance with clause 2(m) of Rule XI of the House of Representatives, in the conduct of any investigation or activity or series of investigations or activities within the jurisdiction of the Committee, following consultation with the Ranking Minority Member.

In addition, a subpoena may be authorized and issued by the Committee or its subcommittees in accordance with clause 2(m) of Rule XI of the House of the Representatives, in the conduct of any investigation or activity or series of investigations or activities, when authorized by a majority of the Members voting, a majority of the committee or subcommittee being present.

Authorized subpoenas shall be signed by the Chairman or by any Member designated by the Committee.

RULE 23. RECOMMENDATION FOR APPOINTMENT OF CONFEREES

Whenever the Speaker is to appoint a conference committee, the Chairman shall recommend to the Speaker as conferees those Members of the Committee who are primarily responsible for the legislation (including to the full extent practicable the principal proponents of the major provisions of the bill as it passed the House), who have actively participated in the Committee or subcommittee consideration of the legislation, and who agree to attend the meetings of the conference. With regard to the appointment of minority Members, the Chairman shall consult with the Ranking Minority Member.

RULE 24. GENERAL OVERSIGHT

Not later than February 15th of the first session of a Congress, the Committee shall meet in open session, with a quorum present, to adopt its oversight plans for that Congress for submission to the Committee on House Oversight and the Committee on Government Reform and Oversight, in accordance with the provisions of clause 2(d) of Rule X of the House of Representatives.

RULE 25. OTHER PROCEDURES AND REGULATIONS

The Chairman, in consultation with the Ranking Minority Member, may establish such other procedures and take such actions as may be necessary to carry out the foregoing rules or to facilitate the effective operation of the Committee. Any additional procedures or regulations may be modified or rescinded in any or all particulars by a majority vote of the Full Committee.

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

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

PUBLICATION OF THE RULES OF THE COMMITTEE ON EDUCATION AND THE WORKFORCE, 109TH CONGRESS

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

Mr. BOEHNER. Mr. Speaker, pursuant to Rule XI, Clause 2 of the Rules of the House of Representatives, I respectfully submit the rules for the 109th Congress for the Committee on Education and the Workforce for publication in the CONGRESSIONAL RECORD.

THE RULES OF THE COMMITTEE ON EDUCATION AND THE WORKFORCE FOR THE 109TH CONGRESS

RULE 1. REGULAR, ADDITIONAL, & SPECIAL MEETINGS: VICE-CHAIRMAN

(a) Regular meetings of the committee shall be held on the second Wednesday of each month at 9:30 a.m., while the House is in session. When the Chairman believes that the committee will not be considering any bill or resolution before the committee and that there is no other business to be transacted at a regular meeting, he will give each member of the committee, as far in advance of the day of the regular meeting as the circumstances make practicable, a written notice to that effect; and no committee meeting shall be held on that day.

(b) The Chairman may call and convene, as he considers necessary, additional meetings of the committee for the consideration of any bill or resolution pending before the committee or for the conduct of other committee business. The committee shall meet for such purposes pursuant to that call of the Chairman.

(c) If at least three members of the committee desire that a special meeting of the committee be called by the Chairman, those members may file in the offices of the committee their written request to the Chairman for that special meeting. Immediately upon the filing of the request, the staff director of the committee shall notify the Chairman of the filing of the request. If, within three calendar days after the filing of the request, the Chairman does not call the requested special meeting to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour thereof, and the measure or matter to be considered at that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the staff director of the committee shall notify all members of the committee that such meeting will be held and inform them of its date and hour and the measure or matter to be considered; and only the measure or matter specified in that notice may be considered at that special meeting.

(d) All legislative meetings of the committee and its subcommittees shall be open to the public, including radio, television and still photography coverage. No business meeting of the committee, other than regularly scheduled meetings, may be held without each member being given reasonable notice. Such meeting shall be called to order and presided over by the Chairman, or in the absence of the Chairman, by the vice-chairman, or the Chairman's designee.

(e) The Chairman of the committee or of a subcommittee, as appropriate, shall preside at meetings or hearings, or, in the absence of the chairman, the vice-chairman, or the Chairman's designee shall preside.

RULE 2. QUESTIONING OF WITNESSES

(a) Subject to clauses (b) and (c), Committee members may question witnesses only when they have been recognized by the Chairman for that purpose, and only for a 5-minute period until all members present have had an opportunity to question a witness. The questioning of witnesses in both committee and subcommittee hearings shall be initiated by the Chairman, followed by the ranking minority party member and all other members alternating between the majority and minority party in order of the member's appearance at the hearing. In recognizing members to question witnesses in this fashion, the Chairman shall take into consideration the ratio of the majority to minority party members present and shall establish the order of recognition for questioning in such a manner as not to place the members of the majority party in a disadvantageous position.

(b) The Chairman may permit a specified number of members to question a witness for longer than five minutes. The time for extended questioning of a witness under this clause shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

(c) The Chairman may permit committee staff for the majority and the minority party members to question a witness for equal specified periods. The time for extended questioning of a witness under this clause shall be equal for the majority party and the minority party and may not exceed one hour in the aggregate.

RULE 3. RECORDS & ROLLCALLS

(a) Written records shall be kept of the proceedings of the committee and of each subcommittee, including a record of the votes on any question on which a rollcall is demanded. The result of each such rollcall vote shall be made available by the committee or subcommittee for inspection by the public at reasonable times in the offices of the committee or subcommittee. Information so available for public inspection shall include a description of the amendment, motion, order, or other proposition and the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members present but not voting. A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member.

(b) In accordance with Rule VII of the Rules of the House of Representatives, any

official permanent record of the committee (including any record of a legislative, oversight, or other activity of the committee or any subcommittee) shall be made available for public use if such record has been in existence for 30 years, except that—

(1) any record that the committee (or a subcommittee) makes available for public use before such record is delivered to the Archivist under clause 2 of Rule VII of the Rules of the House of Representatives shall be made available immediately, including any record described in subsection (a) of this Rule;

(2) any investigative record that contains personal data relating to a specific living individual (the disclosure of which would be an unwarranted invasion of personal privacy), any administrative record with respect to personnel, and any record with respect to a hearing closed pursuant to clause 2(g)(2) of Rule Xl of the Rules of the House of Representatives shall be available if such record has been in existence for 50 years; or

(3) except as otherwise provided by order of the House, any record of the committee for which a time, schedule, or condition for availability is specified by order of the committee (entered during the Congress in which the record is made or acquired by the committee) shall be made available in accordance with the order of the committee.

(c) The official permanent records of the committee include noncurrent records of the committee (including subcommittees) delivered by the Clerk of the House of Representatives to the Archivist of the United States for preservation at the National Archives and Records Administration, which are the property of and remain subject to the rules and orders of the House of Representatives.

(d)(1) Any order of the committee with respect to any matter described in paragraph (2) of this subsection shall be adopted only if the notice requirements of committee Rule 18(c) have been met, a quorum consisting of a majority of the members of the committee is present at the time of the vote, and a majority of those present and voting approve the adoption of the order, which shall be submitted to the Clerk of the House of Representatives, together with any accompanying report.

(2) This subsection applies to any order of the committee which—

(A) provides for the non-availability of any record subject to subsection (b) of this rule for a period longer than the period otherwise applicable; or

(B) is subsequent to, and constitutes a later order under clause 4(b) of Rule VII of the Rules of the House of Representatives, regarding a determination of the Clerk of the House of Representatives with respect to authorizing the Archivist of the United States to make available for public use the records delivered to the Archivist under clause 2 of Rule VII of the Rules of the House of Representatives; or

(C) specifies a time, schedule, or condition for availability pursuant to subsection (b)(3) of this Rule.

RULE 4. STANDING SUBCOMMITTEES & JURISDICTION

(a) There shall be five standing subcommittees. In addition to the conducting oversight in the area of their respective jurisdictions as required in clause 2 of House Rule X, each subcommittee shall have the following jurisdictions:

Subcommittee on Education Reform.—Education from preschool through the high school level including, but not limited to, elementary and secondary education generally, vocational education, preschool programs including the Head Start Act, school lunch and child nutrition, and overseas dependent schools; special education programs including, but not limited to, alcohol and drug abuse, education of the disabled, migrant and agricultural labor education and homeless education; educational research and improvement, including the Institute of Education Sciences; poverty programs, including the Community Services Block Grant Act and the Low Income Home Energy Assistance Program (LIHEAP).

Subcommittee on 21st Century Competitiveness.—Education and training beyond the high school level including, but not limited to higher education generally, including postsecondary student assistance and employment services, Title IV of the Higher Education Act; training and apprenticeship including the Workforce Investment Act, displaced homemakers, adult basic education (family literacy), rehabilitation, professional development, and training programs from immigration funding; pre-service and in-service teacher training, including Title II of the Elementary and Secondary Education Act and Title II of the Higher Education Act; Title III and V of the Higher Education Act; Title I of the Higher Education Act as it relates to Titles II, III, IV, and V; science and technology programs; affirmative action in higher education; all welfare reform programs including, work incentive programs, welfare-to-work requirements, and childcare services, including the Childcare Development Block Grant; Native American Programs Act, Robert A. Taft Institute, and Institute for Peace.

Subcommittee on Select Education.—Programs and services for the care and treatment of certain at risk youth, including the Juvenile Justice and Delinquency Prevention Act and the Runaway and Homeless Youth Act; all matters dealing with child abuse and domestic violence, including the Child Abuse Prevention and Treatment Act, and child adoption; all matters dealing with programs and services for the elderly, including nutrition programs and the Older Americans Act; environmental education; all domestic volunteer programs; School to Work Opportunities Act; library services and construction, and programs related to the arts and humanities, museum services, and arts and artifacts indemnity; Titles VI and VII, Title I as it relates to those Titles, and oversight of Title III and V of the Higher Education Act; and fiscal auditing of the Department of Education organization.

Subcommittee on Workforce Protections.—Wages and hours of labor including, but not limited to, Davis-Bacon Act, Walsh-Healey Act, Fair Labor Standards Act (including child labor), workers' compensation generally, Longshore and Harbor Workers' Compensation Act, Federal Employees' Compensation Act, Migrant and Seasonal Agricultural Worker Protection Act, Service Contract Act, Family and Medical Leave Act, Worker Adjustment and Retraining Notification Act, Employee Polygraph Protection Act of 1988, workers' health and safety including, but not limited to, occupational safety and health, mine health and safety, youth camp safety, and migrant and agricultural labor health and safety; and, in addition, oversight of compulsory union dues within the jurisdiction of another subcommittee.

Subcommittee on Employer-Employee Relations.—All matters dealing with relationships between employers and employees generally including, but not limited to, the National Labor Relations Act, Bureau of Labor Statistics, pension, health, and other employee benefits, including the Employee Retirement Income Security Act (ERISA); all matters related to equal employment opportunity and civil rights in employment, including affirmative action.

(b) The majority party members of the committee may provide for such temporary, ad hoc subcommittees as determined to be appropriate.

RULE 5. EX OFFICIO MEMBERSHIP

The Chairman of the committee and the ranking minority party member shall be ex officio members, but not voting members, of each subcommittee to which such Chairman or ranking minority party member has not been assigned.

RULE 6. SPECIAL ASSIGNMENT OF MEMBERS

To facilitate the oversight and other legislative and investigative activities of the committee, the Chairman of the committee may, at the request of a subcommittee chairman, make a temporary assignment of any member of the committee to such subcommittee for the purpose of constituting a quorum and of enabling such member to participate in any public hearing, investigation, or study by such subcommittee to be held outside of Washington, DC. Any member of the committee may attend public hearings of any subcommittee and any member of the committee may question witnesses only when they have been recognized by the Chairman for that purpose.

RULE 7. SUBCOMMITTEE CHAIRMANSHIPS

The method for selection of chairmen of the subcommittees shall be at the discretion of the full committee Chairman, unless a majority of the majority party members of the full committee disapprove of the action of the Chairman.

RULE 8. SUBCOMMITTEE SCHEDULING

Subcommittee chairmen shall set meeting dates after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of committee and subcommittee meetings or hearings, wherever possible. Available dates for subcommittee meetings during the session shall be assigned by the Chairman to the subcommittees as nearly as practicable in rotation and in accordance with their workloads. As far as practicable, the Chairman shall not schedule simultaneous subcommittee markups, a subcommittee markup during a full committee markup, or any hearing during a markup.

RULE 9. SUBCOMMITTEE RULES

The rules of the committee shall be the rules of its subcommittees.

RULE 10. COMMITTEE STAFF

(a) The employees of the committee shall be appointed by the Chairman in consultation with subcommittee chairmen and other majority party members of the committee within the budget approved for such purposes by the committee.

(b) The staff appointed by the minority shall have their remuneration determined in such manner as the minority party members of the committee shall determine within the budget approved for such purposes by the committee.

RULE 11. SUPERVISION & DUTIES OF COMMITTEE STAFF

The staff of the committee shall be under the general supervision and direction of the Chairman, who shall establish and assign the duties and responsibilities of such staff members and delegate authority as he determines appropriate. The staff appointed by the minority shall be under the general supervision and direction of the minority party members of the committee, who may delegate such authority as they determine appropriate. All committee staff shall be assigned to committee business and no other duties may be assigned to them.

RULE 12. HEARINGS PROCEDURE

(a) The Chairman, in the case of hearings to be conducted by the committee, and the

appropriate subcommittee chairman, in the case of hearings to be conducted by a subcommittee, shall make public announcement of the date, place, and subject matter of any hearing to be conducted on any measure or matter at least one week before the commencement of that hearing unless the committee or subcommittee determines that there is good cause to begin such hearing at an earlier date. In the latter event, the Chairman or the subcommittee chairman, as the case may be, shall make such public announcement at the earliest possible date. To the extent practicable, the Chairman or the subcommittee chairman shall make public announcement of the final list of witnesses scheduled to testify at least 48 hours before the commencement of the hearing. The staff director of the committee shall promptly notify the Daily Digest Clerk of the Congressional Record as soon as possible after such public announcement is made.

(b) All opening statements at hearings conducted by the committee or any subcommittee will be made part of the permanent written record. Opening statements by members may not be presented orally, unless the Chairman of the committee or any subcommittee determines that one statement from the Chairman or a designee will be presented, in which case the ranking minority party member or a designee may also make a statement. If a witness scheduled to testify at any hearing of the Committee or any subcommittee is a constituent of a member of the committee or subcommittee, such member shall be entitled to introduce such witness at the hearing.

(c) To the extent practicable, witnesses who are to appear before the committee or a subcommittee shall file with the staff director of the committee, at least 48 hours in advance of their appearance, a written statement of their proposed testimony, together with a brief summary thereof, and shall limit their oral presentation to a summary thereof. The staff director of the committee shall promptly furnish to the staff director of the minority a copy of such testimony submitted to the committee pursuant to this rule.

(d) When any hearing is conducted by the committee or any subcommittee upon any measure or matter, the minority party members on the committee shall be entitled, upon request to the Chairman by a majority of those minority party members before the completion of such hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon. The minority party may waive this right by calling at least one witness during a committee hearing or subcommittee hearing.

RULE 13. MEETINGS–HEARINGS–QUORUMS

(a) Subcommittees are authorized to hold hearings, receive exhibits, hear witnesses, and report to the committee for final action, together with such recommendations as may be agreed upon by the subcommittee. No such meetings or hearings, however, shall be held outside of Washington, DC, or during a recess or adjournment of the House without the prior authorization of the committee Chairman. Where feasible and practicable, 14 days' notice will be given of such meeting or hearing.

(b) One-third of the members of the committee or subcommittee shall constitute a quorum for taking any action other than amending committee rules, closing a meeting from the public, reporting a measure to recommendation, or in the case of the committee or a subcommittee authorizing a subpoena. For the enumerated actions, a majority of the committee or subcommittee shall constitute a quorum. Any two members shall constitute a quorum for the purpose of taking testimony and receiving evidence.

(c) When a bill or resolution is being considered by the committee or a subcommittee, members shall provide the clerk in a timely manner a sufficient number of written copies of any amendment offered, so as to enable each member present to receive a copy thereof prior to taking action. A point of order may be made against any amendment not reduced to writing. A copy of each such amendment shall be maintained in the public records of the committee or subcommittee, as the case may be.

(d) In the conduct of hearings of subcommittees sitting jointly, the rules otherwise applicable to all subcommittees shall likewise apply to joint subcommittee hearings for purposes of such shared consideration.

(e) No person other than a Member of Congress or Congressional staff may walk in, stand in, or be seated at the rostrum area during a meeting or hearing of the Committee or Subcommittee unless authorized by the Chairman.

RULE 14. SUBPOENA AUTHORITY

The power to authorize and issue subpoenas is delegated to the Chairman of the full committee, as provided for under clause 2(m)(3)(A)(i) of Rule XI of the Rules of the House of Representatives. The Chairman shall notify the ranking minority member prior to issuing any subpoena under such authority. To the extent practicable, the Chairman shall consult with the ranking minority member at least 24 hours in advance of a subpoena being issued under such authority, excluding Saturdays, Sundays, and federal holidays. As soon as practicable after issuing any subpoena under such authority, the Chairman shall notify in writing all members of the Committee of the issuance of the subpoena.

RULE 15. REPORTS OF SUBCOMMITTEES

(a) Whenever a subcommittee has ordered a bill, resolution, or other matter to be reported to the committee, the chairman of the subcommittee reporting the bill, resolution, or matter to the committee, or any member authorized by the subcommittee to do so, may report such bill, resolution, or matter to the committee. It shall be the duty of the chairman of the subcommittee to report or cause to be reported promptly such bill, resolution, or matter, and to take or cause to be taken the necessary steps to bring such bill, resolution, or matter to a vote.

(b) In any event, the report, described in the proviso in subsection (d) of this rule, of any subcommittee on a measure which has been approved by the subcommittee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the staff director of the committee a written request, signed by a majority of the members of the subcommittee, for the reporting of that measure. Upon the filing of any such request, the staff director of the committee shall transmit immediately to the chairman of the subcommittee a notice of the filing of that request.

(c) All committee or subcommittee reports printed pursuant to legislative study or investigation and not approved by a majority vote of the committee or subcommittee, as appropriate, shall contain the following disclaimer on the cover of such report: ''This report has not been officially adopted by the Committee on Education and the Workforce (or pertinent subcommittee thereof) and therefore may not necessarily reflect the views of its members.''

The minority party members of the committee or subcommittee shall have three calendar days, excluding weekends and holidays, to file, as part of the printed report, supplemental, minority, or additional views.

(d) Bills, resolutions, or other matters favorably reported by a subcommittee shall automatically be placed upon the agenda of the committee as of the time they are reported. No bill or resolution or other matter reported by a subcommittee shall be considered by the full committee unless it has been delivered or electronically sent to all members and notice of its prior transmission has been in the hands of all members at least 48 hours prior to such consideration; a member of the Committee shall receive, upon his or her request, a paper copy of such bill, resolution, or other matter reported. When a bill is reported from a subcommittee, such measure shall be accompanied by a section-by-section analysis; and, if the Chairman of the committee so requires (in response to a request from the ranking minority member of the committee or for other reasons), a comparison showing proposed changes in existing law.

(e) To the extent practicable, any report prepared pursuant to a committee or subcommittee study or investigation shall be available to members no later than 48 hours prior to consideration of any such report by the committee or subcommittee, as the case may be.

RULE 16. VOTES

(a) With respect to each rollcall vote on a motion to report any bill, resolution or matter of a public character, and on any amendment offered thereto, the total number of votes cast for and against, and the names of those members voting for and against, shall be included in the committee report on the measure or matter.

(b) In accordance with clause 2(h) of House Rule XI, the Chairman of the Committee or a Subcommittee is authorized to postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment. Such Chairman may resume proceedings on a postponed request at any time after reasonable notice. When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

RULE 17. AUTHORIZATION FOR TRAVEL

(a) Consistent with the primary expense resolution and such additional expense resolutions as may have been approved, the provisions of this rule shall govern travel of committee members and staff. Travel to be paid from funds set aside for the full committee for any member or any staff member shall be paid only upon the prior authorization of the Chairman. Travel may be authorized by the Chairman for any member and any staff member in connection with the attendance of hearings conducted by the committee or any subcommittee thereof and meetings, conferences, and investigations which involve activities or subject matter under the general jurisdiction of the committee. The Chairman shall review travel requests to assure the validity to committee business. Before such authorization is given, there shall be submitted to the Chairman in writing the following:

(1) the purpose of the travel;

(2) the dates during which the travel is to be made and the date or dates of the event for which the travel is being made;

(3) the location of the event for which the travel is to be made; and

(4) the names of members and staff seeking authorization.

(b)(1) In the case of travel outside the United States of members and staff of the

committee for the purpose of conducting hearings, investigations, studies, or attending meetings and conferences involving activities or subject matter under the legislative assignment of the committee or pertinent subcommittees, prior authorization must be obtained from the Chairman, or, in the case of a subcommittee, from the subcommittee chairman and the Chairman. Before such authorization is given, there shall be submitted to the Chairman, in writing, a request for such authorization. Each request, which shall be filed in a manner that allows for a reasonable period of time for review before such travel is scheduled to begin, shall include the following:

(A) the purpose of travel;

(B) the dates during which the travel will occur;

(C) the names of the countries to be visited and the length of time to be spent in each;

(D) an agenda of anticipated activities for each country for which travel is authorized together with a description of the purpose to be served and the areas of committee jurisdiction involved; and

(E) the names of members and staff for whom authorization is sought.

(2) Requests for travel outside the United States may be initiated by the Chairman or the chairman of a subcommittee (except that individuals may submit a request to the Chairman for the purpose of attending a conference or meeting) and shall be limited to members and permanent employees of the committee.

(3) The Chairman shall not approve a request involving travel outside the United States while the House is in session (except in the case of attendance at meetings and conferences or where circumstances warrant an exception).

(4) At the conclusion of any hearing, investigation, study, meeting, or conference for which travel outside the United States has been authorized pursuant to this rule, each subcommittee (or members and staff attending meetings or conferences) shall submit a written report to the Chairman covering the activities of the subcommittee and containing the results of these activities and other pertinent observations or information gained as a result of such travel.

(c) Members and staff of the committee performing authorized travel on official business shall be governed by applicable laws, resolutions, or regulations of the House and of the Committee on House Administration pertaining to such travel, including rules, procedures, and limitations prescribed by the Committee on House Administration with respect to domestic and foreign expense allowances.

(d) Prior to the Chairman's authorization for any travel, the ranking minority party member shall be given a copy of the written request therefor.

RULE 18. REFERRAL OF BILLS, RESOLUTIONS, & OTHER MATTERS

(a) The Chairman shall consult with subcommittee chairmen regarding referral, to the appropriate subcommittees, of such bills, resolutions, and other matters, which have been referred to the committee. Once printed copies of a bill, resolution, or other matter are available to the Committee, the Chairman shall, within three weeks of such availability, provide notice of referral, if any, to the appropriate subcommittee.

(b) Referral to a subcommittee shall not be made until three days shall have elapsed after written notification of such proposed referral to all subcommittee chairmen, at which time such proposed referral shall be made unless one or more subcommittee chairmen shall have given written notice to the Chairman of the full committee and to the chairman of each subcommittee that he [or she] intends to question such proposed referral at the next regularly scheduled meeting of the committee, or at a special meeting of the committee called for that purpose, at which time referral shall be made by the majority members of the committee. All bills shall be referred under this rule to the subcommittee of proper jurisdiction without regard to whether the author is or is not a member of the subcommittee. A bill, resolution, or other matter referred to a subcommittee in accordance with this rule may be recalled therefrom at any time by a vote of the majority members of the committee for the committee's direct consideration or for reference to another subcommittee.

(c) All members of the committee shall be given at least 24 hours' notice prior to the direct consideration of any bill, resolution, or other matter by the committee; but this requirement may be waived upon determination, by a majority of the members voting, that emergency or urgent circumstances require immediate consideration thereof.

RULE 19. COMMITTEE REPORTS

(a) All committee reports on bills or resolutions shall comply with the provisions of clause 2 of Rule XI and clauses 2, 3, and 4 of Rule XIII of the Rules of the House of Representatives.

(b) No such report shall be filed until copies of the proposed report have been available to all members at least 36 hours prior to such filing in the House. No material change shall be made in the report distributed to members unless agreed to by majority vote; but any member or members of the committee may file, as part of the printed report, individual, minority, or dissenting views, without regard to the preceding provisions of this rule.

(c) Such 36-hour period shall not conclude earlier than the end of the period provided under clause 4 of Rule XIII of the Rules of the House of Representatives after the committee approves a measure or matter if a member, at the time of such approval, gives notice of intention to file supplemental, minority, or additional views for inclusion as part of the printed report.

(d) The report on activities of the committee required under clause 1 of Rule XI of the Rules of the House of Representatives, shall include the following disclaimer in the document transmitting the report to the Clerk of the House: ''This report has not been officially adopted by the Committee on Education and the Workforce or any subcommittee thereof and therefore may not necessarily reflect the views of its members.''

Such disclaimer need not be included if the report was circulated to all members of the committee at least 7 days prior to its submission to the House and provision is made for the filing by any member, as part of the printed report, of individual, minority, or dissenting views.

RULE 20. MEASURES TO BE CONSIDERED UNDER SUSPENSION

A member of the committee may not seek to suspend the Rules of the House on any bill, resolution, or other matter which has been modified after such measure is ordered reported, unless notice of such action has been given to the Chairman and ranking minority member of the full committee.

RULE 21. BUDGET & EXPENSES

(a) The Chairman in consultation with the majority party members of the committee shall prepare a preliminary budget. Such budget shall include necessary amounts for staff personnel, for necessary travel, investigation, and other expenses of the committee; and, after consultation with the minority party membership, the Chairman shall include amounts budgeted to the minority party members for staff personnel to be under the direction and supervision of the minority party, travel expenses of minority party members and staff, and minority party office expenses. All travel expenses of minority party members and staff shall be paid for out of the amounts so set aside and budgeted. The Chairman shall take whatever action is necessary to have the budget as finally approved by the committee duly authorized by the House. After such budget shall have been adopted, no change shall be made in such budget unless approved by the committee. The Chairman or the chairman of any standing subcommittee may initiate necessary travel requests as provided in Rule 16 within the limits of their portion of the consolidated budget as approved by the House, and the Chairman may execute necessary vouchers therefor.

(b) Subject to the rules of the House of Representatives and procedures prescribed by the Committee on House Administration, and with the prior authorization of the Chairman of the committee in each case, there may be expended in any one session of Congress for necessary travel expenses of witnesses attending hearings in Washington, DC:

(1) out of funds budgeted and set aside for each subcommittee, not to exceed $5,000 for expenses of witnesses attending hearings of each such subcommittee;

(2) out of funds budgeted for the full committee majority, not to exceed $5,000 for expenses of witnesses attending full committee hearings; and

(3) out of funds set aside to the minority party members,

(A) not to exceed, for each of the subcommittees, $5,000 for expenses of witnesses attending subcommittee hearings, and

(B) not to exceed $5,000 for expenses of witnesses attending full committee hearings.

(c) A full and detailed monthly report accounting for all expenditures of committee funds shall be maintained in the committee office, where it shall be available to each member of the committee. Such report shall show the amount and purpose of each expenditure, and the budget to which such expenditure is attributed.

RULE 22. APPOINTMENT OF CONFEREES, NOTICE OF CONFERENCE MEETINGS AND CONFERENCE MOTION

(a) Whenever in the legislative process it becomes necessary to appoint conferees, the Chairman shall recommend to the Speaker as conferees the names of those members of the subcommittee which handled the legislation in the order of their seniority upon such subcommittee and such other committee members as the Chairman may designate with the approval of the majority party members. Recommendations of the Chairman to the Speaker shall provide a ratio of majority party members to minority party members no less favorable to the majority party than the ratio of majority members to minority party members on the full committee. In making assignments of minority party members as conferees, the Chairman shall consult with the ranking minority party member of the committee.

(b) After the appointment of conferees pursuant to clause 11 of Rule I of the Rules of the House of Representatives for matters within the jurisdiction of the committee, the Chairman shall notify all members appointed to the conference of meetings at least 48 hours before the commencement of the meeting. If such notice is not possible, then notice shall be given as soon as possible.

(c) The chairman is directed to offer a motion under clause 1 of rule XXII of the Rules

of the House whenever the chairman considers it appropriate.

RULE 23. BROADCASTING OF COMMITTEE HEARINGS & MEETINGS

(a) Television, Radio and Still Photography. (1) Whenever a hearing or meeting conducted by the Committee or any subcommittee is open to the public, those proceedings shall be open to coverage by television, radio, and still photography subject to the requirements of Rule XI, clause 4 of the Rules of the House of Representatives and except when the hearing or meeting is closed pursuant to the Rules of the House of Representatives and of the Committee. The coverage of any hearing or meeting of the Committee or any subcommittee thereof by television, radio, or still photography shall be under the direct supervision of the Chairman of the Committee, the subcommittee chairman, or other member of the Committee presiding at such hearing or meeting and may be terminated by such member in accordance with the Rules of the House.

(2) Personnel providing coverage by the television and radio media shall be then currently accredited to the Radio and Television Correspondents' Galleries.

(3) Personnel providing coverage by still photography shall be then currently accredited to the Press Photographers' Gallery.

(b) Internet Broadcast. An open meeting or hearing of the committee or subcommittee may be covered and recorded, in whole or in part, by Internet broadcast, unless such meeting or hearing is closed pursuant to the Rules of the House and of the Committee. Such coverage shall be fair and nonpartisan and in accordance clause 4(b) of House Rule XI and other applicable rules of the House of Representatives and of the Committee. Members of the Committee shall have prompt access to any recording of such coverage to the extent that such coverage is maintained. Personnel providing such coverage shall be employees of the House of Representatives or currently accredited to the Radio and Television Correspondents' Galleries.

RULE 24. CHANGES IN COMMITTEE RULES

The committee shall not consider a proposed change in these rules unless the text of such change has been delivered or electronically sent to all members and notice of its prior transmission has been in the hands of all members at least 48 hours prior to such consideration; a member of the Committee shall receive, upon his or her request, a paper copy of the such proposed change.

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

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

□ 1800

WHO WILL GAIN THE TRUST OF THE IRAQI PEOPLE

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

Mr. OWENS. Mr. Speaker, we are all celebrating Iraq's election, and I certainly join in the celebration. But I hope we realize that the great slogan that was almost universal, every candidate, every party says, Vote and the Americans will go home soon; the more you vote, the faster we will get the occupying troops out. I think we should understand that.

We have a problem here with the trust of the Iraqi people. The problem is, who will gain the trust of the Iraqi people. Will we be able to gain that trust by behaving in a certain way, not just speaking and talking about guaranteeing liberty and freedom, but also justice?

Will we be able to gain the trust before the outside forces of bin Laden?

Time is on bin Laden's side. The longer we wait, the longer we hesitate, the longer we occupy Iraq and stay there, the more he will gather in new forces and recruit new people to come in. So we don't have an infinite amount of time.

We should prepare an exit strategy and move on that exit strategy immediately. The problem is, how do you gain the trust of the people of Iraq in order to guarantee that the insurgents will have no support among the people. The less support the insurgents have among the people, the more secure Iraq will become.

Step one in any successful departure from Iraq, and I think we can have a successful end to this occupation, step one in that successful end to the occupation would be to put a discussion of oil on the table. An open and truthful discussion of the oil revenues of Iraq should be on the world table.

Oil is part of the problem. Oil can be a part of the solution. In fact, oil is possibly the major problem, and oil can be the major solution. Let us have an honest discussion of what is going to happen to the revenue earned by the oil of Iraq.

Iraq is quite fortunate. Despite all of its great troubles, it does have beneath the soil enough oil to keep the country prosperous for many decades to come. It does have enough oil to rebuild the country and to do things that resources can provide.

Within the next 90 days, if you want a successful exit strategy, within the next 90 days a conference should be called. An international conference should be called on the distribution of the oil revenue of Iraq.

What will the distribution of that revenue be?

I think the conference should guarantee that the great majority of the revenue, most of the revenue will go to the Iraqi people. Whether that is paid directly to the Iraqi Government or whether it is through some taxing arrangement on privately produced oil from private companies does not matter. Some way, we should guarantee that the benefits of the oil, the revenue, most of it, goes to the people of Iraq.

There are other problems, because people have invested in the oil wells of Iraq. There are problems, because a great deal of money has to be poured in the provision of technical assistance. Technical assistance, and the cost of that, is part of the problem with respect to France and Russia's and Germany's involvement in Iraq before the war. France, Russia, all must be invited to the table. Germany, China, everybody should come to the table. We need the sanctioning of whatever agreement is reached by the entire international community. If the Iraqis will trust what happens and believe it is true, it must have all the people at the table who can guarantee it will be carried out appropriately.

Step two would be to say, once we have dealt with the problem of oil, and there is so little discussion of the problem of oil, of what exactly is the role of oil in this whole conflict, it is frightening. It is dishonest, of course, not to discuss oil and how oil brought us there and how oil is being handled right now.

When we moved our troops into Iraq, most people don't know it, but we immediately secured the oil wells. Before they dealt with the museums or the city halls, the hospitals or any other facility, the Marines and the invading forces secured the oil wells.

There are some written agreements already, I understand, that the oil industry in the future in Iraq must be privatized. I do not know how such agreements can be enforced. I do not know how they could be generated, but I hear rumors that privatization of the oil is a condition that is written somehow into the agreement with the Iraqi interim government, and it has to be a part of the constitution, et cetera.

Oil is a problem. Let us guarantee that the greater benefits of that oil go to the Iraqi people. Once you have done that, in the next 90 days, that can be done, once you have done that, then steps can be taken to move forward toward a constitutional government.

The people elected now were elected primarily to write a constitution. They should be given an incentive by being told that after this constitutional process, a certain number of days after that process, we are leaving. They should be given that incentive.

I understand the scheduling probably is a year away. I do not know exactly what the timetable is at that point. But if they have to delay, then they delay the occupation. If they move it faster, there will be some incentive there so that they will see the occupying troops leave that much sooner. It does not take rocket science to resolve this problem if there is going to be real honesty.

The great fear of the Iraqi people is that they will get no justice. And if they fear they will get no justice, they will turn more and more to outsiders. Bin Laden and his insurgents will become stronger and stronger, and more and more Americans will lose their lives, and more and more dollars from American taxpayers will be pumped into this situation needlessly.

I say that we should understand that. Oil was the problem and oil can be the final solution.

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.)

CLINICAL LABORATORY COMPLIANCE IMPROVEMENT ACT OF 2005

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

Mr. CUMMINGS. Mr. Speaker, today I am introducing the Clinical Laboratory Compliance Improvement Act of 2005, legislation to improve accuracy and reliability in medical testing and provide protection for employees who report laboratory problems to their superiors or regulatory entities.

Medical laboratory testing is a fundamental pillar of our Nation's health care system. Virtually every American undergoes testing in the course of receiving medical care and relies on the accuracy of laboratory tests to receive appropriate medical care and treatment. Incorrect test results in the worst case can contribute to a misdiagnosis that leads to inappropriate care and possible adverse health consequences for the patient. In the best case, incorrect or invalid results can lead to undue stress and inconvenience.

Inaccurate testing for communicable diseases can pose a serious threat to the public health. In May and July of 2004, the House Subcommittee on Criminal Justice, Drug Policy and Human Resources of the Committee on Government Reform held hearings to investigate lab deficiencies that led to the release of hundreds of invalid test results by the Maryland General Hospital located in my district in Baltimore City. I requested the hearings as the subcommittee's ranking minority member, and with the cooperation and support of the distinguished chairman, the gentleman from Indiana (Mr. SOUDER), the subcommittee conducted the hearings on a strictly bipartisan basis.

During the hearings, the subcommittee received testimony from Teresa Williams and Kristin Turner, two former laboratory employees who complained to superiors and State health officials about serious, longstanding deficiencies in the lab, including failure to implement quality controls on a diagnostic device used to read tests for HIV and hepatitis.

Officials from the Food and Drug Administration and the Centers for Medicare and Medicaid Services, responsible for implementing Federal regulations governing medical diagnostic devices and laboratory operations, respectively; the former chief executive of Adaltis US, Inc., manufacturer of the device used to run the invalid test; the College of American Pathologists, a private accrediting organization responsible for certifying the laboratory's compliance with Federal and State regulations on behalf of CMS and the State; and the Maryland Department of Health and Mental Hygiene all testified.

It was Ms. Turner's complaint in December 2003 that triggered investigations by the State CMS, the Joint Commissioner on Accreditation of Healthcare, JCAHO, and CAP, between January and March. The investigations confirmed Ms. Turner's allegation that during a 14-month period between June 2002 and August 2003, Maryland General Hospital issued more than 450 questionable HIV and hepatitis test results to hospital patients.

During this time period, the hospital laboratory was inspected and accredited for 2 years by CAP, receiving CAP's Accredited With Distinction Certificate. Despite an earlier anonymous complaint by Ms. Williams and several colleagues, the State also was unable to identify the problems, and serious deficiencies in two key departments of the lab went undetected by CAP and the State until January of 2004.

In Spring of 2004, inspectors from the States' EMS and JCAHO concluded that the laboratory staff had falsified federally required instrument quality control results and reported patient results even though quality control checks had failed. Learning of the problems by way of news reports, CAP conducted a complaint inspection in April, found similar deficiencies, and suspended accreditation of the lab's chemistry and point-of-care departments for 30 days.

To its credit, Maryland General Hospital conducted its own internal review and vigorously undertook efforts both to retest the affected patients and to revamp the lab's leadership and operations.

Fortunately, retesting verified the accuracy of the overwhelming majority of tests, and Maryland General has made enormous strides in improving its lab operations so that patients receive results that are accurate and reliable.

Nevertheless, Mr. Speaker, this is a situation that caused great distress to the community that the Maryland General serves.

I should note that I live in that community, and I have received care at Maryland General Hospital. This is a situation that could have put lives in jeopardy and one that simply should never have occurred, given the regulatory safeguards that exist to ensure quality testing.

Congress recognized the importance of ensuring that all Americans receive accurate diagnostic test results when in enacted Federal Standards for Medical Laboratories under the Clinical Laboratories Improvement Amendments of 1998, now know as CLIA. Under the CLIA, the Centers for Medicare and Medicaid Services were charged with developing and implementing regulations to ensure that all labs conform to strict Federal guidelines.

CMS directly inspects some labs to ensure CLIA compliance and State health agencies are responsible for inspecting and certifying the compliance of others. In addition, pursuant to CLIA regulations and agreements between CMS and the States, clinical laboratories that choose to be accredited by CAP or one of five other private accrediting organizations, are deemed to be in compliance with State and Federal regulatory requirements and can bill for services provided for Medicare beneficiaries.

Mr. Speaker, there is no doubting the fact that CLIA has made medical testing more accurate and more reliable, and surely the overwhelming majority of labs do their best to conform to these high standards. Unfortunately, the Maryland General case clearly demonstrates that not all laboratories will play fair and that the current system does not guarantee that serious instances of noncompliance will be detected or corrected.

Testimony before the subcommittee indicated that in the Maryland General case, laboratory supervisors failed to implement quality control measures and deliberately masked lab deficiencies from inspectors from CAP and the State. Employees who complained were subject to retaliation and intimidation.

NO CRISIS IN SOCIAL SECURITY

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

Mr. GENE GREEN of Texas. Mr. Speaker, I rise to help dispel the ridiculous myth that Social Security is in a state of crisis.

If you listened to the President at the State of the Union or out on the stump, you have heard the President use words like ''broke,'' ''bust'' or ''bankrupt.'' Mr. Speaker, Social Security is neither broke nor bankrupt. The program is certainly not in crisis. A crisis is an imminent problem. Yet, while the President cries ''crisis,'' Social Security continues to bring in more than it pays out in benefits.

According to the Social Security trustees, the program will continue to do so for the next 13 years, until 2018, when the trust fund will be tapped to help pay for benefits. Even then the cries of ''crisis'' would be melodramatic because the money accumulated in the trust fund would be able to provide full benefits for the next quarter of a century.

As a recent Washington Post article put it, calling 2018 a crisis point is ''like saying that Bill Gates will be strapped if he works only part-time.'' Just as Bill Gates has his personal trust fund to draw down, the Social Security trust fund will have more than $3.7 trillion in it in 2018. If our government is going to pay back the debts we owe to someone in a foreign country that invests in Treasury notes, why

should we not be required to pay back the Social Security trust fund, whether it is 2018, 2025 or tomorrow?

The trustees acknowledge that the trust fund and incoming payroll taxes will be enough to cover full benefits until 2042, so there will be no reduction of benefits if Congress did nothing this year and until 2042. According to our own Congressional Budget Office, it would last until 2052. Frankly, the CBO, the budget office, has been much more accurate than the Social Security Trustees' report.

Even if the Social Security trust fund is spent, the program still will not be in crisis. After 2052, according to CBO, the Trustees project that the program will be able to pay out at least 70 percent of the benefits.

□ 1815

Again, that is 47 years from now. Make no mistake, I will not support a cut in benefits, and so a fix is certainly in order, but we need a solution that will mend Social Security without ending the program as we know it. Privatization is no solution.

While we know very little about the details of the President's plan, this much is for sure. On its own, privatization does nothing to close Social Security's funding gap. Rather, it increases that gap by $1.4 trillion in the first 10 years of private accounts and by another $3.5 trillion in the next decade. Not only is Social Security further burdened by private accounts but our seniors would also be worse off.

Mr. Speaker, Social Security faces a challenge, not a crisis. Small changes based on the right priorities could keep the program floating comfortably in a sea of black ink for generations to come.

A repeal of the President's tax cuts on 1 percent of the wealthiest will bring in enough revenue to take care of 80 percent of Social Security's shortfall for the next 75 years. And I will repeat: if we repeal 1 percent of the tax cuts for the highest percentage of the wealthiest in our country, it would take care of 80 percent of Social Security's shortfall over the next 75 years. Yet somehow I doubt whether the administration will ever prioritize a safety net program benefiting all Americans over a tax cut that benefits the wealthy few.

As we consider the various Social Security proposals during this debate, we must remember that Social Security was created as a safety net to provide a minimum standard of living for America's retirees. Nobody is supposed to get rich off Social Security, and they do not. Frankly, with private accounts, I do not think they will get rich either.

What they will do, however, is take the security out of Social Security and jeopardize the program's mission and effectiveness.

For the sake of all the future Social Security beneficiaries, I urge the President to separate the rhetoric from the reality and quit fabricating a crisis in a vain attempt to privatize the most popular, most successful domestic program in our Nation's history.

ISSUES OF ETHICS

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

Mr. GEORGE MILLER of California. Mr. Speaker, very often when we are out among the people we represent and holding town hall meetings and meeting with various organizations, we are asked the question, Why do you not run the government like a business? Unfortunately, today, there is some evidence that we are running it like a business, but we are running it like some of the worst businesses in America.

Today, what we see, as the Republicans gain seats in the House of Representatives, as the Republicans get more and more control of the House of Representatives, there is less and less space for honest debate in the House. There are less opportunities for the minority to offer amendments, to offer bipartisan changes to legislation to come to the floor. If we put together a bipartisan coalition that the Republican leadership does not like, they simply are not allowed to offer that amendment.

This is at a time when young men and women are dying to bring democracy to Afghanistan and to Iraq, and yet we cannot find that democracy on the floor of the House of Representatives. It does appear, as the old saying says, that power corrupts and absolute power corrupts absolutely; and that is the situation we have come to.

We now have the House that has an ethics process that reeks of favoritism, reeks of conflicts of interest, reeks of punishment of those who dare to look at the evidence and make an independent judgment. We now see that those individuals are taken off the committee. The chairman of the committee is sacked for no apparent reason.

There was a unanimous vote in the committee in the last session of the Congress three times to admonish the majority leader of the House. The committee apparently looked at the evidence, listened to the witnesses, and on a unanimous basis decided that that action was warranted. We then see that those individuals who participated, or several of those individuals, including the chairman who participated in that unanimous decision, were taken off the committee.

This starts to look like the businesses that have terrified the American people, the Enrons, the WorldComs, where we see what happens is the CEO starts to appoint his friends to the board of directors. They start to cook the books, they start to steal the shareholders money, they start to mislead the investment communities. What we see here is that apparently the majority leader did not like the outcome of the actions by the Committee on Standards of Official Conduct, and so they started to change the rules.

There apparently is some anticipation that the majority leader could be subject to an indictment out of the State of Texas. As a result of that, there was an effort to change the rules; and in fact, the rules were changed within the Republican Caucus to say that, if indicted, that leader could continue to serve, or a leader in the position of leadership could continue to serve. Of course, that was a voice vote and a secret caucus.

When that vote was exposed to daylight, when they found out that vote was going to be challenged by our side of the aisle, by the Democrats in the House, they, of course, changed that action because it would not stand up under scrutiny; but they did not do anything.

Unlike the old rules, the investigation would have proceeded because the committee is evenly split between Republicans and Democrats. It would have proceeded. Now, unless one person from one party or another crosses the party lines and agrees to the investigation, the investigation dies. We now have the situation where the party that may have somebody under investigation, in effect, has a veto.

That is not the ethics process that the public is entitled to or the Members of the House are entitled to. We now see that that is the rules of the House.

We now also see that in the replacement of the Members of the Committee on Standards of Official Conduct, we have two Members of the committee who have contributed to the defense fund for the majority leader. If they are called upon to undertake an investigation, because apparently that matter is still pending before the Committee on Standards of Official Conduct, they will be in a position of having to decide whether to proceed or not, and they have already cast their vote with their contribution to that defense fund.

So we now have a Committee on Standards of Official Conduct that is severely conflicted with respect to its duty to the people of the country and to the Members of this House.

Mr. Speaker, this is not what the people's House should look like. This is not how the people's business should be done, whether it is about allowing space for true and honest political debate, as many Members on the floor today earlier argued for the ability to talk about the asylum provisions in the bill that we will vote tomorrow, but the time was not allotted to do that. The time was not allotted to have that kind of discussion that affects so many people. Why did they do that? Because they do not want the discussion. As our colleague, the gentleman

from Massachusetts (Mr. FRANK), said, it appears that they know they can win the vote, they just do not believe they can win the debate. Time and again we see that happening.

As severe as that problem is with respect to closing down democracy in the House, the changing and the corrupting of the ethics process is far more severe because our first obligation is to make sure that Congress does, in fact, do its business in an ethical fashion, not in a corrupt fashion, and that Members of Congress are held to an ethical standard that justifies their support by the people of their districts.

WE MUST REPEAL PNTR WITH CHINA

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

Mr. SANDERS. Mr. Speaker, I am announcing today that along with 61 cosponsors, 45 Democrats and 16 Republicans, I am introducing legislation that will repeal Permanent Normal Trade Relations, PNTR, with China.

Anyone who takes an objective look at our trade policy with China must conclude that it is an absolute failure and needs to be fundamentally overhauled. There really can be no other conclusion.

Today, as part of our overall record-breaking $600 billion trade deficit, we have an estimated $160 billion trade deficit with China. Incredibly, this trade deficit with China has increased by 29 percent over the last year alone and almost 50 percent since the passage of PNTR in 2000.

Very few experts in this area doubt that the trade deficit with China will continue to escalate in the years ahead. In industry after industry, corporate America is shifting our manufacturing plants, our good-paying jobs to China where desperate people are forced to work for wages as low as 20 cents an hour. Anyone who went Christmas shopping this year knows that more and more products on the shelves are made in China: toys, bicycles, computers, televisions, shoes and sneakers, all kind of clothing and hats, telephone, furniture, auto parts and even artificial Christmas decorations. Ironically, the little American flags that Members of Congress wave around are often made in China.

In the last 4 years, the United States has lost 2.7 million manufacturing jobs, over 16 percent, of our entire manufacturing sector. In my own small State of Vermont, we have lost 20 percent of our manufacturing jobs during that period. PNTR with China and our disastrous trade policies in general are one of the key reasons for that, but we should be very aware that PNTR with China is not only leading to the destruction of traditional manufacturing and blue collar jobs. It is leading to the loss of millions of high-tech, information technology jobs as well. These are the jobs that we were told would be there for our kids and would secure them with a place in the middle class.

The question that the American people have to ask is why it is that corporate America, with the active support of the President of the United States and the congressional leadership, is selling out the American people and making China the economic superpower of the 21st century. Not only is China rapidly becoming the manufacturing center of the world; it is quickly becoming the information technology hub as well.

Andy Grove, the founder of Intel, predicted last year that the United States will lose the bulk of its information technology jobs to China and India over the next decade. John Chambers, the CEO of Cisco, was typical of many high-tech leaders when he said, ''China will become the IT center of the world. What we're,'' at Cisco, ''trying to do is outline an entire strategy of becoming a Chinese company.''

At a time when poverty in America is increasing, the gap between the rich and the poor is growing wider and most of the new jobs projected for the future are low wage with minimal benefits, the great economic struggle of our time is whether the middle class of America can be saved. Will we be a country in which ordinary workers have bright futures with good-paying jobs and decent benefits, or will we continue to move in an oligarchic direction in which the rich get richer and most everyone else gets poorer? To a significant degree, the answer to that question will depend on whether Congress has the courage to make fundamental changes in our trade policy, including PNTR with China.

The word has got to go out loud and clear to companies like Wal-Mart, GE, GM, IBM and dozens more, as well as the U.S. Chamber of Commerce, that they cannot keep sending America's future to China. Trade is a good thing, but must be based on principles that are fair to American workers. The U.S. Congress can no longer allow corporate America to sell out the middle class and move our economy abroad.

It is not acceptable that Jeff Immelt of General Electric, the CEO, says, ''When I am talking to GE managers, I talk China, China, China, China, China.''

It is not acceptable that Thomas Donahue, the CEO of the U.S. Chamber of Commerce ''urges'' American companies to send jobs overseas.

It is not acceptable that Bill Gates, the wealthiest man in America, tells us that Communist authoritarian China has created ''a brand new form of capitalism, and as a consumer it's the best thing that ever happened.''

We need to repeal PNTR to China.

SOCIAL SECURITY

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

Ms. HERSETH. Mr. Speaker, I rise today to discuss Social Security and the current efforts to fundamentally change the nature of this important retirement security and collective insurance program. I want to focus specifically on the impact of these efforts with respect to younger workers.

For years, my generation has been told that Social Security would not be there for us when we reach retirement age. We have been told that we are fools to count on expected Social Security benefits when planning for our own retirement; and lately we have been told that if we divert a portion of our contributions into private accounts it will somehow shore up Social Security's balance sheet while improving the return on our investment.

□ 1830

But those claims simply are not supported by the facts.

Make no mistake, the Social Security program faces some challenges over the next 50 to 75 years. There are a number of proposals currently being developed to try to address these problems while encouraging private savings. And I am committed to working in a bipartisan manner to support smart targeted solutions that are fiscally sound; that do not require slashing of scheduled benefits; and that do not add to the Federal deficit. But I have serious concerns with any proposal, including that of the administration, to privatize or establish personal accounts within Social Security.

First, such proposals require substantial mandatory benefit cuts to retirees; and, second, they require massive amounts of borrowing to finance the transition costs, a fiscally irresponsible plan at a time of record deficits. Despite claims to the contrary, these benefit cuts will be particularly significant to younger Americans.

The Social Security System's own actuaries estimate that the average 48-year-old will see his or her benefits reduced by 10 percent if the privatization plan is implemented. The average 18-year-old can expect a 33 percent, and by some estimates a 40 percent, reduction in benefits by the time they retire in 2052 with this risky privatization plan. The average 28-year-old will see his or her benefits reduced by 26 percent.

As a member of our Nation's younger generation of workers, I know we can do better, and I know that my generation and younger generations will not be duped into believing that Social Security faces a crisis, especially as the details of privatization plans and the structuring of proposed private accounts are made clearer.

Rather than slashing the benefits of those who are at the beginning of their careers, we should empower them to take control of their retirement security in order to enhance private savings and give them the tools to manage their financial futures with confidence and certainty. Rather than add trillions to a growing national debt, a debt

increasingly owned by foreign countries, we should act in a way that is fiscally responsible. And at a time when it is harder to qualify for pension benefits, Congress should undertake meaningful pension reform rather than continuing to weaken the three-legged stool of a solid and well-rounded retirement plan.

Mr. Speaker, Congress needs to take the long-term difficulties facing Social Security seriously, but we must be fair and comprehensive about our solutions. It is irresponsible to characterize Social Security's fiscal situation as one of imminent collapse. In order to make good decisions about the future of the program, we must engage in an honest debate about the longer-term problems facing Social Security, and that includes a real and accurate accounting of the cost of privatization as we debate the budget over the upcoming months.

The data on the proposals to privatize Social Security show that private accounts do little to improve the financial health of the program. Indeed, the massive transition cost, an estimated $1.4 trillion over the first 10 years and another $3.5 trillion over the following decade, will hasten the date of Social Security's insolvency.

Importantly, even without changes, without any changes, Social Security will be able to pay full benefits for nearly 40 years, according to the more conservative estimates of Social Security's own actuaries. After that, Social Security will continue to pay 75 to 85 percent of scheduled benefits. So, clearly, younger workers and future generations are not going to be inheriting a Social Security System that is bankrupt.

I share the concern of many independent commentators that efforts to fix Social Security through privatization will ultimately do more harm than good. What we need is a broader debate about real retirement security. If we approach that debate with an open mind and the resolve to strengthen Social Security as well as enhance opportunities for private savings, we can ensure that generations of Americans can look forward to spending the best years of their lives without worrying about how to pay for their basic needs. Americans of all ages deserve nothing less.

SOCIAL SECURITY

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

Mr. SCOTT of Georgia. Mr. Speaker, I want to spend just a few minutes talking about these private accounts and emphasizing two groups, young people and African Americans.

I want to state first out that President Bush insists that he is undertaking this drastic dismantling of Social Security for the good of our young people. He wants Americans to believe that private accounts are a great deal and a good deal for those under age 55. But the President is wrong. Privatizing Social Security not only does not help; it is a hindrance to the financial security of young people for several reasons.

First of all, these private accounts will not be monies handed to young people to invest as they see fit. Plans will be chosen for the young people, and these plans will be complex, complicated; they will have certain restrictions and limits, and then there is that troublesome annuity requirement.

All I say to young people across America today is to look at this privatization and examine it very, very carefully. I want young people to do something else. I hope that most young Americans will think about how their lives will change if their parents do not have Social Security on which to rely. In fact, without Social Security, their parents will likely have to rely on them for a portion of their income. And caring for aging parents is difficult enough for adult children without the added burden of having to replace income from promised Social Security benefits, which will be lost due to the President's privatization plan.

As a senior Bush administration official admitted last week, ''Private personal accounts will do absolutely nothing to fix Social Security's fiscal problems.''

The President claims he will not cut benefits for current retirees to fund his proposal. He claims he will not raise payroll taxes. Well, the only thing left is to borrow the money, thereby increasing the deficit, a deficit that will have to be paid, of course, you guessed it, by younger workers, the very group that the President is saying he is trying to help.

Another sad misrepresentation of the President's plan is his insistence that young people will be able to invest their money as they see fit. In reality, the plan will only allow workers a choice from among a handful of investment options, not the entire stock market, and not as you see fit. If young people believe they will have the ability to invest their payroll taxes in any stock or mutual fund they choose, they are wrong.

Once again, this plan is not what it seems, and I hope the young people will realize the problems inherent in the privatization of Social Security. Look for yourself. This may be a Trojan horse.

Now, I want to say that I like President Bush personally. I have been one of those few Democrats who have worked with the President on many of his proposals. But I have been recently disturbed when President Bush said that since black men die sooner than whites, Social Security is a bad deal for them and private accounts is a better deal.

Well, I agree with Columnist Paul Krugman, who noticed recently that President Bush has blatantly manipulated the facts and made false assertions, all in the hope of convincing African Americans that this is a good deal for us. The claim that black people get a bad deal from Social Security because of a shorter life expectancy is wrong.

Mr. Bush's use of this false argument is doubly shameful. I do believe he is getting some bad advice on this, because I know the President, and I know that he is a decent person. But inadvertently, when he makes the claim that Social Security is bad for black people because they die younger, he is exploiting the high black youth mortality rate to promote this privatization plan instead of trying to remove the deep inequities that remain and that black people face in our society.

The black population's low life expectancy is largely due to high death rates in childhood and young adulthood, before we even get started. The childhood infancy mortality rate among black people is three times the national rate. We are there before we even get started.

So when the President makes this kind of statement, it is sort of like cutting the legs out from under a man and then condemning him for being a cripple. We know that when African American men make it to 65, they collect the same amount of benefits and they live 14 or 15 years additionally, almost up to the 16 years of white Americans.

In conclusion, I would just like to say that Social Security is a good program for all Americans. The President's proposal to privatize the program is not. Social Security gives people with lower earning a greater return on what they paid. I just want to say to the American people to look very carefully and let us stand up for what is right; let us stand up for what is good about America. And what is right and what is good for America is to strengthen Social Security, not weaken it. And these private accounts will weaken it.

JOINT BAPTIST BOARD MEETING POINTS OF AGREED ACTION

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

Ms. WATSON. Mr. Speaker, I think at the beginning of Negro History Month it is important to report on the Joint Baptist Board Meeting that was held January 24 to 27, 2005, where they jointly, through their presidents, affirmed the following points of agreed action that stem from the forum sessions presented during that meeting.

They said: we call for an end to the war in Iraq and withdrawal of U.S. military personnel. The war in Iraq, described by the Department of Defense as Operation Iraqi Freedom, is a costly and unnecessary military action begun on grossly inaccurate, misconstrued, or distorted intelligence against a nation

that did not pose an immediate or realistic threat to the national security of our Nation. No weapons of mass destruction have been discovered in Iraq, despite intense efforts to locate them.

The brutal regime of Saddam Hussein and its terror on Iraqi society has been replaced by the brutality and chaos of an ongoing war, which has ravaged the land, ransacked cherished aspects of Iraqi history and culture, and threatened the prospect of what even U.S. intelligence analysts fear could be a civil war.

More than 1,400 U.S. military personnel have lost their lives, and more than 10,000 have been wounded in Operation Iraqi Freedom. Over 5,000 of the wounded casualties have been severe enough to prevent return to action. Quoting from a front page story in the January 26, 2005 issue of U.S. Today, it says: ''The Baptists look upon the sorrow, suffering, and financial cost of the war in Iraq and remember the words of Martin Luther King, Jr., a black Baptist preacher who challenged the military engagement in Vietnam more than two generations ago.

King's call that we admit the wicked and tragic folly about our self-righteous choice for war rather than peace and nonviolent change reminds us that preference for war always reflects the wrong values. Unnecessary and unjust war does not produce genuine peace, only death, suffering, more violence and more hate.

What King said in 1967 when he began his public outcry against the war in Vietnam is still true today. ''A true,'' to quote him, ''revolution of values will lay hands on the world order and say of war: 'This business of settling differences is not just.' This business of filling our Nation's homes with orphans and widows, of injecting poisonous drugs of hate into the veins of people normally humane, of sending men home from dark and bloody battlefields physically handicapped and psychologically deranged, cannot be reconciled with wisdom, justice, love or an election.

□ 1845

''A Nation that continues year after year to spend more money on military defense than on programs of social uplift is approaching spiritual death. There is nothing except a tragic death wish to prevent us from reordering our priorities so that the pursuit of peace will take precedence over the pursuit of war.''

As religious leaders whose constituents have family members in the U.S. Armed Forces serving in Iraq and elsewhere around the world, we pray for the security of our Nation and the safety of our military personnel. We weep with families who mourn the deaths of their loved ones, and we share the anxiety of families concerning the well-being of those who press on in service.

Our call that our Nation end its military involvement in Iraq does not rise from a lack of support for our Armed Forces, disregard for national security, or lack of resolve concerning freedom and democracy. Rather, we are concerned about our troops and our military families whose loved ones have been ordered to fight and stay in a war that our leaders refuse to even send their own children and the children of the wealthy into.

Mr. Speaker, I implore the President to bring our troops home now.

As religious leaders whose constituents have family members in the U.S. armed forces serving in Iraq and elsewhere around the world, we pray for the security of our nation and the safety of our military personnel. We weep with families who mourn the deaths of their loved ones and we share the anxiety of families concerning the well-being of those who press on in service. Our call that our nation end its military involvement in Iraq does not rise from lace of support for our armed forces, disregard for national security, or lack of resolve concerning freedom and democracy. Rather, we are concerned about our troops and our military families whose loved ones have been ordered to fight and stay in a war that our leaders refuse to even send their own children and the children of wealthy families to fight. Again, we quote Dr. King's words:

I am as deeply concerned about our troops there [Vietnam] as anything else. For it occurs to me that what we are submitting them to in Vietnam is not simply the brutalizing process that goes on in any war where armies face each other and seek to destroy. We are adding cynicism to the process of death, for they must know after a short period there that none of the things we claim to be fighting for are really involved. Before long they must know that their government has sent them into a struggle among Vietnamese, and the more sophisticated surely realize that we are on the side of the wealthy and the secure while we create a hell for the poor.

The war in Iraq is not only creating a hell for the poor in Iraq. The grief and suffering it has wrought have been disproportionately forced onto the lives of poor and struggling families in our nation. These families, far more than those who are wealthy, send their loved ones to serve as members of the active force or as reservists and members of the National Guard. It is not just or patriotic for our leaders to thrust the sons and daughters of low income families into unnecessary military engagements.

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

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

SOCIAL SECURITY REFORM

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

GENERAL LEAVE

Mr. SHAW. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my Special Order.

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

There was no objection.

Mr. SHAW. Mr. Speaker, President Bush has made it clear that the time has come for an honest, straightforward, realistic discussion about the future of our precious Social Security system. For today's generation of senior citizens, the system is strong and fiscally sound, but younger workers are concerned about whether Social Security will be around for them when they need it.

The problem is simple. With an aging population and a steadily falling ratio of workers to retirees, the system is on a course to eventual bankruptcy. Here is the problem, and this is best demonstrated on the graph next to me.

Social Security was designed in 1935 for a different world than the one we live in today. It is a pay-as-you-go system in which the benefits go to current retirees and they come directly from the payroll taxes of current workers. When the program was still new in the 1940s, there were 41 workers paying in for every retiree drawing benefits. By 1950, 16 workers paid in for every person drawing out. Today it is about three workers for every beneficiary. And by the time our youngest workers turn 65, the ratio will be down to two workers for each beneficiary.

At present, Social Security operates with a substantial cash surplus. In just a few years, when the baby boomers retire and begin collecting benefits, the surplus will begin to decline. Then, in 2018, that is just 13 years away, Social Security will begin paying out more than it receives in payroll taxes. From then on the shortfalls will grow larger and larger every year until 2042 when the Social Security trustees estimate the system will reach fiscal collapse.

If we look at this chart, we can see we are here in a surplus situation, but then we get to 2018 and we start to dip down. We still have Treasury bills, and Congress is going to have to find the money to pay benefits. That line continues to go down with ever-increasing deficits for the next 75 years and beyond.

I want Members to notice the slope of this line. The further out, the more steep it gets, going down. And look at the figure, that is a $26 trillion deficit in cash flow over the next 75 years. That is unacceptable. At that point, with a projected shortfall in trillions of dollars, the government will have no option other than to suddenly and dramatically reduce benefit payments by over 25 percent or to impose a massive economic, devastating tax increase on all Americans. And I am not talking about 2075, I am talking about right in here. Within 13 years from now, that decision is going to have to be made by a future Congress.

The longer we wait to address the coming crisis, the more difficult and

expensive the job will be down the line. So together, in this Congress, under the President's leadership, we will save Social Security and we will put it on a path to permanent solvency and stability.

To build a strong, workable, bipartisan reform, we must have principles that will guide the effort. First, there must be no changes in Social Security for those now receiving benefits or those who are close to retirement. Today's seniors can be certain nobody is going to touch their Social Security, nobody is going to take away the benefits of today's retirees and the program as they know it; it will stay the same for them.

Second, we must not increase the payroll taxes on the backs of American workers. If we were to increase taxes this year to fix Social Security, a family of four with an income of $40,000 a year would see $1,400 disappear from their paycheck. We cannot tax our way out of this problem. This is no longer an alternative.

Our third principle is to permit younger workers to have voluntary personal accounts. Regular investment would be made in bonds or stock, or a combination, throughout their careers, and then either use these investments to meet expenses in retirement or leave them as an inheritance to their children or grandchildren.

Social Security's future is more than a problem to be solved. It is also a tremendous opportunity for all of our citizens to become owners and investors. Many low-income workers who have nothing to spare after taxes would have a chance to begin saving for their later years. Personal accounts give Americans a retirement fund they control themselves and can call their own. Everyone deserves a chance to live the American dream, to build up savings and wealth, and to have a nest egg for retirement that no one can ever take away from them, not even the government.

Young workers who elect personal accounts can expect to receive a far higher rate of return on their money than the current system can ever afford to pay them. For example, if a 25-year-old invested $1,000 per year for 40 years in Social Security's 2 percent rate of return, in 40 years she would have over $61,000. But if she invested the money in the stock market earning even at its lowest historic rate of return, she would earn more than double that amount, $160,000. If the individual earned the average historical stock market rate of return, she would have more than $225,000 or nearly 4 times the amount to be extracted from Social Security.

Over time, the securities markets are the best, safest way to build substantial personal savings, and this is with widespread investments, not putting your money in one stock. These are wide investments and it is done professionally through investment houses.

Having your own account for Social Security is purely a voluntary option. We are confident, however, that millions of Americans will find this option attractive. I cannot imagine any young person not taking this option.

Another argument against Social Security reform with a voluntary personal account is that the so-called transition costs will be too high. There will be costs no matter what we decide. Social Security's trustees report that each year we wait will add roughly $600 billion to the cost of fixing Social Security for good. That cost is far in excess of any of the so-called transition costs that have been projected for any of the plans put forward by Members of Congress.

I would say here that we should also look at the cost of inaction, the cost of doing nothing: A $26 trillion deficit over the next 75 years. What kind of a legacy is that to leave to our children and grandchildren?

We will need bipartisan commitment in the months ahead, yet we should not expect the work to be easy. Some have used this issue for political gains, but we should all understand that it is disgraceful to play politics with our children's future.

Let us look back a few years to the previous administration where we see that President Clinton said at the State of the Union address on January 21, 1998, ''We will hold a White House conference on Social Security in December, and 1 year from now I will convene the leaders of Congress to craft historic bipartisan legislation to achieve a landmark for our generation, a Social Security system that is strong in the 21st century.''

I went to that conference and we started to gather bipartisan support, but let us see what the Democrats said after that conference. HILLARY CLINTON, ''One of the most critical challenges of our time is preserving and strengthening Social Security for future generations.'' First Lady CLINTON said this at a White House event on Social Security on February 17, 1999.

And then Senator KENNEDY said on ABC This Week on July 11, 1999, ''The President has it right, and it is a position that I think virtually all of the Democrats support in the Senate, protect Social Security.'' I might say also this was partly made up of individual accounts, personal accounts that President Clinton championed.

But the one I like perhaps the best, the Senate minority leader when he said on Fox News Sunday on February 14, 1999, ''Most of us have no problem with taking a small amount of the Social Security proceeds and putting it into the private sector.''

This is what the leaders said then. What has happened now? Now we find that we have leadership that has dug in and is prohibiting their Members to even cooperate across the aisle, cooperate with Republicans, in saving this most important part of our government.

Social Security is a sacred trust, something that we all can rely on as we grow older. It is one that we know our parents enjoyed and our kids will enjoy, and we want it for our grandchildren also. There is no excuse for our not getting together and working together. It is more important to save Social Security for future generations than worry about who is going to be the next Speaker of the House of Representatives in 2006. It is disgraceful to do otherwise.

Mr. Speaker, at this time I yield to the gentleman from Mississippi (Mr. WICKER).

Mr. WICKER. Mr. Speaker, I want to congratulate the gentleman for his remarks. We can save the Social Security system and also we can get a better deal for our young workers in retirement.

Let me make one quick point and see if I have it right. There are actually three aspects to the Social Security system. One is Social Security disability, another is the survivorship program, and the other is the old age retirement program.

I think what most of us are saying is, we can save the retirement program through these individual accounts, but we do not have to do one single change to disability. People do not have to worry about losing their disability and they do not have to worry about the survivorship. So if people raise that red herring, that is exactly what it is: It is a false charge. Nothing will be done to disability and nothing will be done to survivorship; is that correct?

Mr. SHAW. The gentleman from Mississippi (Mr. WICKER) is absolutely correct and understands it perfectly.

Mr. WICKER. Mr. Speaker, I just want our constituents to understand that, and I want the Members of this body to understand that. I thank the gentleman for his leadership on this issue.

We are not going to do anything to Social Security disability and survivorship, but we do need to give our younger workers an opportunity not only to save the system for their future, but to get a better deal than the one-half percent return or 1 percent return that they are getting now.

□ 1900

We can do better; and if we can, we certainly ought to for retirees now and also for future generations. And I thank the gentleman for yielding to me.

Mr. SHAW. Mr. Speaker, I say to the gentleman that he is absolutely right on target. It is not a question of can; it is a question of must. We must do this. And I would say from a very bipartisan way that if any of our colleagues on the other side of the aisle, the minority party, if they have an idea that they want to discuss, bring it over. I will be glad to talk. I have chaired this Subcommittee on Social Security for 6 years. I am no longer the Chair. The gentleman from Louisiana (Mr. MCCRERY) is now the Chair; the gentleman from California (Mr. THOMAS)

the Chair of the full committee. They are looking for ideas, and they are leaving the doors open for new ideas. So the Democrats cannot complain about being left out in the cold on this because we are soliciting their support. We are reaching out to them, and we want them to come down and come down with some good ideas. Not just come down and start throwing rocks at us. Come down with something positive.

One cannot possibly debate these fiscal facts. This is what we are heading for. And these are not Republican figures that we are looking at. This has been done by the Social Security Administration, and we had the same graph when President Clinton was President. So this is not a Republican-created bankruptcy or crisis. This is an actual crisis that is out there just because we are not having as many kids as we used to have and we are living longer.

There are a lot of good things to say about that, but when one starts talking about somebody to care for them in their old age, that is not a good deal. So we need to start forward-funding the system. We need to go to areas where we can actually make more than we would under the existing system.

Mr. Speaker, I yield to the gentleman from Texas (Mr. BRADY), a very valuable member of the Committee on Ways and Means.

Mr. BRADY of Texas. Mr. Speaker, I thank the chairman for yielding to me. First, let me join others in thanking him for his leadership on the Committee on Ways and Means as chairman for 6 years on the Subcommittee on Social Security, a resident and leader in Florida, which has a number of America's seniors who care so much about this issue.

Back in Texas I know that every senior I visited with in the Eighth Congressional District is worried about two things: their health care costs and their Social Security. Prescription drugs, the new technologies are doing just a wonderful job of creating a great quality of life, but it is so expensive. They are worried about getting generic drugs to the market faster so they do not have to pay so much for these pills. They want more preventative services under Medicare so they can detect that illness early and get treatment, prevent it rather than having it occur to them. And they want to make sure they can see doctors they know. All important issues on health care.

And they also want to make sure Social Security is there for them, for their children and for their grandchildren, with greater cost-of-living increases, that it is something that they can count on.

And for our seniors the great news is they are golden under Social Security. Virtually nothing that can even be contemplated will change for Social Security seniors, and that is the great news.

But our goal has to be to preserve Social Security once and for all for every generation. Once and for all, meaning not another Band-Aid, because we have gone through this exercise before. We have raised payroll taxes. We have raised the age, and then in another 20 or 30 years we are right back where we started. Let us solve it once and for all. Secondly, let us solve it for every generation. We know that seniors above 55 are in very great shape with this. But the baby boomers, we know there is not enough funding for them. And the young people today, I just do not see how we take money from their paycheck, a promise to have it ready for them when they retire and we know for certain we cannot deliver on that promise.

And one thing we will hear in this debate is we will hear lots of people talking about we are dismantling Social Security, we are making huge benefit cuts, there is a guaranteed risk to personal accounts within Social Security. But what those same Members of Congress will not tell people is that they have their own retirement invested in personal accounts just like the one the President has proposed. In fact, Members of Congress, our staffs and our fellow co-workers invest $15 billion every year, new dollars, into personal accounts. They are invested and grow over time just like the accounts we offer and propose for Social Security. And people back home always ask me, How come these personal accounts are safe and secure for members of Congress's families but all of a sudden they are a guaranteed gamble for us? How come it is good enough for your families, but not good enough for people who pay your salary?

It is a great question, and my thought is those who claim that personal accounts are such a guaranteed gamble perhaps ought to lead by example and withdraw from the Thrift Savings Plan and see what happens. My guess is they will tell us wait a minute, that is how I am going to build my nest egg. My question is why do we not allow other Americans, the ones who pay our salaries each day, to build their own nest egg as well?

What we are offering for seniors is to preserve it, but for young people we are offering them a choice. For the first time in their lives, they are going to get a choice in Social Security, real dollars in a real account or an IOU in some imaginary government ledger. Real dollars in a real account that build up over time that is theirs, for their retirement, and when they get to 65 they are not begging government for help in Social Security, they are not calling on their Congressman. They are calling on their financial adviser because they built up a nest egg that belongs to them and they have got that power.

And the fact of the matter is that back home in Texas, I always ask two simple questions of the people I work with because they really have great questions on Social Security. And I ask them, personally, they are 50, or 60 years old, they are a baby boomer like me. If they could go back, way back when and put all of that money that has gone from their paycheck in a traditional retirement account and let it grow over the years, would they be better off today than they were under Social Security? And invariably they would say, I would give anything to have that money back. Then I ask, if Social Security could have put that money into real accounts, real dollars into real accounts, and let it grow over the years, would Social Security be better off today than the financial mess it is in? And invariably they answer the same way, yes.

Why not start now to build the same type of security? We know the right thing to do is to move from this pay-as-you-go system that will just run out of workers eventually and actually much sooner than we all wish, to move it to traditional retirement accounts within Social Security so that young people have real dollars in real accounts so that they can rely upon their Social Security. It is, I think, irresponsible by some to scare our seniors. It is irresponsible to ignore this huge crisis.

I call it a crisis because it gets so big so fast. We have got to move now. It costs us $600 billion a year every year we delay, $600 billion. The more we talk, it costs taxpayers. Why not, after decades of gabbing about this, let us come together and solve it? And I think too we have to be responsible for our seniors as well, focusing on their health care, making sure that they have their Social Security guaranteed with real cost-of-living increases. That is what the President's proposal does. And, Mr. Speaker, there are so many great ideas out there that have been proposed by Republican Members. I would give anything if any of our Democratic friends who care about Social Security would just come up with a plan. Just an idea. Just anything.

I read this week that they said Democrats will offer no Social Security reform, which is one of the most important issues facing our Nation and our future generations. They have got good ideas, bring them forward. Let us talk about it. Let us work out a solution in a bipartisan way. Let us think beyond the next election. Think about the next generation. I am convinced and optimistic and hopeful we can fix that.

Mr. SHAW. Mr. Speaker, reclaiming my time, it is really sad to say that we only have one Democrat in the House today that had the courage to come forward and defy his leadership. And I might say that that particular Member, who is from the State of Florida, now has had a campaign run against him in his position in his district by a Democrat pack. To me that is absolutely unconscionable.

And I am glad the gentleman held those dollars up. I heard a town hall meeting on C–SPAN just recently by one of the Members, and he kept referring to cash in the trust fund. That is

a myth. There is no cash in the trust fund. The trust fund is made up of Treasury bills, and we are going to be in a position where we are going to have to start cashing those in in 2018. And he talks about the cash, the Congress is going to have to find the cash in order to pay the benefits.

Mr. BRADY of Texas. Mr. Speaker, if the gentleman would continue to yield, could I go back to what he said. Did he say there is a Democrat Member of Congress being attacked for being open to working with the President?

Mr. SHAW. Yes, as sad as that is. There are some bright people on the other side of the aisle that could really help us get this thing done. When I did welfare reform back in 1996, we finally got some help from the other side and President Clinton signed the bill. And that was one of the greatest pieces of social legislation that has come out of the Congress, I think, in the last couple of decades. It was late coming, but it came and we were able to do that. But in order to have the confidence of the American people, this has to be done in a bipartisan way.

Mr. BRADY of Texas. Mr. Speaker, if the gentleman will continue to yield, I will tell the Members one thing the chairman has always said is that this is not Republican Social Security, this is not Democrat Social Security, this is not white or black or any other ethnicity Social Security. This is Social Security for Americans, period. We ought to come together as Americans in Congress on this issue and solve that.

Mr. SHAW. Mr. Speaker, I thank the gentleman for his contribution.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the chairman for yielding to me. It is a great honor to be here with so many distinguished members of the Committee on Ways and Means. And I wanted to follow up on the gentleman from Texas's (Mr. BRADY) comments because I think it is important for us to know that President Clinton actually did say many times over that Social Security was in a crisis stage and we needed to do something about it. Similarly, the gentleman from Texas's (Mr. BRADY) former colleague, Mr. Stenholm, co-sponsored a bill with the gentleman from Arizona (Mr. KOLBE) and, as I understand it now, will be working now that he is not in Congress, but he is a Democrat taking a leadership position, which we certainly appreciate, and then of course we had former Senator Breaux from Louisiana, Democrat, and former Senator, now deceased, Moynihan, who have all championed Social Security reform and really have basically supported many of the ideas that the President and the gentleman has promoted.

So I think it is very important for us to tell our friends on the other side we want their ideas. We may not agree with absolutely everything. We might not agree with some of these things from the start, but we want all the ideas on the table because this is not about Republican or Democrat; it is not about re-election. It is about the next generation, and we need to protect and preserve Social Security for everybody.

So I certainly appreciate what the gentleman from Florida (Mr. SHAW) does, and I appreciate his yielding to me so I could make a point. And I know the gentleman from Colorado (Mr. BEAUPREZ), who has a great financial mind, has some things to say; so I do not want to take up any more time.

Mr. SHAW. Mr. Speaker, reclaiming my time, I appreciate the gentleman's comments. And I know his family well and his kids, and we are going to be working to help them together with mine. And, by the way, I now have 14 grandkids and another one on the way. So the gentleman can see I am going to be working overtime.

Mr. Speaker, I yield to the gentleman from Colorado (Mr. BEAUPREZ), a new member of the Committee on Ways and Means.

Mr. BEAUPREZ. Mr. Speaker, I thank the gentleman for yielding to me. And I thank him as well for bringing this issue to the floor tonight. My suspicion is that there will be many evenings and many days that we spend in this 109th Congress talking about this extremely important issue, and I think he framed the issue very well.

This is in many ways, I think, a classic case of good news. We have got this chart up here again representing a little bit of the challenge in front of us. My parents were young workers at about this point in time, 1945. I was born in 1948. They are a part of these 42 that were working back in 1945 to provide the benefits for one retiree. One might call that one of their parents at the time. So this population of workers, my parents, were out there doing their thing day after day to provide the benefits for one retiree. Now today, which is where we are at now, it is kind of my generation, except we can see the group gets a little smaller. There is but three of us working for the benefits of one. My mother is one of those, and she depends on that paycheck every single month coming from Social Security, her benefits, and they are guaranteed.

And that is a point that I think we cannot make often enough. The full faith and credit of the United States of America, both parties, Presidents from each party over the years have pledged that those benefits are there, and they are there.

□ 1915

There has been this rhetoric going around that somehow somebody has got a devious plot to cut benefits. That is simply not true. The United States has made a promise to our retirees, to our senior citizens, those that worked hard for the benefits of others, and those benefits will be there.

So we start out again with my parents' generation. It took a whole lot of people to get the work done back then. My dad and mother both were members of farm families. They had eight children in each family, and somehow it took all eight of them just to keep the family going back then.

Today, we get a whole lot more done with fewer people, but again the facts are today we have got about three people paying for one beneficiary.

Now we move on to when I and my wife are going to be retired, and my kids are going to have a little bit of role reversal here. My kids are going to be paying the benefits of us. And by the actuaries' own calculations, there will be but two to provide what at one point in time, not too many years ago, 42 were doing. That is the challenge in front of us.

We get a whole lot more done with a whole lot fewer people it seems in the United States of America now, but the simple arithmetic is not our words; we did not invent it. It is an unsustainable. It is an unsustainable system as it currently exists.

We Republicans were not the first ones to stumble over the problem. As the gentleman from Florida (Mr. SHAW) has already pointed out, we have had a whole lot of support. President Clinton certainly said it. In fact, we have heard that FDR himself, the father of the Social Security system, cited back then, This is but supplemental; this is but a beginning, and you are actually going to have to come up with another method. And he said, We are going to need something like an annuity to provide the additional benefits that are there some day. Well, that some day has finally arrived.

Senator HARRY REID, he understood it. As the gentleman from Florida (Mr. SHAW) already pointed out there is another gentleman, a notable gentleman in this Chamber, a notable Democrat, the gentleman from New York (Mr. RANGEL), ranking Democrat, most senior Democrat on our Committee on Ways and Means, the committee charged with dealing with this issue first and foremost.

The gentleman from New York (Mr. RANGEL) on January 21, 1999, said, I am one Democrat that truly believes that the Democrats will not benefit by doing nothing on Social Security.

Ladies and gentlemen, Mr. Speaker, doing nothing is exactly what the Democrats are today telling us they want to do. They have said no to everything, no to every idea that is out there. No, no, no. No even to the fact of life that there is a problem. They seem to deny the fact that there is a challenge in front of us. So their answer is no.

What has changed between the comment of the gentleman from New York (Mr. RANGEL) in January of 1999, and Senator HARRY REID's comment, February of 1999? I will tell you what has changed. Back then a Democrat President, Bill Clinton was President of the United States, and he was talking

about the need to reform Social Security. Today, George W. Bush, a Republican, is President, and it seems that anything that George W. Bush is for, they are suddenly against, even if it happens to be the blatantly obvious, what their own party has been saying needs to be done for years and years and years.

Let me shift gears just slightly in the time that I have got remaining. You know what this really ought to be about? It ought to be about facts, yes. It ought to be about the truth, yes. But it should also be about generational fairness.

Let me go back to this chart one last time. This generation made a promise and they delivered. Social Security was there and the benefits existed and were paid. That same situation exists today, but as the gentleman from Florida (Mr. SHAW) very clearly pointed out, we have got a big challenge in front of us because the dynamics represented by the reduction in the number of workers to provide the revenue to pay for the benefits, that challenge is getting ever greater. I do not know if it is 2042 or 2043, but somewhere in and around there, we have a huge problem.

I do not want to look at my kids, my four children back home, nor my grandson, and say, The moment was in front of us in the 109th Congress; we had the support, the strength, the encouragement, the power of the President of the United States, and this Congress failed to act.

It is in front of us. And this Congress, Democrats and Republicans alike, should deal with this issue in a forthright, straightforward fashion.

There is another truth that my four children certainly understand. They understand that all four of them are paying with every one of their pay checks into Social Security to provide benefits for retirees today. They know that in Social Security there is no line item that has their name next to it. I think they deserve the right to have their money. Whose money is it?

They understand it. It is their money. And it is their retirement that we are sitting here, charged with dealing with. I think we ought to deal with it in a straightforward, truthful fashion. Fix the problem, fix it for today's generation, but for all generations as well. With that, I yield back to the gentleman from Florida and thank him once again for bringing this critical issue to the floor of the House.

Mr. SHAW. Mr. Speaker, I thank the gentleman for a very enlightened presentation. It certainly contributed very much to sharing with our colleagues the full extent of the problem and making it personal in the way he did, because that is the way it should be for every Member of this body.

I now yield to the gentleman from Texas (Mr. GOHMERT), a freshman member.

Mr. GOHMERT. Mr. Speaker, what a pleasure and privilege it is to share this time with Chairman Shaw, and the enlightening presentation he made previously.

I came across some information that had been talked about in a local newspaper, The Examiner, a new paper, and did some digging. And it is indeed my pleasure in a bipartisan spirit to call attention to statements made or endorsed by certain Senators, including some prominent Democratic Senators who, in 2001, found that Social Security simply was not as efficient as a system that allowed workers to invest their own retirement funds in a personalized retirement account.

Privatization is not a good idea; we are not for that. However, allowing young workers to personalize their retirement by taking a part of their retirement funds and placing them in a personal Social Security savings account that the individual actually owns is a good idea. And we are open to discussion on that. I am proud to be a part of looking at that. Such accounts currently are in place for State and local retirees, and they are performing at least 200 to 300 percent higher than Social Security.

What a great thing, to provide individuals with a decent retirement while preserving Social Security for those that are on it and for those that are over 55 years of age. Such an account could actually be owned by the worker and not by the government. The State and local governments manage the accounts and see that they are safely invested, all a vast benefit for their employees. I was under such a system in Texas as a judge and chief justice. Our retirement account was through the Texas Employee Retirement System.

There are those who say, Mr. Speaker, There is no crisis. You have heard it; we have all heard it. But that is akin to somebody falling off a very tall building and all the way down at each window he is heard to say, ''I am doing all right so far.'' Eventually there is going to be a time of reckoning, and that is exactly what we are looking at with Social Security. We want to avoid that now, while it can still be avoided.

Most agree that in 2018 there will be more money going out of Social Security than there is coming in. Some say that is still no big deal, because Social Security has so much money in the lockbox.

Well, since 1935, when Social Security was created and FDR's Congress immediately began spending that Social Security money, what they put in the lockbox was Federal bonds, which is basically a government IOU.

Mr. Speaker, I heard the gentleman from Florida (Chairman SHAW) talking about that a moment ago. When the outgo gets higher than the income, then what they are going to rely on is not cash in the lockbox, it is IOUs that have been getting stuck in there ever since 1935. That is serious. It creates a major problem looking at us right now, here in the face, and we need to deal with it.

Some say that even though the proposal will not affect seniors, will not affect those the way it is proposed, it would not even affect those over 55 at all, but it would just allow some young people to put some of their own money in their own retirement account, that that would dry up capital and hurt the economy.

But, Mr. Speaker, that argument flies in the face of the facts. If young people start investing some of their money in a personalized Social Security savings account, and that is not happening right now, then what it does is it creates capital to help the economy. There will be savings that are there as capital that will help the economy and drive it, as the President's tax cut has been doing the last couple of years.

Young people overall are not saving right now. But if they begin now, by their very act of saving, they will create capital and help the economy.

There are some very important principles. First of all, Social Security is in trouble. Second, every day we delay, the naysayers are denying young people the compound interest on a conservative investment that they could be making if the opposing Democrats would get out of the way, would come together with us, let us reason together, come up with a good plan, save Social Security and yet plan for future generations.

Do you think that conservative investment could do much better? Well, there are a bunch of folks that did. In 2001, they signed a letter to that effect, sent out a press release to that effect.

Some real live examples we checked on, got input from these systems. Galveston, Texas, has its own retirement system. If you work until age 65 with an average income of approximately $35,000, then you will receive over $2,600 per month. If you did the same thing under the Texas Employee's Retirement System that I was under as a judge, you would be getting nearly $2,700 a month. Using that same scenario, but under Social Security, you receive less than $1,300 per month. Mr. Speaker, it is not hard for folks to figure out what would be a good system to plan for the future.

There is apparently a letter, a press release regarding that letter that was signed by a host of Senators regarding Social Security back in 2001. At that time, there were some people that wanted to make those workers that had State and local retirement systems pay into Social Security. These Senators signed this letter in December of 2001, and they were adamant that such personalized accounts outside of Social Security were a far better deal for those workers.

Senators, and you may recognize some of the names, Mr. Speaker, like JOHN KERRY, HARRY REID, EDWARD KENNEDY, CHRIS DODD, JOE LIEBERMAN, they indicated, according to the copy of the release we obtained, ''Millions of our constituents will receive higher retirement benefits from their current public pensions than they would under

Social Security.'' Those Senators call those retirement funds outside Social Security ''well-managed'' and ''well-funded.''

Additional evidence that such personalized accounts are a good idea is that AARP has its own mutual fund and encourages its members to join the fund, even though its investments are outside Social Security. Apparently they do not consider such a fund to be too risky. It would certainly seem that either such a fund is a good thing to invest in, as AARP is telling some of its members, or AARP is misleading its members and encouraging them to invest in something outside Social Security. If it is a good thing for AARP members, how much better would such a personalized retirement fund be for young people with plenty of time to build a future?

For years I have gotten e-mails saying Congress must be forced to live on Social Security, and we needed to do that. Well, I got elected and guess what I found out when I got here? We are on Social Security. We pay into Social Security. We are going to be part of the Social Security system when we retire.

So we are in it. The only addition is, we are allowed to invest some of our income in retirement accounts, and some of us believe that others besides Congressmen and certain State and local employees ought to have that same right. That is what we are talking about.

I campaigned that we should fix Social Security, but do so without reducing benefits or adding taxes. Mr. Speaker, I cannot tell you how pleased I was to come to Washington and find that the President and so many others, Republicans here, all agree.

□ 1930

I also personally believe we really ought to eliminate that terribly abusive tax that was added on to Social Security benefits that President Clinton and the Democrat-controlled Congress piled on to the poor Social Security receivers back in 1993. In fact, the Republicans, and even some Democrats back then, were so opposed to taxing that income on Social Security that the Vice President of the United States at that time, Al Gore, had to come to Capitol Hill, cast the tie-breaking vote, just to hammer our good seniors with that brutal tax.

There have been so many inequities in Social Security. One woman reported that though she and her husband both worked their entire lives, that when her husband died, she was getting exactly the same thing that another woman was getting who had never worked or put into Social Security in her whole life. It is easy to understand her frustration at paying into Social Security her whole life, for no benefit whatsoever to her. If she and her husband had been allowed to own their own personalized Social Security savings account, she would have received the benefit of both her and her husband's hard work and investment.

We can do this. We can save Social Security for those that are on it and for those that are paying into it, those over 55, as the President is talking about, and for future generations and, at the same time, create these great personalized Social Security savings accounts for young people so they cannot only survive during their senior years; they can thrive. It would be good for everyone except those wanting the government to keep people enslaved to the Big Brother in Washington.

I applaud those Senators, including Senator KERRY, Senator KENNEDY, and Senator REID, among others, that signed it for their courage and their vision as it was back in December of 2001, when they knew and believed in a retirement system like the President is proposing, that that would be the best thing for folks to invest in.

Now, if their view has apparently flip-flopped since 2001, then, hopefully, we will not have to wait until the year 2020 before their vision returns to being 20/20.

Mr. Speaker, I appreciate so much the efforts of the gentleman from Florida (Mr. SHAW) on behalf of all of us, for senior citizens, to save Social Security, not just for everybody on it now, but for future generations.

Mr. SHAW. Mr. Speaker, I thank the gentleman for a most insightful commentary and also the research that the gentleman did, which I think is terribly important, when we try to show that we do need and we can get and we have got thinking on the other side of the aisle that we need to bring aboard.

I am now proud to yield to a new Member, the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Mr. Speaker, what a pleasure it is to join my colleagues who have spoken this evening about this incredibly important topic. The gentleman mentioned that I am a physician. Mr. Speaker, we are all prisoners of our education and our training; and as a medical doctor, I know that you cannot treat the right disease unless you make the right diagnosis, and public policy should not be any different. We should not be making policy here in Washington without a specific aim, and this is especially true for the big challenges that we have before us, and Social Security is indeed one of those.

Mr. Speaker, my colleague talked about principles, and I think it is extremely important to outline what those principles are. I would just like to kind of review those, because this is not about Social Security; it really is about retirement security, retirement security for every one of us. We all want to be sure that our golden years are golden, that a secure retirement is available to all Americans.

Now, what should those principles be? What kind of principles should we keep in mind? Well, first and foremost, I think it is important that we say that it is a promise and we recognize that it is a promise. I believe that Social Security is not just a government-run program, or a government program; that it is more of a safety net. And it is more than a safety net; it is a solemn promise. It is a solemn promise by the United States, by all of us, to generations of hard-working Americans. Washington took money from your paycheck your entire life, and they made a promise to return that money to you upon your retirement. It is a promise.

The second principle is peace of mind. Current retirees and those nearing retirement deserve peace of mind, knowing that they will receive full benefits for their entire retirement. There should be no change for those currently retired. They need that peace of mind.

Third, we have heard mention tonight about generational fairness. It is imperative that we save and secure Social Security so that our children and our grandchildren receive the same benefits we have enjoyed. Generational fairness is imperative.

Another principle: it should not be partisan. When it comes to the retirement of tens of millions of Americans, there are not any Democrats and there are not any Republicans; there are only Americans. And those Americans, they are counting on us to work together and do what is right for the current generation now receiving benefits, for the next generation who are paying those benefits, and for future generations who are now just entering the workforce.

Finally, all Americans, we have to remember here that it is your money, that it is your future, and that it is your life.

So it is a promise. We all deserve peace of mind; there ought to be generational fairness. It should not be partisan, and it is your money. We all ought to agree on those principles.

Now, with these principles in place, what are the facts? What is that correct diagnosis that I talked about earlier? There are those who believe that Social Security is not broken and that we can continue down this path with only a few minor adjustments. Now, most of us who are interested in honest solutions to the challenges before us do not believe that. In fact, as we have heard tonight, even President Bill Clinton in an address in February of 1998 talked about ''the looming fiscal crisis in Social Security.'' So it is very real, and we cannot ignore it.

Now, that correct diagnosis, the correct diagnosis is that Social Security is broken and must be fixed. Social Security is broken and must be fixed.

Now, our current situation is the product, I believe, of two things, two things: inertia and our changing demographics. There is an inherent inertia in government at any level. Once a program begins, it is tough to change it. We know that. It occurs at all levels of government, from local all the way up. Social Security is no different. It is

now 70 years old, and there has been a little tinkering, but no fundamental update or modernization. And boy, the world has changed in the past 70 years, has it not? Remarkably, too.

Seventy years ago, we were in the midst of the Great Depression. FDR was President; Babe Ruth hit his last three home runs in one game to set his career record; Elvis Presley was born 70 years ago. Seventy years ago Parker Brothers released the board game Monopoly, nylon was discovered, and the construction of the Hoover Dam was just completed. Seventy years was a long time ago.

Now, what about our demographics? What about our population? How have they changed? I think it is clear that when Social Security began, when it was first designed, it was for a different generation and a different America. There are at least four specific facts that have me convinced that that old system is no longer workable for our society. It is no longer secure.

First, our Nation has matured from a time when men were the majority of the workforce and the life expectancy was about 60 years old. I have always found that it is curious that when the Social Security program began, the benefits would begin for individuals at a point in time when the average individual would not even live to that date. Only Washington can institute a program like that and have folks continue to praise it.

Now, today, in the majority of households, both men and women are working, and our life expectancy is significantly over 70 years, so we are living longer, healthier lives, and that trend is only going to increase. Now, this is very good for all of us, but it is not good for our outdated Social Security system.

Second, when the system began 70 years ago, and we have heard this this evening as well, there were 41 workers for every retiree. I would like to have my colleagues think about these numbers: 41, 16, 3, and 2. When Social Security began, there were 41 workers for every retiree. In 1950, there were 16 workers for every retiree. Now, there are about three workers for every person who has retired and in the not-too-distant future that number will be down to two. Now, those numbers just do not work. This is clearly unsustainable, and we cannot have our children and grandchildren punished, and that is what will happen if we do not act now.

Third, the baby boom generation is about to begin retiring; and when that happens, the program starts to have real problems. Now, when will they retire? Well, the average age of retirement is 62 years old, and the baby boomers began in 1946, so you do the math. Mr. Speaker, 1946 plus 62 adds up to 2008. That is 3 years away. 2008 is when the baby boomers begin to retire. Mr. Speaker, 2008. A child born today will not even be in kindergarten yet. So the problem is right around the corner.

Fourth, the return on your Social Security dollars that we have had today is frankly an embarrassment. A mere 2 percent and for many, even less than that, less than 2 percent. That is not enough to retire with a nest egg; that is not enough to retire with security. To me, the current system looks like a greater risk than trying an alternative approach. More retirees, fewer workers, less money.

Now, all of these are facts, and facts are the same regardless of whether you are a Republican or a Democrat. So the picture that we paint is not a very pretty picture. We must put the ''security'' back in Social Security.

I think it has been mentioned this evening but, Mr. Speaker, we know that with each passing year, each year that goes by where we do not fix Social Security, the bill to our children and our grandchildren increases by $600 billion. That is right; $600 billion for each year we do not do anything. Fixing Social Security is a matter of fairness, fairness for the current generation of retirees and fairness for generations to come.

So we ought to act now. The Social Security trustees, the Comptroller General of the United States, and the chairman of the Federal Reserve Board all agree that the sooner we address the problem, the smaller and less abrupt the changes will be for all individuals and their families.

So I talked about those principles: promise, peace of mind, nonpartisan, generational fairness, and your money. These ought to be our principles. We should focus on the facts, study the issues and alternatives, vigorously debate it, and then act. Social Security has worked for decades and for generations, but this current system is outdated, and it does not meet the needs of you or of our society. It is not secure.

So I ask my colleagues on both sides of the aisle to take the time now; let us get to work. I look forward to this discussion; and I urge all of us, all of us to make a commitment to themselves, to our children, and to our grandchildren to solve the current situation. Not acting now would be irresponsible, as would saying that there is no problem or that little needs to be done.

So, Mr. Speaker, I urge this House, I urge the Senate, and I urge the President to work together to find a responsible and a secure solution. I thank the gentleman so much for allowing me to take part in this discussion this evening.

Mr. SHAW. Mr. Speaker, I thank the gentleman for a very well-prepared and well-documented statement.

I would like to close with a couple of quotes. The first is I would like to quote President Clinton at Georgetown University on February 9 of 1998. This is an exact quote. He said, ''So that all of these achievements, the economic achievements, our increasing social coherence and cohesion, our increasing efforts to reduce poverty among our youngest children, all of them are threatened by the looming fiscal crisis in Social Security.'' The looming fiscal crisis in Social Security. I could not express it better.

President Bush, in this hall on February 2, just a couple of weeks ago said, ''One of America's most important institutions, a symbol of the trust between generations, is also in need of wise and effective reform. Social Security was a great moral success of the 20th century, and we must honor its great purposes in this new century. The system, however, on its current path is headed towards bankruptcy. And so we must join together to strengthen and save Social Security.'' We must join together to strengthen and save Social Security.

We have been made a steward of this great country, the greatest country that has ever been on the face of this Earth, in keeping the promise of Social Security far into the future and giving millions of seniors the dignity, the peace that they so richly deserve.

Mr. Speaker, I am grateful for this time in which we can present this most important message, this message that crosses generations, the Greatest Generation to the youngest generation. It is time for this Congress to come together. I am disappointed that we have not seen participation in this effort from the other side of the aisle. Perhaps it will be coming, because Americans deserve nothing less from their elected representatives, Democrats and Republicans, than to save this most important program to keep our kids and our grandkids in their senior years, and make it so that they can live in dignity and not in poverty.

Mr. CAMP. Mr. Speaker, I want to thank Chairman SHAW for leading this important effort to highlight the problems facing the current Social Security system.

Since the creation of the Social Security program, older Americans continue to count on guaranteed benefits to support them in their retirement. Social Security benefits must be there for every American who pays into the system. The President and the Republican Congress are committed to making sure Social Security is there for the worker who retires, is there for the widow who needs that extra source of income, and is there for the disabled who need that helping hand each month. I want to make sure these benefits continue for future generations of Americans.

To ensure the continued solvency of the Social Security program Congress and the President must fact the facts that by 2018—less than 15 years from now the program will begin to pay out more in benefits than it currently collects. The outlays will be more than the revenues coming in. How can my Democratic friends ignore this reality? Fifty-five years ago, there were 16 workers for every one Social Security beneficiary. Today, there are three workers for every one beneficiary. The numbers don't improve from here on out. If we postpone the inevitable and do nothing to reform the current system, today's worker will be left with a Social Security program that has nothing to pay out. While some policymakers

may hope that a magic wand miraculously rescues the current system from future bankruptcy, the reality is that Congress and the President must work together now, make necessary reforms, and save Social Security. That is what we were elected to do—make decisions and implement policies that help Americans now and in the future. To not do so is frankly irresponsible.

My Democratic colleagues argue that we don't need to do anything to reform Social Security. Many suggest that the magic elixir for Social Security is repealing the sensible tax cuts Congress and the President signed into law over the past four years and stashing the money in the Social Security Trust Fund. Tax increases will not rescue Social Security. This approach, which they have used to fund every one of their policy proposals, will restrain the economic growth we have experienced over the past several years. Since the Republican Congress passed the 2001 Jobs and Growth Tax Relief Act, the U.S. economy has rebounded, millions of new jobs have been created, and business investment is the best its been in seven years. Repealing these tax cuts will hurt the U.S. economy and in turn, do nothing to save Social Security.

I urge my colleagues on both sides of the aisle to put every idea and all the options on the table so we can begin to examine how to preserve and protect Social Security for today's seniors and future beneficiaries.

□ 1945

HONORING THE BOY SCOUTS OF AMERICA

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

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I rise in support of H. Con. Res. 6, which is on the agenda of the United States House of Representatives today, expressing the support of the United States Congress for the Boy Scouts of America.

Mr. Speaker, I also rise as a lifetime Scouter and a very proud Eagle Scout. As a matter of fact, this week marks the 95th anniversary of the incorporation of the Boy Scouts of the America. It was February, 1910 that the Boy Scouts of America were incorporated in New York. They stood for a set of values. They stood for something. They stood on a set of principles, teaching young men to be trustworthy, loyal, helpful and friendly.

If you think about it, there are not many organizations around today who were around 95 years ago that stand for the same things today that they stood for back at the time of their inception, back at the time of their incorporation, teaching young men to be courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent to God. That is what the Boy Scouts of the America stand for. It is what they have always stood for.

The Department of Defense, the United States military, have always been encouraged by the United States Congress. Of course, the Congress provides one of the very few congressional charters to the Boy Scouts of America. The Congress has always supported the Boy Scouts.

They have always encouraged the Department of Defense to support the Boy Scouts of America, as well. As a matter of fact, this coming year, the Boy Scouts will hold a quadrennial national jamboree at Fort A.P. Hill in Virginia, not too far from the Nation's Capital.

This resolution encourages the Department of Defense to continue support of the Boy Scouts of America. I believe it is the sense of Congress and also the sense of the citizens of the United States of America that we continue to support the Boy Scouts.

30-SOMETHING DEMOCRATS

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

Mr. MEEK of Florida. Mr. Speaker, it is always an honor to come before the House and also the American people in this great democracy of ours to address issues that are facing our Nation right now.

I must say that earlier today we had an opportunity, the Democratic Caucus meeting and afterwards, having comments with not only the media, but other members of our caucus about the needs of Social Security.

It is important that we make sure that Social Security is secured for years to come. We know that a number of Americans count on and look forward to Social Security being a part of their lives not only in retirement, but also in their everyday lives. We have 48 million Americans that are involved in Social Security right now, and they are not all retired. Many of them are in school. Many of them are middle-aged individuals.

Tonight we are going to have a number of Members from the 30-Something Working Group, which I must add, Mr. Speaker, started in the last Congress, in the 108th Congress. I cochair that working group with the gentleman from Ohio (Mr. RYAN), and we are going to have a number of Members who are very, very concerned about the principles that not only the President but the majority side have put together as the way to save Social Security.

I will be sharing a few of my comments along the way, but I want to make sure that my colleagues have enough time to share their concerns about what is happening, and the lack thereof that should happen, to make sure that Social Security is not only here for those that are enrolled now, but those that will be enrolled in the future.

We know that every American participates in the Social Security program. We also know the average benefit of the person receiving Social Security now is $955 a month. I think it is important that we pay very close attention.

Now, here in this Chamber last week, and I would say, around this time, the President came into a joint session of the Congress on the State of the Union and said that Americans over the age of 55 do not have to worry about the changes that he would like to make to the Social Security plan.

I must say that that brought amounts of concern throughout the country not only with me and Members of Congress on both sides of the aisle, but many Americans. It was almost saying that if you are 55, do not worry about it; if you are under 55, trust us. And I can tell you that when we start dealing with generational Social Security, or one generation against the other, I think that is very dangerous. Social Security was never designed to deal with one segment of the population, giving them certain benefits, and another segment, not giving them benefits.

But I just want to mention a few guiding principles that we should think about here tonight. Number one, we should try to make sure that we have a Social Security plan, that we are not borrowing from the Social Security trust fund. The Social Security trust fund is there to make sure that when we have a rainy day, or when we have a shortfall, we are able to go to that trust fund.

What the President and the majority side are proposing now, they are saying that we are going to help save Social Security, but at the same time we are going to take us $2 trillion more into debt over the next 10 years. There has to be a better way to make sure that we deal with the Social Security issue.

Social Security is not at a crisis point. I have heard many Members, through press clips and press accounts and even here on this floor, say that there is a crisis, that there is a fire, that Social Security is going bankrupt, it is going belly up. That is not true. And I hope that through a bipartisan debate and a bipartisan plan, and I am not talking about one or two members of the Republican Caucus, I am talking about this entire Congress because we all have Social Security recipients that are our constituents that are counting on us to be able to make sure that Social Security is solvent for many years.

Mr. Speaker, I will suspend on my comments right now, but I have my cochair here, the gentleman from Ohio (Mr. RYAN). He is a distinguished member in his own right.

We have the privilege of serving on the Committee on Armed Services together and even on the same subcommittee. It has been indeed a pleasure working with him. He is also on the Committee on Education and the Workforce and Committee on Veterans' Affairs. And he is a well-studied gentleman that I hold in high regard.

Earlier today I was talking with the gentleman about what we share with

not only the American people, but also with our colleagues, that this Social Security issue is so important that we are willing to take the debate not only here on this floor, but also take the debate out to America.

Mr. RYAN of Ohio. Mr. Speaker, it is good to be back with the 30-Something hour. I think it has never been more crucial to our generation than the debate that we are having here on Social Security.

Let me first say, before I get into the Social Security debate, that I believe that Social Security is just one of the major issues that this Congress is facing and one of the main issues that our generation is facing. But while this debate is going on and while you watch the news and we are talking about Social Security or we are talking about the war in Iraq, the President has submitted his budget to Congress. And if you want to talk about generational fairness, like our good friends who were here earlier in the first special order hour, talking about generational fairness, just look at the budget that was submitted to this Congress if you want to talk about generational fairness.

We are going to increase the Pell grant by $100 a year for 5 years when tuitions all over the country have doubled over the past 4 or 5 years. That is not generational fairness. Cutting food stamps, which primarily go to children, is not generational fairness. Cutting Medicaid, which goes to poor children, is not generational fairness.

So we can have this debate, we can bring our talking points here and march the party line and say exactly what we are told to say when we come to the floor and when we go on the talk shows; and you can hear it over and over.

Our colleagues on the other side are good, not always accurate, but good. But when you hear generational fairness, think about cuts to Medicaid, think about cuts to food stamp programs, think about the miserly increase in the Pell grant program, $100 a year.

I think if we wanted to make young people a priority in the Congress of the United States, we would increase Pell grant more than $100 a year if we wanted to be fair to every generation. So while this debate is going on here with Social Security, there is this other thing happening with the budget, and I urge our friends at home to pay close attention to what is happening.

One of the gentlemen over there said that it has been 70 years since Social Security; 70 years ago Elvis was born, 70 years ago, which was my favorite, the Great Depression was here. And I thought that was kind of funny because here we are having a debate about putting the Social Security system into the stock market, and one of our colleagues is quoting how much the world has changed since the Great Depression.

Well, I am sorry, but if you had your money in the stock market, you had your Social Security in the stock market and we had another Great Depression, there would be a lot of issues that we would need to talk about. But before we get into the Social Security, I want to kind of lay a little bit of a foundation on how this whole thing works and what the generalities are of the President's proposal, because we do not know all the facts just yet.

What is happening here is, in order to run the Social Security system, the worker puts in a little over 6 percent of their wages and the employer matches that 6.2 percent, and it goes into the Social Security trust fund.

Now, what the President is saying he wants to do is for the worker to take that portion, and that portion of the 6.2 that the worker puts in is debatable as to what that side is agreeing on should happen, but they all agree that they want to put a portion of that 6.2 percent into the side private accounts that would go into the stock market.

I think on the face of it, when you hear it and you are 20, 25, 30, 35, 40 years old, it sounds like a good idea. Here is the problem we face when you do that: The money that you would normally be putting into the Social Security system, your 6.2 percent that you are now diverting over into a private account, that means that your money you are normally putting in is not going into the Social Security system for your parents or your grandparents. In other words, the system will not have the money in it to handle. So the number that is floating around just for the transition cost to go from the system we have now to the personal accounts system is $2 trillion.

Now, we are already running a $500 billion deficit this year. So we are going out and borrowing money and paying interest on it because we are spending money we do not have. Now we are saying that if we implement this Social Security program, you will have, the government will have to go out and borrow at least $2 trillion, with a ''t'', $2 trillion, from China and Japan which is where we are borrowing our money from now to fund the $500 billion. We have to go out to China and Japan and get another $2 trillion and pay interest on that.

You are going to have a tax increase because we are going to have to borrow $2 trillion in addition to the $500 billion that we are already running with our deficit this year. So there will be a tax increase in order to fund this system, the transition costs, and that is if the numbers are right, if the $2 trillion numbers are right.

Now, we know that before with the war we were told weapons of mass destruction, we were told we would be greeted as liberators, we were told that we would use the oil money for reconstruction. It will not cost the taxpayer any money. That never happened. We are $300 billion into this.

Then, with the prescription drugs, we were told it was only going to be $400 billion; then 2 months later it was $550 billion. Then we find out today $1.2 trillion is the real number.

□ 2000

So we do not even know if $2 trillion is the real number to do the transition costs of the system. We are borrowing money, $2 trillion, increasing taxes; and that is not enough to keep the system going.

There will also be a 40 percent benefit cut because all this money is starting to go. I am 31. If I stop putting my money in, that is less going in. My mother will have a benefit cut or people in my mom's generation will have a benefit cut of 45 to 50 percent because of that money that is not going in.

I am getting my taxes raised; we are borrowing money from China and Japan. Our benefits will be cut for my mom and her generation and my grandparents and their generation.

In addition to that, if this is not enough to convince my colleagues this is a bad proposal, the investors on Wall Street that are running your personal account, they are not going to do it for charity. They are not going to do it for free. They are going to charge, and what they charge in Chile where they have a system just like this is 20 percent.

So any benefit you may get in your personal account will be eaten up by a tax increase, by benefit cuts, and by the user fee that you are going to have to pay to the investor who is going to invest your money, all the while risking the greatest social insurance program in the history of the country.

Mr. MEEK of Florida. Mr. Speaker, I thank the gentleman very much, and I just want to say I think that he said something that was very important.

If the $2 trillion number is not right, because as my colleagues know, under this Medicare prescription drug benefit that the administration put forth in the last Congress, we were told one number and that was wrong, and then it was revealed that the numbers were suppressed and the actual number is higher. Just today, looking at the news reports, that number is even higher, and so as these mistakes are made, future generations and even the present generation is put at risk financially.

I can tell my colleagues one thing that is fact. We do know who will benefit from this privatization scheme, which is $940 billion, Wall Street, to put these public dollars in open water, to gamble.

The other issue that I thought the gentleman really laid out was the fact there are no guarantees that the benefit level will stay where it is now. Matter of fact, we are pretty much guaranteed that benefits will be cut, even for those who do not take part in the privatization accounts, and so I think it is important for us to continue to share that with the American people.

Once again, I just want to say that Social Security is going to be solvent for another 47 years; and also, we have

48 million Americans that are now recipients of Social Security, and it has a lot to do with local economies, a lot of our disabled and very frail individuals. This is what they count on as a source of income.

I must add that we still do not have a Social Security plan. We are just talking about principles now, guiding principles; but one thing that the gentlewoman from California (Ms. PELOSI), the minority leader, shared not only with the Nation but shared with many of us here, Democratic guiding principles to make sure that we do not increase the deficit in any Democratic plan that is put forth, a plan that does not send us further into debt; that every dollar will be paid for and not borrowed that will continue to make the problem worse.

Mr. RYAN of Ohio. Mr. Speaker, if the gentleman would yield, this is really the first thing that we need to do. No matter whether we are talking about Social Security or the budget or whatever, first thing we need to do in this country is plug the hole, balance the budget immediately, and stop borrowing money from Japan and China, now. We need to do this immediately.

Mr. MEEK of Florida. Mr. Speaker, we also have one of our colleagues, matter of fact, one of our classmates that came in with us, the gentleman from Georgia (Mr. SCOTT), who is past rules chairman in the Georgia senate and now serves here in the Congress on the Committee on Agriculture and also on the Committee on Financial Services. He is going to be sharing some words with us on Social Security, and it is always a pleasure working with him and being with him, and we look forward to his comments.

Mr. SCOTT of Georgia. Mr. Speaker, I thank the gentleman very much, my distinguished colleague from Florida (Mr. MEEK) for yielding.

I certainly want to congratulate him and of course my distinguished colleague from Ohio; and we are at a crossroads in America, and we need to pay very, very close attention to what is happening.

I want to talk for just a few moments some plain, kitchen-table talk because these are kitchen-table issues. These are issues of substance. It is how your tax dollars are being spent with the budget. It is also how we are going about to fix the most effective, most meaningful government program that has ever been created in Social Security; and when I get to the Social Security part, I want to stress an emphasis on young people and African Americans because there have been some very significant misleading statements and bad information that is being put out.

First, let me just say a few words, if I may, on this budget, because it is very, very problematic.

First, the Draconian cuts in discretionary spending do not reduce the deficit. In fact, the deficit continues as far as the eye can see. This budget is not honest because it omits many important priorities, thus negating President Bush's promise to cut the deficit in half by 2009.

Further, this budget has the audacity to raise taxes on our veterans. As Shakespeare's Julius Caesar said to Brutus, ''Et tu Brutus, yours is the meanest cut of all.'' I am here to say, in this budget, the meanest cut is to our veterans, when we need to be doing more for our veterans, not less, and certainly not raising taxes on our veterans, as this budget does.

Veterans, wake up. I have got so many veterans in my district down in Atlanta, Georgia. I just spoke to the American Legion in Jonesboro, Georgia, and they said, David, you have got to do more for the veterans, and I said we would.

Then I come back here and see that this budget that President Bush has submitted raises the taxes on our veterans, and then this budget also hurts our farmers by cutting back on badly needed farm programs. Our veterans, our farmers, no two groups of people stand for what is right and good about this country more than our veterans and our farmers. That is how we got started, with our farmers; and that is how we sustain and grow our freedom in America and around the world for the price that our veterans paid.

This budget is not balanced. In fact, this budget creates a new record deficit of $427 billion for fiscal year 2006. This administration's budget continues a record of deficits and rising debt over the last 4 years. For the third year, the administration's budget creates a new record deficit, while offering no plan to restore the budget to balance.

The $5.6 trillion 10-year surplus inherited by this administration from the Clinton administration, which should have been used to strengthen Social Security, instead has been used and squandered and replaced by a deficit of $4 trillion over the same period from 2002 to 2011.

One goal of the deficit reduction accomplished during the Clinton administration was to save for the retirement of the baby boomers. We have had our eye on this problem for a long time. This is not just a problem coming and all of the sudden this administration finds that it has all the wonders in the world. We Democrats have been grappling with this problem of Social Security and the baby boomer generation coming for a long time, but we vowed that we will solve the Social Security problem without cutting benefits and without raising taxes and without robbing the Social Security trust fund of $2 trillion to set up private accounts.

Instead, this administration has run up mountains of new debt which just passes the bill for today's policy choices on to our children and our grandchildren.

Under the administration's policies, the annual burden of the Federal debt on the typical American family will more than double over the next 10 years, with each family's share of the Federal interest payments on the debt rising from just over $2,000 per year to around $5,000 per year. This is not the kind of legacy we should be leaving to our future, to our children. This debt transfer is essentially a birth tax.

This budget is not honest. Several of the President's top priorities are omitted from this budget. What surprises me is that these projects that he is omitting from his budget this week were signature points in his State of the Union speech last week. These omitted policies, including debt service, add $2 trillion to the 10-year deficit.

Not included in this budget are transition costs for privatizing Social Security. If we are going to privatize Social Security and set up the account, we have got to have $2 trillion. Where is that in the budget? How is the President going to pay for it?

By delaying the start of the President's new Social Security plan until 2009 and then phasing in over 3 years, the budget manages to avoid showing most of the costs, but they are going to be substantial. Social Security actuaries have estimated that the cost would be about $750 billion over the 2009 to 2015 period alone.

Also not included in the budget are funds for the operations in Iraq and Afghanistan. Listen, we are at war. We have got our troops over there. We asked for $81 billion for them. It is not even in this budget. I ask my colleagues, is that responsible? Just think, the additional $81 billion being asked for this year for our soldiers, for their armor and for the military are not even in this budget; and according to the Congressional Budget Office, costs for operations in Iraq and Afghanistan could run as high as $400 billion more than the budget includes.

Another thing, the alternative minimum tax which protects middle-income taxpayers is not in the budget, $640 billion.

Then the veterans, my heart goes out for our veterans. They will not be able to even go into a hospital without first of all paying a fee of $250. This budget imposes a $250 annual enrollment fee for veterans without service-connected disabilities who also have incomes above the VA means-tested levels, and the budget also increases pharmacy copayments for our veterans from $7 to $15, over 100 percent. Veterans, wake up. Get on the phone and call your Congressman and see what they are doing to our veterans in this budget.

Both of these veterans taxes were proposed in the last two budgets; but we in Congress rejected them and I assure my colleagues, under Democratic leadership we will reject them again this year.

This Federal budget should be an honest blueprint for the spending priorities of the government. However, this budget is not honest. It is passing our

obligations, responsibilities, and challenges to our children and grandchildren; and that is immoral. Let us stand up for the honesty and goodness of our Nation and reject this budget.

I want to talk for just a moment on the Social Security; but as we can see, it is very difficult for us to even before we get to the Social Security, we have got to explain to the American people what is happening with this budget and the unmerciful cuts.

Despite what the President claimed in his State of the Union speech, his proposal to privatize Social Security hurts everyone. His plan will cut guaranteed Social Security benefits by more than 40 percent in the coming decades, risky private accounts which will cut retirement, disability and survivor benefits of millions of Americans and will not help Social Security; but it will begin the process of dismantling it.

□ 2015

And somewhere I really believe that that might be the intention.

Social Security needs a solid source of funding, not a plan that makes the problem worse by draining $2 trillion away from this important program and forces Americans to borrow millions of dollars from foreign governments, as my friend from Ohio pointed out. Why do we want to mortgage this country to China, to India, to Japan, to Saudi Arabia? Because all of our debt is being handled by them; 90 percent of our new debt is in the hands of foreign governments. And just the interest alone that we are paying them is more than what we in our own country pay for national security.

America, wake up. Social Security needs a solid source of funding and not a plan that will make it worse. This President insists he is undertaking this drastic dismantling of Social Security for the good of our young people. Well, young people, I want you to listen to me tonight. And if you know any others, please get other young people on the phone. Go to the phone and call them and get them to listen to this debate tonight.

The gentlemen from Georgia, Ohio, and Florida want to set the record straight for our young people, because this administration wants Americans to believe that private accounts are a great deal for those under age 55. The President is wrong. Privatizing Social Security not only does not help, it is a hindrance to the financial security of young people, for several reasons:

First, these private accounts, young people, listen to me, these private accounts will not be monies that will be handed to you so that you will be free to invest however you see fit. There will be a few plans chosen for you and handled for you, plans that are complex, have restrictions and liabilities on them. And then there is the annuity issue that needs to be addressed.

Again, I hope that most young Americans will begin to think about how their lives would change if their parents did not have Social Security on which to depend. In fact, without Social Security, their parents would likely have to rely on them for a portion of their income. And caring for aging parents is difficult enough for adult children without the added burden of having to replace income from promised Social Security benefits which were lost through the President.

Young people must realize that the problems inherent in privatizing Social Security are there, and they must reject them.

Now, finally, I must say how disappointed and how disturbed I was when President Bush said this. He said since black men die sooner than whites, Social Security is a bad deal for them, and that private accounts is a good deal for them. Now, I like President Bush personally, and I assume he is a decent man. I have to assume also that he must be getting some very bad information.

I agree with columnist Paul Krugman, who noted recently that President Bush has blatantly manipulated the facts and made false assertions all in the hope of convincing African Americans that this is a good deal for them. The claim that black people get a bad deal from Social Security because of a shorter life expectancy is wrong. And Mr. Bush's use of this false argument is doubly shameful because he is exploiting the high childhood mortality rate and the high black youth mortality rate to promote his privatization plan instead of trying to remove the deep inequities that remain and that black people face in our society every day.

Blacks' low life expectancy is largely due to high death rates in childhood and young adulthood. It is because of the lack of health insurance and other health disparities. What the President is talking about is like cutting your legs out from under you and then condemning you for being a cripple.

What really is shameful about Mr. Bush's exploitation of this disparity is that it is taken for granted. The persistent gap in life expectancy between African Americans and whites is but one measure of the deep inequalities that remain in our society, including highly unequal access to quality health care. We ought to be trying to diminish that gap, especially given the fact that black infants die three times more often than whites.

In conclusion, my colleagues, let me just say that the President is wrong on this Social Security issue and the private accounts. We have a problem with Social Security, but that problem must be solved in a way that stands for what is good and what is right in America. And what is good and right in America is that we protect and strengthen Social Security. And you do not do it with the private accounts.

Mr. MEEK of Florida. Mr. Speaker, I thank my colleague, the gentleman from Georgia (Mr. SCOTT), and I can tell him that I concur with many of his comments. It was a thoughtful presentation.

And just to reinforce, the trust fund has $1.7 trillion in reserves and will provide full benefits for the next 50 years, and even 80 percent of the present benefits we have now beyond that. So to say there is a crisis and that the sky is going to fall tomorrow is just totally inaccurate.

Mr. SCOTT of Georgia. Absolutely.

Mr. Speaker, the gentleman is correct, and it is very important for the people to know that we have a surplus in Social Security as we speak today. And the only reason we will be having a problem is because we folks have borrowed from Social Security to pay other bills. And we have had IOUs, which are Treasury bonds, but they are good all the way up through 2052. And then beyond that, of course, we will even be able to pay 80 percent of it.

But I think this kind of system with the President is that you create as much of a crisis as you can. But I do not think the American people will be fooled on this one, as they were with the crisis over the weapons of mass destruction.

Mr. MEEK of Florida. Mr. Speaker, I do not believe so either.

Mr. Speaker, I am joined by one of our very fine new colleagues from Florida. We represent neighboring districts, and we served together in the State legislature and now she is here in the Congress serving on the Committee on Financial Services, the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank my colleague so much, and I have to say that it is a tremendous pleasure to join my 30-something colleagues, my colleague from Florida and the gentleman from Ohio (Mr. RYAN). I am glad to see the ranks of the 30-somethings are expanding, especially on our side of the gender balance. No offense to my colleague. It is especially exciting that I can rejoin the Meek-Wasserman Schultz tag team that we enjoyed in the Florida legislature.

I am so glad my colleagues have been spending some time this evening talking about the significant disparities between the President's proposal and the crisis, the so-called crisis, it seeks to address and the facts. So I would like to spend a few minutes separating fact from fiction and maybe boil this down to some simple terms. Because often in Washington we talk about trillions of dollars, which is really an unfathomable amount of money. It is so hard for anyone to think about what $1 trillion means, never mind several trillion. So I want to spend a little time about what this means to real people.

Clearly, the President's proposal makes Social Security weaker, not stronger. It does nothing, as the gentleman laid out, to resolve the funding challenges that currently face the system. The President's plan costs nearly

$2 trillion to implement in the first 10 years alone and several trillion more dollars each decade after that. And his privatization proposal bankrupts the entire system faster than it would, that is the term he used, which was an inappropriate term, but it literally bankrupts the system in only 15 to 20 years. And as my colleague stated, without doing anything, which no one here is advocating, we have another 50 years to go and we can still pay 80 percent of the benefits.

There is a funding gap. We all agree with that. And we have to address that funding gap. But it does not have to be closed by reducing or cutting benefits. That is a totally inappropriate solution.

The real crisis here is not in Social Security; the real crisis is the poor management of the Federal budget. That is the bottom line. We have someone here who has been mishandling the direction of the Federal budget, and it needs to be fixed.

When I see a problem in my household budget, what my husband and I do is, we make sure that we do not give that problem an overdose of medicine. When we address a problem with our budget, we address it in a way that is proportionate to the size of the problem. We give the problem not an overdose of medicine, but we give the problem an aspirin. And that is the difference here.

We saw earlier this week that the President's budget does not even cover the cost of any Social Security reform. This is despite the fact that extending the tax cuts permanently costs five times more than fixing Social Security for you, for me, for our children, and for their children. If we rolled back the President's tax breaks for just the wealthiest 1 percent, it would cover most of the funding gap right there, most of the funding gap just by the wealthiest 1 percent of Americans, rolling back their tax cut and not making it permanent.

Of course, the Bush administration today eliminated any discussion of limiting tax breaks for the wealthiest 1 percent of Americans or anyone else just to ensure Social Security's solvency.

The bottom line is that privatized accounts put Americans' hard-earned retirement savings at the whims of the stock market. I do not know too many people out there that have had a tremendous amount of confidence in the stock market these days so that they would trust their entire retirement future and the security of that to the whims of the stock market.

Mr. RYAN of Ohio. Mr. Speaker, if the gentlewoman will yield, I think that is a tremendous point that we have overlooked, and that is why we get an hour to do this, to make all our points.

This benefit that we have now is guaranteed. It is inflation adjusted and guaranteed. No matter what, you get your benefit. I think what the gentlewoman from Florida is saying, what happens if in 2000 or 2001, when you open up your 401(k) one day, it is cut in half and you were planning on retiring and it takes another 10 years to get back to where you once were, all this risk for no real gain overall?

Mr. Speaker, I yield back to the gentlewoman.

Ms. WASSERMAN SCHULTZ. I thank my colleague, Mr. Speaker.

Another important point, and why the three of us are here tonight highlighting this, is because our generation needs to understand the President has laid out a rosy scenario under his proposal that simply does not exist. No group of Americans has more reason to fight the privatization of Social Security than young Americans and young workers and their families. The President's proposal cuts benefits, it pulls the rug out from underneath our retirement security, and it adds trillions to the debt.

Privatization will ultimately result in a crisis that means millions of young people will basically be forced to work into their 70s, when right now, under the current system, they could retire far earlier with a guaranteed benefit. And they would have to ultimately pay higher income taxes for the rest of their lives.

I want to talk just briefly about the simple terms that I described earlier. This is how the President's proposal hurts everyone. The costs of privatization clearly explode the national debt. Most Americans understand what happens when you run up your credit card bill and do not pay it off. It is impossible to get out from under that debt, never mind trying to get a bank loan based on the credit you have, because your credit is gone.

That is exactly what the President is doing here, essentially. He is using up America's credit, yours, mine, our children's, even our grandchildren's to fund a radical and untested program that puts the safety of America's workers and retirees at risk. That is really the bottom line. Because of the misplaced spending priorities, the national debt has grown so large that an average family of four pays thousands of dollars each year to pay down the government's debt, which is just like the interest that you pay on a credit card when you do not pay off that debt every month.

Imagine what that family is going to owe when trillions of dollars are added to their monthly statements in the form of new and higher taxes. And what do they get for all that spending? Benefit cuts, removal of their retirement security, all of which is subject to the whims of politicians and the stock market's fluctuations. And that is totally inappropriate public policy, and young Americans should be as deeply disturbed as we are.

Mr. MEEK of Florida. Mr. Speaker, I just want to tell my colleague from Florida that many of the individuals that are beating their chests about the President's plan, and I will not even call it a plan because there is no plan; I have not received a bound copy from the White House saying this is the Social Security plan.

Mr. RYAN of Ohio. Maybe he did not send it to you.

Mr. MEEK of Florida. Well, maybe he did not. But I do not think anyone has it, and I think there is a lot of Federal jet fuel being burned flying throughout the country, lining up individuals that are excited to see the President of the United States, but who may not fully understand the fact that they are going to receive fewer benefits, that Social Security is there for them for the next 50 years, and even beyond that with 80 percent of the benefits if we did nothing as relates to Social Security.

We have to make sure that we maintain and do the things that not only the Democratic Congress did along with President Reagan, making sure we kept Social Security sound for future generations, but we need to make sure we do it in a way that we are not scaring Americans and making them feel that the sky is going to fall when it is not.

□ 2030

The only thing that is guaranteed here is that $940 billion that will then fall into Wall Street and the companies, maybe the two or three that will be chosen to handle these private accounts, that will give young Americans, or even middle-aged Americans because, remember, the President said if you are over 55, do not worry. He also told us a number of things as relates to Medicare, and we are finding out it is not true. I am not saying that the President is not being truthful with us; I am just saying we are not getting good information.

Mr. RYAN of Ohio. Mr. Speaker, so we are going from a guaranteed benefit for Social Security recipients to a guaranteed payment for those Wall Street investors. No matter what happens, whether the investments or the portfolios they are negotiating go up or down, they are going to get paid, guaranteed. Why would you shift that from the beneficiaries?

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I want to bring up something that maybe has not been discussed and that is the disproportionate impact that the President's plan will have on women. Women are already starting far behind the eight ball as compared to men in their earnings. There are a number of factors that leave women even more vulnerable to this radical proposal than it leaves men.

In 2003, for example, the average monthly Social Security benefit for a woman was only $798. That is $241 less than the average man's monthly retirement. Women's earnings are 77 percent relative to men back in 2002. Women who reach retirement age live, on average, at least 3 years longer than men, and Social Security is the only source of retirement income for one in three unmarried women.

Without Social Security, 52 percent of white women, 65 percent of African American women, and 61 percent of Hispanic women would live in poverty upon retirement without the safety net that Social Security provides. It provides more than half of the total income for female widows and for single women.

So when the President talks about the different groups that his proposal would disproportionately benefit, he does not seem to care that we would leave women in this country completely out in the cold.

Mr. SCOTT of Georgia. Mr. Speaker, I wanted to emphasize that the young people need to realize that if you were to make this move into a private account, you will correspondingly have benefits cut down the road. You are going to lose in benefits far more than you would in the accounts with the risk-taking involved and because your Social Security investment is protected from inflation, it is guaranteed, and when you have those cuts taken away as a result of going into the private accounts, it should make one stop and think a little bit before even entertaining the idea of going into private accounts because they would correspond in the cuts.

Mr. MEEK of Florida. Mr. Speaker, I see the gentleman from Ohio (Mr. RYAN) has some examples of what can happen to many of the young people, and the gentleman knows he is in charge of the charts. I just want to say, it is important to not only give our e-mail address out, because we want to continue to talk with Americans about this issue, and also Members of Congress we would say, and even the other body, to go onto our Web site to get information on what we talked about today with the Democratic leader of going out into America, speaking to groups that want to know more information about what this Social Security privatization scheme has in store for them if we fail them as a Congress.

Mr. RYAN of Ohio. Mr. Speaker, the gentleman is absolutely right that we should have a debate about this.

To e-mail us, it is 30something dems@mail.house.gov.

We have some charts here that kind of play out President Bush's scenario with four younger people. The one we have here is 18-year-old Ashley. We wanted to get a woman in there. These are the benefits under current law, what Ashley would get when she retires in 2052.

Under the current benefit, she would get $1,628 if we do not do anything. Under President Bush's good blueprint, which is the best case scenario, but we have to factor in tax cuts, the 20 percent you have to give the investors, the borrowed money, everything else, the risk is probably not included in here, Ashley would get $1,099. So you are talking about a $529 difference. This is our system that we have today, and the Ponzi scheme which has been proposed. That is Ashley.

Now we have Eric. Eric is 28 years old, lives in Miami, Florida. He retires in 2042. Under current law, when Eric retires in 2042, Eric would get $1,478 a month. In 2042, under the President's best case scenario, which we call the good blueprint, Eric would get $1,098 which is a $380 difference per month, just doing the math quickly.

Clearly, under the current system, Eric at age 28, if you are listening and you are 28 and we keep things solvent, maybe make some minor adjustments to keep the system going, you get almost $1,500 a month and under President Bush's plan, $1,100 a month.

Last we have Jennifer. Jennifer is from Ohio. She is 38 years old. She retires in 2032, a little closer. Under the current law, she will get $1,343 a month. Under President Bush's scheme, $1,099. There is still a $250 a month cut because there is less money going in.

People are putting money in private accounts. There is an increase in taxes because you have to borrow $2 trillion and you have to pay your investors their 20 percent for making the deals for you. So even someone 38 years old retiring in 2032 is still going to see under President Bush's plan a cut of $250.

All we are saying is, we have a guaranteed benefit. The system is working. No one is going to hit the lottery on this system; we understand that. But it was not meant to hit the lottery. It was meant as a social insurance program. Fifty percent of the beneficiaries, if they did not get Social Security, would live in poverty; and we are going to flip this system upside down and go borrow $2 trillion from the Chinese, who are cleaning our clock economically anyway. It does not make a whole lot of sense.

Mr. MEEK of Florida. Mr. Speaker, I want to make sure that people understand that we are not just talking teenagers, we are not just talking about 20 or 30 something. Here is Bill. Here is an example. And many of these numbers, as we start talking about Social Security being able to provide the benefits that it has now, is not the Davis, Scott, Wasserman Schultz, Meek and Ryan report, this is from the Congressional Budget Office, numbers that they have given us. This is not anything that we sat in a room and said, let us see what works towards our favor here. This is fact and this is reality.

Here is Bill, who is 48, from Georgia, probably from Montezuma where my folks are in Georgia. Let us say Bill retires at 2022. Under the present benefits, he has $1,266 in the year 2022. But under what the President is proposing under his privatization scheme that will guarantee billions for the corporations that are already prospering under his administration, and I mean the big corporations, not the small ones, he will receive under the Bush plan, $1,141.

To create a crisis, to then step into a gamble is unfair to the American worker. It is unfair to American families, and I must add family benefits and survivor benefits are holding families, people who work every day, folks who wake up and catch the early bus in the morning, people who know what it means to have a 15-minute break in the afternoon and in the morning, these are people who work every day.

Here in this Congress, we have to make choices. Here, in the Democratic Caucus and in the 30-Something Group, we have made the choice to be on the side of the individual that works every day and has paid into the system every day and expects that we will not go back on the deal as the gentleman from Georgia (Mr. SCOTT) pointed out earlier, as we have done to veterans, and we are doing to veterans in this budget that the President has put forth. It is very unfortunate.

It is time for not only the American people to wake up, but also for Members of Congress to wake up and stop following the so-called leader, and say, this is wrong and I am not going to move forward with a plan that is going to give my constituents less than what they had when I was elected.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I know we are using Congressional Budget Office numbers, and that needs to be understood. We are not just making this up to fit the picture that we want to show here.

But the question I have is, when I sat in the Chamber and listened to the President deliver the State of the Union address, my understanding of the President's proposal was that he would try to put forward a proposal that would ensure future retirees would have more money. The illusion that he has created is that by privatizing Social Security, putting the future of Social Security into the stock market, he led people to believe Wednesday night that they would retire with more money than they would have if we left the system as it is. But each of the graphs I have seen here tonight shows consistently there is less money for each scenario, whether you are the youngest future retiree or the oldest future retiree.

How are we wrong and he is right? How is it that he does not see that he is costing the government trillions of dollars, pulling the rug out from under our retirees and causing them to have less money, not more? What are we not getting here?

Mr. RYAN of Ohio. Mr. Speaker, this is a real pattern of behavior. I think when we are talking to the young students out there, the 20-somethings and 30-somethings, and we look at the track record of the last 4 years, weapons of mass destruction, oil money for reconstruction, American taxpayers are not going to have to pay a dime. Mr. Wolfowitz testified $5 billion was all the Americans were going to have to pay, and now we are $300 billion in; and that we would be greeted as liberators, and on and on and on. None of that was true.

Then we went to the Medicare bill. It was $400 billion. Two months later, it was $550 billion. And today, and it is funny, if it was not so sad, it would be hilarious, $1.2 trillion. We went from $400 billion when we voted on this thing, to $1.2 trillion. So this is clearly a pattern. So when they come to us with this proposal, how are we supposed to believe them? How are the young people supposed to believe them?

Ms. WASSERMAN SCHULTZ. So is their theory, if they say it enough times, it will become true?

Mr. RYAN of Ohio. I think that is it. Basically we are going to bet the ponies, and we do not have any money in our pocket, so we are going to put it on our credit card at 21 percent. We have to pay the Chinese back because they issued us the credit card. It is a dangerous game.

Mr. SCOTT of Georgia. Mr. Speaker, I think it is very important that we reflect and understand the purpose of Social Security. This is an insurance program. We have investment programs for the stock market. We have 401(k)s in which an employer and an employee contributes. We have other kinds of alternatives. But, remember, it was the Democratic Party that birthed Social Security. It has been the Democratic Party that has protected Social Security. Social Security has been the bulwark of making America have the highest standard of living.

Let us not forget the words of the gentleman who produced Social Security, Franklin Delano Roosevelt, who said we want to make sure that at no time in America will any of our people, as they get old, succumb to the throes and the woes of poverty.

□ 2045

It is an insurance program, plain and simple. If they want private accounts, there is nothing wrong with investing in the stock market. There are opportunities to do that. They have 401(k)s. But Social Security is there.

And I just say we are addressing most of our remarks to 20-somethings and 30-somethings, but our 20-somethings and 30-somethings will soon be 40-somethings and 50-somethings and 60-somethings. At the end of the day, we need to make sure that we do not disturb that cushion that has provided America with the highest standard of living in the world, and that cushion is Social Security.

Mr. MEEK of Florida. Mr. Speaker, reclaiming my time, the gentleman from Georgia (Mr. SCOTT) could not say it better.

And just in closing, Mr. Speaker, as we close, we want to make sure that we want people to go on to find out more about not only what House Democrats are talking about, but as it relates to our tour throughout the country. It is democraticleader.house.gov/ 30something. Also, we would close with the message that Democrats want to strengthen Social Security without slashing benefits to Americans that they have earned. Private accounts make the Social Security challenge worse, enforce massive benefit cuts, and increase the national debt. Once President Bush stops insisting on private accounts, then we can have a true debate as it relates to making sure the promise of Social Security will be around for future generations to come.

It is always a pleasure to co-chair this hour with the gentleman from Ohio (Mr. RYAN). And also I want to thank the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) for being a part of the working group 30-something. And to the gentleman from Georgia (Mr. SCOTT), it is always good to have a 40-something. I will go ahead and put it that way.

AMERICA'S VETERANS

The SPEAKER pro tempore (Mr. BOUSTANY). Under the Speaker's announced policy of January 4, 2005, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 60 minutes.

GENERAL LEAVE

Mr. STRICKLAND. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the subject of my Special Order.

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

There was no objection.

Mr. STRICKLAND. Mr. Speaker, I am here with the gentleman from Illinois (Mr. EVANS), my good friend and colleague, the ranking member on the Committee on Veterans' Affairs tonight; and we will be joined by some others a little later. But we are here to talk about some of the issues facing America's veterans and especially the result of the budget on veterans health care.

I would like to preface my remarks, though, by saying that in this Chamber comprised of 435 Members from all across this country, Democrats and Republicans, some people from large cities, others from small towns, we all have to make decisions in this Chamber. We make decisions about what is most important for our constituents and what is most important for the American people. So we have to choose among priorities. But it is my feeling as a Member of the Committee on Veterans' Affairs, and I am sure the gentleman from Illinois (Mr. EVANS) feels the same way, that America's veterans should be given a high priority by this Congress.

Right now we have Americans, most of them young, but many of them in their 30s and 40s and even some in their 50s fighting for us in Iraq and in Afghanistan, and there are soldiers scattered in other places around this Earth. They are putting their lives on the line for us, and many have in the past put their lives on the line. They have lost their lives, many have, and others have lost their health, lost their limbs, lost their peace of mind as a result of their service to this country. So I believe that most Americans feel as if this country has an obligation, a sacred obligation, a moral obligation to do what is right for our veterans.

We are making choices here in Washington, D.C., and some of the choices we are making are choices between providing tax breaks to the richest people in this country, while at the same time we are making decisions to cut back, to reduce, to limit the health care that is available to America's veterans. This is certainly reflected in the President's budget.

But before I talk about the budget, I yield to the gentleman from Illinois (Mr. EVANS), the good ranking member of our committee. The gentleman from Illinois (Mr. EVANS) is a strong advocate for veterans, and I want yield to him to say a few words before I get into some of the specifics regarding the President's budget and veterans health care.

Mr. EVANS. Mr. Speaker, I appreciate the gentleman's yielding to me, and I thank him for holding this Special Order.

I was 17 years old when I went into the United States Marine Corps. It was the proudest thing I have done in my life, including having this job, because it was really an experience in which we gave it all. I did not go to Vietnam, but I served as a Marine Corps guard of Naval Nuclear Ordnance in Okinawa. And it was a great point in my life. I was 18 years old when I got sent overseas, and I will never forget what those guys coming back home told us one night in a bar, going home from Vietnam via Okinawa, that the contributions they made, despite the controversy of that war, were ones that we should never have forgotten.

But not only did we forget Vietnam; we have forgotten the veterans of this new war that is going on. And I think it is tragic that we do not live up to the consequences of funding the programs that our veterans assume will be available to them, and I think that we have got to keep it in mind that the young people, minorities, poor white people are the same people who fought this war as was waged by those men and women in combat in the last war. That is why we need to do all we can to help the veterans out.

But this is not what the budget calls for. The budget call for increases in premiums paid for the prescription drug benefit, a benefit that has been very helpful to our veterans, particularly in line with the rate of increases in the private sector. The hospitalization is a big benefit to them, and yet this administration would sink to cut those benefits by double the pay for those benefits. So we have got a lot to work to do.

What do we tell the people back home in places like Quincy, Illinois, who have a State nursing home run by the State, but pay partial per diem each day? What are we going to do with

these people who have no place else to go and join the ranks of the unemployed? What are we going to tell those people who need that prescription drug benefit that it is doubling its cost to them? When are we going to talk about the educational benefits that rarely get talked about here? And it is a sad story because our veterans need help in that way too.

People that went into the Armed Forces did so out of the highest patriotic obligation, and they wanted to do it. That may sound ridiculous in light of what happens to so many veterans that they would be so strong and proud all these years that they still remain patriots today. As a Congressman, I do not know what I am going to tell people when I go back home. I am going to go back home and meet these people who are affected by this every day. Every day people living in cars, living in abandoned parts of the cities. We can do much better than this, it seems to me. And that is why I applaud the gentleman for yielding to me. I look forward to working with him in the committee. He has been a really good member, and I appreciate his time and his interest on this issue.

Mr. STRICKLAND. Mr. Speaker, reclaiming my time, I thank the gentleman from Illinois (Mr. EVANS), our ranking member on the Committee on Veterans' Affairs, not only for serving on the committee but for his service to this country and for his continuing service as a veteran.

I think it is time for some straight talk about what is being done for veterans. There may be some veterans listening tonight. I hope there are. There may be some family members of veterans listening or probably just Americans who may not know any veterans, but who are concerned that this Nation do the right thing.

I think a pattern is developing in this country, certainly within this Congress. I first noticed it at least a couple of years ago when the Veterans Administration put out a gag order. It was a change in policy that went out to all of the health care providers at VA hospitals and facilities across this country, and it was a dramatic change in policy. And this gag order instructed the doctors and nurses and social workers who work at our VA facilities to stop proactively disseminating information to veterans regarding the services they were legally entitled to receive under the laws that had been passed by this Congress.

For example, they were told they could not participate in community health fairs. They were told they could not make public service announcements urging veterans to take advantage of their legal benefits. That troubled me. But matters have gotten worse. Then the VA made the decision that they were going to create a brand-new category of veterans, call them Priority 8's. And they said these veterans are sick, they have illnesses, they need medical attention; but their conditions are not directly related to their military service, and they are high income.

Some of these veterans could make as little as $22,000 a year, and they were called high income. So the VA said these people cannot receive VA health care services now. There are just too many people coming in for service. We do not have enough money to provide that service; so we will ration VA health care service.

I thought that was reprehensible, quite frankly. I still do. But see what is happening in this budget. At a time when we are at war, right now as we stand here in the safety of the people's Chamber, the House of Representatives, at this very moment there are soldiers in Afghanistan and in Iraq risking their lives. We have lost over 1,440 soldiers. We have had thousands and thousands injured. We have got soldiers coming back nearly every day to the United States with these terrible injuries; and the President of the United States, the Commander in Chief, the man who made the decision to send these troops into war, has sent us a budget; and in his budget he woefully underfunds VA health care. It does not make sense.

Some people may be listening and may be thinking, That Ted Strickland is a Democrat; so he is just leading this partisan attack on the President or on the Republicans because he is a Democrat.

I want to share some press releases that have been issued within the last couple of days, not from me but from our veteran service organizations. For example, I have a press release that was issued by the Disabled American Veterans. The DAV, the Disabled American Veterans, is an organization that has 1.2 million members. It was founded in 1920, and it is a chartered organization, chartered by the United States Congress, and it represents our Nation's wartime disabled veterans. And they issued a news release describing the President's VA budget proposals. The heading is the ''President's Budget Bad News for Sick and Disabled Veterans.'' I would just like to share some of the comments that the DAV has shared in their press release:

''The administration has proposed one of the most tight-fisted miserly budgets for veterans programs in recent memory, said the 1.2 million member Disabled American Veterans. It is making health care more expensive, and it is making health care less accessible to millions of America's defenders . . . 'As a result' '' of this budget, '' 'VA facilities across the country will cut staff and they will limit services even as the number of veterans seeking care is on the rise.' ''

This is not me talking. This is the Disabled American Veterans talking.

□ 2100

It says, ''The DAV and other major veterans organizations are united in calling on Congress to provide $31.2 billion for veterans' medical care, which would be $3.4 billion more than the President has requested. We are also united,'' the press release says, ''in opposing new fees and higher copayments on certain veterans, because the administration wants to impose a new $250 annual user fee on certain veterans, and veterans under this President's budget will see their prescription drug copayments more than double, going from $7 to $15 a prescription. There will be belt tightening at VA hospitals.''

Then the press release concludes this way: ''This budget proposal is bad news for the Nation's veterans, made even more distressing in the light of war in Iraq and military operations in Afghanistan and elsewhere.''

That is what the disabled American Veterans have to say about President Bush's budget.

I see my good friend, the gentlewoman from the great State of Florida (Ms. CORRINE BROWN), a member of the Committee on Veterans' Affairs. I yield to the gentlewoman.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I want to first of all thank the gentleman and the ranking member, the gentleman from Illinois (Mr. EVANS) for holding this special order.

Mr. Speaker, I want to ask the gentleman a question. I know I will get an opportunity to speak. But I was reading an article concerning the Under Secretary of Defense David Chu, and he said that the organizations that the gentleman was pointing to, the VA organizations, have been too successful in lobbying Congress and that we are taking money that should go to the military for weapons and we are giving it to the veterans.

Can the gentleman expound on that for me?

Mr. STRICKLAND. Well, reclaiming my time, Under Secretary Chu should be reprimanded by the President.

Ms. CORRINE BROWN of Florida. Fired, excuse me.

Mr. STRICKLAND. Fired would be okay with me as well. This man, who is the part of the Pentagon, really said that money going to America's veterans was interfering with our ability to defend our country.

Well, it is almost laughable. If it was not something that had been said by a very high person within the administration, we would just ignore it and discount it.

I can tell you this: The National Commander of the American Legion has written a letter strongly objecting to what Mr. Chu has said. But this is just an example of the kind of disregard we find within this administration when it comes to veterans. There is an attack upon America's veterans within this administration. I do not know if it is coming from the President, but the President is the Commander-in-Chief, and he is the one who has the responsibility to stop it. He needs to stop it.

Ms. CORRINE BROWN of Florida. If the gentleman would yield further, let me just read the statement. ''Aggressive lobbying by veterans groups that brought about medical care for retired military health brings about this great drain on fighting wars, Chu said in the article. He described it as painful to move moneys for new weapons programs to accounts that fund TRICARE.''

Mr. STRICKLAND. Mr. Speaker, reclaiming my time, people can listen to his words and make their own judgments about what he has said. I, quite frankly, think it is shameful.

Ms. CORRINE BROWN of Florida. If the gentleman would yield further, my question to the gentleman is I agree that we have a budget, and you determine something about the people of a country how you use that budget. It is clear to me that this President, President Bush, his priority is for the people that funded his campaign. It is not a matter of whether we should fund weapons or supplies that our troops need or whether we should take care of the veterans who have taken care of us for so many years and who need us in their twilight. It is these tax cuts that this administration wants to make permanent. That is the problem. It is a matter of priorities.

I mentioned earlier today that Valentine's Day is coming up. Everybody wants to show you some love. If you love me, you are going to send me flowers or spend some money on me, you are going to take me out to dinner. But it is clear that the Bush administration does not love these veterans. In other words, they talk a great talk, but they do not walk the walk or they do not roll the roll. If you look at their budget, the budget priorities are to their rich friends that funded their campaign coffers, and not to the veterans that need them.

I come from a district where the veterans are not the richest in the country. In fact, one-third of the homeless people are veterans that have fallen through the safety net. They are not getting the health care they need or the mental health counseling or the job opportunities. It is a failure. The richest country in the world, and we are trying to put the burdens of the war on the veterans. Help me, somebody.

Mr. STRICKLAND. Mr. Speaker, reclaiming my time, talking about priorities, I will just share this bit of information. When one discounts the additional moneys that the VA will get from imposing user fees and increased copayments for prescription drugs on our veterans, we find that the increase in the VA budget is four-tenths of one percent, four-tenths of one percent.

Now, I think it is interesting to know that the American Legion and other veterans groups have requested $3.5 billion as an increase in health care spending for VA health care for fiscal year 2006. They have requested an additional $3.5 billion. The President is proposing a $9.5 billion foreign aid bill, foreign aid bill, which is an increase of $2.1 billion.

Now, I am not saying that all foreign aid is wrong or bad or should not take place, but I am troubled when we are taking American tax dollars and we are increasing significantly the amount of our foreign aid by $2.1 billion, and we are only increasing the budget for VA health care by four-tenths of one percent.

Mr. Speaker, I shared the press release from the Disabled American Veterans. I would like to share some information from the Paralyzed Veterans of America. The Paralyzed Veterans of America was founded in 1946. It is the only Congressionally chartered veterans organization which is dedicated solely for the benefit of individuals with spinal cord injuries or disease.

Here is what the Paralyzed Veterans of America had to say about President Bush's budget: ''Paralyzed Veterans of America calls the administration's budget proposal woefully inadequate, forcing some veterans to pay for the health care of others by increasing fees and copayments.''

Then I will read from the press release. It says, ''The release of the fiscal year 2006 budget request by the administration demonstrates a callous disregard for the services of America's veterans and represents another attempt to place the burden of needed funding increases on the backs of disabled and sick veterans. 'I do not understand where their priorities are,' said Andy Pleva, the National President of the Paralyzed Veterans of America. He says, 'at a time when more and more service members are returning from Iraq and Afghanistan in need of health care and when aging veterans of previous wars are turning to the VA for their medical needs, the administration proposes a basically flat budget, with the only increases coming out of the veterans' pockets. This is not acceptable.'''

Mr. Speaker, the Paralyzed Veterans of America speculate that if the President's budget is enacted, if higher prescription drug costs are included and if enrollment fees are demanded, the result will be to drive veterans out of the system. In fact, the Veterans Administration itself estimates that as a result of the increased fees, 213,000 veterans will leave the health care system next year.

I want to tell you, many of these veterans are of limited income, they are sick, they are in need of medical care and they may not be able to get it elsewhere. Yet this Nation, this administration, this Congress, if this budget is enacted, will be responsible for turning these veterans away, and the American people I think do not want that to happen.

As I said earlier, I truly believe that the American people want this Nation to care for its veterans.

Ms. CORRINE BROWN of Florida. If the gentleman will yield further, I am reminded of the words of the first President of the United States, George Washington, whose words are worth repeating at this time. ''The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportioned as to how they perceive the veterans of earlier wars are treated and appreciated by their country.''

Now, I think that is very profound. In other words, how we treat our veterans today will determine whether our young people will enlist and commit themselves to go to war to fight for our great country. Profound, does the gentleman not think?

Mr. STRICKLAND. Well, I think it is. That may explain why there seem to be some problems developing with the enrollments. I think people are watching what this government is doing, and as they feel like promises are not being kept, I think they have just reason for questioning whether or not this Nation would really value and prize their service to the country.

Ms. CORRINE BROWN of Florida. If the gentleman will yield further, for the last 4 years, every year we have had to go through this dance, and predominantly the Democrats have had to fight to increase these budgets. But this year, I guess after the election and after the President and his party have flim-flammed the American people, the gloves are off. They do not care.

Mr. STRICKLAND. Reclaiming my time, I do think this year is different than in past years, because in past years, this House is controlled by Republicans. That means every committee has a Republican as the Chair of that committee.

For the last 4 years, the veterans of this country have had a friend in the chair's position, the gentleman from New Jersey (Mr. SMITH).

The gentleman from New Jersey (Mr. SMITH) was a member of the Committee on Veterans' Affairs for 24 years. For almost a quarter of a century this man served on the Committee on Veterans' Affairs. He had served as the chair of the committee for the last 4 years.

Quite frankly, when the President tried in the past to impose a user fee of $250 a year and when he tried to increase the cost of a prescription drug from $7 to $15, the gentleman from New Jersey (Mr. SMITH) as the Republican chairman was effective in keeping those increases from being enacted.

Well, what did they do to the gentleman from New Jersey (Mr. SMITH)? At the beginning of this Congress the Republican leadership in this House called the gentleman from New Jersey (Mr. SMITH) in, according to newspaper reports, and they basically stripped him of his position as the Chair of the Committee on Veterans' Affairs. But not only that, they took him off the entire committee, a committee he served on for 24 years.

I wonder, where were the friends of the gentleman from New Jersey (Mr. SMITH) in this Chamber? I say to my

friend from Florida, if the Democratic leadership were to treat you like that, I would stand up and say, ''This will not happen.''

Where were the friends of the gentleman from New Jersey (Mr. SMITH)? The gentleman from New Jersey (Mr. SMITH), in my judgment, is the leading pro-life representative in this entire Chamber. He is a man of impeccable credentials. He is a humanitarian. He has been concerned about the violation of human rights not just here at home, but around the world.

□ 2115

He is a conservative, a conservative, a member of the Republican Party. But because he had the gall, because he had the courage to stand up and be an advocate for veterans, the leadership in the Republican Party stripped him of his chair position and removed him from the committee.

Now, I want to tell my colleagues, this was not an accident; this was planned. And as word was starting to spread that this was going to be done to the gentleman from New Jersey (Mr. SMITH), 10 national veterans organizations in this country got together and they wrote a letter to the gentleman from Illinois (Speaker HASTERT) urging him to protect the gentleman from New Jersey (Mr. SMITH) from being treated in this way.

I will share with my colleagues what those 10 organizations were: the American Legion, the Veterans of Foreign Wars, the Military Order of the Purple Heart, the Paralyzed Veterans of America, the Vietnam Veterans of America, the Disabled American Veterans, AMVETS, the Blinded Veterans Association, the Jewish War Veterans, and the Noncommissioned Officers.

And they wrote Speaker HASTERT and they said, ''On behalf of the Nation's leading veterans organizations representing over 5 million members, we write to urge that Congressman CHRIS SMITH remain chairman of the House Committee on Veterans' Affairs.'' They went on to say, ''Over the past 4 years, Chairman SMITH's national reputation as the foremost congressional expert and advocate on veterans issues has continued to grow. All of our organizations have recognized his extraordinary public service and accomplishments through our own prestigious awards.''

And then they said, ''In our view,'' and this is coming from these 10 national veterans organizations, they said, ''In our view, it would be a tragedy if CHRIS SMITH left the chairmanship. The unnecessary loss of his leadership, knowledge, skill, honesty, passion, and work ethic would be a deeply disturbing development, not just to us, but to the millions of veterans across the country whose lives he has touched.''

And did Speaker HASTERT listen to these veterans organizations? Absolutely not. It did not matter. He was an advocate for veterans. He wanted to adequately fund VA health care. Well, with this administration and with this Republican leadership, it was just not acceptable.

Now, people may be listening and they may be thinking, there goes TED STRICKLAND again. He is that Democrat, he is trying to beat up on the Republicans. Listen, I want to say to my colleagues that if my Democratic leadership was doing this, I would be as upset as I am with the Republican leadership. And these 10 veterans organizations, they are not partisan groups. These groups exist for the sole purpose of standing up for veterans and veterans needs.

So we are trying to let people know this can be stopped. This budget has not yet been enacted; it has not been approved. And it is my hope that people across this country, when they hear what was done to CHRIS SMITH and when they hear what these veterans organizations say about this budget, will call the White House, will call their representatives, will get in touch with their Senators and say, this has got to stop. You cannot balance this budget or even try to cut the deficit, because there is no attempt to balance the budget, obviously; but you cannot cut this deficit on the backs of America's veterans. I yield to my friend.

Ms. CORRINE BROWN of Florida. Mr. Speaker, the sad thing is that the gentleman is talking about the people's House; and the people's House, under this administration, more so than even when the Republicans took over, but under this administration has been run like a dictatorship. It is very, very sad, and I am glad that the gentleman from Ohio pointed out what it is that veterans can do. I know the organizations are talking to their members because they are talking to me. But they need to contact their Member of Congress and let them know, as Senator and former Governor Chiles used to say, ''This dog won't hunt.''

Mr. STRICKLAND. Mr. Speaker, I want to share another saying with my colleague that came from Benjamin Franklin. Benjamin Franklin said, ''If you act like sheep, the wolves will eat you.''

Now, I say to my Republican colleagues, if your leadership could do this to CHRIS SMITH, they can do it to you. Now, you were elected, we were all elected by over 635,000 or so constituents. Our obligation is to come up here and be the representative of the people who elected us. We are not up here to please the Democratic leadership or the Republican leadership or even to please the President; we are up here to represent our people.

But I want to say this: if you become so cowed, if you become so afraid, if you become so sheep-like that you are afraid to speak out, for example, as the gentleman from New Jersey (Mr. SMITH) spoke out in defense of veterans health care, if you are so afraid that they are going to take away your chairmanship or they are somehow going to punish you politically, then you cannot really be an independent spokesperson for your people.

I want to tell my colleague, I would urge my colleagues, I would urge the friends of the gentleman from New Jersey (Mr. SMITH) here in this Chamber and around this country to have the courage to speak up and speak out and say, what was done to CHRIS SMITH is wrong. He is a good man, a good person. The only thing he did, the only thing he did was to stand up for veterans.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I think this is bigger than CHRIS SMITH in that it is the House of Representatives that we can change in 2 years; we can change the direction of this country. And it goes back to elections, I have to say it. I mean, what happens in an election controls everything we do, from the time you are born to the time you die and everything in-between.

This veterans budget, I have to say if it had been Senator KERRY, we never would have received a budget like this, or if it had been any of the Democratic candidates and, really, if it had been any of the other Republican candidates. This administration is totally insensitive to the needs of the veterans and the people. They talk a great talk, but they do not walk the walk. They only care about the 1 percent of the people that contribute to their campaign, and if you are not writing checks to the Republican campaign, then just forget it.

But the veterans can turn this around. I know that they can mobilize. I know what they can do; I have seen it happen in Florida. Once before they cut major health care assistance in Florida, and the veterans and organizations and groups got together. They called their Congress people and, let me tell my colleague, not only did they put the money back; they do not even know how it got out. So I know they can do it.

Mr. STRICKLAND. Mr. Speaker, I made reference earlier this evening to a press release from the Disabled American Veterans and the Paralyzed Veterans of America. There was also a press release put out by the American Legion. The national commander, Mr. THOMAS Cadmus, made a good point in his press release. He said, ''Veterans' health care is an ongoing expense of war.'' In other words, VA health care is not welfare.

Ms. CORRINE BROWN of Florida. No.

Mr. STRICKLAND. VA health care is something that veterans have earned through their service to this country.

Ms. CORRINE BROWN of Florida. Mr. Speaker, it is a contract. It is a contract. When those young men and women in their prime go and fight for us and serve for us, we owe them. They should not be fighting for the guarantee that we promised them, basic health care, and yet, these copayments and these fees, they cannot afford it. They live on a fixed income.

Mr. STRICKLAND. That is right.

Mr. Speaker, concluding the press release that was put out by the American Legion, the national commander said this, and I am quoting: ''No active duty service member in harm's way should ever have to question the Nation's commitment to veterans. This is the wrong message at the wrong time to the wrong constituency.'' And I would just repeat again, we have lost well over 1,440 lives in Iraq.

Ms. CORRINE BROWN of Florida. But, sir, if the gentleman will yield, how many have been wounded? How many have been disabled? They are going to come back, and then they are not in the military system, they are in the VA system. How will the VA system handle them when they are proposing to cut out thousands of nurses?

Now, I know the gentleman has the same problem that I have when they come to us about how long they have to wait in order to get assistance, and we have to intervene. For basic assistance, they are put on a waiting list, and they wait for weeks and months. Yet we are going to have all of these veterans, thousands coming back.

The gentleman mentioned the number that have been killed, but what about those who have been wounded, coming into a system that we are cutting to the bone. It is a failure. There is a Constitution and there is a separation of power. We have a duty as Members of the Congress, of the people's House, to deal with this budget.

Mr. STRICKLAND. Mr. Speaker, much of what we heard all day here in the Chamber and we heard from the Special Orders that preceded us was these are tight budgetary times. Well, they are tight budgetary times because of certain things.

Now, part of the reason they are tight budgetary times is that we have taken our national resources and we have given them to the richest people in America in the form of tax breaks, people who really are doing quite well already. Is it not ironic that at a time of war, we would give tax breaks to rich, comfortable, wealthy people at the very upper end of the income spectrum and, at the same time, the President, and this is the President of the United States, the man who stood right up there a few days ago and gave the State of the Union address, the Commander in Chief, the man who made the decision to send these soldiers into war; that he would send us a budget and in that budget he would ask that the cost of a prescription drug for a veteran be increased, be increased from $7 to $15; and he would ask that these veterans have to pay a $250 annual copayment.

Let me say this, and then I will yield to my friend. The American people need to know this, and many of them do. But we get paid pretty well here in the Chamber. I do not know, I truthfully do not know the exact dollar amount of our salaries, but it is over $150,000 that a Member of the House of Representatives makes. I think that is a pretty good income. I think the gentlewoman and I and other Members of this Chamber ought to be able to go out and buy our prescription medications or we could pay an increased copay, but many of the veterans that I represent are fairly poor. In fact, most, most of the people in my district are struggling economically. But these veterans, many take 10 or 12 or 15, some that many prescriptions a month, and to take and increase the cost from $7 to $15 a prescription, if they have 10 prescriptions, that is a lot of money.

Some of these veterans may make as little as $22,000 and be considered, as some of the newspapers refer to them, as higher income. Well, I think $150,000 that we make is higher income; I do not think $22,000 is higher income.

But here we had a President, and I keep going back to the President because, quite frankly, he is, he is the Commander in Chief. He is the one that crafts the budget. He sends the budget over here to the Congress. The budget originates at the White House. It is his budget. So he sends us a budget, and in that budget they very specifically say, veterans ought to pay more for their medicine; veterans ought to pay a user fee; we are going to have less money for veterans nursing home care; we are going to have fewer nurses and other health care professionals working in our VA hospitals; we are going to have to close some hospitals; and, by the way, we are not going to keep the promise to provide the kind of resources that were necessary to construct new and better facilities for our veterans.

□ 2130

These are the facts. These are the facts.

I would invite any of my colleagues, Republican or Democrat, to come down here to the Chamber and join us tonight and dispute these facts. These are the facts, and they need to be exposed, because once the American people find out what is happening to America's veterans, I believe they are going to be outraged. And I think they are going to say, this cannot happen.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I just want to thank the gentleman again for having this special order tonight and pointing out what the veterans can do to turn this around.

We in this House cannot do it. We can point it out. We can have town hall meetings in the districts. We will do that. We can talk to the groups and organizations. But I do know that the veterans have the power to influence this body and the other body and the White House. If nothing else, they can put a circle around that White House and let them know that Humpty Dumpty must fall.

Mr. STRICKLAND. Mr. Speaker, one of the things that I say to veterans frequently is that all politicians like to be associated with veterans. You look at political brochures, you see political commercials and you see the President standing on a platform with flags on the ground and veterans standing around him.

I will admit, I like to be with veterans too, and I like to have veterans support me. But the fact is I think all the veterans, one of the ways they can fight back is they can say, you know, we will not get our picture made with any politician who does not support us. No more pictures, no more being on a platform. If the Representative or the Senator or the President does not support me, then I will not allow myself to be used in a picture or in a political brochure or in a political commercial to support that man or woman.

I think it is time that veterans start playing hard ball with us, because the fact is that we do respond to the feedback that we get from our constituents. I am just absolutely convinced, I would say to my friend from Florida, I am absolutely convinced that if we were to take a poll of the American people and we were to ask them if they felt that this country had an obligation to care for those who have fought our wars and defended our freedoms, the American people would say, Absolutely, and we support whatever it takes to make sure they get the kind of health care they need.

So I believe the American people are on the side of the veterans. And the administration may not be, the leaders of this House may not be, but the American people are exactly where they should be on this issue.

Ms. CORRINE BROWN of Florida. Mr. Speaker, I would say that if we did a poll, one of those CNN polls or one of those polls that we do every day, and ask, Do you want the 1 percent tax cut done away with to completely fund the veterans program, I bet we would get 75 or 80 percent saying, Let us fund the veteran program. Without a doubt, the American people want to pay their debt, and we owe these veterans.

It is not welfare. It is paying for people that have stood up for you in their prime, and now they need us. And what are we doing? We are giving tax breaks to people that contribute to our campaign. And that really bothers me because when you talk to the veterans, you know that they are vulnerable, they are sick, and they need the assistance.

Many of the people that you pass right here in D.C. on the street, homeless, are veterans that the system has failed. One-third of the homeless people are veterans.

Mr. STRICKLAND. Mr. Speaker, I just want to say in closing that I think what we are talking about here is a moral issue. We hear a lot of talk from politicians these days about moral behavior and immoral behavior. And quite frankly, I think that the way we treat the most vulnerable among us says something about our character. I think whether or not we keep the promises, the promises that have been

made to our children, to our older people, to our veterans says something about our character.

So I think what we are talking about here is more than just a political disagreement or a matter of judgment. I think it says something about the kind of people we are; and I would hope that those who are responsible for this terrible budget would reflect upon this.

Mr. Speaker, in closing I would just like to say I am so happy that our good ranking member, the gentleman from Illinois (Mr. EVANS) is here. The gentleman has been on the committee for much longer than I have, so he has the benefit of having the historical point of view, knowing from whence we have come. We appreciate his leadership.

I would just like to say to my friend from Florida, I want to thank you for taking the time to be here tonight and for assisting in this special order.

I was wondering if the gentlewoman has something to say in conclusion.

Ms. CORRINE BROWN of Florida. In conclusion, our work is cut out for us. We know what we have to do to educate the American people, to turn this horrible proposal for these veterans around.

I think one of the scriptures that I particularly like is, To whom God has given much, much is expected.

God has been good to America. It is important that America is good to the people that have stood up for us throughout the years.

This budget is unacceptable. I remember talking once to the veterans groups and I said, this administration, the Bush administration, talks a great talk, but they do not walk the walk. And this was the Paralyzed Veterans and they said, They do not roll the roll either. And that is truth.

But the key is, we together, Democrats and Republicans, and particularly the veterans' organizations can turn this around. We really need a dedicated source of funding. We should not have to deal with this every single year.

Mr. Speaker, the following is an article entitled ''Veterans Angered By Official's Comments.''

[From the Tribune-Herald, Feb. 7, 2005]

VETERANS ANGERED BY OFFICIAL'S COMMENTS

(By Richard L. Smith)

Let me see if I have this straight. We need to squeeze just a little more sacrifice out of our military veterans. Is that it?

That seems to be the implicit message of David Chu. He is an economist who spent the better part of the past quarter-century as a federal bureaucrat. He now directs the Pentagon human resource shop as under secretary of defense for personnel and readiness. Chu managed to outrage some veterans with his comments in a Jan. 25, 2005, interview with the Wall Street Journal.

If you believe Chu, money going for military retirement and veterans benefits would be better spent on weapons. He called the amounts of money expended on veterans ''hurtful'' to the national defense in the Journal article.

I sent a list of questions I had about Chu's remarks by e-mail to the Pentagon. I was told my questions could not be answered by my deadline. So I extended my deadline. I am still waiting to hear from the Defense Department.

Aggressive lobbying by veterans groups that brought about medical care for retired military helped bring about this great drain on fighting wars, Chu said in the article. He described it as ''painful'' to move money for new weapons programs to accounts that fund Tricare, the managed health care system for military personnel and retired service members over the age of 65. And, of course, the Pentagon official said proposals to reduce the reservist retirement age from 60 to 55 would also not be a good idea.

Chu's remarks did not go over well with everyone, if you can imagine that.

Bob Clements, a retired Air Force brigadier general from Carmichael, Calif., said he has a large e-mail network made up of hundreds of veterans. Clements sent out a message recently in which, in his words, he ''decided to cut loose'' on Chu. The retired fighter pilot and medic pointed out in an e-mail missive he launched that Chu knew that military retirees had until recently been slow to band together to protect their benefits. He urged veterans to continue to stand up and fight for their rights. Clements said he also has been around the block enough to know that such a high-level official ''is not spouting off'' on his own.

''I don't see how these remarks could be made by a subordinate without the secretary of defense's and the president's approval,'' Clements told me during a phone interview.

U.S. Rep. Chet Edwards, D-Waco, said he believes Chu was running an idea up the flagpole to see whether it gets saluted or picked off. Edwards prefers the latter.

''I hope that Secretary Chu doesn't reflect the administration's position,'' Edwards told me by phone from Washington. ''But if he does, that trial balloon should be shot down by howitzers.''

Edwards, who represented the Army's massive Fort Hood base until Texas Republicans redrew congressional districts in 2003, went to the House floor after the Journal article hit the streets and denounced Chu's remarks.

''The fact is that we are spending too little, not too much on our veterans and military retirees,'' the congressman told colleagues. ''The truth is that last year's budget for veterans health care did not even keep up with inflation. So, in effect, we had a real cut in veterans health care spending during a time of war. What happened to the principle of shared sacrifice during a time of war?''

Edwards said Chu's remarks were a slap in the face for veterans.

''I find Secretary Chu's statement to be offensive and outrageous,'' Edwards told me. ''It's offensive to every serviceman and woman who has ever put on the uniform and has been willing to risk their life for their country.''

Veterans organizations were also quick to condemn the statement made by Chu. A statement by the American Legion said that the government's care for its veterans was part of a moral contract that should not be broken. The Military Officers Association of America, which the Journal article called the main force behind retiree benefits, labeled Chu's assertions as ''baloney.''

If Chu is the Bush administration's canary in the coal mine of public opinion, then perhaps we are getting a glimpse of where veterans benefits are headed. Take retirement pay for example. Chu said in the article that the 19-year-old enlistee doesn't care about annuities. Young GI Joe or Jane would rather have the cash to buy a ''pickup truck,'' the Defense Department official told the Journal.

Edwards calls such a contention insulting to the young men and women who risk their lives to serve. Benefits, he said, are part of what helps the military attract and keep the high-caliber service members in its employ.

Of course, these benefits come from all of the taxpayers out there and not just veterans. But there does seem to be a high level of public support for those who are fighting our wars. Do you think those with ribbons magnets on their cars will begrudge health care to those troops who return home? It would seem hard to imagine. Why, some people probably wouldn't mind throwing in a pickup truck in as part of the package.

Mr. STRICKLAND. Mr. Speaker, I thank my friend.

In closing, I just say this. We have said a lot of things tonight. Some of those hearing what we said may object to what we have said. I would invite any Member of this Chamber, Republican or Democrat, to join us some time next week and we can debate these issues. If my Republican friends think that I am being unfair in what I am saying, I would welcome them to come to this Chamber next week so we can talk back and forth, because these are serious matters and I do not want to be unfair to anyone.

But I tell you, I do not want the President to get by with this budget without its being exposed. I do not want the leaders of this House to get by and say, these are tough budgetary times and everybody has got to take a hit. The veterans have already taken a hit. They have fought our wars. I do not think they should have to fight for the health care they need.

Ms. HERSETH. Mr. Speaker, as a member of the Veterans' Affairs Committee—and on behalf of thousands of veterans in South Dakota—I rise this evening with serious concerns about what the President's budget means for our nation's veterans.

As Congressman STRICKLAND and other of my colleagues have expressed, fulfilling the government's obligations to our veterans is a moral issue that reflects our national character. At a time in our nation's history when we are asking young men and women for tremendous service and sacrifice, we must send a clear message to them and their families that veterans' health care is considered an ongoing cost of national security during times of both war and peace. That consideration should be reflected in the President's budget, but it is not. With a new generation of veterans coming home from Iraq and Afghanistan, now is the time we should be proving that a promise made is a promise kept. At a time of tight budgets, it all comes down to priorities, and the needs of our country's veterans should be at the top of the priority list, not at the bottom.

I am concerned about what the President's budget means for the men and women who have fought to protect our individual and collective freedoms and what the budget means for the dedicated doctors, nurses and other personnel in VA medical centers and clinics across the country who strive to provide quality health care to our veterans. The plans to assess annual enrollment fees for certain veterans who desire to access care from the VA and to increase co-pays for veterans' prescription medications are unacceptable.

Our veterans deserve better than this budget, and that is why I am proud to be an original cosponsor of Ranking Member LANE

EVANS' Assured Funding bill. We should take veterans' health care funding out of annual budget fights as a top priority for our nation.

This weekend, as I return to South Dakota, it will be my honor to take part in a homecoming ceremony for the 147th Artillery unit from the northeast part of the state. As I meet these brave men and women, I will thank them for their service and exchange handshakes and hugs with them and their family members. Every member of Congress should be able to tell the troops when they return, with certainty, that our government will live up to its obligations in recognition of their service to the country. It is the right thing to do. And we will continue to fight for those who have served.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. NEUGEBAUER (at the request of Mr. DELAY) for February 8 on account of travel delays.

SPECIAL ORDERS GRANTED

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

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

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

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

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

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

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

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. SANDERS, for 5 minutes, today.

Ms. HERSETH, for 5 minutes, today.

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

Ms. WATSON, for 5 minutes, today.

Mr. CUELLAR, for 5 minutes, today.

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

Mr. GINGREY, for 5 minutes, today.

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

Mr. HYDE, for 5 minutes, today.

Mr. BOEHNER, for 5 minutes, today.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. KINGSTON, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

ADJOURNMENT

Mr. STRICKLAND. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 38 minutes p.m.), the House adjourned until tomorrow, Thursday, February 10, 2005, 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:

664. A letter from the Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Reporting Levels and Recordkeeping (RIN: 3038–AC08) received January 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

665. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule—Asian Longhorned Beetle; Addition to Quarantined Areas [Docket No. 04–130–1] received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

666. A letter from the Administrator, Rural Housing Service, Department of Agriculture, transmitting the Department's final rule—Surety Requirements (RIN: 0575–AC60) received January 7, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

667. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule—Importation of Clementines, Mandarins, and Tangerines From Chile [Docket No. 02–081–3] (RIN: 0579–AB77) received December 15, 2004, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

668. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting approval of Colonel Michael J. Lally III, whose name appears on an enclosed list, to wear the insignia of brigadier general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

669. A letter from the General Counsel/FEMA, Department of Homeland Security, transmitting the Department's final rule—Changes in Flood Elevation Determination [Docket No. FEMA–D–7565] received January 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

670. A letter from the General Counsel/FEMA, Department of Homeland Security, transmitting the Department's final rule—Suspension of Community Eligibility [Docket No. FEMA–7859] received January 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

671. A letter from the General Counsel/FEMA, Department of Homeland Security, transmitting the Department's final rule—Final Flood Elevation Determinations—received January 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

672. A letter from the General Counsel/FEMA, Department of Homeland Security, transmitting the Department's final rule—List of Communities Eligible for the Sale of Flood Insurance [Docket No. FEMA–7774] received January 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

673. A letter from the Assistant General Counsel for Regulatory Services, Office of Innovation and Improvement, Department of Education, transmitting the Department's final rule—Scientifically Based Evaluation Methods (RIN: 1890–ZA00) received February 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

674. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Gastroenterology-Urology Devices; Classification for External Penile Rigidity Devices [Docket No. 1998N–1111] received January 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

675. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Medical Devices; Obstetrical and Gynecological Devices; Classification of the Assisted Reproduction Laser System [Docket No. 2004N–0530] received January 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

676. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Cardiovascular and Neurological Devices; Reclassification of Two Embolization Devices [Docket No. 2003N–0567] received January 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

677. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule—Biological Products; Bacterial Vaccines and Toxoids; Implementation of Efficacy Review; Withdrawal [Docket No. 1980N–0208] received January 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

678. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule—Emergency Planning and Preparedness For Production And Utilization Facilites (RIN: 3150–AH00) received January 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

679. 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(a); to the Committee on International Relations.

680. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting pursuant to the Taiwan Relations Act, agreements concluded between January 1 and December 31, 2004, pursuant to 22 U.S.C. 3301, et. seq; to the Committee on International Relations.

681. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule—Schedule of Fees for Consular Services, Department of State and Overseas Embassies and Consulates (RIN: 1400–AB94; 1400–AB95) received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

682. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2005–13 pursuant to Section 1306 of the National Defense Authorization Act for FY 2003, pursuant to Public Law 107–314, section 1306; to the Committee on International Relations.

683. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–746, ''Lot 878 Square 456 Tax Exemption Clarification Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

684. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–747, ''Labor Relations and Collective Bargaining Amendment Act of 2004,'' pursuant to D.C. Code section 1–

233(c)(1); to the Committee on Government Reform.

685. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–754, ''Appointment of the Chief Medical Examiner Amendment Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

686. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–748, ''Incompetent Defendants Criminal Commitment Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

687. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–769, ''Lead-Based Paint Abatement and Control Amendment Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

688. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–749, ''Department of Youth Rehabilitation Services Establishment Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

689. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–758, ''Child in Need of Protection Amendment Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

690. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–755, ''Renewable Energy Portfolio Standard Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

691. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–675, ''Unemployment Compensation Weekly Benefits Amount Amendment Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

692. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–672, ''Heating Oil Clarification Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

693. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–681, ''District of Columbia Government Purchase Card Program Reporting Requirements Amendment Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

694. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–683, ''Debarment Procedures Amendment Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

695. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–750, ''Douglas Knoll, Golden Rule, 1728 W Street, and Wagner Gainesville Real Property Tax Exemption Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

696. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–687, ''Procedures for the Voluntary Withdrawal from the Market by Carriers Licensed in the District of Columbia to Sell Health Benefit Plans Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

697. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–738, ''Tax Abatement Adjustment for Housing Priority Area Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

698. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–752, ''District of Columbia Housing Authority Amendment Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

699. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–768, ''Carver 2000 Low-Income and Senior Housing Project Amendment Temporary Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

700. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–739, ''Long-Term Care Insurance Tax Deduction Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

701. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–762, ''Fiscal Year 2005 Southeast Veteran's Access Housing Inc., Budget Support Temporary Amendment Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

702. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–740, ''Health Care Ombudsman Program Establishment Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

703. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–763, ''Nonprofit Housing Organizations Tax Exemption Temporary Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

704. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–761, ''Anacostia Waterfront Corporation Board Expansion Temporary Amendment Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

705. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–744, ''Omnibus Public Safety Ex-Offender Self-Sufficiency Reform Amendment Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

706. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–760, ''Omnibus Utility Amendment Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

707. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 15–741, ''Rehabilitation Services Program Establishment Act of 2004,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

708. A letter from the Chairman, Christopher Columbus Fellowship Foundation, transmitting pursuant to the Accountability of Tax Dollars Act, the Foundation's quarterly financial statement, as of the first quarter of FY 2005 as prepared by the U.S. General Services Administration; to the Committee on Government Reform.

709. A letter from the Chairman, Federal Election Commission, transmitting the report in compliance with the Federal Managers Financial Integrity Act, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

710. A letter from the Chairman, Federal Trade Commission, transmitting the Commission's FY 2004 Performance and Accountability Report, as required by The Government Performance and Results Act of 1993 and The Accountability of Tax Dollars Act of FY 2002; to the Committee on Government Reform.

711. A letter from the General Counsel, General Accounting Office, transmitting the FY 2004 report of the instances in which a federal agency did not fully implement a recommendation made by the GAO in connection with a bid protest decided the prior fiscal year, pursuant to 31 U.S.C. 3554(e)(2)(2000); to the Committee on Government Reform.

712. A letter from the Director of Finance and Administration, James Madison Memorial Fellowship Foundation, transmitting the Foundation's financial statements in compliance with the Accountability of Tax Dollars Act of 2002; to the Committee on Government Reform.

713. A letter from the Office of the District of Columbia Auditor, transmitting a report entitled, ''Certification of the Fiscal Year 2005 Revised Revenue Estimate in Support of the District's $239,120,000 Obligation Bonds (Series 2004A and 2004B) and $147,250,000 Multimodal General Obligation Bond (Series 2004C)''; to the Committee on Government Reform.

714. A letter from the Director, Office of Management and Budget, transmitting the 2005 Federal Financial Management Report as required by the Chief Financial Officers (CFO) Act of 1990, marking the 13th report submitted by the Office of Management and Budget (OMB) on the government-wide status of financial management, pursuant to 31 U.S.C. 3512; to the Committee on Government Reform.

715. A letter from the Administrator, Office of Management and Budget, transmitting in accordance with Section 647(b) of Division F of the Consolidated Appropriations Act, FY 2004, Pub. L. 108–199, the Office's report on competitive sourcing efforts for FY 2004; to the Committee on Government Reform.

716. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the 2003 annual report on reasonably identifiable expenditures for the conservation of endangered or threatened species by Federal and State agencies, pursuant to 16 U.S.C. 1544; to the Committee on Resources.

717. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery and Northeast Multspecies Fishery; Framework 16 and Framework 39 [Docket No. 04089233–4363–03; I.D.080304B] (RIN: 0648–AR55) received January 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

718. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Christina River, Wilmington, DE [CGD05–04–168] (RIN: 1625–AA09) received Janaury 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

719. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Biscayne Bay, Atlantic Intracoastal Waterway, Miami River, and Miami Beach Channel, Miami-Dade County, FL [CGD07–04–108] (RIN: 1625–AA09) received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

720. A letter from the Chief, Regulations and Administrative Law, USCG, Department

of Homeland Security, transmitting the Department's final rule—Special Local Regulation; Annual Gasparilla Marine Parade, Hillsborough Bay, Tampa, FL. [CGD 07–05–001] (RIN: 1625–AA11) received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

721. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zones; Captain of the Port Buffalo Zone [CGD09–04–140] (RIN: 1625–AA00) received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

722. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Regulated Navigation Area, Chicago Sanitary and Ship Canal, Romeoville, IL [CGD09–05–001] (RIN: 1625–AA11) received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

723. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airspace Designations; Incorporation By Refence [Docket No. 29334; Amendment No. 71–36] received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

724. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Operating Requirements; Domestic, Flag, and Supplement Operations—received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

725. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—DoD Commercial Air Carrier Evaluators [Docket No. FAA–2003–15571; Amendment Nos. 119–8, 121–286, 135–83] (RIN: 2120–AI00) received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

726. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Regulation of Fractional Aircraft Ownership Programs and On-Demand Operations; Correction [Docket No. FAA–2001–10047; Amdt. No. 91–274] (RIN: 2120–AH06) received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

727. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Pyrotechnic Signaling Device Requirements [Docket No. FAA–2004–19947; Amendment No. 91–285] (RIN: 2120–AI42) received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

728. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Miscellaneous Cabin Safety Changes [Docket No. FAA–2004–19412, Amendment Nos. 25–116 and 121–306] (RIN: 2120–AF77) received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

729. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Emergency Evacuation Demonstration Procedures to Improve Participant Safety [Docket No. FAA–2004–19629, Amendment Nos. 25–117 and 121–307] (RIN: 2120–AF21) received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

730. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 30432; Amd. 452] received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

731. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30430; Amdt. 3110] received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

732. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30403; Amdt. No. 3088] received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

733. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30431; Amdt. No. 3111] received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

734. A letter from the Director, Regulations Management, National Cemetery Administration, Department of Veterans Affairs, transmitting the Department's final rule—Relocation of National Cemetery Administration Regulations (RIN: 2900–AM10) received January 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

735. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Elimination of Forms of Distribution in Defined Contribution Plans [TD 9176] (RIN: 1545–BC35) received January 26, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

736. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Check-the-Box Disclosure Authority—received January 26, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

737. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Appeals Settlement Guideline: Transaction Involving the Use of a Loan Assumption Agreement to Claim an Inflated Basis in Assets Acquired from Another Party—received January 26, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

738. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule—Life Insurance Contract Defined (Rev. Rul. 2005–6) received January 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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,a as follows:

Mr. SESSIONS: Committee on Rules. House Resolution 75. Resolution providing for further consideration of the bill (H.R. 418) to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, and to ensure expeditious construction of the San Diego border fence (Rept. 109–4). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. PETRI, Mr. DEFAZIO, Mr. BOEHLERT, Mr. RAHALL, Mr. COBLE, Mr. COSTELLO, Mr. DUNCAN, Ms. NORTON, Mr. GILCHREST, Mr. NADLER, Mr. MICA, Mr. MENENDEZ, Mr. HOEKSTRA, Ms. CORRINE BROWN of Florida, Mr. EHLERS, Mr. FILNER, Mr. BACHUS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LATOURETTE, Mr. TAYLOR of Mississippi, Mrs. KELLY, Ms. MILLENDER-MCDONALD, Mr. BAKER, Mr. CUMMINGS, Mr. NEY, Mr. BLUMENAUER, Mr. LOBIONDO, Mrs. TAUSCHER, Mr. MORAN of Kansas, Mr. PASCRELL, Mr. GARY G. MILLER of California, Mr. BOSWELL, Mr. HAYES, Mr. HOLDEN, Mr. SIMMONS, Mr. BAIRD, Mr. BROWN of South Carolina, Ms. BERKLEY, Mr. JOHNSON of Illinois, Mr. MATHESON, Mr. PLATTS, Mr. HONDA, Mr. GRAVES, Mr. LARSEN of Washington, Mr. KENNEDY of Minnesota, Mr. CAPUANO, Mr. SHUSTER, Mr. WEINER, Mr. BOOZMAN, Ms. CARSON, Mr. PEARCE, Mr. BISHOP of New York, Mr. GERLACH, Mr. MICHAUD, Mr. LINCOLN DIAZ-BALART of Florida, Mr. DAVIS of Tennessee, Mr. PORTER, Mr. CHANDLER, Mr. OSBORNE, Mr. HIGGINS, Mr. MARCHANT, Mr. CARNAHAN, Mr. SODREL, Ms. SCHWARTZ of Pennsylvania, Mr. DENT, Mr. SALAZAR, Mr. POE, Mr. REICHERT, Mr. MACK, Mr. KUHL of New York, Mr. FORTUÑO, Mr. WESTMORELAND, and Mr. BOUSTANY):

H.R. 3. A bill to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes.

By Mr. CANNON:

H.R. 679. A bill to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah; to the Committee on Resources.

By Mr. CANNON:

H.R. 680. A bill to direct the Secretary of Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah, and for other purposes; to the Committee on Resources.

By Mr. CANNON:

H.R. 681. A bill to amend the Mineral Leasing Act to authorize the Secretary of the Interior to issue separately, for the same area, a lease for tar sand and a lease for oil and gas, and for other purposes; to the Committee on Resources.

By Mr. MANZULLO (for himself, Mr. CHABOT, Mr. KING of Iowa, Mr. WESTMORELAND, Mr. PENCE, Mr. AKIN, and Mr. KELLER):

H.R. 682. A bill to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Texas:

H.R. 683. A bill to amend the Trademark Act of 1946 with respect to dilution by blurring or tarnishment; to the Committee on the Judiciary.

By Mr. THOMAS:

H.R. 684. A bill to amend title 28, United States Code, to provide an additional bankruptcy judge for the eastern district of California, and for other purposes; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself, Mr. AKIN, Mr. BLUNT, Mr. BURTON of Indiana, Mr. BUYER, Mr. CANNON, Mr. CANTOR, Mr. CASTLE, Mr. CHABOT, Mr. COBLE, Mr. DREIER, Mr. ENGLISH of Pennsylvania, Mr. GOODE, Ms. HART, Mr. FRANKS of Arizona, Mr. HOSTETTLER, Mr. JENKINS, Mr. KING of Iowa, Mr. KENNEDY of Minnesota, Mr. KOLBE, Mr. LATOURETTE, Mr. OTTER, Ms. PRYCE of Ohio, Mr. REYNOLDS, Mr. ROGERS of Michigan, Mr. ROYCE, Mr. RYUN of Kansas, Mr. SESSIONS, Mr. SIMPSON, Mr. SMITH of Texas, Mr. WAMP, Mr. GARY G. MILLER of California, Mr. TERRY, Mr. BOUCHER, Mr. ANDREWS, Mr. GOODLATTE, Mr. DANIEL E. LUNGREN of California, Mr. FEENEY, Mr. LINDER, Mr. BOEHNER, Mr. PLATTS, Mr. OXLEY, Mr. PENCE, Mr. LEWIS of Kentucky, Mr. KELLER, Mr. FOLEY, Mr. CROWLEY, Mr. SMITH of Washington, Mrs. BIGGERT, Mr. ISSA, Mr. BAKER, Mrs. BLACKBURN, Mr. DAVIS of Florida, Ms. HOOLEY, Mr. GILLMOR, Mr. DENT, Mr. BARTLETT of Maryland, Mr. BACHUS, Mr. NEY, Mrs. MUSGRAVE, and Mr. TIBERI):

H.R. 685. A bill to amend title 11 of the United States Code, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CUMMINGS (for himself and Mr. RUPPERSBERGER):

H.R. 686. A bill to amend title XVIII of the Social Security Act to provide whistleblower protection to employees of clinical laboratories who furnish services 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 Mr. BAKER (for himself, Mr. MCCRERY, Mr. ALEXANDER, Mr. PLATTS, Mr. BOUSTANY, Mr. BOUCHER, Mr. JINDAL, Mr. GOODE, Mr. FORBES, Mr. MELANCON, and Mr. WOLF):

H.R. 687. A bill to establish a commission to commemorate the sesquicentennial of the American Civil War; to the Committee on Government Reform.

By Mr. BARRETT of South Carolina:

H.R. 688. A bill to amend the Immigration and Nationality Act to bar the admission, and facilitate the removal, of alien terrorists and their supporters and fundraisers, to secure our borders against terrorists, drug traffickers, and other illegal aliens, to facilitate the removal of illegal aliens and aliens who are criminals or human rights abusers, to reduce visa, document, and employment fraud, to temporarily suspend processing of certain visas and immigration benefits, to reform the legal immigration system, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARTLETT of Maryland (for himself, Mr. AKIN, Mr. PAUL, Mr. PITTS, Mr. WILSON of South Carolina, Mrs. CUBIN, Mr. KING of Iowa, Mr. FLAKE, Mr. DOOLITTLE, Mr. OTTER, Mrs. JO ANN DAVIS of Virginia, Mr. SAM JOHNSON of Texas, Mr. GARRETT of New Jersey, Mr. JONES of North Carolina, Mr. TERRY, Mr. HENSARLING, Mr. NORWOOD, Mr. MANZULLO, Mr. LEWIS of Kentucky, Mr. PENCE, Mr. GUTKNECHT, Mr. MILLER of Florida, Mr. FEENEY, Mr. REHBERG, Mr. MCHENRY, Mr. HOSTETTLER, Mr. CULBERSON, Mrs. DRAKE, Mr. WESTMORELAND, Mr. BARRETT of South Carolina, Mr. CARTER, Mr. CHABOT, Mr. COX, Mr. CONAWAY, Mr. NEUGEBAUER, Mr. SENSENBRENNER, Mr. KLINE, Mr. GINGREY, Mr. BURTON of Indiana, and Mr. LINDER):

H.R. 689. A bill to amend the Federal Election Campaign Act of 1971 to repeal the requirement that persons making disbursements for electioneering communications file reports on such disbursements with the Federal Election Commission and the prohibition against the making of disbursements for electioneering communications by corporations and labor organizations, and for other purposes; to the Committee on House Administration.

By Mr. BARTLETT of Maryland:

H.R. 690. A bill to amend the National Trails System Act to authorize an additional category of national trail known as a national discovery trail, to provide special requirements for the establishment and administration of national discovery trails, and to designate the cross-country American Discovery Trail as the first national discovery trail; to the Committee on Resources.

By Mr. BILIRAKIS:

H.R. 691. A bill to ensure the availability of spectrum to amateur radio operators; to the Committee on Energy and Commerce.

By Mr. BILIRAKIS:

H.R. 692. A bill to amend title 5, United States Code, to provide that the Civil Service Retirement and Disability Fund be excluded from the Federal budget; to the Committee on the Budget, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUTTERFIELD:

H.R. 693. A bill to amend title 38, United States Code, to require Department of Veterans Affairs pharmacies to dispense medications to veterans for prescriptions written by private practitioners, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CLYBURN (for himself, Mr. BROWN of South Carolina, Mr. WILSON of South Carolina, Mr. MCINTYRE, Mr. KINGSTON, Mr. CRENSHAW, Ms. CORRINE BROWN of Florida, and Mr. MICA):

H.R. 694. A bill to enhance the preservation and interpretation of the Gullah/Geechee cultural heritage, and for other purposes; to the Committee on Resources.

By Mr. CONYERS:

H.R. 695. A bill to amend the Sherman Act to make oil-producing and exporting cartels illegal; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 696. A bill to establish grants to improve and study the National Domestic Violence Hotline; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, 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. JO ANN DAVIS of Virginia (for herself and Mrs. CAPPS):

H.R. 697. A bill to amend title 5, United States Code, to create a presumption that disability of a Federal employee in fire protection activities caused by certain conditions is presumed to result from the performance of such employee's duty; to the Committee on Education and the Workforce.

By Mr. DEAL of Georgia (for himself, Mr. BURTON of Indiana, Mrs. JO ANN DAVIS of Virginia, Mr. GINGREY, Mr. KINGSTON, Mr. ROHRABACHER, Mr. SMITH of Texas, Mr. JONES of North Carolina, Mr. NORWOOD, Mr. BAKER, Mr. BARTLETT of Maryland, Mr. DUNCAN, Mr. GARRETT of New Jersey, Mr. GOODE, Mr. MANZULLO, Mr. GARY G. MILLER of California, and Mr. TANCREDO):

H.R. 698. A bill to amend the Immigration and Nationality Act to deny citizenship at birth to children born in the United States of parents who are not citizens or permanent resident aliens; to the Committee on the Judiciary.

By Ms. DEGETTE (for herself, Mr. CASTLE, Mr. BECERRA, and Mr. WELDON of Pennsylvania):

H.R. 699. A bill to amend title XIX of the Social Security Act to include podiatrists as physicians for purposes of covering physicians services under the Medicaid Program; to the Committee on Energy and Commerce.

By Mrs. EMERSON (for herself, Mr. BROWN of Ohio, Mrs. NORTHUP, Mr. BERRY, Mr. WAMP, Mr. ALLEN, Mr. MOORE of Kansas, and Mr. SANDERS):

H.R. 700. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ENGLISH of Pennsylvania:

H.R. 701. A bill to amend the Federal Election Campaign Act of 1971 to prohibit an authorized committee of a winning candidate for election for Federal office which received a personal loan from the candidate from making any repayment on the loan after the date on which the candidate begins serving in such office; to the Committee on House Administration.

By Mr. ENGLISH of Pennsylvania:

H.R. 702. A bill to amend the Federal Election Campaign Act of 1971 to prohibit the use of any contribution made to a candidate for election for Federal office, or any donation made to an individual as support for the individual's activities as the holder of a Federal office, for the payment of a salary to the candidate or individual or to any member of the immediate family of the candidate or individual; to the Committee on House Administration.

By Mr. GARRETT of New Jersey:

H.R. 703. A bill to amend the Internal Revenue Code of 1986 to modify the alternative minimum tax on individuals by permitting the deduction for State and local taxes and to adjust the exemption amounts for inflation; to the Committee on Ways and Means.

By Mr. GIBBONS (for himself and Ms. BERKLEY):

H.R. 704. A bill to amend the Help America Vote Act of 2002 to require a voter-verified permanent record or hardcopy under title III of such Act, and for other purposes; to the Committee on House Administration.

By Mr. GILCHREST (for himself and Mr. OLVER):

H.R. 705. A bill to amend title 49, United States Code, to require phased increases in the fuel efficiency standards applicable to light trucks; to require fuel economy standards for automobiles up to 10,000 pounds

gross vehicle weight; to increase the fuel economy of the Federal fleet of vehicles, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HEFLEY (for himself, Mr. TANCREDO, Mr. BEAUPREZ, Mr. UDALL of Colorado, Mr. SALAZAR, Mrs. MUSGRAVE, and Ms. DEGETTE):

H.R. 706. A bill to amend title 28, United States Code, to provide for an additional place of holding court in the District of Colorado; to the Committee on the Judiciary.

By Mr. ISRAEL:

H.R. 707. A bill to amend the Harmonized Tariff Schedule of the United States with respect to rattan webbing; to the Committee on Ways and Means.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. EDWARDS, Mr. BISHOP of Georgia, Ms. CORRINE BROWN of Florida, Ms. CARSON, Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, Mr. CUMMINGS, Mr. DAVIS of Alabama, Mr. CONYERS, Mr. HASTINGS of Florida, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mrs. JONES of Ohio, Mr. LEWIS of Georgia, Ms. MILLENDER-MCDONALD, Ms. NORTON, Mr. OWENS, Mr. PAYNE, Mr. RUSH, Mr. SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. WATERS, Ms. WATSON, Mr. WATT, Mr. JEFFERSON, Ms. MOORE of Wisconsin, Mr. BUTTERFIELD, Mr. MEEKS of New York, Mr. AL GREEN of Texas, Mr. WYNN, and Mr. RANGEL):

H.R. 708. A bill to waive the time limitation specified by law for the award of certain military decorations in order to allow the posthumous award of the Congressional Medal of Honor to Doris Miller for actions while a member of the Navy during World War II; to the Committee on Armed Services.

By Mr. SAM JOHNSON of Texas (for himself, Mr. HERGER, and Mr. NORWOOD):

H.R. 709. A bill to amend title XVIII of the Social Security Act to clarify the right of Medicare beneficiaries to enter into private contracts with physicians and other health care professionals for the provision of health services for which no payment is sought under the Medicare Program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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. KAPTUR (for herself, Mr. BLUMENAUER, Mr. CASE, Mr. DEFAZIO, Mr. GRIJALVA, Mrs. JONES of Ohio, Ms. KILPATRICK of Michigan, Mr. LATOURETTE, Mr. MARSHALL, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mr. MORAN of Virginia, Mr. SCOTT of Georgia, Mr. SERRANO, and Ms. SLAUGHTER):

H.R. 710. A bill to authorize the Secretary of Agriculture to provide financial assistance for the construction, improvement, and rehabilitation of farmers markets; to the Committee on Agriculture.

By Mr. KENNEDY of Rhode Island:

H.R. 711. A bill to expand the powers of the Attorney General to regulate the manufacture, distribution, and sale of firearms and ammunition, and to expand the jurisdiction of the Attorney General to include firearm products and nonpowder firearms; to the Committee on the Judiciary.

By Mr. KING of Iowa (for himself, Mr. SAM JOHNSON of Texas, Mr. PENCE, Mr. KUCINICH, Mr. MILLER of Florida, Mr. AKIN, Mr. PAUL, Mr. MORAN of Virginia, Mr. GOODE, Mr. OTTER, Mr. GUTKNECHT, Mr. BOOZMAN, and Mrs. CHRISTENSEN):

H.R. 712. A bill to amend title XVIII of the Social Security Act to exclude coverage of drugs prescribed for the treatment of impotence under the Medicare prescription drug benefit; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Kentucky (for himself, Mr. KINGSTON, Mr. BERRY, Mrs. CUBIN, Mr. BISHOP of Georgia, Mr. HOSTETTLER, Mr. TERRY, Mr. MCINTYRE, Mr. JENKINS, Mr. BUTTERFIELD, Mr. WHITFIELD, Mr. ENGLISH of Pennsylvania, and Mr. ROGERS of Kentucky):

H.R. 713. A bill to amend the Internal Revenue Code of 1986 to provide a credit to certain agriculture-related businesses for the cost of protecting certain chemicals; to the Committee on Ways and Means.

By Mrs. MALONEY:

H.R. 714. A bill to protect the civil rights of victims of gender-motivated violence and to promote public safety, health, and regulate activities affecting interstate commerce by creating employer liability for negligent conduct that results in an individual's committing a gender-motivated crime of violence against another individual on premises controlled by the employer, and for other purposes; to the Committee on Education and the Workforce, and 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.

By Mr. MCHUGH:

H.R. 715. A bill to extend the time within which claims may be filed under the September 11th Victim Compensation Fund; to the Committee on the Judiciary.

By Mr. MCNULTY:

H.R. 716. A bill to amend title 10, United States Code, to provide that military reservists who are retained in active status after qualifying for reserve retired pay shall be given credit toward computation of such retired pay for service performed after so qualifying; to the Committee on Armed Services.

By Mr. MICHAUD (for himself and Mr. MILLER of Florida):

H.R. 717. A bill to amend title 38, United States Code, to expand the scope of programs of education for which accelerated payments of educational assistance under the Montgomery GI Bill may be used, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MILLER of Michigan:

H.R. 718. A bill to amend the Federal Water Pollution Control Act to direct the Great Lakes National Program Office of the Environmental Protection Agency to develop, implement, monitor, and report on a series of indicators of water quality and related environmental factors in the Great Lakes; to the Committee on Transportation and Infrastructure.

By Mr. MORAN of Kansas (for himself, Mr. OTTER, and Mr. FLAKE):

H.R. 719. A bill to facilitate the sale of United States agricultural products to Cuba, as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000; to the Committee on International Relations, and in addition to the Committees on the Judiciary, Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER:

H.R. 720. A bill to provide for income tax treatment relating to certain losses arising from, and grants made as a result of, the September 11, 2001, terrorist attacks on New York City; to the Committee on Ways and Means.

By Mr. NEUGEBAUER:

H.R. 721. A bill to amend the Federal Crop Insurance Act to require the Federal Crop Insurance Corporation to offer farmers supplemental crop insurance based on an area yield and loss plan of insurance, and for other purposes; to the Committee on Agriculture.

By Mr. OBERSTAR (for himself, Mr. CUMMINGS, Mr. NADLER, Mr. MICHAUD, Mr. LARSEN of Washington, Mr. MATHESON, Mr. CAPUANO, Mr. CHANDLER, Ms. CORRINE BROWN of Florida, Mr. HOLDEN, Ms. MILLENDER-MCDONALD, Mr. TAYLOR of Mississippi, Mr. BLUMENAUER, Ms. SCHWARTZ of Pennsylvania, Mr. HONDA, Ms. BERKLEY, Mr. WEINER, Ms. NORTON, Mr. HIGGINS, Mr. COSTELLO, Mr. RAHALL, Mr. BAIRD, Mr. DEFAZIO, Mr. SALAZAR, Ms. CARSON, Mr. BOSWELL, and Mr. CARNAHAN):

H.R. 722. A bill to authorize programs and activities to improve energy use related to transportation and infrastructure facilities; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Science, Ways and Means, and Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMBO (for himself, Mr. DOOLITTLE, and Mr. NUNES):

H.R. 723. A bill to direct the Secretary of Transportation to conduct a study to determine the feasibility of constructing a highway in California connecting State Route 130 in Santa Clara County with Interstate Route 5 in San Joaquin County, and to determine the feasibility of constructing a fixed guideway system along the right-of-way of the highway; to the Committee on Transportation and Infrastructure.

By Mr. RADANOVICH (for himself, Mr. COSTA, Mr. NUNES, Mr. LEWIS of California, and Mr. CARDOZA):

H.R. 724. A bill to designate the United States courthouse located at 2500 Tulare Street in Fresno, California, as the ''Robert E. Coyle United States Courthouse''; to the Committee on Transportation and Infrastructure.

By Mr. ROGERS of Michigan:

H.R. 725. A bill to amend the Paperwork Reduction Act and titles 5 and 31, United States Code, to reform Federal paperwork and regulatory processes; to the Committee on Government Reform.

By Ms. LORETTA SANCHEZ of California (for herself, Mr. BUTTERFIELD, Ms. MILLENDER-MCDONALD, Mr. MOORE of Kansas, Mr. PETERSON of Minnesota, and Mr. EVANS):

H.R. 726. A bill to amend the Internal Revenue Code of 1986 to require the abatement of interest on erroneous refund checks without regard to the size of the refund; to the Committee on Ways and Means.

By Ms. LORETTA SANCHEZ of California (for herself, Mr. PAUL, and Mrs. KELLY):

H.R. 727. A bill to amend the Internal Revenue Code of 1986 to allow the deduction for health insurance costs of self-employed individuals to be allowed in computing self-employment taxes; to the Committee on Ways and Means.

By Mr. SANDERS (for himself, Mr. JONES of North Carolina, Mr. DEFAZIO, Mr. ROHRABACHER, Ms. KAPTUR, Mr. GOODE, Mr. STRICKLAND, Mr. WAMP, Mr. VISCLOSKY, Mr. SMITH of New Jersey, Mr. LIPINSKI, Mr. SENSENBRENNER, Mr. TAYLOR of Mississippi, Mr. TANCREDO, Mr. MICHAUD, Mr. HOSTETTLER, Mr. RYAN of Ohio, Mr. NEY, Mr. PALLONE, Mr. DUNCAN, Mr. GRIJALVA, Mr. WOLF, Mr. KILDEE, Ms. ROS-LEHTINEN, Mr. OLVER, Mr. COBLE, Ms. CORRINE BROWN of Florida, Mr. HEFLEY, Mr. EVANS, Mr. TAYLOR of North Carolina, Mr. MCINTYRE, Ms. BALDWIN, Mr. BACA, Ms. KILPATRICK of Michigan, Mr. GENE GREEN of Texas, Mr. KUCINICH, Ms. SLAUGHTER, Mr. FILNER, Mr. PASTOR, Mr. ABERCROMBIE, Mr. COSTELLO, Mr. HINCHEY, Mr. BROWN of Ohio, Mr. BURTON of Indiana, Mr. HOLDEN, Ms. LEE, Mr. PAYNE, Ms. SOLIS, Mr. RAHALL, Mr. JACKSON of Illinois, Mr. NADLER, Mr. HIGGINS, Mr. MOLLOHAN, Ms. WOOLSEY, Mr. OWENS, Mr. PASCRELL, Ms. SCHAKOWSKY, Mr. FRANK of Massachusetts, Mr. LEWIS of Georgia, Mr. TOWNS, Mr. PETERSON of Minnesota, and Mr. CAPUANO):

H.R. 728. A bill to withdraw normal trade relations treatment from the products of the People's Republic of China; to the Committee on Ways and Means.

By Mr. STARK:

H.R. 729. A bill to assure cost credibility of the Medicare prescription drug benefit; 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. TAUSCHER:

H.R. 730. A bill to amend title 10, United States Code, to provide a temporary increase in the minimum end strength level for active duty personnel for the Army, the Marine Corps, and the Air Force, and for other purposes; to the Committee on Armed Services.

By Mr. UDALL of Colorado (for himself and Mr. OTTER):

H.R. 731. A bill to reaffirm the authority of States to regulate certain hunting and fishing activities; to the Committee on Resources.

By Mr. UDALL of New Mexico:

H.R. 732. A bill to establish the Northern Rio Grande National Heritage Area in the State of New Mexico, and for other purposes; to the Committee on Resources.

By Mr. WEINER:

H.R. 733. A bill to require providers of wireless telephone services to provide access to the universal emergency telephone number in subterranean subway stations located within their area of coverage; to the Committee on Energy and Commerce.

By Mr. WEINER:

H.R. 734. A bill to improve the safe operation of aircraft; to the Committee on Transportation and Infrastructure.

By Mr. WEINER:

H.R. 735. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, chapter 89 of title 5, United States Code, and title 10, United States Code, to require coverage for the treatment of infertility; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, Government Reform, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEINER:

H.R. 736. A bill to require the establishment of regional consumer price indices to compute cost-of-living increases under the programs for Social Security and Medicare and other medical benefits under titles II and XVIII of the Social Security Act; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, 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. WOOLSEY:

H.R. 737. A bill to establish an energy program for the United States that unlocks the potential of renewable energy and energy efficiency, and for other purposes; to the Committee on Science.

By Mr. ENGEL (for himself, Mr. HASTINGS of Florida, Mr. MCNULTY, and Mr. FRANK of Massachusetts):

H.J. Res. 17. A joint resolution proposing an amendment to the Constitution of the United States to provide for the direct election of the President and Vice President by the popular vote of the citizens of the United States; to the Committee on the Judiciary.

By Mr. GOODE (for himself, Mr. JONES of North Carolina, Mr. PAUL, Mr. SESSIONS, Mrs. JO ANN DAVIS of Virginia, Mr. NORWOOD, Mr. ROHRABACHER, Mr. ROYCE, Mr. TANCREDO, Mr. GINGREY, Mr. BARTLETT of Maryland, Mr. MANZULLO, Mr. HAYWORTH, Mr. OTTER, Mr. DUNCAN, Mr. ISSA, Mr. SULLIVAN, Mr. SAM JOHNSON of Texas, Mr. DOOLITTLE, Mr. CULBERSON, Mr. BARRETT of South Carolina, Mr. BRADLEY of New Hampshire, Mr. HOSTETTLER, Mr. WELDON of Florida, Mr. GARY G. MILLER of California, and Mrs. MYRICK):

H. Con. Res. 50. Concurrent resolution expressing disapproval by the Congress of the totalization agreement between the United States and Mexico signed by the Commissioner of Social Security and the Director General of the Mexican Social Security Institute on June 29, 2004; to the Committee on Ways and Means.

By Mr. MCNULTY:

H. Con. Res. 51. Concurrent resolution expressing the sense of Congress regarding the primary author and the official home of ''Yankee Doodle''; to the Committee on Government Reform.

By Mr. SULLIVAN (for himself, Mr. HOSTETTLER, Mr. MILLER of Florida, Mr. PITTS, Mr. GARRETT of New Jersey, Mr. AKIN, Mr. PICKERING, Mr. SHIMKUS, Mr. BARTLETT of Maryland, Mr. FRANKS of Arizona, Mr. ADERHOLT, Mr. TERRY, Mr. WOLF, and Mr. GINGREY):

H. Con. Res. 52. Concurrent resolution expressing the sense of Congress supporting vigorous enforcement of the Federal obscenity laws; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA (for himself, Mr. TOWNS, Mr. GRIJALVA, Mrs. NAPOLITANO, Mr. FALEOMAVAEGA, Mr. MCDERMOTT, Mr. PALLONE, and Mr. KILDEE):

H. Res. 76. A resolution recognizing and honoring the achievements and contributions of Native Americans of the United States and urging the establishment and observation of a paid legal public holiday in honor of Native Americans; to the Committee on Resources.

By Mrs. JO ANN DAVIS of Virginia:

H. Res. 77. A resolution recognizing the 10th anniversary of the New Transatlantic Agenda, acknowledging the continued importance of the transatlantic partnership between the United States and Europe, and promoting new initiatives to strengthen that partnership; to the Committee on International Relations.

By Mr. EMANUEL (for himself, Mr. FOLEY, Mr. DINGELL, Ms. SCHAKOWSKY, Mr. LIPINSKI, and Ms. JACKSON-LEE of Texas):

H. Res. 78. A resolution recognizing the importance of designating the Republic of Poland as a program country for purposes of the visa waiver program under section 217 of the Immigration and Nationality Act and urging the Secretary of Homeland Security and the Secretary of State to assist Poland in qualifying for such program; to the Committee on the Judiciary.

By Mr. GONZALEZ (for himself, Mr. SMITH of Texas, Mr. BONILLA, and Mr. CUELLAR):

H. Res. 79. A resolution recognizing the public service of Archbishop Patrick Flores; to the Committee on Government Reform.

By Mr. GOODE (for himself, Mrs. JO ANN DAVIS of Virginia, Mrs. DRAKE, Mr. SCOTT of Virginia, Mr. FORBES, Mr. GOODLATTE, Mr. CANTOR, Mr. MORAN of Virginia, Mr. BOUCHER, Mr. WOLF, Mr. TOM DAVIS of Virginia, Mr. MCINTYRE, Mr. GARRETT of New Jersey, Mr. JONES of North Carolina, Mr. CASTLE, Mr. GILCHREST, Mr. HAYES, Mr. BARTLETT of Maryland, Mr. PAUL, Mr. HOYER, Mr. TAYLOR of North Carolina, Mr. HALL, Mr. COBLE, Mr. MENENDEZ, Mr. PITTS, Mrs. CAPITO, Mr. GERLACH, Mr. WELDON of Pennsylvania, Mr. SHUSTER, Mr. MOLLOHAN, Mr. MURTHA, Mr. HOLDEN, Mr. DOYLE, Mr. KANJORSKI, Mr. FATTAH, Mr. PETERSON of Pennsylvania, Mr. SAXTON, Mr. FERGUSON, Mr. SHERWOOD, Mr. PLATTS, Mr. BARRETT of South Carolina, Mr. WATT, Mr. FRELINGHUYSEN, Mr. RAHALL, Mr. PRICE of North Carolina, Mr. BUTTERFIELD, Mr. PALLONE, Mr. ROTHMAN, Mr. VAN HOLLEN, Mr. RUPPERSBERGER, and Mr. LOBIONDO):

H. Res. 80. A resolution recognizing the Virginia Fire Chief's Association on the occasion of its 75th anniversary and commending the Virginia Fire Chief's Association for sponsoring annually the Mid-Atlantic Expo and Symposium; to the Committee on Government Reform.

By Mr. GREEN of Wisconsin:

H. Res. 81. A resolution directing the Clerk of the House of Representatives to post on the official public Internet site of the House of Representatives all lobbying registrations and reports filed with the Clerk under the Lobbying Disclosure Act of 1995; to the Committee on the Judiciary.

By Ms. LEE (for herself, Mr. MCDERMOTT, Mrs. JONES of Ohio, Ms. WOOLSEY, Mr. SERRANO, Mr. KUCINICH, Mr. GEORGE MILLER of California, Mr. STARK, Ms. KILPATRICK of Michigan, Mr. PAYNE, Mr. HOLT, and Ms. WATERS):

H. Res. 82. A resolution disavowing the doctrine of preemption; to the Committee on International Relations.

By Mr. PALLONE:

H. Res. 83. A resolution expressing the sense of the House of Representatives that India should be a permanent member of the

United Nations Security Council; to the Committee on International Relations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. MARKEY introduced A bill (H.R. 738) for the relief of Esther Karinge; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

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

H.R. 20: Mr. BOYD.

H.R. 22: Ms. SLAUGHTER.

H.R. 23: Mr. COSTELLO, Mr. BRADY of Pennsylvania, Ms. HARMAN, Mrs. CHRISTENSEN, Mr. WILSON of South Carolina, Mr. GENE GREEN of Texas, Mr. VAN HOLLEN, Mr. BROWN of South Carolina, Mr. BAIRD, Mr. RYUN of Kansas, Mr. DAVIS of Florida, Mr. SANDERS, Mr. TOWNS, and Mr. UDALL of New Mexico.

H.R. 25: Mr. GARY G. MILLER of California and Mr. BARTLETT of Maryland.

H.R. 29: Mr. INSLEE.

H.R. 32: Mr. WILSON of South Carolina.

H.R. 37: Mr. BASS and Mr. FEENEY.

H.R. 64: Mr. LEWIS of Kentucky, Mr. GOODLATTE, Mr. RYAN of Wisconsin, Mr. BONNER, Mr. SAXTON, and Mr. GREEN of Wisconsin.

H.R. 68: Mr. DEAL of Georgia, Mr. FORBES, Ms. GRANGER, Mr. GRAVES, Mr. JENKINS, Mr. GARY G. MILLER of California, Mr. PLATTS, Mr. PRICE of Georgia, Mr. ROGERS of Michigan, Mr. SHADEGG, Mr. SHUSTER, Mr. SMITH of Texas, and Mr. SHERWOOD.

H.R. 69: Mr. HOSTETTLER, Mr. MCCOTTER, Mr. LAHOOD, Mr. GREEN of Wisconsin, Mr. MILLER of Florida, Mr. HALL, Mr. FORTUÑO, Mr. MANZULLO, Mr. SODREL, Mr. GILLMOR, Mr. ISSA, Mr. FORBES, Mr. TERRY, and Mr. SOUDER.

H.R. 72: Mr. SODREL.

H.R. 95: Mr. PORTER, Mr. SCHWARZ of Michigan, Mr. ROSS, and Mr. GREEN of Wisconsin.

H.R. 98: Mr. COLE of Oklahoma.

H.R. 132: Mr. FLAKE, Mr. FOLEY, and Mr. PUTNAM.

H.R. 133: Ms. BORDALLO, Mr. WAXMAN, Mr. ENGLISH of Pennsylvania, and Mr. EDWARDS.

H.R. 156: Mr. SCHIFF, Mr. BARTLETT of Maryland, Mrs. CHRISTENSEN, Mr. BILIRAKIS, Mr. SHAYS, Mrs. JONES of Ohio, and Mr. GARY G. MILLER of California.

H.R. 162: Mr. DAVIS of Illinois.

H.R. 179: Mr. LAHOOD and Mr. WEXLER.

H.R. 180: Mr. WEXLER.

H.R. 181: Mr. GUTKNECHT and Mr. NEUGEBAUER.

H.R. 183: Mr. GINGREY.

H.R. 185: Mr. MARIO DIAZ-BALART of Florida.

H.R. 227: Mr. BISHOP of New York.

H.R. 266: Mr. MCCAUL of Texas.

H.R. 278: Mr. LINDER.

H.R. 282: Mr. PICKERING, Mr. DOOLITTLE, Mrs. KELLY, Mr. WALSH, Mr. RENZI, Mr. EMANUEL, Mr. LIPINSKI, Mr. GORDON, and Mr. DENT.

H.R. 284: Mr. LAHOOD and Mr. KIRK.

H.R. 297: Mr. CASE, Mr. GOODE, Mr. VAN HOLLEN, Mrs. TAUSCHER, Ms. WOOLSEY, Mr. RANGEL, and Mr. KILDEE.

H.R. 302: Mr. GEORGE MILLER of California, and Mr. SABO.

H.R. 303: Mr. LINCOLN DIAZ-BALART of Florida, Mr. EVANS, Mr. VAN HOLLEN, Mr. OBERSTAR, and Mr. PLATTS.

H.R. 305: Mr. GARY G. MILLER of California, Mr. RANGEL, Mr. GORDON, Mr. CRENSHAW, Mr. WOLF, Mr. HALL, Mr. MILLER of Florida, Mr. GILLMOR, Mr. ROSS, Mr. KOLBE, Mr. WAMP, Mr. BARTLETT of Maryland, Mr. PAUL, Mr. ISSA, Mr. TERRY, Mr. BARRETT of South Carolina, and Mr. SOUDER.

H.R. 310: Mr. SOUDER, Mr. BARRETT of South Carolina, Mr. BILIRAKIS, Mr. HAYWORTH, Mr. WILSON of South Carolina, Mr. NORWOOD, Mrs. CUBIN, Mr. GREEN of Wisconsin, Mr. KENNEDY of Minnesota, Mr. DENT, Mr. GENE GREEN of Texas, Mr. SCHWARZ of Michigan, Mr. MCINTYRE, Mr. CULBERSON, and Mr. JOHNSON of Illinois.

H.R. 313: Mr. WALDEN of Oregon.

H.R. 314: Mr. FORTUÑO and Mr. MCCAUL of Texas.

H.R. 328: Mr. MOORE of Kansas and Ms. MCCOLLUM of Minnesota.

H.R. 383: Mr. REHBERG.

H.R. 407: Ms. FOXX.

H.R. 408: Mr. SIMMONS.

H.R. 418: Mr. FLAKE, Mr. HEFLEY, and Ms. GRANGER.

H.R. 444: Mrs. LOWEY, Ms. BORDALLO, Mr. GRIJALVA, and Mr. CLEAVER.

H.R. 459: Mr. COSTELLO.

H.R. 461: Mrs. TAUSCHER, Ms. WATERS, Mr. ENGEL, and Mr. OWENS.

H.R. 467: Ms. BERKLEY, Mr. HINCHEY, Mr. GUTIERREZ, Mr. RANGEL, Mrs. CHRISTENSEN, Mr. ENGEL, and Mr. NADLER.

H.R. 469: Mr. REYES.

H.R. 474: Mr. BEAUPREZ.

H.R. 475: Mr. CONYERS and Mrs. LOWEY.

H.R. 476: Mr. CONYERS.

H.R. 492: Mr. CARDOZA.

H.R. 496: Ms. KAPTUR, Ms. MCCOLLUM of Minnesota, Mr. BUTTERFIELD, Mr. FRANK of Massachusetts, Ms. JACKSON-LEE of Texas, Mr. SANDERS, and Mr. BERMAN.

H.R. 500: Mr. RADANOVICH, Mr. WAMP, Mr. HAYWORTH, Mr. BOOZMAN, Mrs. DRAKE, Mr. JONES of North Carolina, Mr. BARTLETT of Maryland, Mr. GARY G. MILLER of California, and Mr. FLAKE.

H.R. 503: Mr. LATOURETTE, Mr. GONZALEZ, Mr. WAXMAN, Mr. PITTS, Mr. BILIRAKIS, and Mr. RAHALL.

H.R. 511: Ms. KILPATRICK of Michigan.

H.R. 513: Mr. CASTLE.

H.R. 515: Mr. BISHOP of New York and Mrs. CAPPS.

H.R. 517: Mr. OTTER, Ms. HERSETH, Mr. DAVIS of Tennessee, Mr. PETERSON of Pennsylvania, and Mr. WU.

H.R. 525: Mr. GARY G. MILLER of California, Mr. FLAKE, Mr. MURPHY, Mr. LAHOOD, Mrs. MYRICK, Mr. TANCREDO, Mr. HOSTETTLER, Mr. SODREL, and Mr. BARTLETT of Maryland.

H.R. 547: Mr. MURTHA, Mr. TOWNS, Mr. CONYERS, Ms. BORDALLO, Mr. BERMAN, and Mrs. LOWEY.

H.R. 550: Mr. BROWN of Ohio, Mr. GEORGE MILLER of California, Mr. CUMMINGS, Mr. HIGGINS, Ms. MCCOLLUM of Minnesota, Mr. WYNN, Mr. SANDERS, Mr. LARSEN of Washington, Mr. MATHESON, Mr. MICHAUD, Mr. HONDA, Mr. OWENS, Mr. LEWIS of Georgia, Mr. KILDEE, Mr. RYAN of Ohio, Mr. TIERNEY, Mrs. MCCARTHY, Ms. WASSERMAN SCHULTZ, Mr. PALLONE, Mr. PETRI, Ms. LINDA T. SÁNCHEZ of California, Mr. FRANK of Massachusetts, Mr. BECERRA, Mrs. NAPOLITANO, Ms. SOLIS, Mr. SERRANO, Mr. ROSS, and Mr. UDALL of Colorado.

H.R. 554: Mr. SHAW, Mr. SOUDER, and Mr. GOODLATTE.

H.R. 560: Mr. FARR.

H.R. 565: Ms. JACKSON-LEE of Texas.

H.R. 566: Mr. KUCINICH and Mr. LANTOS.

H.R. 572: Mr. BOSWELL, Mr. BOOZMAN, Mr. JOHNSON of Illinois, Mr. TERRY, and Mr. NUNES.

H.R. 583: Mr. WEXLER and Mr. LATHAM.

H.R. 594: Mr. WEXLER and Mr. CONYERS.

H.R. 597: Mr. LUCAS and Mr. COLE of Oklahoma.

H.R. 602: Mr. MARSHALL, Mr. NORWOOD, Mr. ALLEN, Mr. TERRY, Mr. PETERSON of Pennsylvania, Mr. JONES of North Carolina, Mr. SALAZAR, Mr. MCGOVERN, and Mr. BILIRAKIS.

H.R. 606: Ms. ZOE LOFGREN of California, Mr. SANDERS, Mr. SMITH of Washington, Mr. LANTOS, Mr. WAXMAN, Ms. WATSON, Ms. JACKSON-LEE of Texas, and Mr. BERMAN.

H.R. 634: Mr. SHIMKUS.

H.R. 651: Mr. BOSWELL

H.J. Res. 10: Mr. REYNOLDS, Mr. HAYES, and Mr. LINDER.

H.J. Res. 12: Mr. SIMMONS, Mr. CASTLE, Mr. SHAYS, Mr. WAXMAN, Mr. DOGGETT, and Mr. SERRANO.

H.J. Res. 16: Mr. SAM JOHNSON of Texas, Mr. LINDER, and Mr. CULBERSON.

H. Con. Res. 6: Mr. TERRY.

H. Con. Res. 25: Mr. SMITH of Washington, Mr. KANJORSKI, Mr. VISCLOSKY, Ms. CARSON, Mr. WAXMAN, and Mr. SANDERS.

H. Con. Res. 30: Mr. TIERNEY and Mr. MEEKS of New York.

H. Con. Res. 47: Mr. TOWNS and Mr. KUCINICH.

H. Res. 20: Mr. BARRETT of South Carolina, Mr. BRADLEY of New Hampshire, Mr. BOYD, Mrs. JO ANN DAVIS of Virginia, Mr. DOOLITTLE, Mr. HOSTETTLER, Mr. SAM JOHNSON of Texas, Mr. GARRY G. MILLER of California, Mr. MILLER of Florida, Mr. RENZI, and Mr. ROYCE.

H. Res. 22: Mr. SENSENBRENNER and Mr. SAM JOHNSON of Texas.

H. Res. 41: Mr. GORDON, Mr. HUNTER, Mr. CARDIN, and Mr. TAYLOR of North Carolina.

H. Res. 55: Mrs. BLACKBURN, Mr. DENT, Mr. SAM JOHNSON of Texas, Mr. TERRY, Mr. WALDEN of Oregon, and Mr. GENE GREEN of Texas.

H. Res. 67: Mr. SANDERS, Mr. LEWIS of Georgia, Mrs. LOWEY, Ms. JACKSON-LEE of Texas, Mr. THOMPSON of California, and Ms. SCHAKOWSKY.